

## JOINT ELECTION RESOLUTION

WHEREAS, due to the Governor's Proclamation, Sudan Independent School District is required to conduct its Trustee election on November 3, 2020, a uniform election date; and

WHEREAS, Section 271.002 of the Texas Election Code provides for joint elections when an election is required upon the same day by two or more political subdivisions occupying all or part of the same territory; and

WHEREAS, Section 11.0581 of the Texas Education Code and the Governor's Executive Order requires the election to be held on the same day as a general election of state and county officials; and

WHEREAS, the Board of Trustees (the "Board") of Sudan Independent School District (the "District") adopted an order on January 13, 2020, calling for a general election for the election of two trustee positions and a special election to fulfill an expired one-year term to be held within the District on May 2, 2020; and

WHEREAS, on March 13, 2020, pursuant to the authority vested in the Governor of the State (the "Governor") by Section 418.014 of the Texas Government Code, the Governor certified that the novel coronavirus posed an imminent threat of disaster and declared a state of disaster for all counties in the State; and

WHEREAS, on March 18, 2020, pursuant to the authority vested in the Governor by the Constitution and the Laws of the State, the Governor issued a proclamation (the "Proclamation") to: (i) suspend Sections 41.0052(a) and (b) of the Texas Election Code, and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 to the next uniform election date of November 3, 2020, without otherwise adjusting the term of office for the directors; and (ii) suspend Sections 31.093 and 42.0621 (c) of the Texas Election Code to the extent necessary to require all county election officers, if requested by an affected political subdivision, to enter into a contract to furnish election services with any political subdivision who postponed its election to November 3, 2020; and

WHEREAS, the Governor further found in his Proclamation that pursuant to Section 3.004 of the Texas Election Code, a political subdivision had the authority to make the decision to postpone its May 2, 2020, election until November 3, 2020; and

WHEREAS, in light of the Governor's March 13, 2020, declaration of disaster, the Proclamation, and the Governor's March 19, 2020, Executive Order, the Board, on April 13, 2020, found and determined that it was necessary and in the best interest of the District and its citizens to postpone its general trustee election to November 3, 2020, (the "Postponed Election"); and

WHEREAS, at its regularly scheduled Board meeting on July 13, 2020, the Board appointed Joe Ky to fill the one-year unexpired trustee position and, for these reasons, the Board canceled the special election to fill a one-year unexpired term; and

WHEREAS, several other political subdivisions within Lamb County also are conducting elections on the same day and are also contracting with the Lamb County election official for election services; and

WHEREAS, the Sudan Independent School District desires to conduct a joint election on November 3, 2020, with all such governmental units as are eligible and desire to conduct a joint election with Lamb County as may be expressed by order, resolution or other official action of said governmental units; and

WHEREAS, the Sudan Independent School District desires to contract with the Lamb County election officer for election services for its Postponed Election, and for any other special or bond elections that may be called by the District during the term of the contract; and

WHEREAS it is deemed to be in the best interest of the citizens residing in each of the political subdivisions to have a joint election on November 3, 2020, for its general trustee election, and any other future joint elections during the calendar year of 2020, pursuant to the above cited provision of the Election Code;

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSIONER'S COURT OF LAMB COUNTY AND THE BOARD OF TRUSTEES OF SUDAN INDEPENDENT SCHOOL DISTRICT:

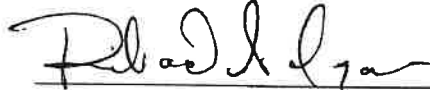
1. THAT Lamb County and Sudan Independent School District agree to hold a joint election of the political subdivisions to be held on November 3, 2020, under the applicable provisions of the Texas Election Code and other applicable laws and in accordance with the following agreed terms:
  - a. Common precinct boundaries and voting places shall be designated by the County.
  - b. Each party shall be responsible for posting and publishing its own notices. Each party shall be responsible for preparing their own ballots for all elections and for conducting a "drawing for place on the ballot," for all elections at a location and time of its own choice.
  - c. Each party will be conduct their own official canvassing of ballots and announcements of results shall be done by each party, and the District shall issue its own certificates of election to the candidates elected to that political subdivision.

- d. Each entity shall share the costs pro rata attributable to the joint election activities necessary for the conduct of the joint election.
  - e. The Elections Administrator will coordinate and supervise all aspects of administering the election for all entities.
  - f. One election judge will preside over the entities' early voting elections. The District shall bear the costs of early voting elections pro rata. The District shall have its own election judge for election day at its sole cost; and
2. The Commissioners Court of Lamb County, Texas, hereby authorizes and directs the County Judge of Lamb County to execute the attached Joint Election Agreement with Sudan Independent School District for the November 3, 2020, General Election, and any future joint elections during the calendar year of 2020, and to make any necessary changes to the Election Order, exhibits or otherwise to take any actions as may be necessary to carry out the purpose of this Resolution; and
  3. THAT the Board of Trustees of Sudan Independent School District hereby authorizes and directs the President of the Board of Trustees of Sudan Independent School District to execute the attached Joint Election Agreement with Lamb County for the November 3, 2020, General Election, and any future joint elections during the calendar year of 2020; and
  4. THAT the Sudan ISD Board of Trustees reserves the right to supplement and/or amend the early voting dates and times and personnel pursuant to a Governor's Executive Order due to the COVID-19 pandemic; and
  5. THAT the Superintendent of Sudan Independent School District is hereby authorized and directed to make any necessary changes to the election documents or otherwise to take any and all actions as may be necessary to carry out the purposes of this Resolution; and
  6. THAT the said Joint Election Agreement shall be deemed an agreement authorized by this Resolution with those governmental units within Lamb County that are conducting an election on November 3, 2020, and that they desire and are eligible to conduct a joint election with Lamb County on November 3, 2020; and

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APPROVED by the Board of Trustees of Sudan Independent School District.

Date: 9/14/2020

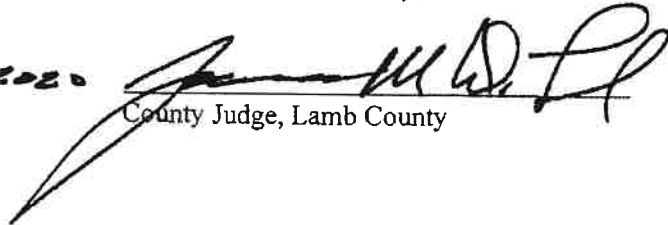
  
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President, Board of Trustees

Date: 9/14/2020

  
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Secretary, Board of Trustees

APPROVED by the Commissioners Court of Lamb County, Texas.

Date: 14 September 2020

  
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County Judge, Lamb County