

RESOLUTION NO. 20240514-005

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS CALLING A RUNOFF ELECTION FOR THE DATE OF JUNE 15, 2024; ESTABLISHING THE PROCEDURE; AND PROVIDING FOR OTHER RELATED MATTERS RELATED THERETO.

WHEREAS, on May 04, 2024 an election was held for the purpose of electing three (3) Council Members by position, from the City at large, for Council Member, Position One (1); Council Member, Position Three (3); and Council Member, Position Five (5), for a term of two (2) years; and

WHEREAS, Section 5.06 of the Angleton City Charter requires that a candidate for each office receive a majority of votes cast in the election shall be declared elected.

WHEREAS, no candidate received a majority of the votes for Council Member, Position Three (3) and therefore, a runoff election must be called; and

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

SECTION 1. The Council finds that all of the recitals contained in this resolution are true and adopts them as findings of fact by this governing body; and.

SECTION 2. The Runoff Election be called for and held on Saturday, June 15, 2024, to elect Terry Roberts or Blaine Smith to the position of Council Member, Position Three (3) for a term of two (2) years.

SECTION 3. All person legally qualified to vote according to the laws of the State of Texas and the Charter of Angleton, Texas shall be entitled to vote in said runoff election.

SECTION 4. The order of the candidates' names on the ballot of the resulting runoff election shall be the relative order of names on the original election ballot and in compliance to Election Code Sec. 52.094.

SECTION 5. 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 made by publishing the Notice of Election, in both English and Spanish, at least one time, 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.

SECTION 6. 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 7. 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 general 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 8. 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 “Exhibit A”. Early voting shall commence on Monday, June 03, 2024, and continue through Tuesday, June 11, 2024, 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 Brazoria County early voting location and any location exclusively designated by the Brazoria County Election Officer.

SECTION 9. 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, as described in “Exhibit A”. Voting by City residents may be conducted at the Brazoria County voting location that is 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 10. The Runoff election shall be conducted in accordance with state law, this Resolution, and the 2024 Joint Election Agreement and Contract for Election Services with Brazoria County approved by the City Council.

SECTION 11. The City Secretary is authorized and directed to take all actions necessary to comply with the provisions of the Texas Election Code, the City Charter, and City Code of Ordinances in carrying out and conducting the election and run-off election if necessary, whether or not expressly authorized by this Order. 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 12. It is hereby found and determined that *The Facts* is a newspaper published within the City of Angleton, Texas; is a newspaper of general circulation within the City; and is the official newspaper of the City of Angleton. 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. 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. This Resolution shall be effective immediately upon adoption.

SECTION 15. 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 of the Texas Government Code*.

PASSED AND APPROVED THIS THE 14TH DAY OF MAY 2024.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary