

RESOLUTION NO. 2023- 53

A RESOLUTION AUTHORIZING THE CITY SECRETARY TO ENTER INTO THE 2023 ELECTION SERVICES AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND THE KLEBERG COUNTY CLERK FOR A JOINT ELECTION FOR THE CITY'S SPECIAL ELECTIONS; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") has previously entered into Election Services Agreements with the Kleberg County Clerk and found it to be useful but those agreements have expired; and

WHEREAS, the City is going to hold a City Special Election in November 2023 and desires to engage the election services of the Kleberg County Clerk and for use of the voting equipment and poll pads, since Kleberg County will already be holding a special constitutional election in November 2023; and

WHEREAS, state laws (Texas Government Code Chapter 791 and Local Government Code Chapter 271) allow governing bodies, like the City and County, to enter into agreements like this one to take advantage of contracts for services for the benefit of the entities; and

WHEREAS, the City has previously entered into election services agreement like this and found them to be useful; and

WHEREAS, an ordinance ordering a Special Election to be held on Tuesday, November 7, 2023, as prescribed by the laws of the State of Texas, was approved at the City Commission at a meeting on August 14, 2023 via Ordinance #2023-60 for the purpose of a venue tax; and

WHEREAS, an ordinance ordering a Special Election to be held on Tuesday, November 7, 2023, as prescribed by the laws of the State of Texas, was approved at the City Commission at a meeting on August 21, 2023 via Ordinance #2023-64 for the purpose of Charter Amendments; and

WHEREAS, the State has called for a Special Election on November 7, 2023 for state constitutional amendments;

WHEREAS, Section 31.093 of the Texas Election Code requires a county elections administrator to enter into a contract to furnish election services upon request of a political subdivision; and

WHEREAS, Section 42.0621 (c) of the Texas Election Code does not require a political subdivision to enter into a contract with a county or hold a joint election

with a county on the November uniform election date, but the City has chosen to do both of those things; and

WHEREAS, the City and the County have worked to develop a 2023 Election Services Agreement between the City of Kingsville and Kleberg County; and

WHEREAS, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to this agreement to render assistance to one another whenever practical in accordance with the terms of the agreement attached hereto.

NOW THEREFOR, BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

THAT the City Secretary is authorized and directed as an act of the City of Kingsville, Texas to enter into the 2023 Election Services Agreement between the City of Kingsville and Kleberg County Clerk in accordance with Exhibit A hereto attached and made a part hereof.

II.

THAT all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

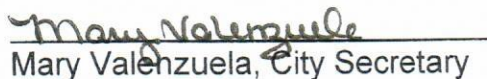
III.

THAT this Resolution shall be and become effective on and after adoption.


PASSED AND APPROVED by a majority vote of the City Commission on the 11th day of September, 2023.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary

APPROVED AS TO FORM:


Courtney Alvarez, City Attorney