

## Notice of Special Meeting of the Wilmer City Council

1-844-992-4726 (Toll Free) or 408-418.9388  
Access code: 146 569 4374

Monday, November 16, 2020 at 7:00 pm

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### **Important Notice Regarding Public Participation:**

Due to the COVID-19 (coronavirus) public health emergency, and in an effort to reduce face-to-face contact, Governor Greg Abbott has granted a temporary suspension of certain provisions of the Texas Open Meetings Act. While preserving government transparency and maintaining government operations, meetings of the City Council will be conducted by teleconference. The meeting will be broadcast live via telephone conference by dialing any of the following phone numbers:

- 1-844-992-4726 (Toll Free) or 408-418-9388
  - Access code: 146 569 4374
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### **CALL TO ORDER**

#### **CITIZENS' COMMENTS:**

In an effort to continue to allow members of the public to address the City Council may do so at one of the following temporary alternate options:

- **Electronic Mail (E-mail):** Submit your name, address, and subject and/or agenda item(s) to the City Secretary at [mortiz@cityofwilmer.net](mailto:mortiz@cityofwilmer.net) by 5:00 p.m. on Monday, November 16, 2020.
- **By phone.** Please call 1-844-992-4726 (Toll Free) or 408-418-9388; Access code: 146 569 4374 before the Call to Order and provide your name, address, and subject and/or agenda item(s) before the Call to Order.

At this time, citizens who have pre-registered before the call to order from one of the above options will be allowed to provide comments on any matter other than personnel matters or matters under litigation, for a length of time not to exceed three (3) minutes. No Council action or discussion may take place on a matter until such matter has been placed on an agenda and posted in accordance with law. You will be called by the Mayor during the meeting in the order received.

## **ACTION:**

1. Discuss and consider a resolution canvassing the results and declaring the results of the General Election for the election of a Mayor at-large and two (2) Council Members at-large held on Tuesday, November 3, 2020.

Discutir y considerar una resolución que examine los resultados y declare los resultados de las Elecciones Generales para la elección de un Alcalde en general y dos (2) miembros del Consejo en general celebradas el martes 3 de noviembre de 2020.

2. Administer oaths of office, present Certificates of Election, and seat newly elected Mayor and Council members.

## **ADJOURNMENT**

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EXECUTIVE SESSION: The City Council reserve the right to convene into executive session on any posted agenda item pursuant to Section 551.071(2) of the Texas Government Code to seek legal advice concerning such subject.

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ACCESSIBILITY STATEMENT: Meetings of the City Council are held in municipal facilities are wheelchair accessible. For sign interpretive services, call the City Secretary's office, 972-441-6373, or TDD 1-800-735-2989, at least 72 hours prior to the meeting. Reasonable accommodation will be made to assist your needs.

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PURSUANT TO SECTION 30.06 PENAL CODE (TRESPASS BY HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

CONFORME A LA SECCION 30.06 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO 411, CODIGO DEL GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO OCULTADA.

PURSUANT TO SECTION 30.07 PENAL CODE (TRESPASS BY HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCION 30.07 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO AL AIRE LIBRE CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO H, CAPITULO 411, CODIGO DE GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO AL AIRE LIBRE.

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**CERTIFICATE**

I hereby certify the above Notice of Meeting was posted at the Wilmer City Hall on November 13, 2020 at 5:00 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, and City Council members.

  
\_\_\_\_\_  
Mayra A. Ortiz, City Secretary

Confirmation of Agenda Removal on \_\_\_\_\_, 2020.

# CITY OF WILMER

## City Council Special Meeting - Canvass

1.

**Meeting Date:** 11/16/2020

**Policy Statement:**

**Submitted by:** Mayra Ortiz, City Secretary

### **Agenda Caption:**

Discuss and consider a resolution canvassing the results and declaring the results of the General Election for the election of a Mayor at-large and two (2) Council Members at-large held on Tuesday, November 3, 2020.

Discutir y considerar una resolución que examine los resultados y declare los resultados de las Elecciones Generales para la elección de un Alcalde en general y dos (2) miembros del Consejo en general celebradas el martes 3 de noviembre de 2020.

### **Background:**

On February 10, 2020, the City Council approved Ordinance No. 2020-0206A ordering the General Election of a Mayor at-large and two (2) Council members, at-large, for a two (2) year term to be held on May 2, 2020.

On March 18, 2020, Governor Abbott, the Governor of Texas, issued a proclamation suspending Sections 41.0052(a) and (b) of the Texas Election Code to the extent necessary to allow political subdivisions to move their general or special elections to be held on May 2, 2020, to the next uniform election date, Tuesday, November 3, 2020, without otherwise adjusting the term or office. Subsequently, on March 19, 2020, City Council approved Ordinance No. 2020-0319A postponing the General Election to Tuesday, November 3, 2020.

### **Operational Considerations:**

Pursuant to the Texas Election Code, Sec. 67.003, requires the governing authority of political subdivision convene to officially canvass the results of the election. The City of Wilmer's Unofficial Final Election Results was received from Dallas County Elections and were posted on their website and are as follows:

	MAYOR (VOTE for 1)					
	Early Voting In-person	EV Mail	Election Day	EV-ED Provisional Voting	Total	Percentage (%)
Emmanuel Wealthy	287	17	58	0	362	35.66%
Sheila Petta	294	10	70	0	374	36.85%

Laura Jacobs	207	30	42	0	279	27.49%
<b>Total Ballots Cast</b>	<b>788</b>	<b>57</b>	<b>170</b>	<b>0</b>	<b>1,015</b>	<b>100%</b>

**TWO COUNCIL MEMBERS  
(Vote For 2)**

	Early Voting In-person	EV Mail	Election Day	EV-ED Provisional Voting	Total	Percentage (%)
Moses Garcia	274	21	63	0	358	21.96%
Sergio Campos	345	23	87	0	455	27.91%
Rebecca S. Critz	276	19	58	0	353	21.66%
Melissa Ramirez	372	24	68	0	464	28.47%
<b>Total Ballots Cast</b>	<b>1,267</b>	<b>87</b>	<b>276</b>	<b>0</b>	<b>1,630</b>	<b>100%</b>

**Legal:**

The City Attorney has provided and approved the resolution as to form.

**Public Information Considerations:**

At a time posted in accordance with the Open Meetings Act and as required by the Texas Election Code § 67.004(a), the canvass of the returns is read and results declared. The Presiding Officer asks for a motion and vote from the City Council approving the canvass and results of the General Election held on November 3, 2020. Two members of the authority constitute a quorum for the purpose of canvassing an election. Election results must be canvassed no later than the 14th day (November 17th), following the Election Day.

**Recommendation:**

Staff recommends approval, as presented.

**Attachments**

- Resolution
  - Resolution - Spanish
  - Dallas County Elections Results
-

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILMER, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON TUESDAY, NOVEMBER 3, 2020 FOR THE ELECTION OF A MAYOR AT-LARGE AND TWO (2) COUNCIL MEMBERS AT-LARGE; AND OTHER MATTERS IN CONNECTION THEREWITH, AND PROVIDING AN EFFECTIVE DATE.

GENERAL ELECTION

Wilmer, Texas

November 16, 2020

**CANVASS OF RETURNS AND DECLARATION OF RESULTS OF ELECTIONS**

**BE IT REMEMBERED THAT** on this the 16th day of November 2020, at a meeting of the City Council of the City of Wilmer, Texas, a quorum being present, the meeting was called to order and the following business was transacted.

Upon motion it was unanimously ordered that the City Council consider the official returns of a General Election held in the City of Wilmer on Tuesday, November 3, 2020, for the election of a Mayor at-Large for a two-year term and two (2) Council Members at-large for a two-year term.

**WHEREUPON** said official returns were opened, examined, canvassed and the results declared as follows:

**CANVASS OF RETURNS AND DECLARATION OF RESULTS**

**WHEREAS**, heretofore, the City Council of the City of Wilmer, Texas, called a General Election to be held in the City on Tuesday, November 3, 2020, to elect a Mayor at-large for a two-year term and two (2) Council Members at-large seats for a two-year term and;

**WHEREAS**, immediately after said election the Presiding Judge and other officials holding said election made their returns of the results thereof to the City Council as follows, and said returns being made according to law, and duly authenticated, and it being shown that

written notice of said election was posted for the time and in the manner provided by law, and all other proceedings pertaining to said election having been shown to have been done and performed at and within the manner provided by law, and all papers pertaining thereto having been returned and filed with the City Council and no protest or objection being made to or regarding any matter pertaining to said election.

**NOW, THEREFORE,** be it resolved by the City Council of the City of Wilmer, Texas, after examining said returns and opening and canvassing the votes of said election, that the results of said election are as follows:

That the following number of votes was cast for the following named candidate for the office of Mayor, At-Large, to wit:

	<b>Early Voting In-person</b>	<b>EV Mail</b>	<b>Election Day</b>	<b>EV-ED Provisional Voting</b>	<b>Total</b>	<b>Percentage (%)</b>
Emmanuel Wealthy	287	17	58	0	362	35.66%
Sheila Petta	294	10	70	0	374	36.85%
Laura Jacobs	207	30	42	0	279	27.49%
<b>Total Ballots Cast</b>	<b>788</b>	<b>57</b>	<b>170</b>	<b>0</b>	<b>1,015</b>	<b>100%</b>

That the following number of votes was cast for the following named candidates for the offices of Council Member, at-Large, to wit:

	<b>Early Voting In-person</b>	<b>EV Mail</b>	<b>Election Day</b>	<b>EV-ED Provisional Voting</b>	<b>Total</b>	<b>Percentage (%)</b>
Moses Garcia	274	21	63	0	358	21.96%
Sergio Campos	345	23	87	0	455	27.91%
Rebecca S. Critz	276	19	58	0	353	21.66%

Melissa Ramirez	372	24	68	0	464	28.47%
<b>Total Ballots Cast</b>	<b>1,267</b>	<b>87</b>	<b>276</b>	<b>0</b>	<b>1,630</b>	<b>100%</b>

It appearing that Sheila Petta received the majority at-large votes for the office of Mayor, is hereby declared to be elected to the office of Mayor, to serve a two-year term after qualifying.

It appearing that Sergio Campos and Melissa Ramirez received the majority at-large votes for the two (2) council seats available, are hereby declared to be elected to the offices of Council Member, to serve a two-year term after qualifying.

**IT IS FURTHER ORDERED** that this canvass and declaration of results of said election be entered in the Minutes of the City Council and the Recitals of this Resolution are fully incorporated herein as if fully recited.

This Resolution, declaring the results of the General Election, shall become effective immediately after its passage.

**DULY PASSED** by the City Council of the City of Wilmer, Texas, on this the 16<sup>th</sup> day of November, 2020.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Mayra Ortiz, City Secretary

\_\_\_\_\_  
Emmanuel Wealthy, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Michael B. Halla, City Attorney



**RESOLUCIÓN NO. \_\_\_\_\_**

**UNA RESOLUCIÓN DEL CONCEJO MUNICIPAL DE LA CIUDAD DE WILMER, TEXAS, QUE PUEDE PASAR LAS DEVOLUCIONES Y DECLARAR LOS RESULTADOS DE LA ELECCIÓN GENERAL CELEBRADA EL MARTES 3 DE NOVIEMBRE DE 2020 PARA LA ELECCIÓN DE UN ALCALDE EN GRAN Y DOS (2) MIEMBROS DEL CONSEJO EN -GRANDE; Y OTROS ASUNTOS EN RELACIÓN CON ELLOS, Y PROPORCIONANDO UNA FECHA DE VIGENCIA.**

**ELECCION GENERAL**

**Wilmer, Texas**

**16 de noviembre de 2020**

**LONA DE DEVOLUCIONES Y DECLARACIÓN DE RESULTADOS DE LAS ELECCIONES**

**RECUERDA QUE** este día 16 de noviembre de 2020, en una reunión del Concejo Municipal de la Ciudad de Wilmer, Texas, habiendo quórum presente, se dio inicio a la reunión y se tramitaron los siguientes asuntos.

Tras una moción, se ordenó unánimemente que el Concejo Municipal considere los resultados oficiales de una Elección General celebrada en la Ciudad de Wilmer el martes 3 de noviembre de 2020, para la elección de un Alcalde en General por un período de dos años y dos (2) Miembros del Consejo en general por un período de dos años.

**DESPUÉS DE LO CUAL** dichas declaraciones oficiales fueron abiertas, examinadas, escrutadas y los resultados declarados de la siguiente manera:

**CANVASS DE DEVOLUCIONES Y DECLARACIÓN DE RESULTADOS**

**MIENTRAS**, hasta ahora, el Concejo Municipal de la Ciudad de Wilmer, Texas, convocó una Elección General que se realizará en la Ciudad el martes 3 de noviembre de 2020 para elegir un Alcalde en general por un período de dos años y dos (2) Concejos Asientos generales de miembros por un período de dos años y; y

**MIENTRAS**, inmediatamente después de dicha elección, el Juez Presidente y los demás funcionarios que celebran dicha elección hicieron sus declaraciones de los resultados

de las mismas al Concejo Municipal de la siguiente manera, y dichas declaraciones se hicieron de acuerdo con la ley, debidamente autenticadas y demostrando que la notificación por escrito de dicha elección se publicó durante el tiempo y de la manera que dispone la ley, y se ha demostrado que todos los demás procedimientos relacionados con dicha elección se han realizado y realizado de la manera prevista por la ley, y que todos los documentos pertinentes han sido devueltos y presentados ante el Ayuntamiento y no se hace ninguna protesta u objeción a con respecto a cualquier asunto relacionado con dicha elección.

**AHORA, POR LO TANTO**, sea resuelto por el Concejo Municipal de la Ciudad de Wilmer, Texas, luego de examinar dichas declaraciones y de abrir y escutar los votos de dicha elección, que los resultados de dicha elección son los siguientes:

Que se emitió el siguiente número de votos para el siguiente candidato designado para el cargo de Alcalde, At-Large, a saber:

	<b>Votación anticipada En persona</b>	<b>Correo EV</b>	<b>Día de elección</b>	<b>Votación provisional EV-ED</b>	<b>Total</b>	<b>Porcentaje (%)</b>
Emmanuel Wealthy	287	17	58	0	362	35.66%
Sheila Petta	294	10	70	0	374	36.85%
Laura Jacobs	207	30	42	0	279	27.49%
<b>Total de votos emitidos</b>	<b>788</b>	<b>57</b>	<b>170</b>	<b>0</b>	<b>1,015</b>	<b>100%</b>

Que se emitió el siguiente número de votos para los siguientes candidatos nombrados para los cargos de Miembro del Consejo, en general, a saber:

	<b>Votación anticipada En persona</b>	<b>Correo EV</b>	<b>Día de elección</b>	<b>Votación provisional EV-ED</b>	<b>Total</b>	<b>Porcentaje (%)</b>
Moses Garcia	274	21	63	0	358	21.96%

Sergio Campos	345	23	87	0	455	27.91%
Rebecca S. Critz	276	19	58	0	353	21.66%
Melissa Ramirez	372	24	68	0	464	28.47%
<b>Total de votos emitidos</b>	<b>1,267</b>	<b>87</b>	<b>276</b>	<b>0</b>	<b>1,630</b>	<b>100%</b>

Al parecer, Sheila Petta recibió la mayoría de los votos para el cargo de alcalde, por la presente se declara elegida para el cargo de alcalde, para servir por un período de dos años después de calificar.

Al parecer que Sergio Campos y Melissa Ramirez recibieron la mayoría de votos en general para los dos (2) escaños disponibles en el consejo, por la presente se declaran elegidos para los cargos de miembro del consejo, para servir por un período de dos años después de calificar.

**SE PIDE ADEMÁS** que este escrutinio y declaración de resultados de dicha elección se inscriban en el Acta del Concejo Municipal y los Considerandos de esta Resolución se incorporen en su totalidad aquí como si estuvieran íntegramente recitados.

Esta Resolución, que declara los resultados de las Elecciones Generales, entrará en vigencia inmediatamente después de su aprobación.

**DEBIDAMENTE APROBADO** por el Ayuntamiento de la Ciudad de Wilmer, Texas, el día 16 de noviembre de 2020.

**DAR FE:**

**APROBADA:**

\_\_\_\_\_  
Mayra Ortiz, Secretario de la ciudad

\_\_\_\_\_  
Emmanuel Wealthy, Alcalde

**APROBADO EN FORMA:**

\_\_\_\_\_  
Michael B. Halla, Abogado de la ciudad

**STATISTICS**

	<b>TOTAL</b>	<b>EV In-Person</b>	<b>EV Mail</b>	<b>Election Day</b>	<b>EV-ED Provisional</b>
Registered Voters - Total	2,058				
Ballots Cast - Total	1,080	840	59	181	0
Voter Turnout - Total	52.48%				

**Wilmer Mayor Wilmer**

Vote For 1

	TOTAL	VOTE %	EV In-Person	EV Mail	Election Day	EV-ED Provisional
Emmanuel Wealthy	362	35.66%	287	17	58	0
Sheila Petta	374	36.85%	294	10	70	0
Laura Jacobs	279	27.49%	207	30	42	0
<b>Total Votes Cast</b>	<b>1,015</b>	<b>100.00%</b>	<b>788</b>	<b>57</b>	<b>170</b>	<b>0</b>

**Wilmer Member of Council**

Vote For 2

	TOTAL	VOTE %	EV In-Person	EV Mail	Election Day	EV-ED Provisional
Moses Garcia	358	21.96%	274	21	63	0
Sergio Campos	455	27.91%	345	23	87	0
Rebecca S. Critz	353	21.66%	276	19	58	0
Melissa Ramirez	464	28.47%	372	24	68	0
<b>Total Votes Cast</b>	<b>1,630</b>	<b>100.00%</b>	<b>1,267</b>	<b>87</b>	<b>276</b>	<b>0</b>

## CITY OF WILMER

### City Council Special Meeting - Canvass

2.

**Meeting Date:** 11/16/2020

**Submitted by:** Mayra A. Ortiz, City Secretary

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**Agenda Caption:**

Administer oaths of office, present Certificates of Election, and seat newly elected Mayor and Council members.

**Background:**

The newly elected Mayor and Council Members will be given the Oath of Office and presented with a Certificate of Election for the office of Mayor at-large (Sheila Petta) and two (2) Council member seats at-large (Melissa Ramirez and Sergio Campos)