

RESOLUTION #2020- 54

RESOLUTION AMENDING THE RESOLUTION ORDERING THE CITY OF KINGSVILLE GENERAL AND SPECIAL ELECTION, DESIGNATING VOTING PRECINCTS, ESTABLISHING ELECTION PROCEDURES AND APPOINTING EARLY VOTING CLERK.

WHEREAS, the City Commission of the City of Kingsville pursuant to Article V, Section 9 of the Charter of the City of Kingsville, shall conduct, and the results canvassed and announced by the election authorities prescribed by the General Election Laws of the State of Texas, and said General Election Laws shall control in all municipal elections, except as otherwise herein provided; and

WHEREAS, a resolution ordering the City General and Special Election to be held on Saturday, May 2, 2020, as prescribed by the General Election Laws of the State of Texas, was approved at the City Commission at a meeting on February 10, 2020 via Resolution #2020-11 for the purpose of electing a Mayor, four City Commissioners (since all five commission members' terms expire in May 2020) and for Charter Amendments; and

WHEREAS, on March 13, 2020, the Governor of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster for all counties in Texas; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, the Governor has the express authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster; and

WHEREAS, the Governor signed a proclamation on March 18, 2020 suspending Sections 41.0052(a) and (b) of the Texas Election Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of office; and

WHEREAS, the March 18, 2020 Proclamation also stated that the authority ordering the election under Section 3.004 of the Texas Election Code is authorized to make the decision to postpone its election in accordance with the proclamation; and

WHEREAS, the Proclamation further stated that current office holders will hold over to the extent authorized by Article XVI, Section 17 of the Texas Constitution; and

WHEREAS, in an effort to protect voters and election workers and to reduce the spread of the virus, on March 23, 2020 the City Commission of the City of Kingsville, Texas approved Resolution #2020-24 and exercised the authority granted to it in the Proclamation from Governor Abbott dated March 18, 2020 to postpone the General and Special Election that was to be held on Saturday, May 2, 2020 for the purpose of electing a Mayor, four City Commissioners, and for Charter Amendments until Tuesday, November 3, 2020, which is the next uniform election date; and

WHEREAS, on April 27, 2020 the City Commission opted to go into a joint election with the Kleberg County Clerk's Office for the November 3, 2020 election; and

WHEREAS, Section 42.0621(a) of the Texas Election Code states that in an election held on the November uniform election date, the political subdivisions to which Section 42.002(a)(5) applies shall use the regular county election precincts.

BE IT ORDAINED, by the City Commission of the City of Kingsville, Texas that an election be held in said City on the 3rd day of November 2020 for the purpose of electing a Mayor, four City Commissioners and for Charter Amendments, as the proposed amendments were previously authorized on February 10, 2020 in Resolution #2020-12 and are incorporated herein by reference.

BE IT FURTHER ORDAINED that this City have fifteen election voting precincts.

COUNTY VOTING PRECINCT

**11, 12, 13, 14
21, 22, 23, 24
31, 32,
41, 42, 43, 44, 45**

THAT this City shall hold the election between 7:00 A.M. and 7:00 P.M. at the following places in said City.

Precinct #11 Wild Horse Mall-Main Entrance	1601 S. Highway 77, Kingsville TX
Precinct #12 Kleberg County Precinct 1 Bldg.	1910 E. Trant Road, Kingsville, TX
Precinct #13 Coastal Bend Fellowship Church Hall	1500 E. Caesar St., Kingsville, TX
Precinct #14 Law Enforcement Center, CH Annex	1500 E. King Ave., Kingsville, TX
Precinct #21 Kleberg Elementary School	900 N. 6th St. & Nettie, Kingsville, TX
Precinct #22 Kleberg County Precinct 2 Bldg.	620 N. 3rd St., Kingsville, TX
Precinct #23 University Baptist Church	1324 N. Armstrong, Kingsville, TX
Precinct #24 Santa Gertrudis School	803 Santa Rosa Rd., Kingsville, TX
Precinct #31 Knights of Columbus Hall #3389	320 Gen. Cavazos Blvd., Kingsville, TX
Precinct #32 St. Paul's AME Church	529 W. Warren Ave., Kingsville, TX
Precinct #41 Kleberg Co. Precinct 4 Bldg.	622 N. 14th St., Kingsville, TX
Precinct #42 Gillett Intermediate School	1007 N. 17th St., Kingsville, TX
Precinct #43 Early Voting Annex Office	720 E. King at 12th St., Kingsville, TX
Precinct #44 Kingsville ISD Admin. Bldg.	207 N. 3rd St., Kingsville, TX
Precinct #45 St. Martin's Church Parish Hall	504 E. Ella, Kingsville, TX

BE FURTHER RESOLVED THAT: the method of voting for Early Voting by personal appearance and by mail and voting on Election day will be by use of paper ballot and Auto Mark Voting System and be processed through the M100 Paper Ballot Tabulator for the results.

THAT: The Kleberg County Clerk Stephanie Garza or designated person is hereby appointed Clerk for Early Voting. Early voting for the election will be held Tuesday, October 13, 2020 through October 30, 2020 and shall be held at the Early Voting Annex Office located at 720 E. King at 12th Street, Kingsville, TX and said place of early voting shall remain open on weekdays and weekends between the hours of 8:00 A.M. and 5:00 P.M. with the exception of two week days where early voting will take place from 7:00 A.M. to 7:00 P.M. The dates and times for early voting will be as followed:

Tuesday, October 13, 2020 through Saturday, October 17, 2020	8:00 A.M. to 5:00 P.M.
Monday, October 19, 2020 & Tuesday, October 20, 2020	7:00 A.M. to 7:00 P.M.
Wednesday, October 21, 2020 through Saturday, October 24, 2020	8:00 A.M. to 5:00 P.M.
Monday, October 26, 2020 through Friday, October 30, 2020	8:00 A.M. to 5:00 P.M.

THAT: the City Secretary Mary Valenzuela or designated person shall give notice of said election by publishing the notice at least one time in at least one newspaper of general circulation in the City; that the Kleberg County Clerk Stephanie Garza or designated person is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election; and that the Presiding Officer of the Commission shall issue all necessary orders, writs and notices for said election and returns of said election shall be made to the City Commission.

BE IT FINALLY RESOLVED that in accordance with the order of this governing body, the City Secretary Mary Valenzuela posted written notice of the date, place and subject of this meeting, and said notice having been so posted and remaining posted and continuously for at least 72 hours preceding the scheduled time of said meeting.

PASSED AND APPROVED by majority vote of the City Commission of the City of Kingsville, Texas this the 10th day of August 2020.


 Sam R. Fugate, Mayor

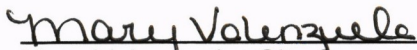

 Edna Lopez, Commissioner


 Hector Hinojosa, Commissioner

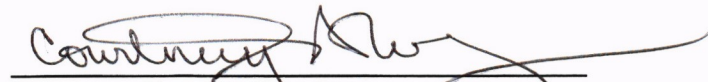

 Dianne Leubert, Commissioner


 Arturo Pecos, Commissioner

ATTEST:


 Mary Valenzuela, City Secretary

APPROVED AS TO FORM:


 Courtney Alvarez, City Attorney

RESOLUCIÓN #2020- 54

RESOLUCIÓN QUE ENMIENDA LA RESOLUCIÓN QUE ORDENA LAS ELECCIONES GENERALES Y ESPECIALES DE LA CIUDAD DE KINGSVILLE, INDICA LOS DISTRITOS ELECTORALES DE VOTACIÓN, ESTABLECE LOS PROCEDIMIENTOS ELECTORALES Y NOMBRA EL SECRETARIO DE VOTACIÓN ANTICIPADA.

POR CUANTO, la Comisión Municipal de la Ciudad de Kingsville conforme a la Sección 9 del Artículo V de la Carta Municipal de la Ciudad de Kingsville, deberá realizar, y las autoridades electorales estipuladas por las Leyes de Elecciones Generales del Estado de Texas deberán realizar el escrutinio y anuncio de los resultados, y dichas Leyes de Elecciones Generales deberán gobernar en todas las elecciones municipales, salvo disposición en contrario del presente documento; y

POR CUANTO, una resolución ordenando que las Elecciones Generales y Especiales de la Ciudad se realizaran el sábado 2 de mayo del 2020, según lo ordenado por las Leyes de Elecciones Generales del Estado de Texas, fue aprobada en la Comisión Municipal en una reunión del 10 de febrero del 2020 vía la Resolución #2020-11 para la elección de un Alcalde y cuatro Comisionados Municipales (porque los mandatos de los cinco miembros de la Comisión terminan en mayo del 2020) y para Enmiendas a la Carta Municipal; y

POR CUANTO, el 13 de marzo del 2020, el Gobernador de Texas declaró que el nuevo coronavirus (COVID-19) constituye una amenaza inminente de desastre y, en virtud de la autoridad a él conferida por la Sección 418.014 del Código de Gobierno de Texas (Texas Government Code), declaró estado de desastre para todos los condados de Texas; y

POR CUANTO, conforme a la Sección 418.016 del Código de Gobierno de Texas, el Gobernador tiene autorización expresa para suspender las disposiciones de cualquier ley regulatoria que dicte los procedimientos para el ejercicio de las actividades estatales o las órdenes o reglas de un órgano estatal si el cumplimiento estricto de las disposiciones, órdenes o reglas impidiere, dificultare o demorare en modo alguno las medidas necesarias para hacerle frente a un desastre; y

POR CUANTO, el Gobernador firmó una proclama el 18 de marzo del 2020 suspendiendo las Secciones 41.0052(a) y (b) del Código Electoral de Texas en la medida necesaria para permitir que las subdivisiones políticas que de lo contrario celebrarían elecciones el 2 de mayo del 2020, aplazaran sus elecciones generales y especiales sólo en el 2020 hasta la próxima fecha uniforme de elecciones, que es el 3 de noviembre del 2020, sin por lo demás ajustar el período de mandato; y

POR CUANTO, la Proclama del 18 de marzo del 2020 decía también que la autoridad que ordena las elecciones según la Sección 3.004 del Código Electoral de Texas está autorizada para tomar la decisión de posponer sus elecciones de conformidad con la proclama; y

POR CUANTO, la Proclama decía además que los actuales titulares de cargos continuarán en la medida autorizada por la Sección 17 del Artículo XVI de la Constitución de Texas; y

POR CUANTO, en un esfuerzo por proteger a los electores y los trabajadores electorales y por reducir la propagación del virus, el 23 de marzo del 2020 la Comisión Municipal de la Ciudad de Kingsville, Texas aprobó la Resolución #2020-24 y ejerció la autoridad a ella otorgada por la Proclama del Gobernador Abbott de fecha 18 de marzo del 2020 de posponer las Elecciones Generales y

Especiales que iban a realizarse el sábado 2 de mayo del 2020, para la elección de un Alcalde y cuatro Comisionados Municipales y para Enmiendas a la Carta Municipal, hasta el martes 3 de noviembre del 2020, que es la próxima fecha uniforme de elecciones; y

POR CUANTO, el 27 de abril del 2020 la Comisión Municipal optó por entrar en elecciones conjuntas con la Oficina del Secretario del Condado de Kleberg para las elecciones del 3 de noviembre del 2020; y

POR CUANTO, la Sección 42.0621(a) del Código Electoral de Texas dice que en elecciones efectuadas en la fecha uniforme de elecciones de noviembre, las subdivisiones políticas a las que corresponde la Sección 42.002(a)(5) han de utilizar los distritos electorales regulares del condado.

ORDÉNASE, por la Comisión Municipal de la Ciudad de Kingsville, Texas, que se celebren elecciones en dicha Ciudad el día 3 de noviembre del 2020 para elegir un Alcalde y cuatro Comisionados Municipales y para Enmiendas a la Carta Municipal, propuestas de enmiendas que fueron previamente autorizadas el 10 de febrero del 2020 en la Resolución #2020-12 y se tienen por aquí reproducidas como si a la letra se insertasen.

ORDÉNASE ADEMÁS que esta Ciudad tenga quince recintos de votación para las elecciones.

DISTRITOS ELECTORALES DE VOTACIÓN DEL CONDADO

11, 12, 13, 14
21, 22, 23, 24
31, 32,
41, 42, 43, 44, 45

QUE esta Ciudad deberá efectuar las elecciones entre las 7:00 A.M. y las 7:00 P.M. en los siguientes lugares en dicha Ciudad.

Distrito Electoral #11	Wild Horse Mall- Main Entrance	1601 S. Highway 77, Kingsville TX
Distrito Electoral #12	Kleberg County Precinct 1 Building	1910 E. Trant Road, Kingsville, TX
Distrito Electoral #13	Coastal Bend Fellowship Church Hall	1500 E. Caesar St., Kingsville, TX
Distrito Electoral #14	Law Enforcement Center, CH Annex	1500 E. King Ave., Kingsville, TX
Distrito Electoral #21	Kleberg Elementary School	900 N. 6 th St. & Nettie, Kingsville, TX
Distrito Electoral #22	Kleberg County Precinct 2 Bldg.	620 N. 3 rd St., Kingsville, TX
Distrito Electoral #23	University Baptist Church	1324 N. Armstrong, Kingsville, TX
Distrito Electoral #24	Santa Gertrudis School	803 Santa Rosa Rd., Kingsville, TX
Distrito Electoral #31	Knights of Columbus Hall #3389	320 Gen. Cavazos Blvd., Kingsville, TX
Distrito Electoral #32	St. Paul's AME Church	529 W. Warren Ave., Kingsville, TX
Distrito Electoral #41	Kleberg Co. Precinct 4 Bldg.	622 N. 14 th St., Kingsville, TX
Distrito Electoral #42	Gillett Intermediate School	1007 N. 17 th St., Kingsville, TX
Distrito Electoral #43	Early Voting Annex Office	720 E. King at 12 th St., Kingsville, TX
Distrito Electoral #44	Kingsville ISD Admin. Bldg.	207 N. 3 rd St., Kingsville, TX
Distrito Electoral #45	St. Martin's Church Parish Hall	504 E. Ella, Kingsville, TX

RESUÉLVESE ASIMISMO QUE: el método de votación para la Votación Anticipada en persona y por correo y la votación el Día de las Elecciones será mediante utilización de boleta de papel y Sistema de votación de marca y para los resultados se procesará a través de Tabulador M100 para Boletas de Papel.

QUE: Por este medio se nombra a la Secretaria del Condado de Kleberg, Stephanie Garza, o una persona designada, Secretaria de Votación Anticipada. La votación anticipada para las elecciones se

efectuará desde el martes 13 de octubre del 2020 hasta el 30 de octubre del 2020 y deberá realizarse en la Oficina Anexa de Votación Anticipada (Early Voting Annex Office) ubicada en 720 E. King at 12th Street, Kingsville, TX, y dicho lugar de votación anticipada deberá permanecer abierto en días entre semana y fines de semana de 8:00 A.M. a 5:00 P.M., con excepción de dos días entre semana en que la votación anticipada se llevará a cabo de 7:00 A.M. a 7:00 P.M. Las fechas y horarios de votación anticipada serán los siguientes:

Del martes 13 de octubre del 2020 al sábado 17 de octubre del 2020	De 8:00 A.M. a 5:00 P.M.
Lunes 19 de octubre del 2020 y martes 20 de octubre del 2020	De 7:00 A.M. a 7:00 P.M.
Del miércoles 21 de octubre del 2020 al sábado 24 de octubre del 2020	De 8:00 A.M. a 5:00 P.M.
Del lunes 26 de octubre del 2020 al viernes 30 de octubre del 2020	De 8:00 A.M. a 5:00 P.M.

QUE: la Secretaria Municipal, Mary Valenzuela, o una persona designada, deberá dar aviso de dichas elecciones publicando el aviso al menos una vez en por lo menos un periódico de circulación general en la Ciudad; que por este medio se le autoriza y ordena a Stephanie Garza, Secretaria del Condado de Kleberg, o una persona designada, que proporcione y facilite todos los materiales electorales necesarios para la realización de dichas elecciones; y que el Presidente de la Comisión deberá emitir todas las órdenes, mandatos y avisos necesarios para dichas elecciones y que los resultados de dichas elecciones deberán ir a la Comisión Municipal.

DETERMÍNASE PARA FINALIZAR que de conformidad con la orden de este ente rector, la Secretaria Municipal, Mary Valenzuela, publicó aviso por escrito de la fecha, lugar y tema de esta reunión, y que dicho aviso habiendo sido así publicado permaneció publicado y continuamente durante al menos 72 horas antes del momento programado de dicha reunión.

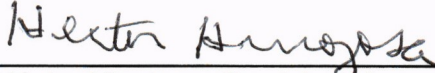
ADOPTADA Y APROBADA por voto mayoritario de la Comisión Municipal de la Ciudad de Kingsville, Texas en este día 10 de agosto del 2020.



 Sam R. Fugate, Alcalde



 Edna López, Comisionada



 Héctor Hinojosa, Comisionado

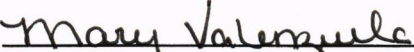


 Dianne Leubert, Comisionada




 Arturo Pecos, Comisionado

DOY FE:



 Mary Valenzuela, Secretaria Municipal

APROBADO EN CUANTO A FORMA:



 Courtney Álvarez, Abogada Municipal

RESOLUTION 2020-11

A RESOLUTION ORDERING THE CITY OF KINGSVILLE GENERAL AND SPECIAL ELECTION, DESIGNATING VOTING PRECINCTS, POLLING PLACES ESTABLISHING ELECTION PROCEDURES AND APPOINTING EARLY VOTING CLERK.

WHEREAS, the City Commission of the City of Kingsville pursuant to Article V, Section 9 of the Charter of the City of Kingsville, shall conduct, and the results canvassed and announced by the election authorities prescribed by the General Election Laws of the State of Texas, and said General Election Laws shall control in all municipal elections, except as otherwise herein provided; and

WHEREAS, the General Election is to be held on Saturday, May 2, 2020, as prescribed by the General Election Laws of the State of Texas; and

WHEREAS, the terms of all five commission members expire in May 2020.

BE IT ORDANINED, by the City Commission of the City of Kingsville, Texas that an election be held in said City on the 2nd day of May 2020 for the purpose of electing a Mayor, four City Commissioners and for Charter Amendments.

BE IT FURTHER ORDAINED that this City have six election polling places comprised of the following voting precincts.

<u>CITY POLLING PLACE</u>	<u>COUNTY VOTING PRECINCT</u>
1	23 & 24
2	22, 32, & 44
3	21, 43, & 45
4	14, 41, & 42
5	13
6	11, 12, & 31

THAT this City shall hold the election between 7:00 A.M. and 7:00 P.M. at the following places in said City.

Polling Place #1	McRoberts Elementary School, 400 West Corral
Polling Place #2	KISD Administration Bldg. 207 North 3rd Street
Polling Place #3	Kleberg County Annex Bldg., 720 E. King & 12th Street
Polling Place #4	Gillett Intermediate School, 1007 North 17th Street
Polling Place #5	Harvey Elementary School, 1301 East Kenedy
Polling Place #6	H.M. King High School, 2210 S. Brahma Blvd

BE FURTHER RESOLVED THAT: the method of voting for Early Voting by personal appearance and by mail and voting on Election day will be by use of paper ballot and Direct Recording Electronic (DRE) Voting System and be processed through the M100 Paper Ballot Tabulator for the results.

THAT: The City Secretary Mary Valenzuela or designated person is hereby appointed Clerk for Early Voting. Early voting for the election shall be held at City Hall, 400 W. King Avenue in the Helen Kleberg Groves Community Room and said place of early voting shall remain open on weekdays between the hours of 8:00 A.M. and 5:00 P.M. Monday, April 20, 2020 through April

24, 2020; and continuing from 7:00 A.M. to 7:00 P.M. on Monday, April 27, 2020 and terminating on Tuesday, April 28, 2020 after voting occurs between the hours of 7:00 A.M. and 7:00 P.M.

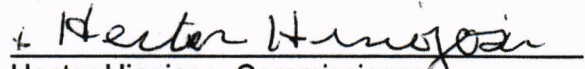
THAT: the City Secretary Mary Valenzuela or designated person shall give notice of said election by publishing the notice at least one time in at least one newspaper of general circulation in the City; that the City Secretary Mary Valenzuela or designated person is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election; and that the Presiding Officer of the Commission shall issue all necessary orders, writs and notices for said election and returns of said election shall be made to the City Commission.

BE IT FINALLY RESOLVED that in accordance with the order of this governing body, the City Secretary Mary Valenzuela posted written notice of the date, place and subject of this meeting, and said notice having been so posted and remaining posted and continuously for at least 72 hours preceding the scheduled time of said meeting.

PASSED AND APPROVED by majority vote of the City Commission of the City of Kingsville, Texas this the 10th day of February 2020.


Sam R. Fugate, Mayor

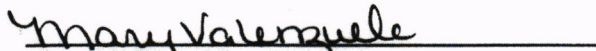

Edna Lopez, Commissioner


Hector Hinojosa, Commissioner



Dianne Leubert, Commissioner


Arturo Pecos, Commissioner

ATTEST:


Mary Valenzuela, City Secretary

APPROVED AS TO FORM:


Courtney Alvarez, City Attorney

RESOLUCIÓN 2020-11

UNA RESOLUCIÓN QUE ORDENA LAS ELECCIONES GENERALES Y ESPECIALES DE LA CIUDAD DE KINGSVILLE, DESIGNA LOS DISTRITOS ELECTORALES Y LOS SITIOS DE VOTACIÓN, ESTABLECE LOS PROCEDIMIENTOS DE LAS ELECCIONES Y NOMBRA A LA SECRETARIA ENCARGADA DE LA VOTACIÓN ANTICIPADA.

CONSIDERANDO QUE: La Comisión Municipal de la Ciudad de Kingsville, de conformidad con el Artículo V, Sección 9 del Fuero Municipal de la Ciudad de Kingsville, realizará las elecciones, y las autoridades electorales recomendadas por las Leyes de Elecciones Generales del Estado de Texas escrutarán los votos y anunciarán los resultados, y dichas Leyes de Elecciones Generales controlarán todas las elecciones municipales, salvo que se especifique lo contrario en el presente documento; y

CONSIDERANDO QUE: Las Elecciones Generales se llevarán a cabo el sábado 2 de mayo de 2020, como lo estipulan las Leyes de Elecciones Generales del Estado de Texas; y

CONSIDERANDO QUE: Los períodos de servicio de todos los cinco miembros de la comisión finalizarán en mayo de 2020.

ES DECRETADO, por la Comisión Municipal de la Ciudad de Kingsville, Texas, que se realicen unas elecciones en dicha Ciudad el día 2 de mayo de 2020, con el propósito de elegir un Alcalde y cuatro Comisionados Municipales y para Enmiendas de la Carta.

SE DECRETA ADEMÁS que esta Ciudad tendrá seis sitios de votación, compuestos de los siguientes distritos electorales.

<u>SITIO DE VOTACIÓN EN LA CIUDAD</u>	<u>DISTRITO ELECTORAL DEL CONDADO</u>
1	23 & 24
2	22, 32, & 44
3	21, 43, & 45
4	14, 41, & 42
5	13
6	11, 12, & 31

QUE esta Ciudad deberá realizar las elecciones entre las 7:00 a.m. y las 7:00 p.m. en los siguientes sitios de dicha Ciudad:

Sitio de votación #1	Escuela Primaria McRoberts, 400 West Corral
Sitio de votación #2	Edificio de Administración del KISD 207 North 3rd Street
Sitio de votación #3	Edificio anexo del condado de Kleberg, 720 E. King & 12th St.
Sitio de votación #4	Escuela Intermedia Gillett, 1007 North 17th Street
Sitio de votación #5	Escuela Primaria Harvey, 1301 East Kenedy
Sitio de votación #6	Escuela H.M. King High School, 2210 S. Brahma Blvd

SE RESUELVE ADEMÁS QUE: El método de votación para la votación anticipada en persona y por correo, y para la votación el día de elecciones, será con papeletas y el sistema de votación de registro electrónico directo (DRE, por sus siglas en inglés). Los votos se procesarán a través del tabulador de papeletas M100 para obtener los resultados.

RESOLUTION #2020-12

A RESOLUTION FOR THE BALLOT PROPOSITIONS FOR THE SPECIAL ELECTION TO CONSIDER AMENDING THE CHARTER OF THE CITY OF KINGSVILLE, TEXAS AND OTHER MATTERS RELATED THERETO.

WHEREAS, the City Commission of the City of Kingsville pursuant to Article V, Section 9 of the Charter of the City of Kingsville, shall conduct, and the results canvassed and announced by the election authorities prescribed by the General Election Laws of the State of Texas, and said General Election Laws shall control in all municipal elections, except as otherwise herein provided; and

WHEREAS, the General and Special Election is to be held on Saturday, May 2, 2020, as prescribed by the General Election Laws of the State of Texas for the purpose of electing a Mayor, four City Commissioners, and for Charter Amendments; and

WHEREAS, the terms of all five commission members expire in May 2020.

WHEREAS, the Charter Review Committee presented its recommendations to the City Commission at the meeting on January 13, 2020 and the City Commission determined to move forward with some revised charter amendment proposals at a meeting on January 27, 2020;

WHEREAS, the Commission hereby finds and determines that this action is in the best interests of the citizens of the City;

BE IT RESOLVED by the City Commission of the City of Kingsville, Texas, that:

Section 1. Ballot Propositions. A special election has been ordered to be held on the 2nd day of May, 2020 (the "Election Day"), a uniform election date, in the CITY OF KINGSVILLE, TEXAS, via a separate resolution on February 10, 2020, for the purpose of submitting the following propositions to the qualified voters of the City in accordance with law. The official ballots shall be prepared in accordance with the Election Code so as to permit qualified voters to vote "FOR" or "AGAINST" the aforesaid propositions which shall appear on the ballot substantially as follows:

PROPOSITION A: Shall the Charter be amended to adopt four (4) year terms of office for the Mayor and City Commissioners?

PROPOSITION B: Shall the Charter be amended to limit the recall of the Mayor or City Commissioner to no sooner than twelve (12) months after election to office and not later than twelve (12) months before expiration of office?

PROPOSITION C: Shall the Charter be amended to require a person be a resident of the city for at least twelve (12) months immediately preceding their election to the City Commission?

PROPOSITION D: Shall the Charter be amended to provide for a 5:30p.m. meeting on the first Thursday after the election of the Commission has been declared to be sworn into office?

PROPOSITION E: Shall the Charter be amended to provide that all ordinances, other than emergency measures, be published once a week for two (2) consecutive weeks, in some newspaper publicly circulated in Kingsville?

Section 2. Text Amendment. If one or more of the measures listed above as Propositions A-E are approved by the voters, the Kingsville City Charter would be amended as follows [proposed deleted text is shown with ~~strikethroughs~~ and proposed added test is shown with underline]:

PROPOSITION A: Article V, Section 2-Terms of Office:

Section 2. - Terms of office.

The Mayor and each Commissioner shall serve, after the first election for Commissioners as hereinafter provided, for a term of ~~two (2)~~ four (4) years and until his successor is elected and qualified, unless sooner removed from office as herein provided.

PROPOSITION B: Article II, Section 24-Recall, (2) Restrictions on Recall:

Section 24. - Recall.

(2) *Restrictions on recall.* No recall petition shall be filed against any officer of the City within ~~six (6)~~ twelve (12) months after such officer's election or appointment, nor within six (6) months after an election for such officer's recall, nor within ~~six (6)~~ twelve (12) months of the expiration of such officer's term.

PROPOSITION C: Article V, Section 4-Qualifications:

Section 4. - Qualifications.

The Mayor and each Commissioner shall be citizens of the United States, and have resided in the City of Kingsville for a continuous period of 12 months immediately preceding election day, and have attained the age of 21 years at the time of filing as a candidate for such position; and have the other qualifications of an Elector in the City and as provided for candidates in the State Election Code. The Mayor and each Commissioner shall not be in arrears in the payment of any taxes or other liabilities to local taxing entities. ("In arrears" is defined herein to mean that payment has not been received within ninety (90) days from due date.) The Mayor, Commissioners, and other officers and employees shall not hold any other public office of emolument, except the Office of Notary Public, and shall not be interested in the profits or emoluments or any contract, job, work or service for the municipality, or interested in the sale to or by the City of any property, real or personal. All such qualifications and requirements shall be fully complied with by any prospective candidate for the position of Mayor or Commission at the time of filing for election. Any Mayor or Commissioner of the City who shall cease to possess any of the qualifications herein required shall forthwith forfeit his office and any such contracts in which any officer or employee is or may become interested may be declared void by the Commission. No elected official shall otherwise accept any service, or anything of value, directly or indirectly, from any entity, upon terms more favorable than are granted to the public. All members present at Commission meetings shall vote "Yes" or "No" on all matters requiring a vote before such Commission; provided, however, any Commissioner having a conflict of interest

regarding the matter or matters upon which a vote is to be taken shall abstain from voting and abstain from any discussion on such matter.

PROPOSITION D: Article V, Section 12-Meeting of the Commission:

Section 12. - Meeting of the Commission.

On the first Thursday at 5 7:30 o'clock P.M., after the election of the Commission has been declared, the Commission shall meet in the City Hall, at which time the Commissioners shall qualify and assume the duties of their offices. Thereafter, the Commissioners shall meet at such times as may be prescribed by ordinance, resolution or motion, but they shall meet at least once every month. Any two of the five members of the Commission may call special meetings of the Commission at any time deemed advisable. All meetings of the Commission shall be public, except such executive sessions as may be provided for by ordinance or resolution, and any citizen shall have access to the minutes of and records thereof, at all reasonable times. The Commission shall determine its own rules of order of business, and shall keep journal of its proceedings.

PROPOSITION E: Article V, Section 17-Ordinances, Publication of:

Section 17. - Ordinances; publication of.

All ordinances, other than emergency measures, shall be published once a week for two (2) consecutive weeks, in some newspaper publicly circulated ~~published~~ in Kingsville, and no ordinances shall become effective, until ten (10) days after the date of its last publication. Such ordinances may be published by descriptive caption, with such adoption briefly describing the purpose and penalties of said ordinance.

Section 3. Corrections. The Mayor and City Secretary are hereby authorized and directed to approve any technical changes or corrections to this Resolution or to any of the instruments authorized by this Resolution necessary in order to (i) correct any ambiguity, mistake, or omission, or (ii) to comply with the requirements of the Texas Election Code or any other applicable law.

Section 4. Incorporation of Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Commission.

Section 5. Resolution Controls. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters ordered herein.

Section 6. Law. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 7. Severability. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and this


Commission hereby declares that this Resolution would have been enacted without such invalid provision.

Section 8. Open Meetings. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code.

Section 9. Effective Date. This Resolution shall be in force and effect from and after the date of its adoption, and it is so ordained.

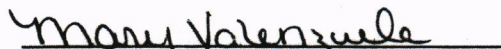
BE IT FINALLY RESOLVED that in accordance with the order of this governing body, the City Secretary Mary Valenzuela posted written notice of the date, place and subject of this meeting, and said notice having been so posted and remaining posted and continuously for at least 72 hours preceding the scheduled time of said meeting.

PASSED AND APPROVED by a majority vote of the City Commission on the 10th day of February, 2020.



Sam R. Fugate, Mayor

ATTEST:



Mary Valenzuela, City Secretary

APPROVED AS TO FORM:



Courtney Alvarez, City Attorney