

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, THE BOARD OF TRUSTEES, ABILENE INDEPENDENT SCHOOL DISTRICT, AND THE BOARD OF DIRECTORS, LYTLE LAKE WATER CONTROL AND IMPROVEMENT DISTRICT, ORDERING ELECTIONS TO BE HELD IN SAID CITY, SCHOOL AND WATER DISTRICTS ON MAY 13, 2006; PROVIDING FOR THE ELECTION OF PERSONS TO SERVE IN PLACES 1 AND 2 ON THE CITY COUNCIL OF THE CITY OF ABILENE, IN PLACES 4, 5 AND 6 ON THE BOARD OF TRUSTEES OF THE ABILENE INDEPENDENT SCHOOL DISTRICT, AND TWO PERSONS TO SERVE ON THE BOARD OF DIRECTORS OF THE LYTLE LAKE WATER CONTROL AND IMPROVEMENT 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 1 and 2 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 4, 5 and 6 on the Board of Trustees of the Abilene Independent School District; and,

WHEREAS, it is necessary to hold an election to fill two positions on the Board of Directors of the Lytle Lake Water Control and Improvement District; and,

WHEREAS, the City of Abilene, Texas, the Abilene Independent School District, and the Lytle Lake Water Control and Improvement District, are required or authorized by law to hold such elections on the same date, to wit: May 13, 2006; 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, the Board of Trustees of the Abilene Independent School District, and the Board of Directors of the Lytle Lake Water Control and Improvement 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, THE BOARD OF TRUSTEES OF THE ABILENE INDEPENDENT SCHOOL DISTRICT, AND THE BOARD OF DIRECTORS OF THE LYTLE LAKE WATER CONTROL AND IMPROVEMENT 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, the Abilene Independent School District and the Lytle Lake Water Control and Improvement District on the 13th day of May, 2006, 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 4, 5 and 6 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 10, 2006. 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 1 and 2 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 10, 2006. All provisions of this resolution, including polling places (unless it is determined to be in the best interest of the voters to combine 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 1 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 2 shall be filled by a person residing South of such mainline of the Texas and Pacific Railway Company in the City of Abilene.

Water District Elections

- c. To fill two positions on the Board of Directors of the Lytle Lake Water Control and Improvement District.

The election shall be conducted as an at-large election and any person owning taxable land within the boundaries of the Lytle Lake Water Control and Improvement District, and who otherwise satisfies the qualifications for holding a public office contained in the Texas Election Code and Texas Water Code, shall be eligible for office. The two (2) persons receiving the most votes shall be elected to the position of director.

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 and Water District positions as may be provided by the laws of the State of Texas and the Texas Water Code, 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 (62nd) day before election day. An application may not be filed earlier than the thirtieth (30th) 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). Applications for Director of the Lytle Lake Water Control and Improvement District shall be filed at the District's office, 410 Hickory Street, Abilene, Texas 79601, or as otherwise directed by the Texas Election Code or by the Texas Water Code as applicable to elections conducted by water control and improvement districts operating under Chapters 49 and 51 of the Texas Water Code. In addition to said application, all candidates shall make such other filings as may be required by law.

SECTION 4: A separate ballot shall be used for the Lytle Lake Water Control and Improvement District, and the City and School District shall use a joint ballot.

SECTION 5: 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 6: Said elections shall be held in the election precincts, and voting shall be conducted at the polling places shown below, (except for the Lytle Lake WCID, See 6.A 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 – City Light Building 336 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 <i>Zion Lutheran</i> 3130 Antilley Rd. <i>2801</i>
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	Lytle 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. on May 1, 2006 through May 5, 2006, and between the hours of 7:00 a.m. and 7:00 p.m. on May 8, and May 9, 2006.

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., May 1st through May 5th, 2006 and May 8th and May 9th, 2006.

SECTION 6.A FOR THE LYTLE LAKE WATER CONTROL AND IMPROVEMENT DISTRICT ONLY

The area included within the boundaries of the Lytle Lake WCID shall constitute the sole Precinct of the District. Voting by registered voters residing within the **Lytle Lake Water Control and Improvement District** shall be conducted jointly with the City and the School District at the polling place for **Precinct 406, Thomas Elementary School, 1240 Lakeside Dr.** in the City of Abilene, Texas, such voting to take place between the hours of 7:00 a.m. and 7:00 p.m. on May 13, 2006.

Early voting for the Lytle Lake WCID shall take place only at the Taylor County Plaza, 400 Oak Street, during the regular office hours of the Election Administrator, between the hours of 8:00 o'clock a.m. and 5:00 o'clock p.m., beginning on May 1, 2006 through May 5, 2006 and between the hours of 7:00 a.m. and 7:00 p.m. on May 8th and May 9th, 2006.

The mailing address to which valid applications and ballots to be voted by mail may be sent is P.O. Box 3318, Abilene, Texas 79604.

SECTION 7: 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 8: That the City Council of the City of Abilene, the Board of Trustees of the Abilene Independent School District and the Board of Directors of the Lytle Lake Water Control and Improvement District hereby designate that the direct recording electronic voting machines shall be used for voting at the foregoing election precincts and electronic counting devices and equipment shall be used for counting the ballots in this joint general election to be held on May 13, 2006, 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, Board of Trustees and Board of Directors 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 and Water District, respectively, and the Taylor County Elections Administrator is designated to supervise the early voting.

SECTION 9: 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 10: 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 11: The Board of Directors of the Lytle Lake Water Control and Improvement District shall give notice of said Director Election by publication, posting or mail, as the Board shall determine, and shall otherwise conduct said Director Election in accordance with the Texas Election Code or by the Texas Water Code as applicable to elections conducted by water control and improvement districts operating under Chapters 49 and 51 of the Texas Water Code.

SECTION 12: 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 13: 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 23 day of February, A.D. 2006.

ATTEST:




CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

SECTION 14: 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 ____ day of

_____, A.D. 2006.

ATTEST:

SECRETARY, BOARD OF TRUSTEES

PRESIDENT, BOARD OF TRUSTEES

Exhibit

SECTION 15: This Joint Resolution shall take effect immediately from and after its passage, as indicated below.

ADOPTED by the Board of Directors of the Lytle Lake Water Control and Improvement District this _____

day of _____, A.D. 2006.

ATTEST:

LYTLE LAKE WATER CONTROL
AND IMPROVEMENT DISTRICT

By: _____
President, Board of Directors

Secretary, Board of Directors

2/2/06