

RESOLUTION NUMBER 2021-010

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS, AMENDING THE POLLING LOCATIONS AND PRECINCTS IN ELECTORAL DISTRICT 1 THROUGH 4, AS REVISED BY THE CAMERON COUNTY ELECTIONS ADMINISTRATOR; ORDERING AND CALLING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 1, 2021, FOR THE PURPOSE OF ELECTING THREE MEMBERS OF THE CITY COMMISSION; PROVIDING FOR THE METHOD OF VOTING IN SUCH ELECTION, BOTH AT THE POLLS AND EARLY VOTING BY PERSONAL APPEARANCE, AND EARLY VOTING BY MAIL; STATING THE QUALIFICATIONS OF THE VOTERS PERMITTED TO VOTE IN SUCH ELECTION AND THE MANNER IN WHICH THE SAME SHALL BE CONDUCTED AND RETURNS THEREOF MADE; ESTABLISHING ELECTION PRECINCTS, DESIGNATING POLLING PLACES, AND APPOINTING OFFICERS OF SUCH ELECTION; PROVIDING FOR THE GIVING OF NOTICE OF SUCH ELECTION, AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATIVE AGREEMENT FOR CONTRACT ELECTION SERVICES WITH THE CAMERON COUNTY ELECTIONS ADMINISTRATOR, WHICH WILL INCLUDE PRECAUTIONARY MEASURES AT ALL EARLY VOTING LOCATIONS AND ELECTION DAY POLLING LOCATIONS TO PREVENT THE SPREAD OF THE COVID-19/CORONAVIRUS; AND DEALING WITH RELATED MATTERS.

WHEREAS, it is hereby found that a General Municipal Election is required to fill the **vacancies resulting from the expiration of the terms of office of Commissioner At-Large “B”, Commissioner District 3, and Commissioner District 4;**

WHEREAS, this Resolution constitutes an amended election order, ordering a City of Brownsville General Election to be held on May 1, 2021, to comply with the City Charter and the Texas Election Code § 3.004-3.008; and

WHEREAS, the original Resolution Number 2021-007, ordering the May 1, 2021, General Election was approved by the City Commission at their January 19, 2021 Regular Meeting, and since that date, the Cameron County Elections Administrator has found it necessary to update the precincts and polling locations for the City of Brownsville May 1, 2021, General Election for Electoral Districts 1 through 4 as indicated in this amended resolution in Section 6.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BROWNSVILLE:

SECTION 1. THAT a General Municipal Election is ordered and shall be held in and throughout the City of Brownsville on Saturday, May 1st, 2021, between the hours of 7:00 A.M. and 7:00 P.M., which is within the time prescribed by law, at the places hereinafter designated, for the purpose of an At-Large Commissioner "B" and for the purpose of electing, on an electoral district basis, District Commissioner 3 and District Commissioner 4, and for the purpose of filling any other City Commission vacancies, if any, occurring at least seventy-five (75) days before said election date. Each of the positions shall have a four-year term expiring in 2025. Each such District Commissioner shall reside in the district from which elected and shall also have the qualifications of electors therein.

SECTION 2. EXCEPT as hereinafter provided with reference to early voting, it has been determined, and it is hereby so ordered, that for this election, the voting in all precincts shall be by the use of electronically coded paper ballots or a voting system certified by the Texas Secretary of State. The City of Brownsville shall contract with the Cameron County Elections Administrator to conduct their City Elections, and the voting system used by Cameron County and certified by the Texas Secretary of State is the EVS 5.2.2.0, ExpressVote, and AutoMARK. Ballots will be scanned and tabulated using the ES&S DS200 Precinct Scanner and Tabulator. The AutoMARK ADA-Compliant Ballot Marking Device shall be provided for voters who are blind, visually impaired, or have a disability or condition that makes it difficult to traditionally mark a ballot, as at least one accessible voting equipment or a direct recording device is required at each early voting and election day polling place by state and federal law.

SECTION 3. IT has been determined, and it is hereby so ordered, that **early voting** by personal appearance shall be conducted by the Cameron County Elections Administrator at the following seven (7) locations in Brownsville, Texas, beginning on **Monday, April 19, 2021, and ending on Tuesday, April 27, 2021, including Saturday, April 20, 2021 (weekend)**, or for such additional days as provided by law. Main site: Cameron County Courthouse Former Elections Department, 954 E. Harrison St. Branch sites: Brownsville Public Library, Main Branch at 2600 Central Blvd.; Brownsville Public Library-Southmost Branch at 4320 Southmost Blvd.; Texas Southmost College, Jacob Brown Auditorium at 600 International Blvd.; Brownsville Community Health Center-New Horizon Medical Center at 191 E. Price Road; Good Shepherd Community Church at 300 W. Morrison Rd.; and the Brownsville Events Center at 1 Events Center Blvd. Application for early voting ballot by mail must be received no later than 5:00 P.M. on Tuesday, April 20, 2021, and said ballots must be returned to the Cameron County Elections Administrator no later than 5:00 P.M. on May 3, 2021. The Cameron County Elections Administrator is hereby appointed to serve as the Early Voting Clerk. Applications for a mail ballot can be sent to: Cameron County Elections Department, PO Box 3587, Brownsville, Texas 78523.

SECTION 4. IT has been determined, and it is hereby so ordered, that for this election, all early voting in person and by mail shall be by the use of electronically coded paper ballots or a voting system certified by the Texas Secretary of State, as referenced in Section 2 of this order.

SECTION 5. ONLY the duly qualified voters of the City of Brownsville shall be permitted to vote in said election, and the ballots and manner of holding such election shall be governed by the laws governing other general, regular, and special elections, insofar as the same may be applicable, except where otherwise provided by the Constitution, statutes, and the Charter of the City of Brownsville, and immediately thereafter, the officers holding the same shall make due returns of the result thereof, in the manner provided by law; provided, however, that only the duly qualified voters of the City of Brownsville who reside in a given electoral district shall be permitted to vote in the selection for the district commissioner of the given electoral district.

SECTION 6. FOR this election therein, the City of Brownsville is hereby divided into fifty-six (57) elections precincts, consolidated into seventeen (17) polling places, and the same are hereby established, each of which shall consist of all the Brownsville municipal territory encompassed within the particular voting precinct of Cameron County, hereinafter mentioned, and as shown by the Minutes of the Commissioners Court, except as provided hereinafter; the polling place for each shall be as designated and at the location given; the election officers for each such precinct as hereinafter named are hereby appointed by the Cameron County Elections Administrator, who will appoint the presiding judge and may authorize the appointment of the appropriate number of clerks and alternate judges for each polling location; and all voters shall vote in the election precinct of their residence.

POLLING PLACES FOR THE CITY OF BROWNSVILLE GENERAL ELECTION MAY 1, 2021		
ELECTORAL DISTRICT 1		
PRECINCTS	LOCATION	ADDRESS
10, 69, 70	Cromack Elementary School	3200 E. 30 th Street, Brownsville, TX
5, 6, 7, 37, 45	J.T. Canales Elementary School	1811 International Blvd., Brownsville, TX
Part 53, 77	Garza Elementary School	200 Esperanza Road, Brownsville, TX
ELECTORAL DISTRICT 2		
PRECINCTS	LOCATION	ADDRESS
Part 14, 60, 71, Part 82	Perkins Middle School	4750 Austin Road, Brownsville, TX

46, 63, 86, 96	Gonzalez Elementary School	4350 Jaime J. Zapata Ave., Brownsville, TX
Part 68, Part 102	Rivera High School	6955 FM 802, Brownsville, TX
76, 101, 106	Hudson Elementary School	2980 FM 802, Brownsville, TX
ELECTORAL DISTRICT 3		
PRECINCTS	LOCATION	ADDRESS
Part 3, Part 50, Part 65, Part 67, Part 95, Part 99, Part 108	Dora Romero Elementary School	9705 Cajun Blvd., Los Fresnos, TX
15	R.L. Martin Elementary School	1701 Stanford Street, Brownsville, TX
8, 38, 97	Sharp Elementary School	1439 Palm Blvd., Brownsville, TX
47, 49, 61	Brownsville Public Library	2600 Central Blvd, Brownsville, TX
54, 72, 73, Part 74, 88, 100, 105	Burns Elementary School	1970 Alton Gloor Blvd., Brownsville, TX
ELECTORAL DISTRICT 4		
PRECINCTS	LOCATION	ADDRESS
11, 12, 13	Russell Elementary School	800 Lakeside Blvd., Brownsville, TX
9	Cameron County Courthouse Judicial Complex	954 E. Harrison St., Brownsville, TX
Part 4, Part 16, Part 17, Part 109, and 48	Yturria Elementary School	2955 W. Tandy Road, Brownsville, TX
62, 75	James Pace High School	314 W. Los Ebanos Blvd., Brownsville, TX
98, 107	Benavides Elementary School	3101 McAllen Road, Brownsville, TX

SECTION 7. AN early voting ballot board shall be appointed by the Cameron County Elections Administrator to process early voting results, and the Presiding Judge shall appoint at least two (2) other members of the board.

SECTION 8. ALL election materials (including notice of the election, ballots, instruction cards, affidavits, and other forms which voters may be required to sign) and all early and late voting materials

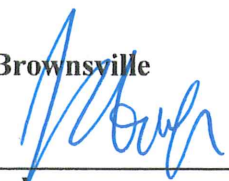
shall be printed in both English and Spanish, or Spanish translations thereof, and/or other assistance shall be provided, as required by the Texas Election Code and as required by applicable state and federal laws, each as amended.

SECTION 9. NOTICE of said election, including a summary of this resolution, signed by the Mayor, attested by the City Secretary, and otherwise as prescribed by law, shall be given, as required by the Texas Election Code, and as required by state and federal laws.

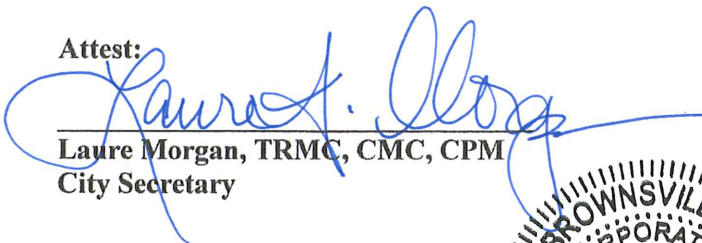
SECTION 10. THE City Secretary is hereby ordered and directed to cause such notice of election to be published in a newspaper of general circulation published in the City of Brownsville, which publication shall be made one time, not earlier than the 30th day (Thursday, April 1, 2021) or no later than the 10th day (Wednesday, April 21, 2021) before Election Day, which is the statutory period for publication, per the Texas Election Code §4.003. A copy of such notice shall be posted on the City's Elections Webpage, bulletin board and in a window in the City Hall-Federal Building, located at the City Hall, Federal Building, located at 1001 E. Elizabeth Street, Brownsville, Texas, used for the posting of notices of the meetings of the governing body of the City of Brownsville and at City Plaza, located at 1034 E. Levee Street, and at all mandatory locations and at any additional optional locations. When such publication and posting has been done, the City Secretary shall attach a certificate to the original of such notice showing compliance with this order and shall keep the same, together with a clipping from such newspaper of the notice as published, and City Secretary shall request a publisher's affidavit from the newspaper. The City Secretary may contract with Cameron County Elections Administrator to publish the notice of election in a newspaper of general circulation, as practicable.

SECTION 11. THAT the City Manager of Brownsville is hereby authorized to negotiate and execute an Interlocal Cooperation Act agreement with the Cameron County Elections Administrator for the purpose of implementing this Resolution in accordance with all applicable laws, and that the City Secretary, as the Elections Official for the City, is authorized to assist in the negotiation of the Interlocal Cooperation Act agreement with the Cameron County Elections Administrator, with the exception of the duties that are mandated solely to the City Secretary by the Texas Election Code and the Texas Local Government Code. As part of The Interlocal Cooperation Act agreement with the Cameron County Elections Administrator, the City Secretary shall require that the Cameron County Elections Administrator implement preventative measures to prevent the spread of COVID-19 at every early voting and election day polling location and provide documentation of the procedures used.

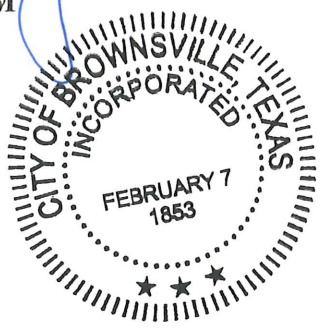
PASSED AND ADOPTED by the City Commission of Brownsville, Texas, on this the 2nd day of February, 2021.

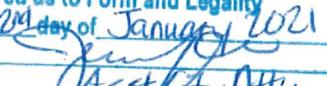
City of Brownsville


~~Trey Mendez~~
~~Mayor~~
John Cowen, Jr.
Mayor Pro Tem

Attest:


Laure Morgan, TRMC, CMC, CPM
City Secretary



"Approved as to Form and Legality
This 2nd day of January 2021


Title Asst. City Atty
Office of the Brownsville City Attorney"