

**RESOLUTION NO. 2017-0206**

**A RESOLUTION OF THE CITY OF HUTCHINS, TEXAS, CALLING FOR A GENERAL (REGULAR) ELECTION TO BE HELD ON THE 6<sup>th</sup> OF MAY 2017, FOR THE PURPOSE OF ELECTING THREE (3) CITY COUNCILMEMBERS AT LARGE BY THE QUALIFIED VOTERS OF THE CITY OF HUTCHINS; DESIGNATING THE POLLING PLACE; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT WITH DALLAS COUNTY ELECTIONS DEPARTMENT; PROVIDING FOR EARLY VOTING; PROVIDING FOR THE APPOINTMENT OF A DEPUTY EARLY VOTING CLERK; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** That a General Election for municipal officers shall be conducted on May 6, 2017, at which election all qualified voters of the City may vote for the purpose of electing three (3) City Councilmembers at-large, each such term being for a period of two (2) years. The candidate for each such at-large place, receiving a majority of all votes cast for all the candidates for an office, shall be elected to serve such term.

**SECTION 2.** That the election materials as outlined in Section 272.005, Texas Election Code, shall be printed in both English and Spanish for use at the polling place and for early voting.

**SECTION 3.** That the City Secretary is hereby directed to cause notice to be given of said election by publication in the official newspaper of the City of Hutchins, Texas, not earlier than the 30th day or later than the 10th day before Election Day. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice. Notice shall be posted on the bulletin board used to post notice of City Council meetings no later than the 21st day before election day in accordance with Texas Election Code Section 4.003 and the person posting the notice shall make a record at the time of posting stating the date and place of posting in accordance with the Texas Election Code. Notice shall also be posted to the City's website in accordance with the Government Code.

**SECTION 4.** That the first day for a candidate to file an application for a place on the ballot with the City Secretary for the General Election is no earlier than January 18, 2017, at 9 a.m., with the last day for filing to be no later than February 17, 2017, at 5:00 p.m., in accordance with Sections 143-006 and 143-007 of the Election Code. The City Secretary shall designate the official clock for filing.

**SECTION 5.** That the election shall be held as a Joint Election. The City Administrator is hereby authorized to execute the Joint Election Agreement and the Election Services Contract (the "Agreement"), attached hereto as Exhibit "A", for the conduct of a Joint Election to be held

on Saturday, May 6, 2017. The City Administrator shall have further authority to approve any minor modifications as may be necessary and in the best interest of the City.

**SECTION 6.** The expenses of the Joint Election will be divided equally between the entities conducting elections. Expenses will be determined and divided based on each precinct. By way of example, where the entities use a common polling place in a precinct, the expenses will be apportioned as appropriate for each. Each entity will bear all expenses for equipment and supplies utilized in its election.

**SECTION 7.** That, pursuant to the Joint Election Agreement, the Dallas County Elections Interim Administrator shall serve as Election Administrator for the election. Presiding Election Judge and Alternate Presiding Election Judge appointed to serve at said polling places, shall be those election officials furnished by the Elections Administrator from the list of proposed Elections Judges listed in an attachment to the agreement.

**SECTION 8.** That, in compliance with Section 271.006 of the Texas Election Code, Toni Pippins-Poole, shall serve as the Early Voting Clerk. Deputy Early Voting Clerks shall be appointed as needed to process early voting mail and to conduct early voting by personal appearance at the designated branch locations.

**SECTION 9.** That an Early Voting Ballot Board shall be created to process early voting results in accordance with Section 87.001 of the Texas Election Code, The Early Voting Ballot Board shall be members appointed in the manner stated in the agreement and the Presiding Judge and Alternate Presiding Judge of the Early Voting Board shall be the election officials listed in the agreement.

**SECTION 10.** That the entire City shall constitute one precinct for the Joint Election, and polling places designated for each election precinct are shown on Exhibit "A", which is attached hereto and incorporated herein by reference as a part hereof for all purposes. The City Secretary may change the places and times of the locations set forth on Exhibit "A" without further City Council action or approval after consulting with the Dallas County Elections Administrator and determining that a change in the places or times is necessary.

**SECTION 11.** The early voting by personal appearance shall be conducted in at a location designated by the Dallas County Elections Department, beginning Monday, April 24, 2017, and continuing through Saturday, April 29, 2017, between the hours of 8:00 a.m. and 5:00 p.m.; Sunday, April 30, 2017, between the hours of 1:00 p.m. and 6:00 p.m.; and Monday, May 1, 2017, and Tuesday, May 2, 2017, between the hours of 7:00 a.m. and 7:00 p.m. Qualified voters for the Joint Election may vote early by personal appearance at either the main early voting location or at any of the branch locations attached hereto.

**SECTION 12.** That, should a run-off election become necessary, the Dallas County Elections Department shall conduct the run-off election. In the event any candidate for any one of the said offices fails to receive a majority of all votes cast for all the candidates for such office, a run-off election shall be called as provided for by the Agreement.

**SECTION 13.** The official canvass of the election returns shall be conducted between the period of May 9, 2017 and May 17, 2017. During this period, the early voting ballot board shall meet to count ballots received from outside the United States and complete the count of provisional ballots. The early voting clerk shall certify that all ballots mailed from outside the United States have been received and counted and the provisional ballots have been counted. Upon receipt of final counts from Dallas County Elections Department, the City Secretary shall present the official results to the City Council and the canvass of said election shall take place in accordance with the Texas Election Code.

**SECTION 14.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said resolution, which shall remain in full force and effect.

**SECTION 15.** This Resolution shall take effect immediately from and after its passage.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Hutchins, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF HUTCHINS, TEXAS

\_\_\_\_\_  
Mario Vasquez, Mayor

ATTEST:

\_\_\_\_\_  
Janis Daniels, City Secretary

**EXHIBIT "A"**  
**Joint Election Agreement and the Election Services Contract**