**RESOLUTION NO. 2020-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BALCONES HEIGHTS, TEXAS ORDERING A GENERAL ELECTION TO BE HELD JOINTLY WITH BEXAR COUNTY ON MAY 2, 2020 FOR THE ELECTION OF MAYOR, COUNCIL PLACE ONE, AND PLACE TWO TO SERVE A TWO-YEAR TERM; DESIGNATING THE MAIN EARLY VOTING PLACE FOR SUCH ELECTION; PROVIDING FOR AN ORDER AND NOTICE OF SUCH GENERAL ELECTION; PROVIDING FOR THE BEXAR COUNTY ELECTION SYSTEM, DS200, AND EXPRESS TOUCH FOR EARLY VOTIONG IN PERSON, EARLY VOTING BY MAIL, ELECTION DAY VOTING AND PROVISIONAL BALLLOTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS,** the laws of the State of Texas provide that a General Election shall be held annually for the election of City Officers; and

**WHEREAS,** the terms for Mayor, Council Places One and Two are set to expire in May 2020 and there is a need to call for a General Election; and

**WHEREAS,** the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said elections, and in order to comply with said Code, a resolution and order should be passed ordering said elections; and

**WHEREAS,** the election will be held jointly with Bexar County on May 2, 2020 pursuant to Section 271.002(a) of the Texas Election Code; and

**WHEREAS,** Bexar County and entities desire that a joint election be held in order to provide a convenient, simple, and cost-saving election to the voters in their respective jurisdictions; and

**WHEREAS,** the City desires to enter into an agreement setting out respective duties and responsibilities for the May 2, 2020 election;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF BALCONES HEIGHTS, BEXAR COUNTY, TEXAS THAT:**

**SECTION 1.** It is hereby ordered, pursuant to Section 3.005(a) of the Texas Election Code, that a Regular General Election be held in the City of Balcones Heights, Texas on the first Saturday on the 2nd day of May, 2020, at which election of the following officers shall be elected by the qualified voters of the City of Balcones Heights:

**POSITIONS:**

**MAYOR (TWO-YEAR TERM)**
**COUNCIL PLACE ONE (TWO-YEAR TERM)**
**COUNCIL PLACE TWO (TWO-YEAR TERM)**

**SECTION 2.** That at said election each of the foregoing named positions shall be voted upon separately and that the candidate receiving the highest number of votes for each said position shall be elected to such office.

**SECTION 3.** That qualified persons desiring to be candidates in the aforementioned places shall file for election as such candidates with the City Secretary beginning at 9:00 a.m. on the 15th day of January, 2020 and not later than 5:00 p.m. on the 14th day of February, 2020.

**SECTION 4.** Voting on Election Day and during early voting shall be done on Election Systems & Software (ES&S) vendor, EVS6020 includes the DS200 precinct scanner, DS450 central scanner, DS 950 central scanner, and the Express Vote ballot marking device. The new voting system will be used for Early Voting and Election Day activities and requires adoption by the City of Balcones Heights.

**SECTION 5.** The polling place designated for Balcones Heights voting precincts 2111 and 2146 for voting in the May 2, 2020 General Election shall be the Balcones Heights Justice Center located at 3300 Hillcrest Drive, Balcones Heights, Texas and such polling place shall be open on said Election Day from 7:00 a.m. to 7:00 p.m.

**SECTION 6.** The polling place designated for Balcones Heights voting precincts 2111 and 2146 for Early Voting for the May 2, 2020 General Election shall be the Wonderland of Americas formerly known as Crossroads Mall located at 4522 Fredericksburg Rd., Balcones Heights, Texas, 78201. Early Voting will be conducted Monday, April 20, 2020 from 8:00 a.m. – Thursday, April 23, 2020 6:00 p.m., Saturday, April 25, 2020 from 8:00 a.m. – 6:00 p.m. and the extended hours for Early Voting will be conducted on Monday and Tuesday, April 27, 2019 and April 28, 2020 from 8:00 a.m. to 8:00 p.m. unless changed by Bexar County and therefore will be posted accordingly.

**SECTION 7.** Applications for ballot by mail shall be mailed to Bexar Elections Administrator, Jacquelyn F. Callanen, 1103 S. Frio St., Suite 100, San Antonio, Texas 78207. Applications for ballots by mail must be received by the Elections Administrator no later than the close of business on April 21, 2020.

**SECTION 8.** Jacqueline F. Callanen, Bexar County Elections Administrator, is designated as the election officer to conduct the General Election of May 2, 2020 and Early Voting for the General Election. She shall appoint a sufficient number of clerks to assist in the proper conduct of the election and other persons to serve with her as Early Voting Ballot Board.

**SECTION 9.** That notice of the May 2, 2020 General Election of the City of Balcones Heights shall be posted and published in accordance with the Election Code of the State of Texas.

**SECTION 10.** The Mayor is authorized to enter into a contract with Bexar County Elections Administrator to conduct the election ordered herein and committing to pay the fee charged by the Bexar County Elections Administrator for such services. The Mayor is furthermore authorized to enter into a contract for the conduct of a joint election with other governmental entities in Bexar County, Texas.

**SECTION 11.** That the returns of said election be made in accordance with the State Election Code and shall be canvassed by the City Council at a special City Council Meeting at a time to be set by Mayor in accordance with the Election Code of the State of Texas.

**SECTION 12. Severability**. Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

**SECTION 13.** That this Resolution shall be effective immediately upon adoption.

**PASSED AND APPROVED this 27th day of January, 2020.**

Suzanne de Leon
MAYOR

ATTEST:

Delia R. Sanchez
City Secretary