

## RESOLUTION NO. 852

### **A RESOLUTION ORDERING A GENERAL ELECTION TO BE HELD ON MAY 7, 2022 FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) COUNCIL MEMBERS FOR TWO (2) YEAR TERMS**

**WHEREAS**, the City Charter, Section 2.01. - Composition and Term of Office states that the legislative and governing body of the city shall consist of a mayor and six (6) other councilmen elected by plurality from the city at large for two-year yerms [terms] and shall be known as the "City Council of Portland" and hereafter referred to as the council. The mayor and two (2) councilmen shall be elected one year and four (4) councilmen shall be elected the next year, except as provided in this Charter for filling of vacancies; and

**WHEREAS**, the City Charter, Section 7.01. - Elections. States that the regular city election shall be held annually, at which time officers shall be elected to fill those offices which become vacant that year; and

**WHEREAS**, the Mayor and City Council of the City of Portland, Texas hereby order that a General Election be held in said City on the 7<sup>th</sup> day of May 7022, for the purpose of electing:

A Mayor and Two (2) Council Members for two (2) year terms

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

In accordance with the general laws and Constitution of the State of Texas, and the Charter of the City, a General Election is hereby called and ordered for Saturday, May 7, 2022. All resident, qualified voters of the City of Portland shall be permitted to vote, in said election.

- 1. TIME OF ELECTION.** A General Election in the City shall be held between the hours of 7:00 a.m. and 7:00 p.m. on Saturday, May 7, 2022.
- 2. PRECINCT AND POLLING PLACE.** The City shall hold the election on Saturday, May 7, 2022, at the precinct and polling place listed below. For the purpose of holding the election, the entire City shall constitute a single election precinct. The polling place for such precinct shall be:

**Main Early Voting Location**  
Election Office  
410 W. Market St.  
Sinton, Texas 78387

**Branch Early Voting Location**

Daniel P. Moore Community Center Complex  
Portland Community Center  
2000 Billy G. Webb Dr.  
Portland, Texas

3. **PRESIDING JUDGES AND ELECTION CLERKS.** The Presiding Judge, Alternate Presiding Judge and election clerks for the election precinct and polling place shall be appointed by the Election Administrator.
4. **EARLY VOTING.** Electors may cast their early votes by mail or by personal appearance at the times and places determined by the Election Administrator. When so determined, the times and places for early voting by personal appearance shall be attached hereto as *Exhibit A*. The Early Voting Clerk shall be appointed by the Election Administrator.
5. **EARLY VOTING BALLOT BOARD.** An early voting ballot board shall be created by the Election Administrator to process early voting results.
6. **ELECTORS.** All resident, qualified electors of the City shall be entitled to vote at said election.
7. **NOTICE OF ELECTION.** The City shall cause a copy of the Notice of Election (in English and Spanish) to be posted and published as required by Sections 4.003(a)(1)(A), (b) and (f), Texas Election Code, and Section 1251.003(d) and (e), Texas Government Code.
8. **ELECTION CODE.** In all respects said election shall be conducted in accordance with the Texas Election Code. Pursuant to the federal Help America Vote Act ("**HAVA**") and the Code, at each polling place there shall be at least one voting system that is equipped for disabled individuals, and each such voting system shall be a system that has been certified by the Texas Secretary of State as compliant with HAVA and the Code. The City Manager of the City is hereby authorized to enter into any necessary agreements with San Patricio County in order to comply with this section.
9. **BILINGUAL ELECTION MATERIALS.** All election materials (including notice of the election, ballots, instruction cards, affidavits, and other forms which voters may be required to sign) and all early voting materials shall be printed in both English and Spanish, or Spanish translations thereof, and/or other assistance shall be provided, as required by the Texas Election Code and the Federal Voting Rights Act of 1965, each as amended.
10. **VOTING DEVICES.** The San Patricio County Elections Administrator may utilize a central counting station as provided by the Texas Election Code. Any central counting station presiding judge and the alternate presiding judge shall be appointed in accordance with the Election Agreement and the Texas Election Code. The San Patricio County Elections

Administrator is currently using HART Verity System 2.0.3 and software certified by the Texas Secretary of State.

The City Council of the City of Portland, Texas, finds as follows:


The Texas Election Code requires that at least one accessible voting station must be provided in each polling place used in a Texas election. Such system must comply with state and federal laws setting the requirements for voting systems that (i) fully comply with applicable laws relating to accessible voting systems which make voting accessible for disabled voters; and (ii) provide a practical and effective means for voters with physical disabilities to cast a secret ballot. The Office of the Texas Secretary of State has certified that the Verity Access Touch is an accessible voting system that may legally be used in Texas elections.

The Texas Election Code authorizes the acquisition of voting systems by local political subdivisions and further mandates certain minimum requirements for contracts relating to the acquisition of such voting systems. As chief elections officer for the City of Portland, the San Patricio County Elections Administrator shall provide at least one Verity Access Touch in each polling place at every polling location used to conduct any election. The Verity Access Touch may be acquired by any legal means available to the City of Portland, including but not limited to lease or rental from San Patricio County or from any other legal source, as authorized or required by the Texas Election Code.

11. **AGREEMENT WITH SAN PATRICIO COUNTY AND JOINT ELECTION PARTICIPANTS.** The City Manager of the City is authorized to enter into any other agreements required by San Patricio County or the Election Administrator in connection with conducting the election ordered herein, and the City is authorized to pay the fees charged by San Patricio County for services rendered in connection with the election. The City Manager is further authorized to enter into an agreement with other political subdivisions in the event it is determined that the election called by this Resolution shall be conducted as a joint election pursuant to Chapter 271 of the Texas Election Code.
12. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon adoption thereof.

**PASSED AND APPROVED** this 7<sup>th</sup> day of February 2022.

CITY OF PORTLAND, TEXAS

  
\_\_\_\_\_  
Cathy Skutnow, Mayor

ATTEST:



Annette Hall, City Secretary



**Exhibit A.**

**CITY OF PORTLAND  
ELECTION MAY 7, 2022  
EARLY VOTING BY PERSONAL APPEARANCE  
LOCATION DATES AND TIMES**

<b>Location</b>	<b>Dates</b>	<b>Time</b>
Main Early Voting Location Election Office 410 W. Market St. Sinton, Texas 78387 and Branch Early Voting Location Daniel P. Moore Community Center Complex Portland Community Center 2000 Billy G. Webb Dr. Portland, Texas 78374	Monday, April 25, 2022 Tuesday, April 26, 2022 Wednesday, April 27, 2022 Thursday, April 28, 2022 Friday, April 29, 2022  Monday, May 3, 2022 Tuesday, May 4, 2022	8:00 a.m. to 5:00 p.m. 8:00 a.m. to 5:00 p.m. 8:00 a.m. to 5:00 p.m. 8:00 a.m. to 5:00 p.m. 8:00 a.m. to 5:00 p.m.  7:00 a.m. to 7:00 p.m. 7:00 a.m. to 7:00 p.m.

**ELECTION DAY  
LOCATION DATE AND TIMES**

<b>Location</b>	<b>Date</b>	<b>Time</b>
Daniel P. Moore Community Center Complex Portland Community Center 2000 Billy G. Webb Dr. Portland, Texas	Saturday, May 7, 2022	7:00 a.m. to 7:00 p.m.