

## RESOLUTION NO. 857

### **A RESOLUTION OF THE CITY OF TERRELL, TEXAS, DECLARING A VACANCY IN THE OFFICE OF CITY COUNCIL MEMBER DISTRICT NO. 2; ORDERING A SPECIAL ELECTION TO FILL SAID VACANCY FOR THE UNEXPIRED TERM; TO BE HELD ON SATURDAY, AUGUST 26, 2017.**

**WHEREAS**, a vacancy currently exists in the office of City Council Member District No. 2 for the City of Terrell, Texas; due to the death of City Council member Tommy Spencer: and

**WHEREAS**, the City Council has determined that the holding of the Special Election to fill the unexpired term of City Council Member District No. 2 is in the best interest of the citizens of the City of Terrell.

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

#### **SECTION I**

The City Council of the City of Terrell, Texas, does hereby declare a vacancy in the office of City Council Member District No. 2 due to the death of City Council member Tommy Spencer and orders a Special Election to be held on Saturday, August 26, 2017 for the purpose of electing a Council member to serve for the unexpired term of that district. The candidate receiving a majority of the votes cast for City Council Member District No. 2 shall be declared elected to such office.

- (a) **A.** Each City Council member including the Mayor shall have the following qualifications:
- (1) Must be a citizen of the United States.
  - (2) Must be a qualified voter of the State of Texas.
  - (3) Must have resided at least six (6) months next preceding the election within the corporate limits of the City of Terrell and where applicable in the district he or she wishes to represent.
  - (4) Must not have been convicted of a felony.
  - (5) Must not be disqualified by reason of any provision of any other section of the City of Terrell Charter.

A member of the City Council ceasing to possess any of the qualifications enumerated in this section while in office shall immediately forfeit his or her office.

- (b) Election and Terms of Office – The Mayor and the four (4) district City Council Members shall be elected, and hold office for a term of three (3) years, unless sooner removed under the provisions of the Charter and the laws of the State of Texas.

#### **SECTION II.**

Electronic ballots shall be used for said Special Election which ballots shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "for" the candidate for the following office which shall be set forth in substantially the following form:

CITY COUNCIL MEMBER DISTRICT NO. 2 .....(Name of Candidate)

There shall be one (1) election location for the conduct of this Special Election and the following location is designated as the polling place for District No. 2:

CITY COUNCIL MEMBER DISTRICT NO. 2:      City Council Chamber  
Terrell City Hall  
201 East Nash Street  
Terrell, Texas 75160

On Election Day, the polls shall open at 7:00 A.M. and shall close at 7:00 P.M.

That the following persons are hereby appointed officers of the election:

Shirley Harwell                                  Presiding Judge  
Ann Winton                                         Alternate Presiding Judge

A copy of this Resolution shall be delivered to the Presiding Judges by the City Secretary not later than twenty (20) days from this date, together with a current description of the election precinct as approved by the Terrell City Council.

The Presiding Judge shall determine the number of additional clerks needed to serve and assist in the holding of Special Election. Each official shall be compensated at the rate of \$10.00 per hour. The Presiding Judge shall receive additional compensation in the amount of \$25.00 for delivering the returns to the Central Counting Station. The Presiding Judge shall attempt to appoint at least one official fluent in both the English and Spanish language.

All qualified electors residing in City Council District No. 2 of the City of Terrell shall be permitted to vote at said Special Election. This Special Election shall be held and conducted in accordance with the Texas Election Code. All Special Election materials and proceedings shall be printed in both English and Spanish.

Early voting shall be conducted in the City Council Chamber at Terrell City Hall located at 201 East Nash Street, Terrell, Texas, 75160, whose mailing address is P.O. Box 310, Terrell, Texas 75160 The City Secretary is appointed as Early Voting Clerk, to serve without additional compensation. Early voting by personal appearance shall commence on August 9, 2017, and conclude on August 22, 2017.

Terrell City Hall, located at 201 East Nash Street, Terrell, Texas, is hereby designated as the Central Counting Station.

Helen Dixon is appointed **Presiding Judge** of the **Central Counting Station**.

Ruth Matejka is appointed **Early Voting Ballot Board Judge**.

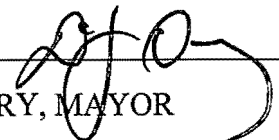
The Early Voting Ballot Board Judge will deliver the early voted ballots to the Central Counting Station Presiding Judge at 5:00 P.M. Tabulation of voted ballots will start at 7:00 P.M.

Persons wishing to file as a candidate for City Council District No. 2 shall file a sworn application for a place on the ballot with the City Secretary beginning July 7, 2017, and no later than 5:00 P.M. on July 17, 2017, and must meet the requirements to serve as a City Council member, as set forth in the Charter of the City of Terrell, Texas, and its Code of Ordinances.

A substantive copy of this Resolution shall serve as proper notice of the calling of said Special Election. Said notice, including a Spanish translation hereof, shall be posted in a public place in District No. 2 the election precinct of the City and on the bulletin board used for the posting of meetings of the City Council of the City of Terrell at least twenty-one (21) days prior to the date of the Special Election by the City Secretary or his designee, who shall make a record at the time of posting stating the date and place of posting to be preserved for the period of preserving precinct election records.

**PASSED AND APPROVED** on this the 20th day of June, 2017.

APPROVED:

  
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D.J. ORY, MAYOR

ATTEST:

  
\_\_\_\_\_  
JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
MARY GAYLE RAMSEY, CITY ATTORNEY