

RESOLUTION NO. 021-0002

A RESOLUTION CALLING AND ORDERING A GENERAL ELECTION IN THE CITY OF MARLIN, TEXAS TO BE HELD ON THE UNIFORM ELECTION DATE OF SATURDAY MAY 1, 2021 FOR THE PURPOSE OF ELECTING ONE AT-LARGE MAYOR AND ELECTING THREE MEMBERS OF THE CITY COUNCIL FOR PRECINCT NO. 1, NO. 3 AND NO. 5 FOR A TWO-YEAR TERM; ORDERING A SPECIAL ELECTION IN THE CITY OF MARLIN, TEXAS TO BE HELD ON THE UNIFORM ELECTION DATE OF SATURDAY MAY 1, 2021 FOR THE PURPOSE OF ELECTING TWO MEMBERS OF THE CITY COUNCIL FOR PRECINCT NO. 2 AND NO. 6 TO FILL THE UNEXPIRED TWO-YEAR TERMS FOR THESE OFFICES; DESIGNATING THE POLLING PLACE(S), SETTING PAY FOR ELECTION WORKERS, SETTING DATES FOR EARLY VOTING, DECLARING EARLY VOTING CLERK, SETTING ADDITIONAL DATES FOR GENERAL ELECTION, DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the laws of the State of Texas and the Charter of the City of Marlin, Texas, provide that on May 1, 2021, the general uniform election date, there shall be a general municipal election in which the following officials of the City shall be elected:

One (1) Mayor(at-Large)
One (1) Councilmember for precinct #1
One (1) Councilmember for precinct #3
One (1) Councilmember for precinct #5

WHEREAS, the laws of the State of Texas and the Charter of the City of Marlin, Texas, provide that on May 1, 2021, the general uniform election date, there shall also be a special municipal election to be conducted on said uniform election date to fill the remainder of the unexpired two (2) year terms for the following offices which shall become vacant:

One (1) Councilmember for precinct #2
One (1) Councilmember for precinct #6

WHEREAS, the laws of the State of Texas and the Chapter of the City of Marlin further provide that the Texas 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 the procedure to be followed in said election, and designating the voting place(s) for said election, and

NOW THEREFORE, BE IT ORDAINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF MARLIN, TEXAS:

Section 1. Order of Election.

(a) The City's municipal election is hereby ordered to be held on the May 1, 2021 uniform election date to elect the following officials for the following offices of the City:

One (1) Mayor

One (1) Councilmember for precinct #1
One (1) Councilmember for precinct #3
One (1) Councilmember for precinct #5

(b) The City's municipal election is hereby ordered to be held on the May 1, 2021 uniform election date as a special election to elect the following officials for the unexpired terms for the following offices of the City:

One (1) Councilmember for precinct #2
One (1) Councilmember for precinct #6

Section 2. Date of Election. That all independent candidates at the election to be held on Saturday, May 1, 2021 ("Election Day") for the above-mentioned offices file their applications to become candidates no later than February 12, 2021 by 5:00 p.m., with the City Secretary of the City of Marlin in City Hall, located at 101 Fortune, Marlin, Texas and that all said applications shall be on a form as prescribed by Section 141.031 of the Texas Election Code.

Section 3. Drawing for Placement of Names for Official Ballot. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary on February ____, 2021 at 4:00 pm and shall be conducted as prescribed by Section 52.094 of the Texas Election Code.

Section 4. Purchase of Election Supplies. The City Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Voting at such, election shall be upon paper ballots and/or Election Voting Equipment.

Section 5. Election of Officials for Offices. This City has six election Precincts and said election shall be held for Precincts No. 1, No. 2, No. 3, No. 5, No. 6, and at-large Mayor as provided for in this resolution.

Section 6. Designation of Polling Place(s). The polls at the designated polling place(s) shall on said Election Day to be opened from 7:00 A.M. to 7:00 P.M. in the Council Chamber of the Marlin City Hall at 101 Fortune Street, Marlin, Texas 76661.

Section 7. Appointment of Early Voting Clerk and Setting of Dates and Times. The City Secretary is hereby appointed clerk for early voting. The early voting for the above said election shall be at the City Secretary's Office in City Hall, 101 Fortune Street, Marlin, Texas 76661 said place of early voting shall remain open at least eight hours each day for the early voting time period which is not a Saturday, Sunday or official state holiday. Early voting by personal appearance shall be conducted 8:00 A.M. to 5:00 P.M., starting on the April 19, 2021 and end on the April 27, 2021, except on **April 19th and April 26th** the place of early voting will be open for twelve (12) hours from 7:00 A.M. to 7:00 P.M.

Section 8. Appointing Election Judge and Clerks and Designating Compensation. _____, will serve as Presiding Judge, and _____, will serve as Alternate Presiding Judge, and said Presiding Judge shall appoint any necessary clerks to assist which shall not exceed four (4) clerks. The City Secretary is hereby authorized to pay one

Presiding Election Judge and an Alternate Presiding Judge at a rate of \$12.00 per hour and two Election Clerks at a rate of \$10.00 per hour for Election Day and, if necessary, one additional early voting clerk at \$10.00 per hour for all or part of the early voting period as designated herein.

Section 9. Mail Ballot Applications and Mail Ballots. Mail Ballot Applications shall be requested by contacting the City Secretary's Office. The deadline to submit applications for ballot by mail shall be April 20, 2021 which must be received by the City Secretary by this date. All applications must be mailed to City Secretary, P.O. Box 980 Marlin, Texas 76661 or delivered to the physical address of 101 Fortune Street, Marlin, Texas 76661. Early voting both by personal appearance and by mail shall be by paper ballots and shall be canvassed by the Early Voting Ballot Board and it is hereby ordered that the above-named Judges and clerks additionally serve as the Early Ballot Board.

Section 10. Qualified Voters and Election Returns. Said election shall be held in accordance with the Texas Election Code of this State, and only resident qualified voters of said City shall be eligible to vote at said election. The Mayor shall give notice of this election in accordance with the terms and provisions of Section 4.004, 85.004, and 85.007 of the Texas Election Code, and all necessary orders and writs of said the proper authority should issue elections. Returns of said election shall be made to the Mayor immediately after the closing of the polls and required elections transactions have been met.

Section 11. Contract with Falls County Elections Administrator. The City Secretary shall be authorized to contract with Falls County Elections Administrator for election services for Early Voting and on Texas Election Day.

Section 12. Election Conducted in Accordance with Texas Election Code. Said election shall be held in accordance with the Election Code of this State, and only resident qualified voters of said City shall be eligible to vote at said election.

Section 13. Notice of Election. The Mayor shall give notice of this election in accordance with the terms and provisions of the Election Code, and all necessary orders and writs for said election and 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 14. Effective Date. This Resolution shall become effective from and after the date of its passage in accordance with the Texas Local Gov.'t Code and the City Charter.

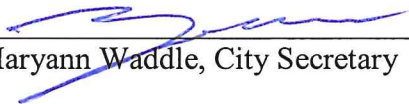
Section 15. Open Meetings. That the City Council has found and determined that the meeting at which this Resolution is considered is open to the public and that notice thereof was given in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code, Chapter 551, as amended, and that a quorum of the City Council was present.

RESOLUTION PASSED AND APPROVED on this the 9 day of February, 2021.





Carolyn Lofton, Mayor



Maryann Waddle, City Secretary