

**CITY OF OAK POINT, TEXAS  
RESOLUTION NO. 2021-01-001R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAK POINT, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON SATURDAY, MAY 1, 2021 FOR THE QUALIFIED VOTERS OF THE CITY OF OAK POINT, TEXAS, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) CITY COUNCIL MEMBERS; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE**

**WHEREAS**, the City of Oak Point, Texas is a Type A General Law Municipality located in Denton County, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the term of office of the Mayor and two (2) City Council members presently on the City Council expires in May 2021; and

**WHEREAS**, Section 3.004 of the Texas Election Code, as amended (hereinafter referred to as the "Code") authorizes the Mayor and City Council to order a general election for the purpose of electing municipal officers; and

**WHEREAS**, Section 3.005(c) of the Code, as amended, provides that an election on a uniform election date shall be ordered not later than 78 days before Election Day; and

**WHEREAS**, Section 41.001 of the Code, as amended, establishes the first Saturday in May as a "uniform election date" for the purpose of conducting an election; and

**WHEREAS**, the City Council finds, through its duly elected Mayor, that it should: (i) call for a general election to be held on May 1, 2021, for the purpose of electing a Mayor and two (2) City Council members, (ii) providing for the posting and publication of notice, (iii) designate dates and polling place(s) for early voting and Election Day, (iv) establish and set forth provisions for conducting the election.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OAK POINT, TEXAS, THAT:**

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing premises are declared to be true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.**  
**ORDERING OF A GENERAL ELECTION; ELECTION DATE;  
AND PURPOSE OF ELECTION**

A general election is hereby ordered for the 1st day of May, 2021, to be held between the hours of seven o'clock a.m. (7:00 a.m.) and seven o'clock p.m. (7:00 p.m.) at which all qualified voters residing within the city limits of Oak Point may vote for the purpose of electing a Mayor and two (2) City Council Members (for the offices currently held by Keith Palmer-Mayor, Kyle Thompson and Don Lindemann) to serve two year terms or until their successors are duly elected and qualified in conformity with the valid provisions of the laws of the City of Oak Point and the laws of the State of Texas.

**SECTION 3.**  
**JOINT ELECTION**

The said election shall be held jointly, by contract, with the Denton County Elections Administrator.

**SECTION 4.**  
**ELECTION DAY POLLING PLACE**

The Election Day polling place is hereby designated per the Joint Election Agreement and Contract for Election Services with Denton County.

**SECTION 5.**  
**EARLY VOTING; EARLY VOTING POLLING PLACE**

Early voting by personal appearance shall be conducted on the following dates and times:

|                           |                        |
|---------------------------|------------------------|
| Monday, April 19, 2021    | 8:00 a.m. to 5:00 p.m. |
| Tuesday, April 20, 2021   | 8:00 a.m. to 5:00 p.m. |
| Wednesday, April 21, 2021 | 8:00 a.m. to 5:00 p.m. |
| Thursday, April 22, 2021  | 8:00 a.m. to 5:00 p.m. |
| Friday, April 23, 2021    | 8:00 a.m. to 5:00 p.m. |
| Saturday, April 24, 2021  | 8:00 a.m. to 5:00 p.m. |
| Monday, April 26, 2021    | 7:00 a.m. to 7:00 p.m. |
| Tuesday, April 27, 2021   | 7:00 a.m. to 7:00 p.m. |

Any eligible Denton County voter may cast their vote during the early voting period at any of the Denton County Early Voting sites as depicted in the Joint Election Agreement and Contract for Election Services with Denton County.

The Denton County Elections Administrator is hereby appointed as the Early Voting Clerk and shall receive applications for a ballot to be voted by mail. Requests for applications may be received no earlier than January 1, 2021, and not later than the close-of-business on Friday, April 16, 2021.

The Early Voting Clerk's address to which ballots voted by mail may be sent is:

Frank Phillips, Early Voting Clerk  
Denton County Elections Division  
P.O. Box 1720  
Denton, Texas 76202

**SECTION 6.**  
**ELECTION COMPLIANCE**

The election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas.

**SECTION 7.**  
**VOTING QUALIFICATION; VOTING MATERIAL**

That all registered, qualified voters of the City shall be permitted to vote at the election. In addition, the election materials enumerated in the Texas Election Code, as amended, shall be printed in both English and Spanish for use at the polling places and for early voting for the Election.

**SECTION 8.**  
**NOTICES**

The City Secretary of the City of Oak Point is hereby authorized and directed to give notice of the election by:

- (a) Publishing the notice of the general election at least once, not more than thirty (30) days nor less than ten (10) days before the election in the official newspaper of the City, or between April 1, 2021 and April 21, 2021; and
- (b) Posting a copy of the notice on the bulletin board used for posting notices of the meetings of the City Council at least twenty-one (21) days before the election, by April 10, 2021; and
- (c) Delivering notice of the election to the Denton County Clerk not later than the 60<sup>th</sup> day before Election Day, or March 3, 2021.

The City Secretary shall keep on file a copy of the Publisher's Affidavit, which complies with the Texas Election Code, as amended, that the notice was published, with the name of the newspaper and the dates of publication.

**SECTION 9.**  
**SEVERABILITY CLAUSE**


If any word, section, article, phrase, paragraph, sentence, clause, or portion of this Resolution or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Resolution; and the City Council hereby declares

it would have passed such remaining portions of this Resolution despite such invalidity which remaining portions shall remain in full force and effect.

**SECTION 10.  
EFFECTIVE DATE**

This Resolution shall take effect immediately upon its adoption and passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OAK POINT, TEXAS ON this the 19th day of January 2021.**

  
\_\_\_\_\_  
Keith Palmer, Mayor  
City of Oak Point, Texas

**ATTEST:**

  
\_\_\_\_\_  
Joni Vaughn, City Secretary  
City of Oak Point, Texas

