

RESOLUTION NO .2019-15

A RESOLUTION OF THE CITY OF HARLINGEN, TEXAS ORDERING A SPECIAL RUNOFF ELECTION TO BE HELD ON JUNE 22, 2019 BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M. CENTRAL STANDARD TIME FOR THE PURPOSE OF ELECTING ONE (1) CITY COMMISSIONER DISTRICT 1; DESIGNATING THE ELECTION PRECINCTS FOR DISTRICT 1; DIRECTING THE CITY SECRETARY TO PREPARE THE OFFICIAL BALLOT FORM; ADOPTING THE USE OF PAPER BALLOTS FOR THE SPECIAL RUNOFF ELECTION DAY AND FOR EARLY VOTING BY PERSONAL APPEARANCE BEGINNING MONDAY, JUNE 10 THROUGH JUNE 18, 2019 WHICH INCLUDES TWO (2) TWELVE (12)-HOUR DAYS AS REQUIRED BY STATE LAW; PROVIDING FOR APPOINTMENT OF A PRESIDING JUDGE, ALTERNATE PRESIDING JUDGE AND CLERKS FOR THE SPECIAL RUNOFF ELECTION DAY POLLING PLACE; ORDERING PUBLICATION AND POSTING OF NOTICE OF THE SPECIAL RUNOFF ELECTION FOR DISTRICT 1; PROVIDING FOR THE EARLY VOTING DATES, TIMES, AND POLLING PLACE; PROVIDING FOR EARLY VOTING BY MAIL; APPOINTING THE CITY SECRETARY TO BE THE EARLY VOTING CLERK; CREATING THE EARLY VOTING BALLOT BOARD; PROVIDING FOR CANVASSING OF THE SPECIAL RUN-OFF ELECTION RESULTS; AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, a resolution canvassing the returns and declaring the results of the City of Harlingen May 4, 2019 General Election was passed by the City Commission on May 15, 2019; and

WHEREAS, that resolution declared that in the race for City Commissioner, District 1, no candidate received a majority of the votes cast for such position; and

WHEREAS, pursuant to Article IV, Section 3 of the Home Rule Charter of the City of Harlingen, Texas and Chapter 2 of the Texas Election Code, a Special Runoff Election must be held between the two candidates receiving the highest number of votes cast for such office of Commissioner, District 1; and

WHEREAS, J.J. Gonzalez with 264 and Richard Uribe with 256 received the most votes in the City of Harlingen May 4, 2019 General Election;

WHEREAS, the Harlingen City Commission has determined that a Special Runoff Election is necessary to comply with the Texas Election Code and holding such Special Run-off Election on the date hereinafter provided is in the best interest of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE HARLINGEN CITY COMMISSION THAT:

1. The Harlingen City Commission hereby resolves that a Special Runoff Election for the City of Harlingen be held on June 22, 2019, between the hours of 7:00 a.m. and 7:00 p.m. to elect one (1) City Commissioner for District 1.

Residents residing in District 1 and who are legally registered to vote in District 1 shall be qualified to vote in the Special Runoff Election.

The Harlingen City Commission hereby appoints the City Secretary as the custodian of records for the District 1 Special Runoff Election.

2. **Official Ballot**

The City Secretary shall be and is hereby directed to prepare the necessary documents and to proceed to acquire the ballot so that the vote shall be held upon an official ballot prepared in a manner that will permit the qualified voters of District 1 in the City of Harlingen to vote for one candidate for District 1.

Qualified voters who reside in District 1 shall use paper ballots on the Special Runoff Election Day for voting. Ballots shall be prepared in accordance with the Texas Election Code. Optical scan ballots shall be used for early voting by mail, early voting by personal appearance and voting on Election Day. All ballots shall be in compliance with the requirements as set out by the Texas Election Code.

3. **Voting Machines**

The Harlingen City Commission hereby adopts the DS-200 Scanner (Precinct Counter) and the Automark Voter Assist Terminal for Early Voting by Personal Appearance and Election Day as approved by the Texas Secretary of State and to comply with the Help America Vote Act requirements.

4. **Polling Place Presiding Judge, Alternate Presiding Judge and Polling Clerks**

There shall be a Presiding Judge, an Alternate Presiding Judge, and a number of clerks to serve in the polling place. The following individuals are hereby appointed to serve as election officers to conduct the election on Election Day at the designated polling place in accordance with the Texas Election Code. The Presiding Judge of the polling place shall appoint not less than two and no more than four clerks to serve in the respective polling place. If the presiding judge and the alternate judge cannot serve emergency judges may be appointed pursuant to Section 32.007 of the Texas Election Code.

Presiding Judge
Rosita Preston
1826 Cherry Court
Harlingen, Tx. 78550

Alternate Presiding Judge
Virginia King
2125 Summerfield Lane
Harlingen, Tx. 78550

5. **Notice of Special Runoff Election for District 1**

After enactment of this resolution, notice of the Special Runoff Election shall be given by publication one (1) time only in a newspaper of general circulation in Harlingen, Texas pursuant to Section 4.003 of the Texas Election Code. Notice of such Special Runoff Election shall be posted on the bulletin board located at Harlingen City Hall not later than fifteen (15) days prior to said election; and at the designated polling location not later than the 10th day prior to the election.

6. **Early Voting Dates, Times and Polling Place**

Early Voting, except early voting by mail, shall take place in City Hall, Town Hall Meeting Room, 2nd Floor, 118 E. Tyler Street, Harlingen, Texas between the hours of 8:00 a.m. and 5:00 p.m. starting Monday, June 10 2019 through June 18, 2019. As required under Section 85.005(d) of the Texas Election Code, early voting by personal appearance at the early voting polling place shall be conducted for at least 12 hours on two weekdays, if the voting period consists of six or more weekdays; therefore, early voting by personal appearance shall be conducted for 12 hours on Thursday, June 13, 2019 and Tuesday, June 18, 2019 from 8:00 a.m. to 8:00 p.m.

7. **Special Runoff Election Day Polling Place**

Long Elementary School located at 2601 N. 7th Street, Harlingen, Texas is hereby designated as the polling for the Special Runoff Election for City Commissioner District 1. Texas. All registered voters residing in Precincts 56 and parts of 39, 57, 78, 84, and 87 shall vote in said election.

8. **Early Voting Ballot Board**

The Harlingen City Commission hereby appoints the City Secretary to be the Early Voting Clerk for the early voting Special Runoff Election.

In accordance with Chapter 87 of the Texas Election Code, the Harlingen City Commission hereby creates an Early Voting Ballot Board to process the early voting results from District 1, Special Runoff Election. The following individuals are hereby appointed to serve as election officers to qualify and count the early voting votes by Personal Appearance and Mail-In Votes in accordance with the Texas Election Code. If the presiding judge and the alternate judge cannot serve emergency judges may be appointed pursuant to Section 32.007 of the Texas Election Code. The Early Voting Ballot Board Presiding Judge shall appoint at least two other members to serve on the Early Voting Ballot Board.

Presiding Judge
Lupita Canales
514 N. Eye Street
Harlingen, Texas 78550

Presiding Alternate Judge
Maggie Salinas
2201 Lisa Ann
Harlingen, Texas 78550

9. **Canvassing of Votes**

In addition to and cumulative of all the provisions herein provided for said election, is the canvassing hereof which shall be held and conducted in accordance with the Texas Election Code and the Harlingen City Charter.


FINALLY ENACTED THIS 15th, day of May, 2019 at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A, CHAPTER 551.

CITY OF HARLINGEN

BY:


Chris Boswell, Mayor

ATTEST:


Amanda Elizondo, City Secretary