



## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager   **DATE:** August 12, 2019

**SUBJECT:** Approve Resolution No. 2019-033, calling a Special Election to be held on November 5, 2019 to fulfill the remainder of an unexpired term on City Council, Place 4, authorizing a joint election agreement with other Tarrant County political subdivisions and contract with Tarrant County for election services.

**PRESENTER:** Alicia Richardson, City Secretary

### **SUMMARY:**

Pursuant to City Charter and the Texas Election Code, the City Council is required to order a Special Election to fulfill a vacancy on the City Council. Resolution No. 2019-033 orders the Special Election for November 5, 2019. The resolution also authorizes the city to hold its election jointly with other Tarrant County entities, contract with Tarrant County to administer the joint election and establishes voting locations.

### **GENERAL DESCRIPTION:**

The City Secretary's Office is responsible for conducting municipal elections as prescribed by the Election Code of the State of Texas and the City of North Richland Hills' City Charter.

The City Charter states, "In case of a vacancy from any cause in the office of Mayor or Councilmen, the City Council shall order a special election to fill such vacancy, provided, however, in the case of only one (1) vacancy when there remains one hundred eighty (180) days or less until the expiration of the office to be filled, the Mayor, with the approval of a majority of the Council, may appoint a person to fill such vacancy."

Pursuant to Section 201.051 of the Texas Election Code, an election shall be ordered as soon as practicable after the vacancy occurs. Such election shall be held on the next uniform election date—first Saturday in May or the first Tuesday after the first Monday in November. The next uniform election date is November 5, 2019.

In accordance with state law, Resolution No. 2019-033 orders the Special Election to fulfill the vacancy on City Council, Place 4 to be held on November 5, 2019. The person duly elected to City Council, Place 4 shall serve the remainder of the unexpired term expiring May 2020 or until his/her successor has been duly elected and qualified. The resolution provides for Election Day voting locations, provides for the appointment of



election officials, early voting and Election Day procedures, and authorizes the mayor to execute a joint election agreement and contract for election services with Tarrant County.

The filing period for the November 5, 2019 Special Election begins upon approval of Resolution No. 2019-033, and concludes on September 4, 2019. Candidates will file their completed application with the City Secretary's Office during the business week between the hours of 8:00 a.m. and 5:00 p.m.

Early voting will begin October 21, 2019 and continue through November 1, 2019. In the event a run-off election should be needed, the resolution sets December 10, 2019 as the run-off date, provides for early voting days and times and allows the contract with Tarrant County to be extended to the run-off election.

The Tarrant County Commissioner's Court approved participation in the countywide polling place program. This will allow qualified voters the ability to cast their ballot on Election Day at any polling location within Tarrant County. Previously, qualified voters were required to cast their ballot on Election Day at their preassigned polling location based on their precinct.

As in previous years, the city's election will be held jointly with other Tarrant County political entities holding an election to be administered by Tarrant County. Following the filing period (September 4, 2019), Tarrant County will provide a finalized contract that includes all entities participating and holding an election. It is anticipated that the election contract will be similar to previous contracts with the county and will include, but not be limited to, the following provisions:

- Tarrant County Elections Administrator, or his designee, will serve as the administrator of the Joint Election with each participating entity remaining responsible for decisions and actions as required by law.
- Early voting will be conducted jointly with all participating entities beginning on October 21, 2019 and ending on November 1, 2019 at the locations and times established by the county.
- The Tarrant County Elections Administrator will release unofficial cumulative totals and precinct returns of the election as precincts report to the central and remote tabulating stations and the returns are tabulated. The unofficial cumulative totals and precinct returns will be released to the joint participants, candidates, press and general public by distribution of hard copies at the central counting station (2700 Premier Street, Fort Worth) and by posting to the county web site. On Election night, the county will not allow the release of the results printed on the tapes produced by the voting equipment to any participating entity at any of the remote collection sites or by phone from the individual polling locations. Each participating entity will receive their election results from either the county's central counting station or county website.



- Election expenses will be allocated among the participating entities according to a formula based on the average cost per Election Day polling place (unit cost) as determined by adding together the overall expenses and dividing the expenses equally among the total number of polling places. Costs for polling locations will be pro-rated equally among the participants using the polling location.
- The Elections Administrator will be the general custodian of the voted ballots and all records of the Joint Election.

**RECOMMENDATION:**

Approve Resolution No. 2019-033.