

ORDINANCE NO. 6755

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5th DAY OF NOVEMBER, 2024, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO CITY COUNCIL MEMBERS (AT-LARGE, PLACE 1 AND AT-LARGE, PLACE 2) TO FILL EXPIRING TERMS; PROVIDING THAT THE ELECTION SHALL BE ADMINISTERED BY GRAYSON COUNTY, TEXAS; DESIGNATING EARLY VOTING POLLING PLACES AND HOURS; DESIGNATING ELECTION DAY POLLING PLACES AND HOURS; DESIGNATING FILING DEADLINES; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; PROVIDING FOR THE APPOINTMENT OF ELECTION JUDGES; AUTHORIZING THE MAYOR AND CITY CLERK TO TAKE ALL ACTIONS NECESSARY TO COMPLY WITH APPLICABLE ELECTION LAWS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas ("City Council") duly authorizes and hereby orders a general election to be held within the City of Sherman, Texas ("Sherman") on November 5, 2024, for the purpose of electing a Mayor and two members of the Sherman City Council (At-Large, Place 1 and At-Large, Place 2), with each such term being for a period of three years.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That, in compliance with the Sherman Home Rule Charter, and in accordance with the laws and the Constitution of the State of Texas, an election is hereby called and ordered for November 5, 2024, at which all qualified voters may vote for the purpose of electing City Council Members for At-Large, Place 1 and At-Large, Place 2 to fill expiring terms.

SECTION 2. That said election shall be administered by Grayson County, Texas in accordance with a Joint Election Agreement executed pursuant to the authority of a Resolution approved by the City Council.

SECTION 3. That the County Elections Administrator shall prepare electronic ballots for early and election day voting and paper ballots for mail ballots and provisional ballots to be used in said election and shall label the same "*Official Ballot*" on which ballot shall be printed the names of the candidates and the designation of each position sought, which shall be "Council Member, At-Large, Place 1," and "Council Member, At-Large, Place 2," respectively.

SECTION 4. That no person's name shall be placed upon the official ballot as a candidate for the position of Council Member unless such person has filed his/her sworn application for a place on the ballot, as provided by the laws of the State.

SECTION 5. Candidates must file for a specific place and adhere to the filing deadlines. The candidate filing period for the election is as follows:

Beginning: July 20, 2024 at 8:00 a.m.
Ending: August 19, 2024 at 5:00 p.m.

SECTION 6. That early voting will begin on October 21, 2024, and continue through November 1, 2024, at times and locations to be determined by the Grayson County Elections Administration. Voting times and locations are subject to change. Applications for ballots by mail shall be requested from and mailed to Early Voting Clerk, Elections Administration Building, 115 W. Houston, Sherman, Texas 75090, or faxed to (903) 891-4370 or emailed to votegrayson@co.grayson.tx.us. (If faxed or emailed, the original application must be mailed and received within 4 days.) Applications for ballots by mail must be received no later than the close of business on October 25, 2024.

SECTION 7. That Election Day voting by personal appearance shall be at the following vote centers from 7:00 a.m. until 7:00 p.m.:

<u>LOCATION</u>	<u>JUDGES</u>
TBD	TBD
TBD	Presiding Judge
TBD	TBD
	Alternate Judge

Voting times and locations are subject to change.

SECTION 8. That notice of said election shall be given by the Mayor of Sherman by causing an election notice to be posted at City Hall not later than the twenty-first day before Election Day, and by publishing the caption for this ordinance at least one time not more than thirty days nor less than ten days prior to the election date, in at least one daily newspaper published in the City of Sherman in accordance with the provisions of the Texas Election Code.

SECTION 9. That for early voting in person, early voting by mail, election day voting and provisional voting, the following voting equipment will be used: ES&S ExpressVote Universal voting machines (EVS 6.1.1.0); ES&S DS200 Digital Precinct Scanners (EVS 6.1.1.0) - at least one per polling site for Early Voting; at least one per polling site for Election Day; ES&S DS450 Digital Central Count Scanner/Tabulator (EVS 6.1.1.0) along with the required ancillary parts and services required for such voting tabulation system.

SECTION 10. That the Presiding Judge for Early Voting shall be Julie Phillips, the Alternate Judge shall be Kelsi Stephens and additional Voting Clerks shall be appointed.

SECTION 11. That an Early Voting Ballot Board for verifying Early Voting ballots shall be appointed, by the Early Voting Judge, consisting of a Presiding Judge and additional Clerks.

SECTION 12. That the rate of pay set by Subchapter E, Sections 32.091 and 32.092 of Title 3 of the Election Code for Election Judges and Clerks shall be at an amount fixed by the appropriate authority, which is at least the federal minimum hourly wage. Two judges will deliver the election returns and will split the \$25.00 pay for that service. No judge may be paid for more than two hours of work before the polls open.

SECTION 13. That Julie Phillips, County Elections Administrator, is hereby appointed Counting Station Presiding Manager.

SECTION 14. That the election shall be conducted in accordance with the Texas Election Code and other applicable law, and all qualified voters of Sherman shall be eligible to vote at the election.

SECTION 15. The Mayor and City Clerk, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and any other state or federal law in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 16. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause and phrase thereof regardless of whether any one or more sections, subsections, sentences, clauses or phrases may be declared unconstitutional and/or invalid.

SECTION 17. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 18. This order for an election becomes effective immediately upon its passage.


SECTION 19. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

INTRODUCED on this the 5th day of August 2024.

ADOPTED on this the 5th day of August 2024.

EFFECTIVE DATE on this the 5th day of August 2024.

CITY OF SHERMAN, TEXAS

BY: 
DAVID PLYLER, MAYOR

ATTEST:

BY: 
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: 
RYAN D. PITTMAN