

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS, AMENDING RESOLUTION 2020-0324.1 POSTPONING THE GENERAL ELECTION TO NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING ONE COUNCILMEMBERS PLACE 3 AND PLACE 5 FOR A THREE (3) YEAR TERM TO EXTEND EARLY VOTING BY PERSONAL APPEARANCE TO BEGIN ON TUESDAY, OCTOBER 13, 2020; PROVIDING FOR EXTENDING HOURS DURING EARLY VOTING; PROVIDING FOR AN AMENDED NOTICE; AND BY EXTENDING EARLY VOTING BY MAIL UNTIL THE ELECTION DATE; DESIGNATING ADDITIONAL POLLING PLACE FOR DALLAS COUNTY; AUTHORIZING EXECUTION OF ANY AMENDMENTS TO JOINT ELECTION CONTRACT FOR THE NOVEMBER 3, 2020 ELECTION WITH DALLAS AND DENTON COUNTY; PROVIDING WITH ADDITIONAL EARLY VOTING AND ELECTION DAY POLLING PLACE DESIGNATED IN DALLAS COUNTY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the general laws and Constitution of the State of Texas and the Charter of the City of Coppel, Texas, and pursuant to Resolution 2020-0324.1, a Municipal Officers' election was ordered to held on May 2, 2020, for the purpose of electing the Councilmembers 3 and 5 for a three (3) year term; and;

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, on March 18, 2020, the Governor of the State of Texas signed a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their elections to the November 3, 2020, uniform election date; and

WHEREAS, on July 27, 2020 the Governor of the State of Texas issued a Proclamation suspending Section 85.001(a) of the Texas Election Code to the extent necessary to require for any election ordered or authorized to occur on November 3, 2020, early voting by personal appearance shall begin on Tuesday, October 13, 2020 and shall continue through the fourth day before election day; and

WHEREAS, said Governor's Proclamation of July 27, 2020 also suspends Section 85.006(a-1) of the Texas Election Code for any election ordered or authorized to occur in November 3, 2020, to the extent necessary to allow a voter to deliver a marked mail ballot in person to the early voting clerk's office prior to and including on election day; and

WHEREAS, pursuant to said Governor's Proclamation of July 27, 2020 authorizing the City of Coppell to extend early voting by personal appearance and by mail for the November 3, 2020 election date, the City Council does by this Resolution exercise its authority to extend early voting dates, for the purpose of electing one Councilmember for Place 3 and Place 5 for a three (3) year term; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Coppell that Resolution 2020-0324.1 is hereby amended and supplemented as follows:

SECTION 1. That early voting by personal appearance for the General Election on November 3, 2020, shall be extended to begin on Tuesday, October 13, 2020 and that hours for early voting may be extended and shall continue through the fourth day before election day.

SECTION 2. That early voting by mail shall allow a voter to deliver a marked mail ballot in person to the early voting clerk's office prior to and including on election day for the purpose of electing Councilmember for Place 3 and 5 for a three (3) year term; and, all matters including but not limited to notices, early voting, early voting locations, mail in ballots and run-off shall be established by the Texas Election Code based on the November 3rd election date.

SECTION 3. It is further ORDERED that an additional early voting and election day polling place shall be designated and located at the Coppell Arts Center, 505 Travis Street Coppell Texas for Dallas County.

SECTION 4. In the event any candidate for said office fails to receive a majority of all votes cast for all the candidates for such office, a run-off election shall be held. If a run-off election becomes necessary, the run-off election will be held in accordance with the Texas election Code and date provided.

SECTION 5. The election shall be held as a Joint Election administered by the Dallas County and Denton County Elections Administrators utilizing specific equipment to cast ballots as approved by the Texas Secretary of State, and in accordance with the provisions of the Texas Election Code and the Texas Administrative Code, with a Joint Election Agreement for each of the respective counties. The City Manager is hereby authorized to execute the amended Election Contracts with the Counties of Dallas and Denton for the conduct of the postponed election herein. Pursuant to, as amended, the Joint Election. Presiding Election Judges and Alternate Presiding Election Judges appointed to serve at said polling places shall be those election officials furnished by the Elections Administrator from the list of proposed elections judges listed in an attachment to the Joint Election Contract.

SECTION 6. Notice shall be amended to provide early voting, extended hours and polling places as amended herein and the amended election date shall be posted on the bulletin board used to post notice of the City Council meetings and be published in a newspaper of general circulation in the City. The notice of the postponed election date must be published on the same day in each of two successive weeks, with the first publication occurring no earlier than the thirtieth day and no later than the fourteenth day before the date of the election. A copy of the postponed election notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and such person posting the notice shall make a record of the time of posting, starting date and the place of posting.

SECTION 7. That the City Secretary shall present the election returns to the City of Coppell City Council at a City Council meeting for the canvassing of said election in accordance with the Texas Election Code.

SECTION 8. All resolutions or parts of resolutions in force when the provisions of this Resolution become effective which are inconsistent or in conflict with the terms and provisions contained in this Resolution are hereby repealed only to the extent of such conflict.

DULY ORDERED by the City Council of the City of Coppell, Texas the ____ day of August 2020.

CITY OF COPPELL, TEXAS

APPROVED:

Karen Selbo Hunt, Mayor
City of Coppell, Texas

ATTEST:

Christel Pettinos, City Secretary
City of Coppell, Texas

APPROVED AS TO FORM:

Robert E. Hager, City Attorney