

RESOLUTION NO. 1-2004

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AND THE BOARD OF TRUSTEES, ABILENE INDEPENDENT SCHOOL DISTRICT, ORDERING ELECTIONS TO BE HELD IN SAID CITY AND SCHOOL DISTRICT ON MAY 15, 2004; PROVIDING FOR THE ELECTION OF PERSONS TO SERVE IN PLACES 5 AND 6 ON THE CITY COUNCIL OF THE CITY OF ABILENE AND IN PLACES 1, 2, 3 and 7 ON THE BOARD OF TRUSTEES OF THE ABILENE INDEPENDENT SCHOOL DISTRICT; PROVIDING METHOD OF APPLICATION FOR PLACEMENT OF CANDIDATE'S NAME ON BALLOT; PROVIDING A FILING DEADLINE FOR ALL CANDIDATES; AND PROVIDING FOR A PROCLAMATION NOTICE AND PUBLICATION OF NOTICE OF SAID ELECTIONS.

WHEREAS, it now necessary to hold a general election in the City of Abilene, Texas, to elect persons to fill the position of Places 5 and 6 on the City Council of the City of Abilene, Texas; and,

WHEREAS, it is necessary to hold an election within the Abilene Independent School District to fill the positions of Places 1, 2, 3 and 7 on the Board of Trustees of the Abilene Independent School District; and,

WHEREAS, both the City of Abilene, Texas, and the Abilene Independent School District are required by law to hold such elections on the same date, to wit: May 15, 2004; and,

WHEREAS, political subdivisions are authorized by Section 271.002 of the Election Code of the State of Texas to hold joint elections; and,

WHEREAS, the City Council of the City of Abilene, Texas, and the Board of Trustees of the Abilene Independent School District deem it to be in the best interest of their respective subdivisions and in the interest of the voters who reside within their respective jurisdictions to hold such elections jointly; now, therefore,

BE IT JOINTLY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AND THE BOARD OF TRUSTEES OF THE ABILENE INDEPENDENT SCHOOL DISTRICT:

SECTION 1: That joint elections be, and the same are hereby ordered to be held within the jurisdictions of the City of Abilene, Texas, and the Abilene Independent School District on the 15<sup>th</sup> day of May, 2004, pursuant to the laws of the State of Texas and the Charter of the City of Abilene, Texas. Such elections shall be held for the following purposes:

School Elections

- a. To fill the positions of Places 1, 2, 3 and 7 on the Board of Trustees of the Abilene Independent School District.

The elections ordered hereby shall be conducted as at-large elections. The candidate receiving a plurality of the votes cast for his respective office shall be declared elected. If any candidate shall not receive a plurality of the votes cast for his place or office, run-off elections are hereby ordered for such office as may be provided by applicable laws for the State of Texas for June 19, 2004. Should the state provide for an alternate or different method of handling tie votes, state law shall be followed.

City Elections

- b. To fill the positions of Council Places 5 and 6 the City Council of the City of Abilene, Texas.

The elections ordered hereby shall be conducted as at-large elections. The candidate receiving a majority of the votes cast for his respective office shall be declared elected. If any candidate shall not receive a majority of the votes cast for his place or office, run-off elections are hereby ordered for such office as may be provided by applicable laws of the State of Texas for June 19, 2004. All provisions of this resolution, including polling places, election officials, process, and procedures, shall be applicable to any run-off elections that are held. Candidates for all offices shown above shall be voted for and elected separately. Council Place 5 shall be filled by a person residing North of such mainline of the Texas and Pacific Railway Company in the City of Abilene, and Council Place 6 shall be filled by a person residing South of such mainline of the Texas and Pacific Railway Company in the City of Abilene.

Votes cast in such elections shall be tallied and tally sheets, polling lists and other election forms and records shall be maintained and kept as required by law.

SECTION 2: Candidates elected to the city offices stated hereinabove in Section 1 shall hold office as may be provided by the Charter of the City of Abilene, Texas, and those elected to the School Board positions as may be provided by the laws of the State of Texas, as the case may be.

SECTION 3: All requests by candidates for the joint general elections to have their names placed upon the respective ballots shall be in writing on the official forms as prescribed by the Secretary of State and Section 31.002 of the Election Code. Such application shall be filed not later than 5:00 p.m. on the sixty-second (62<sup>nd</sup>) day before election day. An application may not be filed earlier than the thirtieth (30<sup>th</sup>) day before the date of the filing deadline. Applications shall be filed with the Secretary of the Board of Trustees at the Superintendent's office, if for a school office (Education Code, Section 11.055); and with the City Secretary of the City of Abilene, Texas, if for a city office (Election Code Section 143.006). In addition to said application, all candidates shall make such other filings as may be required by law.

SECTION 4: The elections called by this joint resolution shall be held in accordance with the requirements for bilingual elections as set forth in the Voting Rights Act amendments for 1975 (42 USC 1973aa-1a) and in Section 272.001 of the Election Code. All election forms and material shall be printed in both English and Spanish, and bilingual oral assistance shall be made available within the requirements of the law.

Section 5: Said elections shall be held in the election precincts, and voting shall be conducted on May 15, 2004 between the hours of 7:00 a.m. and 7:00 p.m. at the polling places shown below:

<u>PRECINCTS</u>	<u>LOCATION OF POLLING PLACES</u>
101	Johnston Elementary School 3602 North 12th
102	Church of Christ 3309 South 11th
103	Bonham Elementary School 4250 Potomac
104	Westminster Presbyterian 4515 South 14th
105-108	Baker Heights Church of Christ 5382 Texas Avenue

106-107

Dyess Elementary School  
402 Delaware Rd.

201

First Baptist Church  
University Place, 301 Hickory

202

Cobb Park Recreation Center  
2300 State Street

203

Sears Park Recreation Center  
2250 Ambler

204

Abilene Primitive Baptist Church  
3565 Hickory

205

Elmcrest Baptist Church  
517 N. Pioneer

301

Southwest Park Baptist Church  
2901 S. 20th

302

Jackson Elementary School  
2650 South 32nd

303

Wyndrock Baptist Church  
4340 Edgemont

304

Allie Ward Elementary School  
3750 Paint Brush

305

New Beginnings United Pentecostal  
5535 Buffalo Gap Rd.

306

Wylie United Methodist Church  
3130 Antilley Rd.

401

New Life Temple Assembly of God  
2465 Old Anson Rd.

402

Jones C. Prec. 6/7/8/14

Hillcrest Church of Christ  
650 E. Ambler

403

University Church of Christ  
733 EN 16th

404

Highland Church of Christ  
425 Highland

405

Bowie Elementary School  
1733 South 20th

406

Thomas Elementary School  
1240 Lakeside Dr.

407

Lyle South Baptist Church  
1125 E. Industrial

City and School precincts shall consist of those County precincts shown above, or portions thereof, which lie within their respective jurisdictions.

Early voting at the Taylor County Plaza, 400 Oak Street, shall be during the regular office hours of the Election Administrator, between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 28, 2004 and ending May 11, 2004.

Early voting at the Mall of Abilene, 4310 Buffalo Gap Road, and Kmart, 4565 South 1st Street, shall be between the hours of 10:00 a.m. and 6:00 p.m., beginning on April 28, 2004 and ending on May 11, 2004.

Saturday voting will be held at all three locations May 1, 2004, from 10:00 a.m. until 6:00 p.m.

SECTION 6: Election expenses incurred as the result of the above referenced elections shall be apportioned as follows:

- a. The expenses and costs of voting forms, ballots, lists and other materials which each political subdivision furnishes for its election shall be paid for by such political subdivision; provided, however, that should it be possible to share other expenses, then and in such cases such expenses shall be shared equally.
- b. All costs for election officials, precinct workers and clerks shall be shared equally.
- c. All costs attributable to janitorial services incurred at the polling places shall be shared equally.

SECTION 7: That the City Council of the City of Abilene and the Board of Trustees of the Abilene Independent School District hereby designate the system of marking or punching a ballot which is in such form that it may be counted by the electronic voting system as the approved method for tabulating votes in this general election to be held on May 15, 2004, and any possible run-off election, said system having been previously approved and utilized by the Taylor County Commissioners for conducting their elections. The City Council and the Board of Trustees further determine that all early ballots voted in person and by mail shall be voted by ballots to be counted by the electronic voting system. The Taylor County Plaza is hereby designated as the Central Counting Station for the automatic counting and tabulating of ballots. The City Secretary and the Taylor County Election Administrator are hereby designated as Early Voting Clerks for the City and School, respectively, and the Taylor County Elections Administrator is designated to supervise the early voting.

SECTION 8: That the Mayor shall make proclamation of said City elections and give notice thereof, and a copy of this order shall be sufficient notice of said elections. Notice of the time and places of holding said elections shall be given by publication of such notice in a newspaper of general circulation published in the City of Abilene at least thirty (30) days prior to the day of such election. The Mayor is further authorized to give notice of a run-off election if such election is necessary.

SECTION 9: The Board of Trustees of the Abilene Independent School District shall give notice of said election and any run-off that is necessary. The President of the Board of Trustees is hereby authorized and instructed to give notices as are required by law.

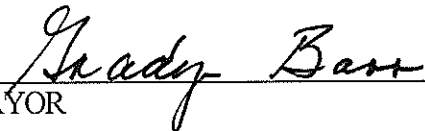
SECTION 10: That should any elections be ordered to be held by the City Council of Abilene, this Resolution setting precincts shall govern and remain in full force and effect until it is changes or amended.

SECTION 11: That this joint resolution shall take effect immediately from and after its passage, as indicated below.

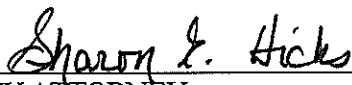
ADOPTED by the City Council of the City of Abilene, Texas, this 12 day of February,  
A.D. 2004.

ATTEST:

  
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CITY SECRETARY

  
\_\_\_\_\_  
MAYOR

APPROVED:

  
\_\_\_\_\_  
CITY ATTORNEY

SECTION 12: That this joint resolution shall take effect immediately from and after its passage, as indicated below.

ADOPTED by the Board of Trustees of the Abilene Independent School District, this 9 day of February, A.D. 2004.

ATTEST:

  
SECRETARY, BOARD OF TRUSTEES

  
PRESIDENT, BOARD OF TRUSTEES

## ELECTION PROCLAMATION

WHEREAS, the City Council of the City of Abilene, Texas, did on the 12 day of February, 2004, pass a Resolution ordering City Elections in the City of Abilene for Council Places 5 and 6; now, therefore,

I, GRADY BARR, MAYOR OF THE CITY OF ABILENE, TEXAS, do hereby proclaim said elections and give notice thereof of said elections to be held on May 15, 2004, from 7:00 a.m. to 7:00 p.m. at the locations below set out:

<u>PRECINCTS</u>	<u>LOCATION OF POLLING PLACES</u>
101	Johnston Elementary School 3602 North 12th
102	Church of Christ 3309 South 11th
103	Bonham Elementary School 4250 Potomac
104	Westminster Presbyterian 4515 South 14th
105-108	Baker Heights Church of Christ 5382 Texas Avenue
106-107	Dyess Elementary School 402 Delaware Rd.
201	First Baptist Church University Place, 301 Hickory
202	Cobb Park Recreation Center 2300 State Street
203	Sears Park Recreation Center 2250 Ambler
204	Abilene Primitive Baptist Church 3565 Hickory
205	Elmcrest Baptist Church 517 N. Pioneer

301	Southwest Park Baptist Church 2901 S. 20th
302	Jackson Elementary School 2650 South 32nd
303	Wyndrock Baptist Church 4340 Edgemont
304	Allie Ward Elementary School 3750 Paint Brush
305	New Beginnings United Pentecostal 5535 Buffalo Gap Rd.
306	Wylie United Methodist Church 3130 Antilley Rd.
401	New Life Temple Assembly of God 2465 Old Anson Rd.
402	Hillcrest Church of Christ 650 E. Ambler
Jones C. Prec. 6/7/8/14	
403	University Church of Christ 733 EN 16th
404	Highland Church of Christ 425 Highland
405	Bowie Elementary School 1733 South 20th
406	Thomas Elementary School 1240 Lakeside Dr.
407	Lytle South Baptist Church 1125 E. Industrial

I do hereby proclaim that the main place of early voting shall be at the Taylor County Plaza, 400 Oak Street, during the regular office hours of the Election Administrator, being between the hours of 8:00 a.m. and 5:00 p.m., beginning on April 28, 2004 and ending on May 11, 2004.

I do hereby proclaim that additional early voting shall be at the Mall of Abilene, 4310 Buffalo Gap Road, and Kmart, 4565 South 1st Street, between the hours of 10:00 a.m. and 6:00 p.m., beginning on April 28, 2004 and ending on May 11, 2004.



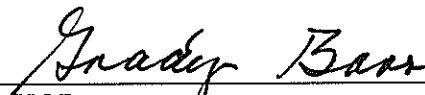
Saturday voting will be held at all three locations May 1, 2004, from 10:00 a.m. until 6:00 p.m.

The location to which ballot applications and ballots voted by mail are to be sent shall be the Taylor County Election Administrator's Office, P. O. Box 3318, Abilene, Texas, 79604.

WITNESS MY HAND OFFICIALLY this 12 day of February, A.D., 2004.

ATTEST:

  
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CITY SECRETARY

  
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MAYOR