
City Council Regular Meeting

DEPARTMENT: City Secretary's Office
FROM: Amanda Campos, City Secretary
MEETING: March 4, 2024

SUBJECT:

Consider approval of a Resolution Ordering a Special Election – Local Option, legalize the legal sale of all alcoholic beverages for off-premise consumption only. (Staff presenter: Amanda Campos, City Secretary)

SUMMARY:

The City Secretary's Office received an Application for Local Option Election Petition to Legalize on December 5, 2023 with the required qualifying signatures to receive petitions. The measure listed was 'The legal sale of all alcoholic beverages for off-premise consumption only'. The application also included all other required documentation in accordance with Sections 501.23 and 501.025 of the Texas Election Code. The City Secretary's Office issued required petition forms to the applicants.

Pursuant to Texas Election Code (TEC) Chapter 501; Section 501.032, the total number of valid signatures required for the petition to be sufficient is equal to or greater than 35% of the registered voters in the political subdivision who voted for governor in the most recent gubernatorial election. Based on the calculations provided by the Johnson and Tarrant County Election Administrators, 5,430 Burleson registered voter's signatures are required. The completed petitions filing deadline was February 5, 2024, the completed petition were filed with the City Secretary February 1, 2024.

The City of Burleson entered into a local agreement with Tarrant County Elections to verify the signatures on the petitions submitted. Tarrant County Elections has access to both a State Database of Texas Registered voters but also the expertise to verify the signatures. Upon completion Tarrant County submitted the following findings:

- A total of 7,206 signatures were submitted
- 5,505 signatures were accepted and verified
- 1,701 signatures were rejected
- 5,430 signatures were needed to be accepted and cause a Local Option Election to be ordered

Upon acceptance of valid petitions calling for the city council to order a local option election, the city council must order an election to held at its next regular council meeting. Section 3.005(c) of

the Texas Election code requires the city to order an election no later than 78 days before the uniform election date. The deadline to order an election to be held on May 4, 2024 has passed therefore the city council must order this election to held on November 5, 2024.

The city council must include in the election order, the date of the election, the measures to be voted on, the main early voting place, appoint the early voting clerk, and set forth and establish any other required procedures to conduct the election. At this time the city council will order the election with the intent of contracting with both Johnson and Tarrant county to conduct the election.

The measure before the voters will be legalization; The legal sale of all alcoholic beverages for off-premise consumption only.

RECOMMENDATION:

The city council shall order a local option election upon receipt of a valid petition. Recommend approval of the resolution ordering the local option election.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

Petition to order an election for the legalization – the legal sale of all alcoholic beverages for off-premise consumption only.

FISCAL IMPACT:

The November 5, 2024 election will be budgeted for FY 24-25.

STAFF CONTACT:

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