

RESOLUTION NO. 14-1441

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS, DECLARING A VACANCY IN THE OFFICE OF CITY COUNCIL MEMBER, PLACE FIVE AND CALLING A SPECIAL ELECTION TO FILL SUCH VACANCY FOR THE UNEXPIRED TERM; ESTABLISHING THE DATES AND TIMES OF EARLY VOTING FOR SUCH ELECTION; ESTABLISHING A DATE FOR A RUNOFF ELECTION, IF REQUIRED; AND AUTHORIZING A CONTRACT WITH TARRANT COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT.

WHEREAS, a vacancy currently exists in the office of City Council Member, Place Five for the City of Euless, Texas; and

WHEREAS, the Constitution of the State of Texas and the Euless City Charter provide that a special election shall be held to fill the vacancy; and

WHEREAS, the City Council has determined that the holding of the special election to fill the unexpired term of City Council Member, Place Five on December 9, 2014, is in the best interest of the citizens of Euless.

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

SECTION 1.

The City Council of the City of Euless, Texas, does hereby declare a vacancy in the position of City Council Member, Place Five and orders a special election for the City of Euless, Texas, to be held on December 9, 2014, for the purpose of electing a Council Member to serve for the unexpired term of that place. The candidate receiving a majority of the votes cast for City Council Member Place Five shall be declared elected to such office.

SECTION 2.

The Mayor is hereby authorized to execute a contract with the Tarrant County Elections Administrator for the purpose of having Tarrant County furnish all or any portion of the election services and equipment needed by the City Secretary to conduct the election. The contract document and election services provided therein shall conform to Chapter 31, Subchapter D, of the Texas Election Code and other applicable statutes and laws.

The election services contract shall provide (a) the type of electronic voting equipment to be used for early voting by personal appearance and on election day, (b) notification and training for election judges and clerks, (c) an estimate and final payment terms for the election services provided, (d) agreements for early voting

equipment and voting machine rental, and (e) other procedures to conduct the election.

SECTION 3.

Frank Phillips, Tarrant County Elections Administrator, 2700 Premier Street, Fort Worth, Texas, 76111, is hereby appointed as Early Voting Clerk and Kim Sutter, City Secretary, 201 N. Ector Drive, Euless, Texas, shall serve as Deputy Early Voting Clerk. Applications for ballot by mail must be received by mail no later than the close of business on Wednesday, November 26, 2014, (Mailing Address: P. O. Box 961011, Fort Worth, Texas, 76161-0011; Attention: Frank Phillips, Early Voting Clerk).

SECTION 4.

Early voting by personal appearance shall be conducted at the City of Euless Public Library, 201 N. Ector Drive, Euless, Texas, and at the County's Main Early Voting location: 2700 Premier Street, Fort Worth, Texas, 76111. Branch offices for early voting shall also be established as outlined in the joint election agreement with Tarrant County.

Early voting by personal appearance will begin on Monday, November 24, and will end on Friday, December 5, 2014, and the hours designated for early voting by personal appearance shall be as set forth below:

November 24 – 26	(Monday - Wednesday)	8:00 a.m. to 5:00 p.m.
November 27 – 30	(Thursday - Sunday)	CLOSED
December 1 – 3	(Monday – Wednesday)	8:00 a.m. to 5:00 p.m.
December 4 – 5	(Thursday – Friday)	7:00 a.m. to 7:00 p.m.

Applications for early voting by mail shall be delivered to the Early Voting Clerk at the address set forth in Section 3 not earlier than Friday, October 10, 2014, and not later than the close of business on Wednesday, November 26, 2014, if received by mail.

For purposes of processing ballots cast in early voting, the election officers for the Early Voting Ballot Board shall be appointed and designated in accordance with the provisions of the joint election agreement with Tarrant County.

SECTION 5.

All resident, qualified voters, determined by the laws of the State of Texas, the Charter and ordinances of the City of Euless shall be qualified to vote at such election. For the purpose of said election, the entire City is constituted into one voting precinct. Voting on election day, December 9, 2014, shall be conducted between the hours of 7:00 a.m. and 7:00 p.m. at the following location:

Euless Public Library
201 N. Ector Drive
Euless, Texas 76039

SECTION 6.

Applications for candidacy to the office of City Council Member Place Five shall be made to the City Secretary of the City of Euless beginning at 8:00 a.m., September 24, 2014, and not later than 5:00 p.m., October 8, 2014, in manner and form as prescribed by law, and the Charter and ordinances of the City of Euless, Texas.

SECTION 7.

The names of eligible and qualified candidates for such office shall be placed on the ballot for such election by the City Secretary at the time and in the manner prescribed by law, and the Charter and Ordinances of the City of Euless. Combined ballots may be utilized containing all of the offices and propositions to be voted on at each polling place, provided that no voter shall be given a ballot or permitted to vote for any office or proposition on which the voter is ineligible to vote. The County's voting equipment will be utilized for this election.

SECTION 8.

Voting machines used for the conduct of the election, shall be procured, maintained, operated, sealed and the votes therefrom tabulated pursuant to procedures established and authorized by the laws of the State of Texas, and the Charter and Ordinances of the City of Euless.

SECTION 9.

The results of the election shall be certified, canvassed, and returned in the form and manner prescribed by the laws of the State of Texas and the Charter and Ordinances of the City of Euless.

SECTION 10.

The notice of the election hereby ordered and called shall be promulgated, published and posted in keeping with the laws of the State of Texas, and the Charter and Ordinances of the City of Euless.

SECTION 11.

Any runoff election required for the election of City Council Member, Place Five, following the special election of December 9, 2014, shall be held in accordance with Section 2.025 (a) Election Code of the State of Texas, and as agreed to between the City of Euless and Tarrant County Elections.

SECTION 12.

The City Manager and the City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of federal and state law in carrying out and conducting the election, whether or not expressly authorized herein.

APPROVED AND ADOPTED at a regular meeting of the Euless City Council of the City of Euless, Texas, on the 23rd day of September 2014, by a vote of _____ ayes, _____ nays, and _____ abstentions.

APPROVED:

Linda Martin, Mayor

ATTEST:

Kim Sutter, TRMC, City Secretary