

RESOLUTION 1773

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HURST, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD NOVEMBER 3, 2020, TO ALLOW VOTERS TO CONSIDER VOTING FOR OR AGAINST THE FOLLOWING PROPOSITION: "THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION ONLY"; AUTHORIZING A JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH THE TARRANT COUNTY ELECTIONS ADMINISTRATOR

WHEREAS, Chapter 501 of the Texas Election Code and Chapter 251 of the Texas Alcoholic Beverage Code provide for the holding of local option elections; and

WHEREAS, Section 501.032 of the Texas Election Code requires the City to order an election upon receipt of a valid petition containing signatures of at least 35 percent of the registered voters in the political subdivision who voted for governor in the most recent gubernatorial election, which equals 4,511 signatures; and

WHEREAS, on August 3, 2020, the City of Hurst received a petition meeting the requirements of Chapter 501 of the Texas Election Code and containing approximately 5,227 valid signatures requesting a local option election; and

WHEREAS, all prerequisites for the adoption of this Resolution have been met, including but not limited to the Open Meetings Act; and

WHEREAS, the City Council desires to conduct joint elections pursuant to the provisions of the Texas Election Code, and as established in a joint election agreement and contract for election services, on Tuesday, November 3, 2020, for the purpose of said election.

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

Section 1: **THAT** unless one or more of the entities qualify under provisions of the Texas Election Code to cancel their election, the City of Hurst shall hold a joint election, per the aforesaid joint election agreement and contract for election services, on Tuesday, November 3, 2020, for the purpose of conducting a special election to allow voters to consider voting for or against "the legal sale of all alcoholic beverages for off-premise consumption only."

Section 2: **THAT** a special election is hereby ordered to be held between the hours of 7:00 a.m. until 7:00 p.m. on Tuesday November 3, 2020

for the purpose of submitting to the qualified voters of the City of Hurst the determination of the following issue:

“The legal sale of all alcoholic beverages for off-premise consumption only.”

“La venta legal de todas las bebidas alcohólicas para consumo solamente fuera del establecimiento.”

“Việc buôn bán hợp pháp tất cả đồ uống có cồn dành riêng cho việc tiêu thụ ngoài cơ sở.”

The ballot shall be prepared so that the voters can vote for or against the above issue.

Section 3: **THAT** election day voting locations shall be established as outlined in the election agreement with Tarrant County. The locations of polling locations for this election are designated pursuant to the Texas Election Code as those precincts designated by Tarrant County.

Tarrant County Elections Administration will provide a final listing of all available election day voting locations at a future date, and Hurst residents may vote at any voting site in Tarrant County.

Section 4: **THAT** Heider Garcia (or his successor), Tarrant County Elections Administrator, 2700 Premier Street, Fort Worth, Texas 76111, is hereby appointed as Early Voting Clerk and may appoint additional deputy early voting clerks as necessary to properly conduct the election. Applications for ballot by mail must be received by mail no later than the close of business on October 23, 2020 (Mailing Address: P.O. Box 961011, Fort Worth, Texas, 76161-0011; Attention: Heider Garcia, Early Voting Clerk)

Section 5: **THAT** early voting by personal appearance shall be conducted at the County’s Main Early Voting location: 2700 Premier Street, Fort Worth, Texas 76111. Branch locations for early voting by personal appearance shall also be established as outlined in the election agreement with Tarrant County Elections Administrator.

Tarrant County Elections Administration will provide a final listing of all available branch sites at a future date, and Hurst residents may vote at any early voting site in Tarrant County during the early voting by personal appearance process.

Early voting by personal appearance will begin on October 13,

2020, and will end on October 30, 2020, and the hours designated for early voting by personal appearance shall be as set forth below:

October 13 - 17	Tuesday – Saturday	8:00 a.m. – 5:00 p.m.
October 19 - 23	Monday - Friday	8:00 a.m. – 5:00 p.m.
October 24	Saturday	7:00 a.m. – 7:00 p.m.
October 25	Sunday	11:00 a.m. – 4:00 p.m.
October 26 – 30	Monday – Friday	7:00 a.m. – 7:00 p.m.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board shall be appointed and designated in accordance with the provisions of the election agreement with the Tarrant County Elections Administrator.

Section 6: **THAT** all resident qualified electors of the City shall be permitted to vote at said election, and on the day of the election, such electors may vote at any countywide polling place(s) designated by Tarrant County. This election shall be held and conducted in accordance with the aforesaid election agreement, and the election laws of the State of Texas.

Section 7: **THAT** combined ballots may be utilized containing all of the offices and propositions to be voted on at each polling place, provided that no voter shall be given a ballot or permitted to vote for any office or proposition on which the voter is ineligible to vote. The County’s voting equipment will be utilized for this election.

Section 8: **THAT** the election officers for each polling place shall be appointed in accordance with the provisions of the election agreement for the conducting of the election on the aforesaid election date with Tarrant County, Texas.

Section 9: **THAT** the Mayor is hereby authorized to execute aforesaid election agreement for and on behalf of the City.

Section 10: **THAT** the expenses of the joint election shall be borne as outlined in the election agreement with the Tarrant County Election Administrator.

AND IT IS SO RESOLVED.

Passed by a vote of 6 to 0 this the 11th day of August 2020.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney