

RESOLUTION NO. R-02-24

**A RESOLUTION AND ORDER ESTABLISHING
PROCEDURES FOR THE 2024 CITY OF LAMESA
SPECIAL ELECTION.**

On this the 22nd day of January, 2024, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

WHEREAS, the Constitution of the State of Texas and the Charter of the City of Lamesa, Texas, provide that any vacancy occurring on the governing body of a home rule city having a term of office exceeding two years shall be filled by majority vote of the qualified voters at a special election called for such purpose within 120 days after such vacancy occurs; and

WHEREAS, a special election should be held on May 4, 2024, to fill the unexpired term for the vacancy created by the resignation of the Lamesa City Council Member for District 6; and

WHEREAS, the laws of the State of Texas, the Charter of the City of Lamesa, Texas and the terms of the Federal Court Order resolving Civil Action Number CA 5-91-0153 further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, a resolution and order should be passed establishing the procedures to be followed in said election and designating the voting place for said election; and

WHEREAS, it is in the public interest and welfare that this resolution be passed.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:

That a special election be held on the 4th day of May 2024, for the purpose of electing:

One (1) "Council Member, District 6"
to fill the unexpired term ending in 2026; and

That all independent candidates at said election file their applications to become candidates with the City Secretary at City Hall, 601 South First Street, Lamesa, Texas, on or before five o'clock P.M. on the sixty second day before the election, that day being the 3rd day of March, 2024, and that all of said applications shall be on a form as prescribed by Section 141.031 of the Texas Election Code; and

That the order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Texas Election Code; that drawing to be held at five-thirty o'clock P.M. on the 8th day of March 2024; and

That said election shall be held at the following place in said City:

Forrest Park Community Center
814 South Houston Avenue

Lamesa, Texas; and

That the polling place listed above shall be open from seven o'clock A.M. until seven o'clock P.M. on election day; and

Early voting shall also be conducted at City Hall, 601 South First, Lamesa, Texas in the office of the City Secretary and said place of early voting shall remain open during the hours that the secretary's office is regularly open for business, which is not a Saturday, a Sunday or an official State Holiday. Early voting by personal appearance will be conducted as follows:

<i>Date</i>	<i>Weekday</i>	<i>Times</i>
April 22 thru April 26	(Monday thru Friday)	8 am – 5 pm
April 29 and April 30	(Monday and Tuesday)	8 am – 5 pm

The City of Lamesa will be using the ES&S AutoMARK voter assist terminal. This AutoMARK is an optical scan ballot marking system designed to provide privacy and accessibility to voters who are visually impaired, or have a disability or condition that would make it difficult or impossible to mark a ballot in the usual way. In addition, the technology provides language assistance to voters who are more comfortable speaking an alternative language or who have reading difficulties; and

That early voting by personal appearance for said designated election shall be at City Hall, 601 South First, Lamesa, Texas, in the office of the City Secretary and said place of early voting shall remain open during the hours that the secretary's office is regularly open for business, which is not a Saturday, a Sunday, or an official State Holiday, beginning on the 17th day before and continuing through the 4th day preceding the date of said election; and

The applications for ballot by mail shall be mailed to the Office of the City Secretary, 601 South First, Lamesa, Texas 79331. Applications for ballots by mail must be received no later than the close of business on the 23rd day of April, 2024; and

That all early voting ballots cast in said election shall be counted by an Early Voting Ballot Board in accordance with the provisions of Section 87.001 of the Texas Election Code; and that said Early Voting Ballot Board shall be appointed by the City Council. The early voting ballots shall be counted separately from the ballots cast in that polling place and a separate set of records be prepared for them; and

That said election shall be held in accordance with the Texas Election Code and only qualified voters being residents of said City and residing in City Council District 6 shall be eligible to vote in said election; and

That the Mayor shall give notice of this election in accordance with the terms and provisions of Chapter 4 of the Texas Election Code; said notice shall be published in the Lamesa Press-Reporter, a newspaper of general circulation in the City of Lamesa, Texas,

not earlier than the thirtieth (30th) day and not later than the tenth (10th) day before election day and posted in the City Hall at 601 South First Street and at a public place in City Council District 4 not later than the 10th day before election day; and that such notice shall be recorded and preserved in accordance with the provisions of Section 4.005 of the Texas Election Code; and

That the Mayor shall issue all necessary orders and writs for said election and returns of said election shall be made to the City Council immediately after the closing of the polls; and

That the canvassing of said election shall take place at the regularly scheduled meeting of the City Council on Monday, May 13, 2024, at five-thirty p.m.; and that the council shall certify the results of said canvass at that meeting.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 22nd day of January 2024, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas, and recorded in the resolution book thereafter.

ATTEST:



Betty Conde
City Secretary

APPROVED:



Josh Stevens
Mayor