

RESOLUTION 17-R-30

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, CALLING AND ESTABLISHING THE PROCEDURE FOR THE FEBRUARY 3, 2018, SPECIAL ELECTION IN ALVIN, TEXAS, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, on February 3, 2018, there shall be elected the following officials for this City: a member to fill the unexpired term of City Council At Large Position 2, through May 2019; and

WHEREAS, the *Texas Election Code* is applicable to the election and this Resolution establishes procedures consistent with the Code, and designates the voting places and times for the election; and

WHEREAS, the City of Alvin, Texas (hereinafter the "City") has made provision to contract with Brazoria County to conduct the City's special election, pursuant to *Chapter 31 of the Texas Election Code, and Chapter 791, Texas Government Code* (the Joint Election Agreement and Contract for Election Services, hereafter called the "Election Agreement").

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:

Section 1. Special Election Ordered. A Special Election of the City shall be held on Saturday, February 3, 2018, to elect a member to fill the unexpired term of City Council At Large Position 2, through May 2019.

Section 2. Filing Period. Candidates at the election for the above office shall file their application to become a candidate with the Office of the City Secretary at City Hall, 216 W. Sealy, Alvin, Texas 77511, beginning Monday, November 6, 2017, and continuing through Monday, December 4, 2017. Candidates shall file their applications with the City Secretary on any weekday that is not a City holiday, between 7:00 a.m. and 6:00 p.m., Monday through Thursday. All applications for candidacy shall be on a form as prescribed by the *Texas Election Code*.

Section 3. Drawing. The order in which the names of the candidates for each office are to be printed on the ballot shall be determined by a drawing conducted by the City Secretary as provided by the *Tex. Elec. Code*. Such drawing is tentatively scheduled to be held in the Office of the City Secretary at City Hall on Tuesday December 12, 2017 at 5:31 p.m., for said special election.

Section 4. Notice of Election. Notice of the election shall be given and the election shall be held in compliance with the provisions of the *Texas Election Code, the Federal Voting Rights Act of 1965, as amended* and the *City Charter* in all respects. Notice of the election shall be by publishing the Notice of Election, in both English and Spanish, at least one time, not earlier than thirty (30) days nor later than ten (10) days prior to said election, in a newspaper of general circulation published within the City; and by posting of the notice on the bulletin board used for posting notices of meetings of City Council at City Hall not later than the twenty-first (21st) day before the election, written in both English and Spanish.

Section 5. Ballots. The ballots for the election shall comply with the *Texas Election Code* and be in the form provided by the City to the Brazoria County Election Officer for use on the voting devices and ballots used by Brazoria County.

Section 6. Election Procedures. The Brazoria County Election Officer and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in the manner provided by the Election Agreement and the law governing the holding of special elections by home rule cities of the State of Texas; and the official ballots, together with such other election materials as are required by the *Texas Election Code*, shall be prepared in both the English and Spanish languages and shall contain such provisions, markings and language as is required by law.

Section 7. Early Voting. Early voting, both by personal appearance and by mail, will be conducted by the Brazoria County Election Officer, who is designated and appointed as the Early Voting Clerk, in accordance with the *Texas Election Code*. Early voting by personal appearance shall be conducted at places and locations authorized by state law and the Brazoria County Election Officer as described in "Attachment A." Early voting shall commence on Wednesday, January 17, 2018, and continue through Tuesday, January 30, 2018, and early voting polls shall remain open for the time specified by the *Texas Election Code*. Early voting shall also be held at any time and location authorized by the Brazoria County Election Officer. Early voting by City residents may be conducted at any location exclusively designated by the Brazoria County Election Officer.

Section 8. Election Precincts and Polling Places. The election precincts for the election shall be the election precincts established by Brazoria County, provided that each shall contain and include geographic area that is within the City. The polling place for each such election precinct shall be the polling place established by Brazoria County for such election precincts in Brazoria County and voting by residents of the City. Voting by City residents may be conducted any location exclusively designated by the Brazoria County Election Officer for City residents. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m. The returns for precincts in Brazoria County will be provided by precinct and the Brazoria County Election Officer shall tabulate and provide the election returns for the election.

Section 9. Duties of City Secretary and Election Officer. The City Secretary, or designee, is instructed to aide the Brazoria County Election Officer in the acquisition and furnishing of all election supplies and materials necessary to conduct the election as provided by the Election Agreement. The City Secretary is further authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Texas Election Code*; provided that, pursuant to the Election Agreement between Brazoria County and the City, the Brazoria County Election Officer shall have the duty and be responsible for organizing and conducting the election in compliance with the *Texas Election Code*; and for providing all services specified to be provided in the Election Agreement. The Brazoria County Election Officer shall give the notices required by the *Texas Election Code* to be given for the election not required to be given by the City under the Election Agreement.

Section 11. Election Judges. The presiding judges, alternate presiding judges and clerks for the election shall be selected and appointed by Brazoria County and its appointees in compliance with the requirements of state law, and such judges and clerks so selected by Brazoria County and its appointees are hereby designated and appointed by the City Council as the election officers, judges

and clerks, respectively, for the holding of said special election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law. The City Council will further confirm and appoint the election judges and alternate election judges that are appointed by Brazoria County for the election.

Section 12. Official Newspaper. It is hereby found and determined that THE ALVIN SUN is a newspaper published within the City of Alvin, Texas; is a newspaper of general circulation within the City; and is the official newspaper of the City of Alvin. The City Secretary is hereby authorized and directed to cause notice to be given as directed in above in Section 4. Further orders are reserved until the returns of the election are made by the duly authorized election officials and received by this body.

Section 13. General. The election shall be held and conducted by the Brazoria County Election Officer in compliance with the *Texas Election Code* and the Election Agreement.

Section 14. Effective Date. This Resolution shall be in force and effect from and after its passage on the date shown below.

Section 15. Open Meetings Act. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapter 551, Texas Government Code*.

AND, IT IS SO RESOLVED.

PASSED AND APPROVED on this the _____ day of _____, 2017.

ATTEST:

CITY OF ALVIN, TEXAS

By: _____
Dixie Roberts, City Secretary

By: _____
Paul A. Horn, Mayor

“ATTACHMENT A”
NOTICE OF EARLY VOTING – CITY OF ALVIN, BRAZORIA COUNTY, TEXAS
AVISO DE VOTACIÓN ADELANTADA – de las ciudades de Alvin CONDADO DE BRAZORIA, TEXAS

February 3, 2018 (3 de febrero de 2018)

For the special election of the City of Alvin.
Para las elecciones especial de las ciudades de Alvin.

EARLY VOTING BY PERSONAL APPEARANCE LOCATIONS:
SITIOS DE LA VOTACIÓN ADELANTADA EN PERSONA:

Alvin Branch (*Sitio*): Alvin Library, 105 S. Gordon

PERSONAL APPEARANCE TIMES AND DATES FOR ABOVE LOCATIONS:
FECHAS Y HORAS DE LA VOTACIÓN ADELANTADA EN PERSONA:

January 17-19 (*17-19 de enero*)8 AM – 5 PM
January 20 (*20 de enero*)10AM-3PM
January 22-26 (*22-26 de enero*)8 AM – 5 PM
January 29-January 31 (*29-31 de enero*).....7 AM – 7 PM

EARLY VOTING BY MAIL: (VOTACIÓN ADELANTADA POR CORREO):

Applications for voting by mail must be received no later than the close of business (5 PM) on January 23, 2018.

Las solicitudes para boletas de votación adelantada por correo deberán recibirse para el fin de las horas de negocio (5 PM) el 23 de enero de 2018.

Applications should be mailed to:

Las solicitudes para boletas que se votarán adelantada por correo deberán enviarse a:

JOYCE HUDMAN, COUNTY CLERK
111 E LOCUST, SUITE 200
ANGLETON, TX 77515-4654

Or emailed to (*o enviada por email a*): CclerkElections@brazoria-county.com.

JOYCE HUDMAN, COUNTY CLERK, BRAZORIA COUNTY