

RESOLUTION NO. 2017-070

A RESOLUTION OF THE TOWN OF PROVIDENCE VILLAGE, DENTON COUNTY, TEXAS, ORDERING A SPECIAL ELECTION FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) TOWN COUNCIL MEMBERS FOR PLACES 3 AND 5, TO SERVE THE REMAINDER OF AN UNEXPIRED TERM UNTIL THE NEXT REGULAR TOWN COUNCIL ELECTION IN MAY 2018, IN CONJUNCTION WITH A GENERAL ELECTION TO BE HELD ON MAY 6, 2017, FOR THE PURPOSE OF ELECTING THREE (3) TOWN COUNCIL MEMBERS FOR PLACES 1, 2, AND 4, TO A TWO-YEAR TERM EACH.

WHEREAS, the Town of Providence Village is a Home Rule Charter Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Section 41.001 of the Texas Election Code, as amended by the 84th Texas Legislature, establishes the first Saturday of May, as a Uniform Election Day for the purposes of conducting a Special and General Election; and

WHEREAS, Section 3.004(b) of the Texas Election Code provides that the governing body of the municipality shall be the authority to order a Special and General Election for electing Municipal Officers; and

WHEREAS, the Charter of the Town of Providence Village (the "Charter"), adopted May 9, 2015, provides for a Town Council consisting of a Mayor and five (5) Council Members elected according to a place system for staggered two (2) year terms of office; and

WHEREAS, there exists a vacancy in the Mayoral position and citizens currently serve in an appointive capacity for Council Member Places 3 and 5, therefore requiring a Special Election pursuant to the Charter; and

WHEREAS, the terms of Council Member Places 1, 2, and 4 will expire in May 2017, and the partial terms for the Mayor and Council Member Places 3 and 5 will expire in May 2018, and

WHEREAS, the meeting at which this Resolution is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Section 551.043 of the Texas Government Code.

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PROVIDENCE VILLAGE, TEXAS, THAT:

SECTION 1: *Special and General Election Ordered*

The Town Council of the Town of Providence Village hereby orders that a Special Election shall be held in conjunction with a General Election (collectively the "Election"), on May 6, 2017,

being the first Saturday in May of 2017, during the hours of seven o'clock a.m. (7:00 a.m.) and seven o'clock p.m. (7:00 p.m.), for the purposes of electing a citizen to serve as Mayor and two (2) citizens to serve as Council Members for Places 3 and 5, to serve the remainder of an unexpired term until the next regular town council election in May 2018; and three (3) citizens to serve as Council Members for a term of two years for Places 1, 2, and 4, respectively.

SECTION 2: Precincts

The election precinct for said elections shall be the corporate limits of the Town of Providence Village, Denton County, Texas.

SECTION 3: Administration of Election

The Election shall be conducted in accordance with the provisions of the Texas Election Code. The Town of Providence Village has contracted with Denton County for a joint election. The Town Secretary is hereby authorized to contract with the Denton County Elections Administrator for the purpose of having Denton County furnish all or any portion of the election services and equipment needed to conduct the Election in accordance with state law. The voting on the date of Election, and early voting, shall be by the use of a lawfully approved voting system. The preparation of the voting equipment to be used in connection with such voting system and the official ballots for the Election shall conform to the Election Code, as amended.

SECTION 4: Early Voting Clerks

- (a) In accordance with Sections 31.097 and 271.006 of the Texas Election Code, the following named person is hereby appointed as the Early Voting Clerk for the purposes of conducting said Election:

Frank Phillips, Denton County Elections Administrator.

Applications for early voting ballots should be forwarded as follows:

Mailing Address: Frank Phillips, Early Voting Clerk
Denton County Elections
P.O. Box 1720
Denton, Texas 76202

Express Courier Delivery: Frank Phillips, Early Voting Clerk
Denton County Elections
701 Kimberly Drive, Suite A101
Denton, Texas 76208

Fax: (940) 349-3201

Email: elections@dentoncounty.com

- (b) Connie Hansen, Town Secretary for the Town of Providence Village, shall serve as chief early voting clerk.
- (c) Any permanent county employee(s) serving under the Elections Administrator shall serve as deputy early voting clerks.

SECTION 5: *Early Voting Locations*

Early Voting by personal appearance of Providence Village residents shall be conducted beginning April 24, 2017 and continuing through May 2, 2017. The main early voting location shall be located at:

Denton County Elections
701 Kimberly Drive, Suite A101
Denton, Texas 76208

Early voting shall take place during the following dates and times:

April 24 – April 29	Monday - Saturday	8:00 a.m. – 5:00 p.m.;
May 1 – 2	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

Additional early voting locations will be identified in the contract executed with the Denton County Elections Administrator.

SECTION 6: *Election Day Polling Places*

The polling place for all voters of the Town of Providence Village will be located at:

Steven E. Copeland Government Center
1400 F.M. 424
Cross Roads, Texas 76227

The election precinct for said election shall be the corporate limits of the Town of Providence Village, Denton County, Texas.

SECTION 7: *Notice and Publication*

Notice of the Election shall be given by posting a notice of election in both English and Spanish at Providence Town Hall located at 1745 F.M. 2931, Providence Village, Texas, on the bulletin board not later than twenty-one (21) days prior to the date upon which the Election is to be held, and by publication of said notice at least once in the official newspaper of the Town, being a newspaper of general circulation within the Town, the date of said publication to be not less than ten (10) days nor more than thirty (30) days prior to the date set for the Election. Upon publication of the election notice, the Town Secretary shall secure a publisher's affidavit.

In addition thereto, a copy of the notice shall also be filed with the Town Secretary at least twenty-one (21) days before the Election.

SECTION 8: Record Retention

A copy of this resolution shall be retained with the other records of the election in accordance with the Texas Election Code.

CONSIDERED, PASSED, AND ADOPTED by the Town Council at a regular meeting the 7th day of February, 2017, at which a quorum was present.

APPROVED:

ATTEST:


Michael Jordan, Mayor Pro-Tem


Connie S. Hansen, TRMC, Town Secretary

