

**RESOLUTION NO. 2024-02**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, CALLING FOR A GENERAL ELECTION TO ELECT THE OFFICES OF MAYOR, AND CITY COUNCIL PLACE 2 TO BE HELD ON MAY 4, 2024; CALLING FOR A SPECIAL ELECTION TO FILL THE UNEXPIRED TERM IN THE OFFICE OF CITY COUNCIL PLACE 4; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Saginaw, Texas (the "City"), 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 regular election for City Council members of the City is required to be held on May 4, 2024, at which time the voters will elect persons to fill the offices of Mayor, and City Council Place 2;

**WHEREAS**, the election will be held as a joint election, conducted under the authority of Chapter 271 of the Texas Election Code ("Code"); and

**WHEREAS**, Section 5.06, "Vacancies" of Article V, "City Council," of the City Charter, as amended, requires the City to hold a special election to fill a vacancy that occurs with more than 12 months remaining in the unexpired term; and

**WHEREAS**, one vacancy exists on the City Council due to one voluntary resignation of Place 4, whose term expires May, 2026; and

**WHEREAS**, Section 11(c), Article XI, of the Texas Constitution requires that any vacancies occurring on the City Council shall not be filled by appointment, but must be filled by majority vote of the qualified voters at a special election called for such purpose within 120 days after such vacancy; and

**WHEREAS**, Section 201.052 of the Texas Election Code ("Code") provides that a special election to fill a vacancy shall be held on the first authorized uniform election date

occurring on or after the 46th day after the election is ordered; and

**WHEREAS**, the May 4, 2024 uniform election date falls within 120 days of vacancy; and

**WHEREAS**, in light of the foregoing, the City Council has elected to call a special election to fill the unexpired term of the office of City Council Place 4 for on the May 4, 2024 uniform election date; and

**WHEREAS**, by this Resolution, it is the intention of the City Council to designate a polling place for the election, to appoint the necessary election officers to establish and set forth procedures for conducting the election, and authorize the Mayor to execute a contract with Tarrant County for conducting the election.

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

**Section 1. General Election Called.** An election is hereby called to elect the offices of Mayor, and City Council Place 2 to serve from May of 2024 until May of 2027 or until their successors are duly elected and qualified. The election shall be held on May 4, 2024, between the hours of 7:00 a.m. and 7:00 p.m., at the location(s) designated in the Joint Election Agreement.

**Section 2. Special Election Called.** A special election is hereby called to fill the unexpired term of the office of City Council Place 4, to serve until May of 2026, or until their successor is duly elected and qualified. The election shall be held on May 4, 2024, between the hours of 7:00 a.m. and 7:00 p.m., at the location(s) designated in the Joint Election Agreement.

**Section 3. Joint Election Agreement Approved.** The Mayor is authorized to execute the Joint Election Agreement for Tarrant County and the City of Saginaw (the "Agreement"). In the event of conflict between this Resolution and the Agreement, the Agreement shall control.

**Section 4. Application for Place on Ballot.** Qualified persons may file as candidates by filing applications in the office of the City Secretary from 7:30 a.m. to 5:30 p.m., Monday through Thursday, from January 17, 2024 through February 16, 2024; and 7:30 a.m. to 11:30 a.m., on Fridays, January 19 and 26, 2024, and February 2 and 9, 2024; and from 7:30 a.m. to 5:00 p.m. on Friday, February 16, 2024.

**Section 5. Early Voting.**

**a. Early voting by personal appearance.** Early voting by personal appearance shall commence April 22, 2024, and shall continue daily until April 30, 2024, at the location(s) designated in the Agreement for joint election. Hours for early voting by personal appearance shall be from 8:00 a.m. to 5:00 p.m., from April 22, 2024 through April 26, 2024; from 7:00 a.m. to 7:00 p.m. on each of April 27, 2024, April 29, 2024, and April 30, 2024; and from 10:00 a.m. to 4:00 p.m. on April 28, 2024.

**b. Early voting by mail.** Clint Ludwig, the Tarrant County Elections Administrator ("Elections Administrator") or his successor is hereby designated as Early Voting Clerk for the general election. Applications for early voting by mail may be delivered to the Elections Administrator or his successor at the following address: P.O. Box 961011, 2700 Premier Street, Fort Worth, Texas 76161, FAX: 817-850-2344, Email: [votebymail@tarrantcounty.com](mailto:votebymail@tarrantcounty.com), not later than close of business on April 23, 2024. Early voting by mail ballots shall be mailed to the Elections Administrator or his successor at

P.O. Box 961011, Fort Worth, Texas 76161-0011.

c. **Early voting by Ballot Board.** Early voting, both by personal appearance and by mail, shall be canvassed by the Early Voting Ballot Board established by Tarrant County under the terms of the Agreement.

d. **Recommended Branch Early Voting Polling Places.** The Council finds that the following locations can most adequately and conveniently serve the voters in this election, and that these early voting locations will facilitate the orderly conduct of the election:

1. Blue Mound Community Center  
1824 Fagan Drive, Blue Mound, Texas 76131
2. Tarrant County Elections Center  
2700 Premier Street, Fort Worth, Texas, 76111

**Section 6. Appointment of Election Judge and Alternate Election Judge.**

The Presiding Election Judge and Alternate Presiding Judge shall be appointed by Tarrant County as authorized by Chapter 271 of the Code.

**Section 7. Method of Voting.** Tarrant County's Hart InterCivic Verity Voting System (Version 2.4) shall be used for absentee voting by mail; early voting by personal appearance; regular voting on election day and provisional voting. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Code.

**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.

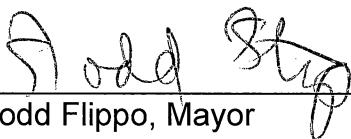
**Section 9. Publication and Posting of Notice of Election.** Notice of the election shall be given as required by Chapter 4 of the Code.

**Section 10. Necessary Actions.** The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

**Section 11. Effective Date.** This resolution shall be effective upon its adoption.

ADOPTED AND APPROVED this 16<sup>th</sup> day of January, 2024.

APPROVED:

  
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Todd Flippo, Mayor

ATTEST:

  
\_\_\_\_\_  
Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

  
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Bryn Meredith, City Attorney

