



AGENDA
SPECIAL CITY COUNCIL MEETING
MONDAY, MAY 10, 2021 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142
AND VIA VIDEOCONFERENCE/TELECONFERENCE

**This meeting will be held using
videoconferencing/teleconferencing
technology with public access via:
[WWW.ZOOM.US/JOIN](https://www.zoom.us/join) OR
(888)788-0099 (TOLL FREE)
MEETING/WEBINAR ID: 839 1880 7526
PASSWORD: 708614**

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER Mayor calls the Meeting to order, states the date and time, state Councilmembers present, and declares a quorum present.**

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES) Comments about any of the Council agenda items may be taken into consideration at this time or during the agenda item. Comments are limited to five (5) minutes per individual unless additional time is otherwise required by law for translation. Speaking time is not transferable. Citizens may address the City Council on any subject but must first complete a Request to Speak Form so that the Mayor may call your name to speak at the appropriate time on the Agenda. Comments must be directed to the Council as a whole. **When addressing the Council, please step forward to the speaker's podium, state your name and address, and direct your comments to the Mayor and City Council.**

CANVASS GENERAL ELECTION RETURNS

1. Consider and take appropriate action on Ordinance O-19-21, an Ordinance of the City Council of the City of Kaufman, Texas, canvassing returns and declaring results of the Joint General Election between the City of Kaufman ("City") and Kaufman County ("County") held on May 1, 2021, as such returns relate to a General Election to elect one (1) person to serve as Mayor of the City of Kaufman and three (3) people to serve as Councilmembers of the City of Kaufman, each elected for a term of two (2) years; providing for the incorporation of premises; providing for the confirmation of vote tabulations for the General Election; identifying the officials elected and terms of office; authorizing the issuance of certificates of election; authorizing the issuance of the canvass of the General Election; and providing an effective date.

INAUGURATION

2. Judge Burt to administer Statement of Elected Officer and Oath of Office for newly Elected Officials.

APPOINTMENTS

3. Consider and take appropriate action on the appointment of Mayor Pro-Tem.

DISCUSSION/ACTION ITEMS

4. Consider and take appropriate action on Resolution R-21-21, a resolution of the City Council of the City of Kaufman, Texas authorizing the City Manager to enter into an agreement with the Texas Department of Transportation to temporarily close SH 34 and E Fair Road for the purpose of the annual Independence Celebration Parade.

ADJOURNMENT

I, JESSIE HANKS, CITY SECRETARY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE WINDOW AT KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED AT THE KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS AT 4:30 P.M. ON FRIDAY, MAY 7, 2021, AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.


JESSIE HANKS
CITY SECRETARY



THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE. SECTION 551.071 (CONSULTATION WITH ATTORNEY).

****PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COUNCILMEMBERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC BY ACCESSING [WWW.ZOOM.US/JOIN](https://www.zoom.us/join) OR (888)788-0099 (TOLL FREE) MEETING /WEBINAR ID: 839 1880 7526 PASSWORD: 708614**

THE BUILDING IN WHICH THE ABOVE MEETING WILL BE CONDUCTED IS WHEELCHAIR ACCESSIBLE AND PARKING SPACES FOR THE MOBILITY IMPAIRED ARE AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR LARGE PRINT ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 972-932-2216 AT LEAST TWO (2) WORKING DAYS PRIOR TO THE TIME OF THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.



Meeting
Date: 5/10/2021

Date: 4/21/2021

Item #: 1.

Dept.: Administration

Ordinance

SUBJECT:

Consider and take appropriate action on Ordinance O-19-21, an Ordinance of the City Council of the City of Kaufman, Texas, canvassing returns and declaring results of the Joint General Election between the City of Kaufman ("City") and Kaufman County ("County") held on May 1, 2021, as such returns relate to a General Election to elect one (1) person to serve as Mayor of the City of Kaufman and three (3) people to serve as Councilmembers of the City of Kaufman, each elected for a term of two (2) years; providing for the incorporation of premises; providing for the confirmation of vote tabulations for the General Election; identifying the officials elected and terms of office; authorizing the issuance of certificates of election; authorizing the issuance of the canvass of the General Election; and providing an effective date.

BACKGROUND:

This item is to canvass the returns for the General Election held on May 1, 2021, for the election of a Mayor and three Councilmembers.

Author:
Jessie Hanks, City Secretary

Reviewed:
Mike Slye, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of Ordinance O-19-21, to canvass the General Election returns.

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☐	☐	☐	☐	☐

**CITY OF KAUFMAN, TEXAS
ORDINANCE NO. O-19-21**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS CANVASSING THE RETURNS, INCLUDING THE RETURNS OF EARLY VOTING BALLOTS CAST IN CONNECTION THEREWITH, AND DECLARING THE RESULTS OF THE JOINT GENERAL ELECTION BETWEEN THE CITY OF KAUFMAN, ("CITY"), AND KAUFMAN COUNTY, ("COUNTY"), HELD ON MAY 1, 2021, AS SUCH RETURNS RELATE TO A GENERAL ELECTION TO ELECT ONE (1) PERSON TO SERVE AS MAYOR OF THE CITY OF KAUFMAN AND THREE (3) PEOPLE TO SERVE AS COUNCILMEMBERS OF THE CITY OF KAUFMAN, EACH ELECTED FOR A TERM OF TWO (2) YEARS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR THE CONFIRMATION OF VOTE TABULATIONS; IDENTIFYING THE OFFICIALS ELECTED AND TERMS OF OFFICE; AUTHORIZING THE ISSUANCE OF CERTIFICATES OF ELECTION; AUTHORIZING THE ISSUANCE OF THE CANVASS OF THE GENERAL ELECTION; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about January 25, 2021, the City Council of the City of Kaufman, Texas, (the "City"), passed and approved Ordinance No. O-02-21, ordering a joint General Election between the City of Kaufman, ("City"), and Kaufman County, ("County"), to be held on May 1, 2021, for the purpose of electing one (1) person to serve as Mayor of the City of Kaufman and three (3) people to serve as Councilmembers of the City of Kaufman, each elected for a term of two (2) years; and

WHEREAS, Ordinance No. O-02-21 also ordered the appointment of a Presiding Election Judge and an Alternate Presiding Election Judge for the purpose of conducting such election; and

WHEREAS, the appropriate authority of the City heretofore caused to be posted and published, in accordance with the election laws of the State of Texas, notice of the General Election; and

WHEREAS, it appears that a total of 276 votes were cast in such election; and

WHEREAS, the Joint General Election was duly and legally held on May 1, 2021, in the City and in conformity with the election laws of the State of Texas, and the results of the Joint General Election, including the early voting results, have been certified and returned to the proper judges and clerks thereof; and

WHEREAS, the official returns of the presiding judges of the Joint General Election, including the returns of early voting ballots in connection therewith, as such returns are related to the electing of one (1) person to serve as Mayor of the City of Kaufman and three (3) people to serve as Councilmembers of the City of Kaufman, each

elected for a term of two (2) years, have been duly canvassed in accordance with state law; and

WHEREAS, the returns of the Joint General Election, including the returns of the early voting ballots, duly and legally made, showed that each candidate for the office of Mayor received the following votes:

CITY OF KAUFMAN MAYOR FOR TWO (2) YEAR TERM

NAME OF CANDIDATE	TOTAL NUMBER OF EARLY VOTING VOTES RECEIVED	TOTAL NUMBER OF VOTES RECEIVED AT POLL ON ELECTION DAY	TOTAL NUMBER OF VOTES RECEIVED (Totals reflects 5 Absentee Votes)
Jeff Jordan	138	95	233

WHEREAS, the returns of the Joint General Election, including the returns of the early voting ballots, duly and legally made, showed that each candidate for the offices of City Councilmember received the following votes:

CITY COUNCILMEMBER FOR THE KAUFMAN COUNCIL FOR TWO (2) YEAR TERM

NAME OF CANDIDATE	TOTAL NUMBER OF EARLY VOTING VOTES RECEIVED	TOTAL NUMBER OF VOTES RECEIVED AT POLL ON ELECTION DAY	TOTAL NUMBER OF VOTES RECEIVED (Totals reflects 6 Absentee Votes)
Carolyn Nieto	36	25	61
Patty Patterson	114	71	185
Matt Phillips	108	66	174
Carole Campbell Aga	89	52	141

WHEREAS, pursuant to the Home Rule Charter, the candidates for elective office on the Council receiving a plurality of the votes shall be declared elected.

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

**SECTION 1
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated into the body of this Ordinance and made a part hereof for all purposes.

SECTION 2
ELECTION PROPERLY ORDERED AND HELD

The City Council officially finds and determines an election was duly ordered to be held in the City of Kaufman, Texas on the 1st day of May 2021 for the purpose of electing one (1) person to serve as Mayor of the City of Kaufman and three (3) people to serve as Councilmembers of the City of Kaufman, each elected for a term of two (2) years; that proper notice of said election was duly given; that proper election officers were duly appointed prior to said election; that said election has been made and delivered; and that the City Council has duly canvassed said returns all in accordance with law.

SECTION 3
CONFIRMATION OF VOTE TABULATIONS

The City Council officially finds and determines that only qualified resident voters of the City were allowed to vote at said Election, and that the following votes were cast at the Joint General Election, and that the canvass of the votes cast in said Election and returns thereof were made in accordance with the law. Further, the City Council officially finds that the returns of the Joint General Election, including the returns of the early voting ballots, duly and legally made, are as follows and has determined that each candidate for City Council, each seat having a (2) two-year term of office, have received the following votes:

CITY OF KAUFMAN MAYOR FOR TWO (2) YEAR TERM

NAME OF CANDIDATE	TOTAL NUMBER OF EARLY VOTING VOTES RECEIVED	TOTAL NUMBER OF VOTES RECEIVED AT POLL ON ELECTION DAY	TOTAL NUMBER OF VOTES RECEIVED (Totals reflects 5 Absentee Votes)
Jeff Jordan	138	95	233

CITY COUNCILMEMBER FOR THE KAUFMAN COUNCIL FOR TWO (2) YEAR TERM

NAME OF CANDIDATE	TOTAL NUMBER OF EARLY VOTING VOTES RECEIVED	TOTAL NUMBER OF VOTES RECEIVED AT POLL ON ELECTION DAY	TOTAL NUMBER OF VOTES RECEIVED (Totals reflects 6 Absentee Votes)
Carolyn Nieto	36	25	61
Patty Patterson	114	71	185
Matt Phillips	108	66	174
Carole Campbell Aga	89	52	141

SECTION 4
ELECTED OFFICIAL; TERMS OF OFFICE

In accordance with the canvass and tabulation of the results of the Joint General Election, the City Council officially finds, determines and declares that the duly elected Council Members elected on May 1, 2021, and the corresponding terms of office, subject to the taking of the oath of office as required by State Law, is as follows:

OFFICE	TERM	NAME
Mayor	Two (2) Years	Jeff Jordan
Councilmember	Two (2) Years	Patty Patterson
Councilmember	Two (2) Years	Matt Phillips
Councilmember	Two (2) Years	Carole Aga

SECTION 5
ISSUANCE OF CERTIFICATE OF ELECTION

The Mayor is hereby authorized and directed to execute and deliver a Certificate of Election to the successful candidates elected at the Joint General Election, as specified in Section 3 hereof.

SECTION 6
ISSUANCE OF CANVASS OF JOINT GENERAL ELECTION

The Mayor is hereby authorized and directed to execute and deliver the Canvass of the Joint General Election, a copy of which is attached hereto as Exhibit "A", in accordance with the election laws of the State of Texas, and to take all other action necessary in connection therewith.

SECTION 7
OPEN MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

SECTION 8
SEVERABILITY CLAUSE

It is hereby declared to be the intent of the City Council of the City of Kaufman that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same

would have been enacted by the City Council without incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 9
EFFECTIVE DATE

This Ordinance shall take effect from and after its date of passage in accordance with law, and it is so ordained.

PASSED AND APPROVED by the City Council of the City of Kaufman, Texas, this 10th day of May, 2021.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY
APPROVED AS TO FORM:

PATRICIA A. ADAMS
CITY ATTORNEY

**CITY OF KAUFMAN, TEXAS
CANVASS OF JOINT GENERAL ELECTION**

I, the undersigned Mayor of the City of Kaufman, Texas, and Presiding Officer of the Canvassing Authority of the City, met on 10th day of May, 2021, with the City Council of the City, sitting as the Canvassing Board to canvass the returns of the Joint General Election held on May 1, 2021, at the Kaufman County Library, Kaufman, Texas, as such returns related to the election of one (1) person to serve as Mayor of the City of Kaufman and three (3) people to serve as Councilmembers of the City of Kaufman, each elected for a term of two (2) years.

I DO HEREBY CERTIFY that the figures on the tally sheets correspond with the figures on the returns.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Kaufman, Texas to be affixed hereto, this the 10th day of May, 2021.

Mayor and Presiding Officer of The Canvassing Authority
City of Kaufman, Texas

SUMMARY OF ELECTION RETURNS
LOCAL ELECTIONS, CITY OF KAUFMAN

May 1, 2021

I, Brenda Samples, Kaufman County Election Official do hereby certify the returns for the City of Kaufman Election, held on the 1st day of May, 2021 Kaufman County, Texas, shown below are true and correct for each candidate. I further certify that the following vote totals include Early Voting totals and Election Day.

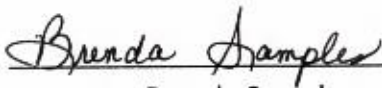
Totals are received under section 87.1231 of the Texas Election Code.

<u>Mayor</u>	<u>EARLY</u>	<u>ELECTION</u>	<u>TOTAL</u>	<u>PERCENT</u>
Vote for none or one				
Jeff Jordan	138	95	233	100%

<u>COUNCIL MEMBERS</u>	<u>EARLY</u>	<u>ELECTION</u>	<u>TOTAL</u>	<u>PERCENT</u>
Vote for none, one, two, or three				
Carolyn Nieto	36	25	61	10.87%
Patty Patterson	114	71	185	32.98%
Matt Phillips	108	66	174	31.02%
Carole Campbell Aga	89	52	141	25.13%

I, Brenda Samples, Kaufman County Election Official do hereby certify the returns as shown above are true and correct.

DATED THIS 04th DAY OF May 2021


Brenda Samples
Presiding Officer

Statement of Elected Officer

I, Patty Patterson, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value or promise any public office or employment for giving or withholding of a vote at the election at which I was elected so help me God.

Affiant's signature

Councilmember
Office Elected to

Kaufman/Kaufman
City/County

SWORN TO and subscribed before me by affiant on this 10th
day of May, 20 21.

Signature of Person Adminstrating Oath

Jon Burt
Printed Name

Municipal Judge
Title

Statement of Elected Officer

I, Matthew Phillips, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value or promise any public office or employment for giving or withholding of a vote at the election at which I was elected so help me God.

Affiant's signature

Councilmember
Office Elected to

Kaufman/Kaufman
City/County

SWORN TO and subscribed before me by affiant on this 10th
day of May, 20 21.

Signature of Person Administering Oath

Jon Burt
Printed Name

Municipal Judge
Title

Statement of Elected Officer

I, Carole Aga, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value or promise any public office or employment for giving or withholding of a vote at the election at which I was elected so help me God.

Affiant's signature

Councilmember
Office Elected to

Kaufman/Kaufman
City/County

SWORN TO and subscribed before me by affiant on this 10th
day of May, 20 21.

Signature of Person Administering Oath

Jon Burt
Printed Name

Municipal Judge
Title

Statement of Elected Officer

I, Jeff Jordan, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value or promise any public office or employment for giving or withholding of a vote at the election at which I was elected so help me God.

Affiant's signature

Mayor

Office Elected to

Kaufman/Kaufman

City/County

SWORN TO and subscribed before me by affiant on this 10th
day of May, 20 21.

Signature of Person Administering Oath

Jon Burt

Printed Name

Municipal Judge

Title



In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, Patty Patterson, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilmember of the City of Kaufman of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, so help me God.

Affiant, Patty Patterson

May 10, 2021

DATE

SWORN TO and subscribed before me by affiant on the 10th day of May, 2021.

Jon Burt, Kaufman Municipal Judge

Printed Name and Title



In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, Matt Phillips, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilmember of the City of Kaufman of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, so help me God.

Affiant, Matt Phillips

May 10, 2021

DATE

SWORN TO and subscribed before me by affiant on the 10th day of May, 2021.

Jon Burt, Kaufman Municipal Judge

Printed Name and Title



In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, Carole Aga, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilmember of the City of Kaufman of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, so help me God.

Affiant, Carole Aga

May 10, 2021

DATE

SWORN TO and subscribed before me by affiant on the 10th day of May, 2021.

Jon Burt, Kaufman Municipal Judge

Printed Name and Title



In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, Jeff Jordan, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Mayor of the City of Kaufman of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, so help me God.

Affiant, Jeff Jordan

May 10, 2021

DATE

SWORN TO and subscribed before me by affiant on the 10th day of May, 2021.

Jon Burt, Kaufman Municipal Judge

Printed Name and Title



Meeting
Date: 5/10/2021

Date: 4/21/2021

Item #: 3.

Dept.: Administration

Action Item

SUBJECT:

Consider and take appropriate action on the appointment of Mayor Pro-Tem.

BACKGROUND:

In accordance with the City Charter Section 3.04 the City Council members may elect a Mayor Pro-Tem. The Mayor Pro-Tem shall act as Mayor in case of the absence or inability of the Mayor to perform the duties of office and in this capacity shall be vested with all of the powers conferred upon the Mayor. This appointment is conducted annually. Currently, Patty Patterson serves as Mayor Pro-Tem.

Please advise if additional information is required.

Author:
Jessie Hanks, City Secretary

Reviewed:
Mike Slye, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff has no recommendation.

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☐	☐	☐	☐	☐

RESOLUTION NO. R-21-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO TEMPORARILY CLOSE SH 34 AND E FAIR STREET FOR THE PURPOSE OF THE ANNUAL INDEPENDENCE CELEBRATION PARADE.

WHEREAS, the City Council desires to formally enter into an agreement with the Texas Department of Transportation to close SH-34 and E Fair Street (One-way traffic operation around the Kaufman County Courthouse, Washington Street, and E Fair Street) in Kaufman, County; and

WHEREAS, the event will be located within the City of Kaufman's incorporated area; and

WHEREAS, this event serves a public purpose to the City of Kaufman, it's citizens and visitors to our City.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS THAT:

SECTION 1. The City Council does hereby authorize the City Manager to enter into an agreement with the Texas Department of Transportation for the Temporary Closure of State Right of Way.

SECTION 2. The Agreement of the Temporary Closure of State Right of Way is hereby attached as "Exhibit A".

SECTION 3. This Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED on this the 10th day of May, 2021.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA A. ADAMS
CITY ATTORNEY

