FARMERS BRANCH

ORDINANCE NO. 3259

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON THE 10TH DAY OF MAY, 2014, FOR THE PURPOSE OF ELECTING TWO (2) MEMBERS OF THE FARMERS BRANCH CITY COUNCIL; DESIGNATING POLLING PLACES; ORDERING NOTICES OF ELECTION TO BE GIVEN; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the general laws and Constitution of the State of Texas and the Charter of the City of Farmers Branch, Texas, a Municipal Officers' election is to be held on the second Saturday in May; and

WHEREAS, it is necessary that the City Council of the City of Farmers Branch order an election to be held on the 10th day of May, 201, 7:00 a.m. to 7:00 p.m., for the purpose of electing the Mayor and council member for District 2; and

WHEREAS, the election shall be held as a Joint Election administered by the Dallas County Elections Administrator in accordance with the provisions of the Texas Election Code, the Charter of the City of Farmers Branch, and a Joint Election Contract with the County of Dallas; and

WHEREAS, the City of Farmers Branch accepts Dallas County Election Administration's use of the direct record and optical scan voting systems, which have been certified by the Secretary of State in accordance with the Texas Election Code and approved by the United States Department of Justice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1: That a Municipal Officers' election is hereby ordered for May 10, 2014, for the City of Farmers Branch, Texas, for the purpose of electing members of the City Council for Mayor and Council District 2. Polling locations for the election will be determined in the Joint Election Contract to be entered into with Dallas County. The polling locations shall be open between the hours of 7:00 a.m. and 7:00 p.m. the date of the election. The election will be conducted in accordance with the Joint Election Contract by and between the City, the County of Dallas and other units of government and the Texas Election Code.

SECTION 2: That the City Secretary is hereby directed to cause notice of said election to be published at least once, not earlier than the 30th day nor later than the 10th day, before

election day as provided in Section 4.003(a)(1) of the Texas Election Code; and shall be posted on the bulletin board used for posting notices of the City Council meetings not later than the 21st day before election day. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and the person posting the notice shall make a record at the time of posting stating the date and place of posting in accordance with Texas Election Code Section 4.005.

SECTION 3. That early voting by personal appearance by any qualified Dallas County resident may be conducted at the City of Farmers Branch City Hall, 13000 William Dodson Parkway, Farmers Branch, Texas, or at any of the other Dallas County branch locations established by the Joint Election Contract, if any. Early voting by personal appearance for the May 10, 2014, election will be conducted by the Dallas County Elections Department beginning on Monday, April 28, 2014, and continue through Saturday, May 3, 2014, between 8:00 a.m. until 5:00 p.m.; on Sunday, May 4, 2014, between 1:00 p.m. and 6:00 p.m.; and on Monday, May 5, 2014 and Tuesday, May 6, 2014, between 7:00 a.m. and 7:00 p.m.

SECTION 4. That applications for early voting ballot by mail shall be mailed to: Toni Pippins-Poole, Early Voting Clerk, Dallas County Elections Department, 2377 N. Stemmons Freeway, 8th Floor, Dallas, Texas 75207. Applications for early voting ballot by mail must be received no later than the close of business on Thursday, May 1, 2014.

SECTION 5. That if a run-off election becomes necessary, the Dallas County Elections Administrator will conduct the run-off election to be held on Saturday, June 21, 2014. The polling places and the time and date of such run-off election shall be held in accordance with the Joint Election Contract with Dallas County.

SECTION 6. That in accordance with Section 123.001 of the Texas Election Code, the Direct Record and Optical Scan Voting Systems approved by the Secretary of State are hereby adopted for the election on May 10, 2014.

SECTION 7. That the City Manager is hereby authorized to execute a Joint Election Contract for the conduct of a joint election to be held on May 10, 2014, and to approve any amendments thereto.

SECTION 8. That the first day to file an application for a place on the ballot with the City Secretary is January 29, 2014, at 8:00 a.m., with the last day for filing to be February 28, 2014, at 5:00 p.m., in accordance with the Election Code Sections 143.006 and 143.007.

SECTION 9. That pursuant to the Joint Election Contract, the Dallas County Elections Administrator shall serve as Election Administrator for the election. Presiding Election Judges and an Alternate Presiding Election Judges appointed to serve at said polling places shall be those election officials furnished by the Elections Administrator from the list of proposed election judges listed in an attachment to the Election Contract.

SECTION 10. That in compliance with Section 271.006 of the Texas Election Code, Toni Pippins-Poole, Dallas County Elections Administrator, will be appointed as Early Voting

Clerk. Other deputy early voting clerks will be appointed as needed to process early voting mail and to conduct early voting by personal appearance at the branch locations.

SECTION 11. That an Early Voting Ballot Board shall be created to process early voting results in accordance with Section 87.007 of the Texas Election Code. The Early Voting Ballot Board shall be made up of members appointed in the manner stated in the Joint Election Contract and the Presiding Judge and Alternate Presiding Judge of the Early Voting Ballot Board shall be the election officials listed in the Joint Election Contract.

SECTION 12. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said resolution, which shall remain in full force and effect.

SECTION 13. This Ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, ON THIS THE 18th DAY OF FEBRUARY, 2014.

ATTEST:

Angela Kelly, City Secretary

APPROVED:

William P. Glancy, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:2/7/14:64673)