



Kemah City Council Meeting

2/12/2020

6:00 p.m.



SPECIAL MEETING AGENDA

February 12, 2020 6:00 P.M.

**CITY OF KEMAH - CITY COUNCIL
AND KEMAH PUBLIC FACILITIES CORPORATION AND
KEMAH PUBLIC FACILITY TRANSPORTATION
CORPORATION**

**Council Chambers, Kemah City Hall,
1401 State Hwy 146, Kemah, Texas**

Terri Gale – Mayor

Teresa Vazquez-Evans	Wanda Zimmer	Kyle Burks	Robin Collins	Isaac Saldaña
Council Position 1	Council Position 2	Council Position 3	Council Position 4	Council Position 5

In accordance with the Texas Open Meetings Act the agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located on the front exterior wall of the City Hall Building, except in case of emergency meetings or emergency items posted in accordance with law.

Texas Criminal and Traffic Law Handbook Penal Code Sec. 38.13 Hindering Proceedings by Disorderly Conduct. A person commits an offense if he intentionally hinders an official proceeding by noise or violent or tumultuous behavior or disturbance. Penal Code Section 42.05 Disrupting Meeting or Procession. A person commits an offense if, with intent to prevent or disrupt a lawful meeting, procession, or gathering, he obstructs or interferes with the meeting, procession, or gathering by physical action or verbal utterance.

The City Council reserves the right to meet in closed session on any of the below items should the need arise and if applicable, pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

- 1.) Consideration and Possible Action: on approving a Resolution ordering the May 2, 2020 City of Kemah General Election**
- 2.) Adjourn**

CERTIFICATION

This is to certify that a copy of the Notice of the Special City Council meeting for **WEDNESDAY, February 12, 2020**, was posted on the bulletin board at City Hall, 1401 Highway 146, Kemah, Texas, on this the 7th day of February, 2020, prior to 6:00 p.m.

M. Chilcote

_____ 02/07/2020 _____
Melissa Chilcote, City Secretary Date

I certify this notice was removed by me from the Kemah City Hall bulletin board on the ___ day of _____, 2020. _____

**Kemah City Council Agenda Item
#1 Calling the May 2, 2020 Election**

Once form is complete and departmental clearances are obtained, this form should be forwarded to the City Secretary as soon as possible prior to the date that the item is expected to be placed on the City Council agenda.

Date requested for Council consideration: 02/12/2020

Prepared by: Melissa Chilcote

Subject: Resolution Calling the May 2, 2020 General Election

Proceeding: Consideration and Possible Action

Originating Department: Administration

Plan Reference: 17SP- or 17OP-

Texas Ethics Commission Form 1295 required? NA

If YES, is copy of Form attached? Contract Identification Number on Form:

City Attorney Review:

Expenditure Required: Yes Amount Budgeted: 10,000

Appropriation Required: Source of Funds: General Fund – Election Expenses

Finance Approval:

City Administrator Approval:

SUMMARY / ORIGINATING CAUSE

The May 2, 2020 Election in the City of Kemah will be a General Election for the Council, currently held by three(3) Council Positions: Position 1, currently held by Council Member Teresa Vazquez-Evans, Position 3 held by Council Member Kyle Burks, and Position 5, currently held by Council Member Isaac Saldaña. Election law requires that the City Council issue a Resolution Calling for the General Election no later than the 78th day before the election.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

This resolution allows the City Secretary to adhere to and complete additional Election Law requirements for conducting a valid General Election.

RECOMMENDATIONS

Staff recommends approval of the resolution.

ATTACHMENTS

Resolution 2020-03 Calling the May 2, 2020 General Election
Order May 2020 General Election

RESOLUTION NO. 2020-03

A RESOLUTION OF THE CITY OF KEMAH, TEXAS, PROVIDING THAT A GENERAL MUNICIPAL ELECTION BE HELD ON MAY 2, 2020, FOR THE PURPOSE OF ELECTING THE MAYOR AND THREE (3) COUNCILMEMBERS; AUTHORIZING THAT THE ELECTION SHALL BE HELD JOINTLY WITH GALVESTON COUNTY; AND RESOLVING OTHER MATTERS RELATING TO SAID ELECTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEMAH, TEXAS:

SECTION 1: That in accordance with the general laws and Constitution of the State of Texas, a General Municipal Election is hereby called and ordered for the first Saturday in May, 2020, the same being the 2nd day of said month, at which election all qualified voters of the City may vote for the purpose of electing the following officials of the City:

GENERAL ELECTION

Council Member Position No. 1

Council Member Position No. 3

Council Member Position No. 5

SECTION 2: That all candidates at the election to be held on the first Saturday in May, 2020 for the above mentioned offices file their application to become candidates with the City Secretary of the City at City Hall, 1401 Highway 146, Kemah, Texas not later than 5:00 p.m. on February 14, 2020 (the seventy-eighth day before the election) and that all of said applications shall be on a form as prescribed by Section 141.031 of the Election Code of the State of Texas.

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Election Code.

SECTION 4: That the City has only one election precinct, and said elections shall be held in accordance with a JOINT ELECTION AGREEMENT between the City and Galveston County. Galveston County owns an electronic voting system that has been approved by the Secretary of State pursuant to the Texas Election Code and the City shall use the County's Voting System in its elections and compensate the County for such use and share in certain other expenses connected with elections in accordance with applicable provisions of Chapters 31 and 271 of the Texas Election Code, as amended.

SECTION 5: That the form of the ballot shall be provided by GALVESTON COUNTY under the terms of the JOINT ELECTION AGREEMENT. The ballots shall be prepared in accordance with the applicable provisions of the Election Code so voters may cast their ballots for a single candidate for each Council Position.

SECTION 6: That the early voting clerk shall be the Galveston County Clerk. Early Voting by personal appearance shall be conducted by Galveston County at designated early branch polling locations throughout the County beginning April 20-24, 2020(8:00 am – 5:00 pm) and April 27-April 28, 2020 (7:00 am – 7:00 pm). During the period of early voting, Kemah residents may vote at any Galveston County branch polling place. The main early voting location for early voting is the Galveston County Court House at 722 Moody Avenue, Galveston Texas and the local early voting location will be Jimmie Walker Community Center at 800 Harris Avenue, Kemah Texas.

SECTION 7: Applications for ballot by mail can be requested by calling the Galveston County Elections Division at 409-770-5108. Applications can also be obtained through the County's website: <http://www.galvestonvotes.org>.

Completed applications to vote by mail shall be submitted:

By Mail to:

Attn: Ballots by Mail
C/O Dwight Sullivan
Galveston County Clerk
P.O. Box 17253
Galveston, TX 77552-7253

Or by FAX to (409) 765-3249

Or by email to: absenteeballotapplications@co.galveston.tx.us.

SECTION 8: That on the day of said election, May 2, 2020 (7:00 am – 7:00 pm), voting shall be held at the local polling place which shall be Jimmie Walker Community Center, 800 Harris Ave, Kemah, Texas, and at all Galveston County branch locations.

SECTION 9: That the election shall be held and the returns thereof shall be provided by Galveston County to the City and canvassed in accordance with the general laws pertaining to municipal elections and in accordance with the requirements of the Election Code of the State of Texas.

SECTION 10: That notice of the election hereby ordered and called shall be given in accordance with the provision of the TEXAS ELECTION CODE and returns of such notice shall be made as provided in such Code. Notice of the Elections, including a Spanish translation thereof, will be published at least once in a newspaper published in Galveston County on or after April 2, 2020 and on or before April 22, 2020 and will be posted on the bulletin board at City Hall on or before April 2, 2020.

SECTION 11: This resolution shall take effect immediately from and after its passage and approval.

SECTION 12: That 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.

AND IT IS SO ORDERED:

PASSED, APPROVED, AND ADOPTED ON this 12th day of February, 2020.

Terri Gale, Mayor

ATTEST:

Melissa Chilcote, City Secretary

ORDER OF GENERAL ELECTION**City of Kemah****ORDEN DE ELECCION GENERAL*****Ciudad de Kemah***

A General Election is hereby ordered to be held on May 2, 2020 for the purpose of electing Position 1, Position 3, and Position 5 for a 2-year term each.

La Elección General de la presente se ordena que se realice el 2 de Mayo de 2020 para Miembros del Consejo: Posición 1, y Posición 3, y Posición 5, por un período de 2 años cada una.

Feb. 14: Last day to file for a place on the ballot for the General Election, 5:00 pm

Feb. 18: Last day for a write-in candidate, General Election, to declare candidacy, 5:00 pm

14 de Febrero: Último día para obtener un lugar en la boleta para la Elección General, 5:00 pm

18 de Febrero: Último día para ser incluido por-escrito como candidato, Elección General, para declarar la candidatura, 5:00 pm

LOCATION OF POLLING PLACES (UBICACIÓN DE LOS LUGARES DE VOTACIÓN):

Early Voting by personal appearance shall be conducted by Galveston County at designated early branch polling locations throughout the County (as defined by Galveston County) beginning April 20-April 24, 2020 (8:00 am – 5:00 pm) and April 27-April 28, 2020 (7:00 am - 7:00 pm). During the period of early voting, Kemah residents may vote at any Galveston County branch polling place. The main early voting location for early voting is the Galveston County Court House at 722 Moody Avenue, Galveston, Texas and the local early voting location will be Jimmie Walker Community Center at 800 Harris Avenue, Kemah, Texas.

La votación anticipada en persona será conducida por el condado de Galveston en los lugares de votación temprana sucursales designadas en todo el Condado (a ser definida por el condado de Galveston) darán inicio el 20-24 de Abril de 2020(8:00 am - 5:00 pm) y 27 de Abril – 28 de Abril de 2020(7:00 am - 7:00 pm). Durante el período de votación temprana, residentes de Kemah pueden votar en cualquier rama, lugar de votación del Condado de Galveston. El centro principal de votación anticipada es en Galveston County Court House ubicada en 722 Moody Avenue, Galveston, Texas y el centro local de votación anticipada será Jimmie Walker Community Center ubicada en 800 Harris Avenue, Kemah, Texas.

Applications for a ballot by mail shall be submitted:

By Mail to:

Attn: Ballots by Mail
C/O Dwight Sullivan
Galveston County Clerk
P.O. Box 17253
Galveston, TX 77552-7253

Or by FAX to (409) 765-3249

Or by email to: absenteeballotapplications@co.galveston.tx.us.

Las aplicaciones para la votación por correo deberán ser presentadas:

Por correo a:

*A la atención de: Votación por correo
C / S Dwight Sullivan
Secretario del Condado de Galveston
PO BOX 17253
Galveston, TX 77552-7253*

O por fax al (409) 765-3249

O por correo electrónico a: absenteeballotapplications@co.galveston.tx.us.

Issued this the 12th day of February, 2020 (City Council Resolution 2020-03)

Emitida el día 12th de Febrero de 2020 (Concejo Municipal Resolución 2020-03)

Terri Gale, Mayor (*Alcalde*)

Instruction Note: A copy of this election order must be delivered to the County Clerk/Elections Administrator and Voter Registrar not later than 60 days before Election Day.

Nota de Instrucciones: Una copia de esta orden de elección debe ser entregada al Secretario/Administrador Electoral del Condado y Registro de Votantes no más tardar a 60 días antes del Día Electoral.