

RESOLUTION NO. R2018 - 6

RESOLUTION CALLING A GENERAL ELECTION IN HARLINGEN, TEXAS, FOR THE PURPOSE OF ELECTING THREE COMMISSIONERS TO THE HARLINGEN CITY COMMISSION; ONE COMMISSIONER FOR EACH OF THE RESPECTIVE SINGLE MEMBER DISTRICTS 3, 4, AND 5; ELECTION TO BE HELD ON SATURDAY, MAY 5, 2018, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M. CENTRAL STANDARD TIME; DESIGNATING THE VOTING PRECINCTS FOR SUCH ELECTION; DESIGNATING THE POLLING PLACES FOR SUCH ELECTION; SPECIFYING THE DATES AND TIMES THE POLLS SHALL BE OPEN FOR EARLY VOTING BY PERSONAL APPEARANCE AND ON ELECTION DAY; DIRECTING THE CITY SECRETARY TO PREPARE THE OFFICIAL BALLOT FORM; ADOPTING THE USE OF PAPER BALLOTS; PROVIDING FOR APPOINTMENT OF PRESIDING AND ALTERNATE PRESIDING JUDGES AND APPOINTMENT OF AN EARLY VOTING BALLOT BOARD FOR EARLY VOTING BALLOTS AND PROVIDING THAT SAID ELECTION SHALL BE CONDUCTED IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS; AND THE PERTINENT PROVISIONS OF THE HARLINGEN CITY CHARTER WHERE NOT INCONSISTENT WITH THE LAWS OF TEXAS; AND PROVIDING FOR NOTICE OF SAID ELECTION IN ENGLISH AND SPANISH LANGUAGE; AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, an election shall be held in the City of Harlingen, Texas on the first Saturday in May, 2018, such date being May 5, 2018; and,

WHEREAS, the purpose of the General Election is to elect three (3) Commissioners: one (1) Commissioner for each of the Single Member Districts 3, 4, and 5 to the elective governing body of the City of Harlingen, Texas;

WHEREAS, the election shall be held and conducted and returns made in accordance with the laws of the State of Texas and the Harlingen City Charter;

**NOW, THEREFORE, BE IT RESOLVED BY THE HARLINGEN CITY COMMISSION THAT:**

1. The Harlingen City Commission hereby calls and orders a General Election of the City of Harlingen to be held on Saturday, the 5th day of May, 2018 between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing three (3) Commissioners: one for each of the Single Member Districts 3, 4, and 5.
2. That such election shall be held in the voting precincts and polling places as it relates to the Single Member Districts 3, 4, and 5. All residents of the City of Harlingen residing in Districts 3, 4 and 5 shall be qualified to vote in the May 5, 2018 City of Harlingen General Election.
3. Any candidate desiring to file an application to place his or her name on the official General Election Ballot shall do so by complying with the provisions and procedures of the Texas Election Code and the Harlingen City Charter. Such candidate shall file the application with the City Secretary.
4. The City Secretary shall be and is hereby directed to prepare the official ballot in accordance with the Texas Election Code to permit the qualified voters of Districts 3, 4, and 5 to vote for one (1) candidate in their respective district.
5. Paper ballots shall be use on Election Day and during Early Voting by Personal appearance.
6. The Harlingen City Commission hereby adopts the ES&S AutoMark Voter Assist Terminal and Model DS-200 Precinct Scanner & Tabulator for Election Day and Early Voting by Personal Appearance as approved by the Texas Secretary of State to comply with the Help America Vote Act requirements.
7. There shall be a Presiding Judge, an Alternate Presiding and a number of clerks to serve in the polling place for the designated precincts. The Presiding Judges and Alternate Presiding Judges for the polling places and Early Ballot Board shall be appointed by a separate resolution by the Harlingen City Commission in accordance

with the Texas Election Code. The Presiding Judges of the polling places shall appoint not less than two and no more than three clerks to serve in each respective polling place. The Early Voting Ballot Board Presiding Judge shall appoint not less than two and no more than three clerks to serve on such board. The Early Voting Ballot Board shall tabulate the early voting ballots and prepare the returns thereof in the manner prescribed by the Texas Election Code.

8. The Mayor may act for the City Commission in the event any emergency appointments are necessary. The City Secretary is hereby authorized to carry out all necessary acts and requirements as delegated to such office by the Texas Election Code. The Early Voting Clerk shall deliver all early voting ballots and ballot envelopes to the Early Voting Ballot Board Presiding Judge during the times the polls are open on Election Day as specified by the Presiding Judge of the Early Voting Ballot Board.
9. Early Voting for the General Election shall be conducted by the City Secretary/Early Voting Clerk and (Presiding Judge of the Early Voting) and shall appoint not less than three clerks and no more than five clerks to assist in the Early Voting by Personal Voting. Early Voting by Personal Appearance shall be held at City Hall, Town Hall Meeting Room, 2<sup>nd</sup> Floor, 118 E. Tyler Avenue, Harlingen, Texas. Early Voting by Personal Appearance shall remain open for at least eight hours, with the exception of two weekdays for at least twelve hours pursuant to the following schedule.

Monday, April 23<sup>rd</sup> — 8:00 a.m. to 5:00 p.m.  
Tuesday, April 24<sup>th</sup> — 8:00 a.m. to 5:00 p.m.  
Wednesday, April 25<sup>th</sup> — 8:00 a.m. to 5:00 p.m.  
Thursday, April 26<sup>th</sup> — 8:00 a.m. to 8:00 p.m.  
Friday, April 27<sup>th</sup> — 8:00 a.m. to 5:00 p.m.  
Monday, April 30<sup>th</sup>, -8:00 a.m. to 5:00 p.m.  
Tuesday, May 1<sup>st</sup> — 8:00 a.m. to 8:00 p.m.

10. The address to which ballot applications and ballots voted by mail shall be mailed to the City Secretary/Early Voting Clerk, Amanda C. Elizondo, City of Harlingen, 118 E. Tyler Street, Harlingen, Texas 78550 or delivered by contract carrier to the same physical address.
11. Notice of the General Election shall be given in English and Spanish as required by Section 4.003 of the Texas Election Code one (1) time in a newspaper of general circulation in Harlingen, Texas.
12. Notice of the General Election shall be posted along with a copy of this Resolution on the City Hall Bulletin Board located at 118 E. Tyler, Harlingen Texas no later than 21 days prior to said General Election Day and at the polling locations no later than the 10<sup>th</sup> day prior to the General Election Day.
13. The following polling places are hereby designated for voting in the May 5, 2018 General Election:

**District 3**

Precincts 30 and 79; and parts of 23, 25, 34, 43, and 44; The polling place for these precincts shall be at Treasure Hills Elementary School, 2525 Haine Drive, Harlingen, Texas.

**District 4**

Precincts 41, 103 and 104; and parts of 39, and 78; the polling place for these precincts shall be at Bowie Elementary School, 309 W. Lincoln Street, Harlingen, Texas.

**District 5**

Precinct 36; and parts of 26, 28, 29, 39, 43, 58, 64, 80, and 85 the polling place for these precincts shall be at Stuart Place Elementary School, 6701 West Business Highway 83, Harlingen, Texas.

14. The canvassing of the votes shall be held and conducted in accordance with the Election Code of the State of Texas and the City Charter of the City of Harlingen, Texas.


15. In the event that no candidate for Commissioner for a particular district receives a majority of the votes cast or in the event of a tie vote for Commissioner of any particular district, a Run-off Election shall be held between the two candidates receiving the highest number of votes in the Election in each respective race. Such Run-off Election shall be held not earlier than the 20<sup>th</sup> or later than the 4e day after the date of the final canvass of the General Election is completed.

16. The Run-off Election shall be conducted with paper ballots and the ES&S AutoMark Voter Assist Terminals and Model DS-200 Scanners & Tabulator for the Run-off Election Day and Early Voting by Personal Appearance, as approved by the Texas Secretary of State to comply with the Help America Vote Act requirements. The same polling places as used for the General Election are hereby designated for such Run-off Election and the same Presiding Judges and election officials are hereby designated for the applicable Single Member Districts 3, 4, and 5 on the applicable Run-off Election Day. Notice of the Run-off Election shall be given in accordance with the rules and regulations of the Texas Election Code.

17. The candidates for each respective office receiving the majority of the votes in the Runoff Election shall be declared elected. In the event of a tie, the winner of such election shall be determined by drawing by lot.

**FINALLY ENACTED THIS 7<sup>th</sup> day of February, 2018, at a regular meeting of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with the TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A, CHAPTER 551.**

CITY OF HARLINGEN



Chris Boswell, Mayor

ATTEST:



Amanda C. Elizondo, City Secretary