

RESOLUTION NO. 8-2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD IN SAID CITY ON MAY 13, 2006 IN CONJUNCTION WITH THE JOINT REGULAR ELECTION OF THE CITY OF ABILENE, ABILENE INDEPENDENT SCHOOL DISTRICT, AND LYTLE LAKE WATER CONTROL AND IMPROVEMENT DISTRICT ELECTION, AND CITY OF ABILENE BOND ELECTION PREVIOUSLY ORDERED; PROVIDING FOR THE SPECIAL ELECTION TO FILL THE UNEXPIRED TERM OF COUNCIL PLACE 4; PROVIDING METHOD OF APPLICATION FOR PLACEMENT OF CANDIDATE'S NAME ON BALLOT; PROVIDING A FILING DEADLINE FOR ALL CANDIDATES; DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR BILINGUAL ELECTIONS FOR CITY ELECTIONS; AND PROVIDING FOR A PROCLAMATION NOTICE AND PUBLICATION OF NOTICE OF SAID ELECTIONS.

WHEREAS, the City of Abilene, Texas (City) has previously ordered its regular election on May 13, 2006 to fill the terms of Place 1 and Place 2 on the City Council and to conduct a bond election; and

WHEREAS, the City has agreed to conduct a joint regular election with the Abilene Independent School District (AISD) for the purpose of filling three (3) places on the School Board of Trustees on May 13, 2006; and,

WHEREAS, the City has agreed to further conduct a joint regular election with the Lytle Lake Water Control and Improvement District (Lytle Water District) for the purpose of filling two (2) places on its Board of Directors, on May 13, 2006; and

WHEREAS, it is also necessary to hold a special election in the City of Abilene, Texas, to elect a person to fill the unexpired term of Place 4 on the City Council of the City of Abilene, Texas; and

WHEREAS, the City of Abilene, Texas, is authorized by law to hold such special election on May 13, 2006 in conjunction with its regularly scheduled election;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

**SECTION 1:** That a special election be, and the same is hereby ordered to be held within the jurisdiction of the City of Abilene, Texas, on the 13<sup>th</sup> day of May 2006 pursuant to the laws of the State of Texas and the Charter of the City of Abilene, Texas, and a contract between the City and Taylor County for election services. Such election shall be held for the following purposes:

**To fill the unexpired term of Council Place 4 on the City Council of the City of Abilene, Texas.**

The election ordered hereby shall be conducted as an at-large election. The candidate receiving a majority of the votes cast for his respective office shall be declared elected. If any candidate shall not receive a majority of the votes cast for his place or office, a run-off election is hereby ordered for such office, as may be provided by applicable laws of the State of Texas for June 10, 2006. All provisions of this resolution, including polling places (unless it is determined to be in the best interest of the voters to combine polling places), election officials, process, and procedures, shall be applicable to any run-off elections that are held. Council Place 4 shall be filled by a person residing South of the present mainline of the Texas and Pacific Railway Company in the City of Abilene

Votes cast in such election shall be separately tallied and separate tally sheets, polling lists and other election forms and records shall be maintained and kept as required by law.

**SECTION 2:** The candidate elected to the City office stated above in Section 1, shall hold office as may be provided by the Charter of the City of Abilene, Texas, for a period ending with the regular election for Place 4 to be held in May 2008. At such time, the candidate may run for re-election and if elected will serve for a term of 3 years. If not reelected, the candidate will serve until the successor has been duly elected and qualified.

**SECTION 3:** All requests by candidates to have their names placed upon the respective ballots shall be in writing on the official forms as prescribed by the Secretary of State and Section 31.002 of the Election Code. Such application shall be filed with the City Secretary of the City of Abilene, Texas, (Election Code Section 143.006) during regular office hours **beginning March 24, 2006 and ending March 31, 2006 at 5:00 p.m.** In addition to said application, all candidates shall make such other filings as may be required by law.

**SECTION 4:** That the Mayor shall make proclamation of said City election and give notice thereof, and a copy of this order shall be sufficient notice of said election. Notice of the time and places of holding said election shall be given by publication of such notice in a newspaper of general circulation published in the City of Abilene at least thirty (30) days prior to the day of such election. The Mayor is further authorized to give notice of a run-off election if such election is necessary.

**SECTION 5:** That should any elections be ordered to be held within the jurisdiction of the City of Abilene, Texas, this resolution shall govern, unless or until this resolution is changed or amended by the City Council of Abilene, Texas. Said elections shall be held pursuant to the laws of the State of Texas, the Charter of the City of Abilene, Texas, and a contract between the City and Taylor County for election services. All elections shall be conducted as an at-large election.

**SECTION 6:** That any elections called shall be held in accordance with the requirements for bilingual elections as set forth in the Voting Rights Act amendments for 1975 (42 USC 1973aa-1a) and in Section 272.001 of the Election Code of the State of Texas. All election forms and material shall be printed in both English and Spanish, and bilingual oral assistance shall be made available within the requirements of the law.


**SECTION 7:** Said election shall be held in conjunction with the previously ordered joint City/AISD/Lytle Water District Elections, using the same election officials, election precincts and polling locations, early voting times, early voting locations, and the same ballot system as called for in the attached resolutions, Resolution #2-2006 and 6-2006, jointly noted as Exhibit A.

**SECTION 8:** That this resolution shall take effect immediately from and after its passage, as indicated below.

ADOPTED by the City Council of the City of Abilene, Texas, this 23rd day of March A.D. 2006.

ATTEST:

  
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CITY SECRETARY

  
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MAYOR

APPROVED:

  
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CITY ATTORNEY