

## **RESOLUTION NO. 10-01**

### **A RESOLUTION CALLING AND ORDERING A JOINT ELECTION WITH THE CITY OF TOLAR AND THE TOLAR INDEPENDENT SCHOOL DISTRICT BOARD FOR THE GENERAL ELECTION TO BE HELD ON MAY 08, 2010 FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS FOR THE CITY OF TOLAR, TEXAS**

#### **Section I**

A joint election with the Tolar Independent School District Board is hereby ordered for May 08, 2010 for the purpose of electing a Mayor and two (2) Council Members for the City of Tolar, Texas. A candidate's application for a place on the ballot for the general election of city officers may be filed starting on February 06, 2010 and must be filed no later than 5:00 p.m. on March 08, 2010.

#### **Section II**

Section 61.012 of the Texas Election Code requires that the City of Tolar, Texas must provide at least one accessible voting system in each polling place used in a Texas election on after January 1, 2006. This system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot. The City of Tolar will use an I Votronic Direct Record Electronic (DRE) Electronic Voting System. The Office of the Texas Secretary of State has certified that the I Votronic Direct Record Electronic (DRE) Electronic Voting System is an accessible voting system that may legally be used in Texas elections.

#### **THE CITY COUNCIL OF THE CITY OF TOLAR, TEXAS HEREBY RESOLVES:**

As chief elections officer of the City of Tolar, Texas the Hood County Election Administrator shall provide at least one I Votronic Direct Record Electronic (DRE) Voting System in every polling location used to conduct any election on or after January 1, 2007. Sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems. The I Votronic Direct Record Electronic (DRE) Voting System may be acquired by any legal means available to the City of Tolar, Texas including but not limited to lease or rental from Hood County, as authorized or required by Sections 123.032 and 123.035, Texas Election Code.

#### **Section III**

Early voting by personal appearance will be conducted each weekday at the Hood County Annex 1, 1410 W. Pearl St., Granbury, Texas 76048, between the hours of 8:00 a.m. and 5:00 p.m. beginning April 26, 2010 and ending May 4, 2010. To comply with the House Bill 2309, requiring early voting to take place for at least 12 hours on two weekdays; May 03, 2010 and May 04, 2010, early voting by personal appearance will be conducted between the hours of 7:00 a.m. and 7:00 p.m.

#### **Section IV**

Applications for ballot by mail shall be mailed to:

Lois Joplin  
Hood County Elections Administrator  
1410 W. Pearl St.  
Granbury, Texas 76048

Applications for ballot by mail must be received no later than the close of business on April 30, 2010.

**Section V**

The location for the polling place for the May 08, 2010 election shall be at the Tolar Volunteer Fire Department, 9009 W. Hwy 377, Tolar, Texas 76476 and Tolar Church of Christ 8604 W. Hwy 377. Tolar, Texas 76476. The polling place shall be kept open from 7:00 a.m. to 7:00 p.m. on May 08, 2010, and the return shall be made to the City Council showing the number of votes cast for each candidate for Mayor and membership on the City Council.

**Section VI**

The City Secretary is hereby ordered and directed to prepare and certify ballot for said election to Lois Joplin, the Hood County Elections Administrator of Hood County, Texas and mark same as "Official Ballot." Said ballot shall be printed in English and Spanish for use in said election.

**Section VII**

Notice of said election shall be given by: (1) publishing notice of the election, in English and Spanish, at least once, on or before the 30<sup>th</sup> day, Thursday, April 08, 2010 nor later than the 10<sup>th</sup> day, Wednesday, April 28, 2010 before election day, in a newspaper of general circulation in said City; and 2) not later than the 21<sup>st</sup> day before election day, by posting notice of election, in English and Spanish, on the City's bulletin board used for posting notices of the meetings of the Tolar City Council.

**Section VIII**

The notice shall include, the way and manner of holding said election, the polling places, the personnel and the officers who are to hold the same, and all details connected with the holding of the election shall be provided for and arranged by the City Secretary. Any omission or irregularity in the notice of election or in the publication or posting of the notice of election, or in the signing of same, shall not in any way affect or invalidate such election.

**Section IX**

The City Secretary is hereby directed to deliver notice of the election to the Hood Elections Administrator not later than the 60<sup>th</sup> day (Tuesday, March 09, 2010) before Election Day.

**Section X**

It is hereby officially found and determined that the meeting at which this resolution was adopted and said election was called was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Texas Government Code.

**Section XI**

This resolution and election order shall take effect and be in full force and effect from and after the date of its passage, and it is so resolved.

**RESOLVED** this the 22nd day of February 2010, at a regular public meeting of the City Council of the City of Tolar, Texas.

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Terry Johnson, Mayor  
City of Tolar, Texas

**ATTEST:**

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Joyce Johnson, City Secretary

City of Tolar