

RESOLUTION CSO#5393-02-2024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 4, 2024 FOR COUNCIL PLACE 1, COUNCIL PLACE 3, AND COUNCIL PLACE 5 FOR FULL TERMS; APPOINTING EARLY VOTING CLERK AND DESIGNATING MAIN EARLY VOTING POLLING PLACE; STATING ANY WEEKEND HOURS OF VOTING; ESTABLISHING THE TIME, MANNER, AND PROCEDURES FOR THAT ELECTION AND JUNE 15, 2024 RUNOFF ELECTION; AND ADOPTING VOTING EQUIPMENT; AND PROVIDING: AN OPEN MEETINGS CLAUSE; A SEVERABILITY CLAUSE; FOR THE INCORPORATION OF THE RECITALS; AND AN EFFECTIVE DATE.

WHEREAS, the City of Burleson is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Burleson City Charter Article II establishes the terms of the city council and Article IX sets forth the dates of municipal elections;

WHEREAS, the City Charter states the city will hold elections on uniform election dates set by state law; and

WHEREAS, state law has established the 1st Saturday in May as the date for general municipal elections; and

WHEREAS, by this resolution, it is the intention of the City Council to call the 2024 general election, appointing early voting clerk, designating main early voting polling locations, stating any weekend hours; and adopting election equipment, and establish and set forth procedures for conducting the election.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

**Section 1.
Election Order for General Election.**

A general election shall be held in the City of Burleson, Texas, on Saturday, May 4, 2024, at which the following officials will be elected for full 3 year terms:

Councilmember Place 1
Councilmember Place 3
Councilmember Place 5

Section 2.
Filing Dates and Ballot Order.

In accordance with the Code, eligible persons wishing to become candidates must file application with the City Secretary of the City of Burleson at 141 W. Renfro, Burleson, Texas 76028 beginning at 8:00 a.m., Wednesday, January 17, 2024, and continuing through Friday, February 16, 2024, until 5:00 p.m., weekdays only. Each application shall be on a form meeting the requirements of Section 141.031 of the Code, and the Charter of the City of Burleson.

The order in which the names of the candidates are to be printed on the ballot will be determined by a drawing by the City Secretary on a form prescribed by the Code.

Section 3.
Precinct.

In accordance with the Code, the local authority ordering the election may establish an election precinct for each election ordered, Burleson Election Precinct 1 is hereby established for the May 4, 2024 General Election.

Section 4.
Election Judges and Clerks.

The following named qualified voters of the City are hereby appointed to serve as Presiding Election Judge and Alternate Election Judge for the election: Hilda Robinson, Presiding Election Judge; Joan Coubarous, Alternate Election Judge. The Presiding Election Judge shall appoint as many Election Clerks as may be necessary for the proper conduct of the election. The Presiding Election Judge shall make a reasonable effort to appoint at least one (1) bilingual election clerk.

Section 5.
Voting Equipment.

The City hereby adopts Hart Verity 2.7 voting system which includes Verity Count, Verity Touch Writer Duo Standalone, and Verity Scan for all City of Burleson Elections unless election is contracted to another entity, at which time the contracting entity shall determine the voting equipment. The city will use this voting system for early voting in person, early voting by mail, and election day voting. Pursuant to Texas Election Code Section 123.035, the Texas Secretary of State has approved the purchase and use of Hart Verity 2.7 voting system.

Section 6.
Early Voting and Ballots by Mail.

A. Early Voting Clerk – The City Secretary, Amanda Campos is hereby designated as the Early Voting Clerk for the City of Burleson and may appoint the necessary deputy clerks as required for early voting.

B. Early Voting by Personal Appearance - Early voting by personal appearance shall be conducted at the Burleson Sub-Courthouse, 247 Elk Drive, Room 212, Burleson, Texas, 76028. All eligible City of Burleson voters may vote early at the Burleson Sub-Courthouse; 247 Elk Dr., Room 212, Burleson, Texas 76028 the Main Early Voting location. Early voting by personal appearance will begin on April 22, 2024, and will end April 30, 2024. Early voting by personal appearance will be between the hours of 8 a.m. to 5 p.m. all weekdays. There will be voting on Saturday, April 27, 2024, 9 a.m. to 3 p.m., no voting on Sundays or legal Holidays.

C. Voting by Mail – All voted ballots by mail that are returned on or before Election Day shall be counted. Voted ballots received on the next business day after Election Day will also be counted if they have been postmarked by Election Day. Voted ballots mailed from U.S. citizens residing outside the United States may be counted if clearly postmarked on or before Election Day and received not later than the fifth day after Election Day.

D. Applications for Ballot by Mail. Applications for a ballot by mail may be submitted beginning January 1, 2024. Application for ballot by mail for the May 4, 2024 General Election must be received by 5:00 p.m. on April 23, 2024 . The physical and mailing address of the Early Voting Clerk – Amanda Campos, Early Voting Clerk, 141 W. Renfro St., Burleson, TX, 76028. Phone number: 817-426-9665; Email:elections@burlesontx.com; Website: www.burlesontx.com/elections

**Section 7.
Polling Location.**

The polling for the election shall be the Burleson Sub-Courthouse, 247 Elk Drive, Room 212, Burleson, Texas, 76028 between the hours of 7:00 a.m. and 7:00 p.m. on election day.

**Section 8.
Governing Law and Qualified Voters.**

The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

**Section 9.
Publication and Posting of Notice of Election.**

Notice of the election shall be given as required by Chapter 4 of the Code, and the Charter of the City of Burleson.

**Section 10.
Submission to the United States Justice Department.**

If needed, the City Secretary of the City of Burleson, Texas, or her designee, is authorized to make a submission to the United States Justice Department to seek pre-clearance as required by law.

Section 11.
Delivery of Returns.

In accordance with the Code, immediately after the closing of the polls, the election officers named in this order shall make and deliver the returns of the election as follows; one copy shall be retained by the Presiding Election Judge, and one copy shall be delivered to the Mayor of the City; All election records and supplies shall be preserved by the Records Manager of the City of Burleson in accordance with the Code.

Section 12
Run-off

Any candidate receiving a majority of all the votes cast for the office for which he or she is a candidate shall be elected to such office. In the event no candidate receives a majority of all votes cast for the office sought, a run-off election shall be held on the 15th day of June, 2024 between the hours of 7:00 am to 7:00 pm as prescribed by the Texas Secretary of State. At such election, the names of the two candidates receiving the highest number of votes for such office or offices, as the case may be, in the first election at which no one was elected by majority vote, shall be printed on the run-off ballot. The order of names on the ballot shall be the same as the first election on May 4, 2024 in accordance with Texas Election Code. The election shall follow all the requirements of the Code and retain Section 4, Section 5, Section 7, Section 8, and Section 11 of this order.

Section 13.
Governing Law.

The election shall be held as set forth in the City Charter and the Code.

Section 14.
Open Meetings Clause.

It is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

Section 15.
Severability Clause.

If any section, subsection, sentence, phrase or word of this resolution be found to be illegal, invalid or unconstitutional, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this resolution or the application of any other section, sentence, phrase, word, paragraph, or provision of any other resolution of the City. The City Council declares that it would have adopted the valid portion and applications of this resolution without the invalid part, and to this end the provisions of this resolution are declared to be severable.

**Section 16.
Incorporation of Recitals.**

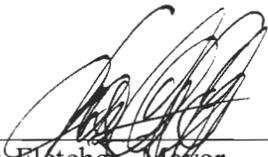
The findings, determinations, and recitations set out in the preambles of this resolution are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

Section 17. Effective Date.

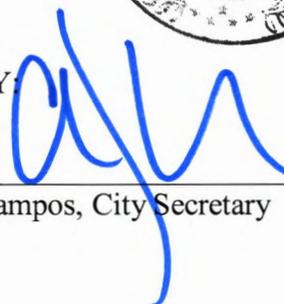
This resolution shall be effective upon its adoption.

DULY RESOLVED by the City Council of the City of Burleson, Texas, on the 5th day of February, 2024.

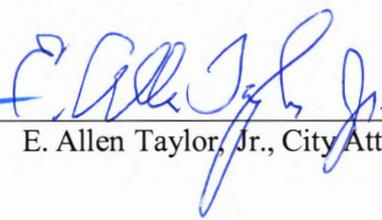



Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:
LEGALITY:


Amanda Campos, City Secretary

APPROVED AS TO FORM &


E. Allen Taylor, Jr., City Attorney