

**RESOLUTION NO. 2019-03**

A RESOLUTION AUTHORIZING AND ESTABLISHING PROCEDURES FOR THE CITY'S GENERAL ELECTION OF MAY 4, 2019 FOR THE PURPOSE OF ELECTING THREE CITY COUNCILMEMBERS (PLACES #1, 2, AND #3); APPOINTING AND PROVIDING FOR ELECTION OFFICIALS, AND DESIGNATION OF THE EARLY VOTING BALLOT BOARD

WHEREAS, the laws of the State of Texas and the Charter of the City of Yoakum provide that on May 04, 2019 there shall be elected three (3) members of the City Council, Places 1, 2, and 3; and

WHEREAS, the laws of the State of Texas and the Charter of the City of Yoakum further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, a resolution should be passed establishing procedures and providing for the provisions to be followed in all elections; and

WHEREAS, Section 61.012 of the Texas Election Code requires that the City of Yoakum must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. This system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot; and

WHEREAS, Sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YOAKUM, TEXAS:

SECTION 1. That a general municipal election is hereby ordered to be held on the 4<sup>th</sup> day of May, 2019, for the purpose of electing two City Councilmembers by the qualified voters of the City of Yoakum.

SECTION 2. That all independent candidates at the election to be held on the first Saturday in May, 2019 for the above mentioned office, file their application to become candidates with the City Clerk of the City of Yoakum at City Hall, 808 Hwy 77A South, Yoakum, Texas not earlier than January 16, 2019 nor later than 5:00 PM on February 15, 2019, that all write-in candidates file their application by February 19, 2019, and that all of said applications shall be on a form prescribed by Section 141.031 of the Election Code of the State of Texas.

SECTION 3. The order in which the names of the candidates are to be placed on the ballot shall be determined by drawing by the City Clerk as provided by Section 52.094 of the Election Code.

SECTION 4. The City has only one election precinct, and said election shall be held in the Yoakum City Hall Conference Room, 808 Hwy 77A South in said City from 7:00 AM to 7:00 PM on Election Day.

SECTION 5. The City Clerk is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Early Voting by Personal Appearance, Early Voting by Mail, as well as voting on Election Day shall be upon paper ballots prepared in conformity to the Texas Election Code or by an accessible direct recording electronic voting system, certified by the Texas Secretary of State.

SECTION 6. City Clerk and Deputy City Clerk are hereby appointed Early Voting Clerk and Deputy Early Voting Clerk for Early Voting. Early Voting for the above designated election shall be in the City Clerk's Office at the City Hall, 808 Highway 77A South, Yoakum, Texas 77995 and said place of

Early Voting shall remain open for at least eight hours on each day of Early Voting which is not a Saturday, a Sunday, or an official State holiday, beginning on the twelfth day and continuing through the fourth day preceding the date of all elections. Required extended voting hours will be held on the first Tuesday and Thursday of Early Voting, (Tuesday, April 23, 2019 and Thursday, April 25, 2019) from 7:00 AM to 7:00 PM.

SECTION 7. As chief elections officer of the City of Yoakum, the Early Voting Clerk shall provide at least one accessible direct recording electronic voting system certified by the Office of the Texas Secretary of State in each polling place in every polling location used to conduct any election ordered on or after January 1, 2006. The accessible direct recording electronic voting system may be acquired by any legal means available to City of Yoakum, including but not limited to lease or rental from the County of Lavaca or Dewitt or from any other legal source, as authorized or required by Sections 123.032 and 123.035, Texas Election Code.

SECTION 8. The Election Judges to serve at the polling place shall be and are hereby appointed as follows: Election Judge Irma Chomout and Alternate Judge Steven Cuellar.

SECTION 9. In accordance with Section 32.091 of the Texas Election Code, the judges and clerks shall be paid at the rate of \$8.50 per hour and the Election Judge shall receive an additional \$25.00 for the receipt of supplies and delivery of the returns of the election.

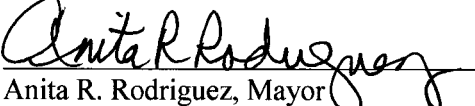
SECTION 10. There shall be a minimum of two (2) and a maximum of four (4) clerks at the polling place, not including the Election Judge and the Alternate Election Judge.

SECTION 11. In accordance with Section 87.004 of the Texas Election Code, the presiding Election Judge at the Yoakum City Hall and at least two (2) election clerks shall also serve as the Early Voting Ballot Board to count the ballots received in Early Voting by Personal Appearance and Early Voting by Mail.

SECTION 12. The Mayor shall give notice of this election in accordance with the terms and provisions of Sections 4.004, 83.010, and 85.007 of the Election Code, and all necessary orders and writs for said election shall be issued by the proper authority. Returns of said election shall be made to the City Council immediately after the closing of the polls.

SECTION 13. It is further found and determined that in accordance with the order of this governing body, the City Clerk posted written notice of the date, place and subject of this meeting on the window adjacent to the front door of the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting.

PASSED, APPROVED AND ADOPTED this 9<sup>th</sup> day of January, 2019.

  
Anita R. Rodriguez, Mayor  
City of Yoakum, Texas

ATTEST:

  
Theresa A. Bowe, City Clerk

