



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Consideration and possible action approving a resolution ordering a Special Election for the unexpired term of Council Place 3

DATE: October 5, 2023

DEPARTMENT: City Secretary

PRESENTED BY: Consent Agenda – Christina Picioccio, TRMC, City Secretary

INTRODUCTION/BACKGROUND:

Council Member Bliss submitted a letter of resignation of her Place 3 seat on City Council. Her resignation was accepted by the Mayor on September 22, 2023.

As per Article X1, Section 11 of the Texas Constitution

- b. A municipality so providing a term exceeding two (2) years but not exceeding four (4) for any of its non-civil service officers must elect all the members of its governing body by the majority vote of the qualified voters in such municipality.
- c. Any vacancy or vacancies occurring on such governing body shall not be filled by appointment but must be filled by majority vote of the qualified voters at a special election called for such purpose within one hundred and twenty (120) days after such vacancy or vacancies occur except that the municipality may provide by charter or charter amendment the procedure for filling a vacancy occurring on its governing body for an unexpired term of 12 months or less.

Section 3.09 D of the City Charter Filling Vacancies states: “In the event of a vacancy in the City Council, if there are 365 days or more remaining on the term of the vacated City Council office, the City Council shall call a special election to fill such vacancy.

This agenda item is to review the statutory requirements and deadlines of holding a special election and to consider approving a resolution to select a date and county to run said election.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Affords the citizens the opportunity to elect their local government officials and complies with State Election Code and City Charter.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

This special election has not been budgeted. At this time, estimated costs are unknown. Staff is currently working with county officials and intends to provide more details at the City Council meeting.

LEGAL ANALYSIS:

Resolution to be provided at the City Council meeting.

RECOMMENDATION/PROPOSED MOTION:

I move to approve a resolution ordering a Special Election to be held _____ for the election of Council Member Place 3.