

RESOLUTION NO. 19-20-08

A RESOLUTION NO. 19-20-08 OF THE BOARD OF TRUSTEES OF THE IRVING INDEPENDENT SCHOOL DISTRICT, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE IRVING INDEPENDENT SCHOOL DISTRICT ON NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING TWO TRUSTEES TO POSITIONS FOR SINGLE MEMBER DISTRICT 1 AND SINGLE MEMBER DISTRICT 2 AND AUTHORIZING OTHER MATTERS RELATED TO THE SUBJECT.

On this the 27th day of April, 2020, the Board of Trustees of the Irving Independent School District convened in regular session with sufficient members present to constitute a quorum, and among other proceedings had by said Board of Trustees were the following:

WHEREAS, it is hereby officially found and determined that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, as required by Texas Government Code §551.002; and

WHEREAS, the Board of Trustees of the Irving Independent School District on December 16, 2019 adopted resolution No. 19-20-02 ordering an election of qualified voters of Irving Independent School District for the purpose of electing two trustees to be held on May 2, 2020 ; and

WHEREAS, on March 18, 2020 the Secretary of State of Texas issued an advisory indicating that pursuant to Section 418.016 of the Texas Government Code, the Governor has issued a proclamation suspending certain provisions of the Texas Election Code that would allow all political subdivisions utilizing the May 2, 2020 uniform election date to postpone their election to the November 3, 2020 uniform election date ; and

WHEREAS, on March 19, 2020 the Dallas County Elections officer Toni Pippins-Poole announced that due to the COVID 19 pandemic, health crisis and declarations of a state of emergency by the State and Federal authorities Dallas County Elections will not be able to contract with political subdivisions for administration of the May 2nd election ; and

WHEREAS, the Irving Independent School District contracts with the Dallas County Elections Department to conduct elections for the purpose of the election of School Board Trustees; and

WHEREAS, Dallas County Elections Department will not provide administration of any elections on May 2, 2020; and

WHEREAS, the Board of trustees of the Irving Independent School District on April 1, 2020 adopted Resolution 19-20-07 repealing Resolution No. 12-20-02 therefore canceling the May 2, 2020 election of qualified voters of the Irving Independent School District; and

WHEREAS, a school board member representing Single Member District 1 is to be elected in 2020 to serve a term of three (3) years, or until his/her successor has been duly elected and qualified, pursuant to the provisions of the Texas Education Code and the Texas Election Code; and

WHEREAS, a school board member representing Single Member District 2 is to be elected in 2020 to serve a term of three (3) years, or until a successor has been duly elected and qualified, pursuant to the provisions of the Texas Education Code and the Texas Election Code; and

WHEREAS, this Board of Trustees finds that due to the May 2, 2020 election being canceled and under the Texas Election Code and the Texas Government code the current single member district 1 and Single Member District 2 positions remain held by the current Trustees until such time as the November election results are announced; and

WHEREAS, the term for each of the Single Member District Trustees is for a term of three (3) years, this Board finds that under the Texas Election Code and the Texas Government Code that the election held in November will have no effect on the date of the next election for the Single Member District 1 and Single Member District 2 as that election will be held in May of the election year; and

WHEREAS, this Board of Trustees hereby finds that a general election should be held to elect individuals to the Board of Trustees in the positions for Single Member District 1 and Single Member District 2 on November 3, 2020, which is a uniform election date pursuant to the Texas Election Code Section 41.001.

WHEREAS, this Board of Trustees hereby find that under the Texas Election Code and the Texas Government Code the candidates that were qualified for the May 2, 2020 election will be the candidates for the November 3, 2020 election as the deadlines for application for a place on the ballot for election is not reopened; and

WHEREAS, this Board of Trustees hereby find that under the Texas Election Code and the Texas Government Code all deadlines and dates for this election will be on the basis of the November 3, 2020 election deadlines and dates as indicated by the Secretary of the State of Texas and can be found at the Secretary of State's website <https://www.sos.state.tx.us/elections/>.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF TRUSTEES OF THE IRVING INDEPENDENT SCHOOL DISTRICT THAT:

Section 1: The above recitals be, and are hereby, found and determined to be true and correct and are incorporated into the body of this Resolution as if copied verbatim.

Section 2: A general election shall be held in said District on the first Tuesday in November 2020, the same being the 3rd day of November 2020, for the purpose of electing two (2) members to the Board of Trustees. One member shall be elected to District 1 to serve a three (3) year term, or until a successor has been duly elected and qualified. One member shall be elected to District 2 to serve a three (3) year term, or until a successor has been duly elected and qualified.

Section 3: The member to be elected from Single Member District 1 shall be elected by the qualified voters of Single Member District 1. The member to be elected from Single Member District 2 shall be elected by the qualified voters of Single Member District 2.

Section 4: On the first Tuesday in November 2020, being the 3rd day of November, 2020, the election shall be held from 7 o'clock a.m. to 7 o'clock p.m. Any candidate receiving a plurality of all the votes cast for the office for which he/she is a candidate shall be elected to such office. In the event of a tie, the tie shall be broken in accordance with the applicable provisions of the Texas Election Code governing election by plurality vote.

Section 5: The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote for the candidate of their choice with the ballots to contain such provisions, markings and language as required by law.

Section 6: The general election shall be held at those polling places located in the Irving Independent School District as determined and identified and listed by the Dallas County Elections Department. All resident, qualified voters of the District shall be permitted to vote at said election. The Board finds, determines, and declares those designated early polling locations outside the boundaries of the school district can adequately and conveniently serve the affected voters of this District and will facilitate the orderly conduct of this election.

Section 7: The Board of Trustees shall identify at a future meeting the Election Day polling locations for this election. Each polling site will be located within the Irving Independent School District, and will serve as the precinct and polling place for those voters in the Dallas County election precinct(s) which are assigned to that polling place listed for the November 3, 2020 Irving Independent School District Board member election and any run off, if necessary.

Section 8: Toni Pippins-Poole is hereby appointed the Clerk for early voting. The mailing address of Ms. Pippins-Poole is Dallas County Elections Department 1520 Round Table Drive, Dallas TX 75247. The email address of the Early Voting Clerk to receive applications for a ballot by mail is evapplications@dallascounty.org. Early voting for said election shall be held

at those polling places that are identified and listed by the Dallas County Elections Department. Early voting by personal appearance for this election shall be conducted on the following dates:

October 19, 2020 thru October 30, 2020.

The polling locations have not been identified as of yet, and an amendment to this Resolution with these locations specified therein will be submitted at a later date.

Section 9: The Secretary of the Board of Trustees shall give notice of this general election by causing a substantial copy of this Order to be published in both English and Spanish, which shall serve as appropriate notice of this election, in a newspaper of general circulation in the district not earlier than the thirtieth (30th) day or later than the tenth (10th) day prior to the date of the election, setting forth the date of the election, the polling place or places, and any other matters deemed necessary by law or advisable, and by posting said notice in English and Spanish at the School District's Administration building not later than the twenty-first (21st) day before the election, which notice shall remain posted continuously through election day at the location used for the posting of notices of meetings of the Board of Trustees of the District.

Section 10: Immediately after said general election has been held, the officers holding the same, shall present returns of the result thereof to the President of the Board of Trustees of said District in the manner and form provided and required by the law of the State of Texas.

Section 11: This general election shall be conducted, in all respects, in accordance with the Texas Election Code, and as may be required by law, all election materials and proceedings shall be printed in both English and Spanish.

IT IS SO RESOLVED.

APPROVED AND ENACTED by the Board of Trustees of the Irving Independent School District, Irving, Texas on the 27th day of April, 2020.



A.D. Jenkins, President
Board of Trustees
Irving Independent School District

ATTEST:



Randy Randle, Secretary
Board of Trustees
Irving Independent School
District

APPROVED AS TO FORM ONLY:



David T. Bunger
General Counsel
Irving Independent School District