

TOWN OF FLOWER MOUND

RESOLUTION NO. 12-20

A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS CALLING FOR A GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, FOR THE OFFICES OF TOWN COUNCIL PLACE 2, AND PLACE 5, ESTABLISHING PROCEDURES FOR THOSE ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, Section 41.001 of the Texas Election Code (the "Code") specifies that the first Saturday in May shall be a "uniform election date" and that a general election of a Town may be held on such day; and,

WHEREAS, on March 18, 2020, Governor Abbott issued a proclamation suspending Sections 41.0052(a) and (b) of the Texas Election Code to the extent necessary to allow political subdivisions to move their general or special elections to be held on May 2, 2020, to the next uniform election date – November 3, 2020. Town Council action was taken on March 19, 2020, to postpone the May 2, 2020, election to November 3, 2020.

WHEREAS, state law and the charter of the Town of Flower Mound require that a general election be held; and,

WHEREAS, by this Resolution, it is the intention of the Town Council to officially call the general election and establish the election procedures for that election.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

GENERAL ELECTION CALLED: A general election shall be held in the Town of Flower Mound, Texas, on Tuesday, November 3, 2020, between the hours of 7:00 a.m. and 7:00 p.m. at which the following officers will be elected:

COUNCIL MEMBER, PLACE 2 – For a three year term ending May, 2023

COUNCIL MEMBER, PLACE 5 – For a three year term ending May, 2023

The election precincts and voting places of said election shall be as set forth in *Exhibit A* of this Resolution.

SECTION 2

APPLICATION FOR A PLACE ON THE BALLOT: The candidate filings for the May election will remain valid for the election held on the November date and the filing period will not be re-opened for the November election date.

SECTION 3

AGREEMENT WITH DENTON AND TARRANT COUNTIES: Prior to the election, the Town anticipates that it will enter into an agreement for election services with Denton and Tarrant Counties. The Mayor is hereby authorized to execute agreements with Denton County and Tarrant County for the conduct of the election in accordance with Chapter 31, Subchapter D of the Texas Election Code and other applicable statutes and laws.

SECTION 4

APPOINTMENT OF ELECTION JUDGES AND ALTERNATE ELECTION JUDGES: Election judges for the general election shall be appointed by Denton County and Tarrant County respectively as authorized by Chapter 271, of the Texas Election Code.

SECTION 5

(a) **EARLY VOTING- DENTON COUNTY:** The Denton County 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 October 19, 2020, and continuing through October 30, 2020, at the Denton County Elections Administration Denton County Main Early Voting site located at 701 Kimberly Dr., Ste. A111, Denton, Texas on the following days and times:

Date	Time
October 13 – 17 (Tuesday – Saturday)	7:00 a.m. – 7:00 p.m.
October 18 (Sunday)	11:00 a.m. – 4:00 p.m.
October 19 – 24 (Monday – Saturday)	7:00 a.m. – 7:00 p.m.
October 25 (Sunday)	11:00 a.m. – 4:00 p.m.
October 26 – 30 (Monday – Friday)	7:00 a.m. – 7:00 p.m.

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

(b) Applications for early voting by mail in Denton County may be delivered to the Early Voting Clerk, P.O. Box 1720, Denton Texas 76202, FAX 940-349-3201 email: elections@dentoncounty.com to be received not later than the close of business on October 23, 2020. The Town Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Joint Election Agreements.

(c) **EARLY VOTING - TARRANT COUNTY:** The Tarrant County Elections Administrator is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Tarrant County Joint Election Agreement.

Early Voting by personal appearance shall be conducted beginning on October 13, 2020, and continuing through October 30, 2020, at the Tarrant County Main Early Voting site located at 2700 Premier Street, Fort Worth, Texas 76111 on the following days and times:

Date	Time
October 13 - 17(Tuesday - Saturday)	8:00 a.m. – 5:00 p.m.
October 19 - 23 (Monday - Friday)	8:00 a.m. – 5:00 p.m.
October 24 (Saturday)	7:00 a.m. – 7:00 p.m.
October 25 (Sunday)	11:00 a.m. – 4:00 p.m.
October 26 – 30 (Monday – Friday)	7:00 a.m. – 7:00 p.m.

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

(d) Applications for early voting by mail in Tarrant County may be delivered to the Early Voting Clerk, 2700 Premier Street, Fort Worth, Texas 76111, FAX: 817-831-6118, email: votebyemail@tarrantcounty.com to be received not later than the close of business on October 23, 2020. Early Voting ballots for Tarrant County shall be mailed to Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas, 76161-0011. The Town Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Joint Election Agreements.

(e) Early voting both by personal appearance and by mail shall be canvassed by the Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge will be appointed by the Denton and Tarrant County Election Administrators as permitted by law. The presiding judge shall appoint elections clerks as may be necessary for the proper conduct of the election. The election judge, or the alternative election judge, in the absence of the election judge, and the election clerks shall constitute the early voting ballot board to process early voting results from the election. The election judge and the alternate election judge must be eligible to serve in accordance with state law, and the election clerks shall be qualified voters of the Town. To the extent required by law, those persons designated by Denton and Tarrant Counties as election officers and clerks are hereby appointed by the Town.

(f) All applications for ballot by mail (ABBM) for voters that are voting by mail for the May election and due to being over the age of 65 or due to disability will still be valid for the postponed November election; however, ABBM for voters who submitted ABBM for the May election based on expected absence from the county would not be valid for the postponed November election.

METHOD OF VOTING:

Denton County:

Early voting in Denton County shall be conducted using Denton County’s Hart Verity Voting System. All expenditures necessary for the conduct of the election, the purchase of materials therefor, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

Tarrant County:

Early voting in Tarrant County by personal appearance shall be conducted exclusively on Tarrant County’s Hart Verity Voting System, Version 4.3. On Election Day, voters shall have a choice between voting on the electronic voting system or by a paper ballot that is scanned at the polling place using Tarrant County’s voting system. All expenditures necessary for the conduct of the election, the purchase of materials therefor, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

SECTION 6

ELECTION DAY: Voting shall be conducted between the hours of 7:00 a.m. and 7:00 p.m. on Tuesday, November 3, 2020, and see Exhibit A for the polling location.

SECTION 7

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 Town shall be eligible to vote at the election.

SECTION 8

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

SECTION 9

RUN-OFF ELECTION: In the event no candidate receives a majority of votes for an office, there shall be a run-off election held on December 8, 2020.

SECTION 10

NECESSARY ACTIONS: The Mayor and the Town Secretary of the Town, in consultation with the Town 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 11

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ON THIS THE 17TH DAY OF AUGUST, 2020.

APPROVED:

Steve Dixon

Steve Dixon, MAYOR

ATTEST:

Theresa Scott

Theresa Scott, TOWN SECRETARY

EXHIBIT A

Polling Places

Early Voting – Denton County

Precinct Number(s): 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3033, 4023, 4024, 4025, 4026, 4027, 4028, 4029

Date	Time
October 13 – 17 (Tuesday – Saturday)	7:00 a.m. – 7:00 p.m.
October 18 (Sunday)	11:00 a.m. – 4:00 p.m.
October 19 – 24 (Monday – Saturday)	7:00 a.m. – 7:00 p.m.
October 25 (Sunday)	11:00 a.m. – 4:00 p.m.
October 26 – 30 (Monday – Friday)	7:00 a.m. – 7:00 p.m.

Polling locations to be determined by Denton County.

Early Voting – Tarrant County

Precinct Number: 3321

Date	Time
October 13 - 17(Tuesday - Saturday)	8:00 a.m. – 5:00 p.m.
October 19 - 23 (Monday - Friday)	8:00 a.m. – 5:00 p.m.
October 24 (Saturday)	7:00 a.m. – 7:00 p.m.
October 25 (Sunday)	11:00 a.m. – 4:00 p.m.
October 26 – 30 (Monday – Friday)	7:00 a.m. – 7:00 p.m.

Polling locations to be determined by Tarrant County.

Election Day – November 3, 2020

Polling Place	Precinct Number(s)
Locations to be determined by Denton County.	3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3033, 4023, 4024, 4025, 4026, 4027, 4028, 4029
Locations to be determined by Tarrant County.	3321 (Tarrant County voters)