

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, CALLING FOR A RUNOFF ELECTION TO BE HELD ON DECEMBER 8, 2020; DESIGNATING POLLING PLACES; ESTABLISHING ELECTION PRECINCTS WITHIN THE CITY; APPOINTING AN ELECTION JUDGE AND AN ALTERNATE JUDGE; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, a resolution canvassing the returns and declaring the results of a General and Special Election held on November 3, 2020, was passed by the City Council on November 13, 2020; and,

WHEREAS, that resolution declared no candidates received a majority of the votes cast in the race for Mayor, Place 1 and the race for Council Member, Place 2; and,

WHEREAS, pursuant to the provisions of Section 4.04(b) of the City Charter, a runoff election must be held between the two candidates receiving the highest number of votes cast for such office; and,

WHEREAS, the two candidates receiving the highest number of votes in the race for Mayor, Place 1 were Brent Newsom and Michael Evans; and,

WHEREAS, the two candidates receiving the highest number of votes in the race for Council Member, Place 2 were Tamera J. Bounds and Scot Bowman.

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

SECTION 1.

RUNOFF ELECTION ORDERED: A run-off election is hereby ordered for the City of Mansfield, and is hereby called and set for the 8th day of December, 2020. At such election, there shall be elected one Mayor, Place 1 and one Council Member, Place 2.

SECTION 2.

TERMS OF OFFICE: In accordance with the City Charter, the candidate for each office to be filled in the runoff election receiving the majority of votes for such office shall be elected to an unexpired three (3) year term beginning December 2020 and ending May 2022, or until a successor is duly elected and qualified.

SECTION 3.

AGREEMENT WITH TARRANT COUNTY: Pursuant to Resolution No. RE-3692-20, the City entered into an agreement for election services with Tarrant County (the "Agreement").

SECTION 4.

- (a) **ELECTION DAY POLLING PLACE – TARRANT COUNTY:** The main polling places for Election Day in Tarrant County shall be as follows, with additional locations provided for in the Agreement:

Donna Shepard Intermediate School (Gym 1)
1280 FM 1187
Mansfield, Texas 76063

J.L. Boren Elementary School (Library)
1401 Country Club Drive
Mansfield, Texas 76063

Mansfield Sub-Courthouse (Conference Room)
1100 East Broad Street
Mansfield, Texas 76063

Mansfield I.S.D. Multi-Purpose Complex (Community Room)
3700 E. Broad Street
Mansfield, TX 76063

- (b) **ELECTION DAY POLLING PLACE – JOHNSON COUNTY:** The polling places for Election Day in Johnson County shall be as follows:

Pct. 3 Maintenance Facility
10420 E. FM 917
Alvarado, TX 76009

- (c) **ELECTION DAY POLLING PLACE – ELLIS COUNTY:** The polling places for Election Day in Ellis County shall be as follows:

Midlothian Conference Center (Ballroom/Foyer)
1 Community Circle Drive
Midlothian, TX 76065

Farley Street Baptist Church (Gym)
1116 Brown Street
Waxahachie, TX 75165

SECTION 6.

APPOINTMENT OF ELECTION JUDGES AND ALTERNATE ELECTION JUDGES – TARRANT COUNTY, JOHNSON COUNTY AND ELLIS COUNTY: Election judges for the general election shall be appointed by Tarrant County, Johnson County, and Ellis County as authorized by Chapter 271, of the Texas Election Code.

SECTION 7.

- (a) **EARLY VOTING – TARRANT COUNTY:** Heider Garcia, Elections Administrator, is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

Early Voting by personal appearance shall be conducted beginning on November 23, 2020 and continuing through December 4, 2020 in Mansfield at the Mansfield Sub-Courthouse (Conference Room), 1100 East Broad Street, Mansfield, Texas 76063 and the Mansfield I.S.D. Multi-Purpose Complex (Community Room), 3700 E. Broad Street, Mansfield, Texas 76063, at the following times:

Monday, November 23, 2020	8:00 a.m. – 5:00 p.m.
Tuesday, November 24, 2020	8:00 a.m. – 5:00 p.m.
Wednesday, November 25, 2020	8:00 a.m. – 5:00 p.m.
Saturday, November 28, 2020	7:00 a.m. – 7:00 p.m.
Sunday, November 29, 2020	11:00 a.m. – 4:00 p.m.
Monday, November 30, 2020	7:00 a.m. – 7:00 p.m.
Tuesday, December 1, 2020	7:00 a.m. – 7:00 p.m.
Wednesday, December 2, 2020	7:00 a.m. – 7:00 p.m.
Thursday, December 3, 2020	7:00 a.m. – 7:00 p.m.
Friday, December 4, 2020	7:00 a.m. – 7:00 p.m.

Additional early voting will be conducted throughout Tarrant County as established by the Agreement. If there is any discrepancy between this resolution and the Agreement as to early voting locations or times, the Agreement shall control.

- (b) **EARLY VOTING – JOHNSON COUNTY:** Patty Bourgeois, Elections Administrator, is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

Early Voting by personal appearance shall be conducted beginning on November 23, 2020 and continuing through December 4, 2020 in Alvarado at the Pct. 3 Maintenance Facility, 10420 E. FM 917, Alvarado, TX 76009 at the following times:

Monday, November 23, 2020	8:00 a.m. – 5:00 p.m.
Tuesday, November 24, 2020	8:00 a.m. – 5:00 p.m.
Wednesday, November 25, 2020	8:00 a.m. – 5:00 p.m.
Monday, November 30, 2020	8:00 a.m. – 5:00 p.m.
Tuesday, December 1, 2020	8:00 a.m. – 5:00 p.m.
Wednesday, December 2, 2020	8:00 a.m. – 5:00 p.m.
Thursday, December 3, 2020	7:00 a.m. – 7:00 p.m.

Friday, December 4, 2020

7:00 a.m. – 7:00 p.m.

- (c) **EARLY VOTING – ELLIS COUNTY:** Jana Onyon, Elections Administrator, is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

Early Voting by personal appearance shall be conducted beginning on November 23, 2020 and continuing through December 4, 2020 in Midlothian at the Midlothian Conference Center (Ballroom/Foyer), 1 Community Circle Dr., Midlothian, TX 76065 at the following times:

Monday, November 23, 2020	8:00 a.m. – 5:00 p.m.
Tuesday, November 24, 2020	8:00 a.m. – 5:00 p.m.
Wednesday, November 25, 2020	8:00 a.m. – 5:00 p.m.
Monday, November 30, 2020	8:00 a.m. – 5:00 p.m.
Tuesday, December 1, 2020	8:00 a.m. – 5:00 p.m.
Wednesday, December 2, 2020	8:00 a.m. – 5:00 p.m.
Thursday, December 3, 2020	7:00 a.m. – 7:00 p.m.
Friday, December 4, 2020	7:00 a.m. – 7:00 p.m.

- (d) Applications for early voting by mail may be delivered to the Early Voting Clerk for each county no later than the close of business on November 25, 2020. Early Voting ballots for Tarrant County shall be mailed to Heider Garcia, Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas, 76161-0011. The City Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Agreement. Early Voting ballots for Johnson County shall be mailed to Patty Bourgeois, Early Voting Clerk, P.O. Box 895, Cleburne, Texas 76033. Early Voting ballots for Ellis County shall be mailed to Jana Onyon, Early Voting Clerk, 204 E. Jefferson Street, Waxahachie, TX 75165.
- (e) Early voting both by personal appearance and by mail for Tarrant County shall be by electronic voting machines and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election. The Central Count/Ballot Board Judge and additional personnel shall be appointed as stated in the Agreement.

Early voting both by personal appearance and by mail for Johnson County shall be by paper ballot and an ES&S AutoMark approved by the Secretary of State in accordance with the Texas Election Code by HAVA compliance and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other

election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election.

Early voting both by personal appearance and by mail for Ellis County shall be by paper ballot and an ES&S Express Vote Marking Device approved by the Secretary of State in accordance with the Texas Election Code by HAVA compliance and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election.

SECTION 8.

METHOD OF VOTING: The Hart InterCivic Verity System v. 2.3.1 shall be used for voting by personal appearance on Election Day and the Hart InterCivic Verity System v. 2.3.1 for early voting by personal appearance and Election for the Tarrant County portion of the election. The City Council hereby adopts the Hart InterCivic Verity System v. 2.3.1 for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

The ES&S AutoMark shall be used for voting by personal appearance on Early Voting by personal appearance and Election Day for the Johnson County portion of the election. The City Council hereby adopts the ES&S AutoMark for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

The ES&S Express Vote Marking Device shall be used for voting by personal appearance on Early Voting by personal appearance and Election Day for the Ellis County portion of the election. The City Council hereby adopts the ES&S Express Vote Marking Device for early voting and Election Day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

SECTION 9.

GOVERNING LAW AND QUALIFIED VOTERS: The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

SECTION 10.

PUBLICATION AND POSTING OF NOTICE OF ELECTION: Notice of the election shall be published in accordance with Chapter 4 of the Election Code.

SECTION 11.

NECESSARY ACTIONS: The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 12.

PASSED, APPROVED AND EFFECTIVE on this 13th day of November, 2020.

David L. Cook, Mayor on behalf of City Council

ATTEST:

Susana Marin, City Secretary