

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 010-004

AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS CALLING A GENERAL ELECTION TO BE HELD ON MAY 8, 2010 FOR THE PURPOSE OF ELECTING THREE (3) COUNCILMEMBERS FOR TWO (2) YEAR TERMS EACH; DESIGNATING FOUR (4) POLLING PLACES WITHIN THE TOWN; ESTABLISHING OTHER PROCEDURES FOR THE CONDUCT OF THE ELECTION; ESTABLISHING A DATE FOR CANVASSING RETURNS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 41.001 of the Texas Election Code, as amended (the "Code"), specifies that the second Saturday in May shall be a uniform election date and that a general election of a city may be held on such day; and

WHEREAS, the City Council of the Town of Addison, Texas (the "City") has determined that the City shall conduct its general municipal election, in conjunction with Dallas County, on the second Saturday in May, 2010 and

WHEREAS, Section 8.04 of the City Charter provides that in each even-numbered year three (3) Council members shall be elected; and

WHEREAS, the City Council desires to and hereby calls a general election for the purpose of electing three (3) persons to the office of Councilmember for two (2) year terms each.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. Incorporation of Preamble. All of the above premises are true and correct and are incorporated into the body of this Ordinance as if copied herein in its entirety.

Section 2. Election Date; Purpose of Election; Officers and Terms of Office. That a general election shall be held in and throughout the City on Saturday, May 8, 2010, for the purpose of electing the following officers:

Three (3) Councilmembers for two (2) year terms each.

Section 3. Eligibility for Candidacy. In accordance with the City's Charter, no person shall be eligible for the office of Mayor or Councilmember unless that person is a qualified voter of the City, shall have resided in the City for at least one year prior to the election, and shall never have been convicted of a felony offense involving moral turpitude.

Section 4. Application for a Place on the Ballot. In accordance with Section 143.007 of the Texas Election Code (the "Code"), any eligible and qualified person may

have that person's name printed upon the official ballot as a candidate for the offices hereinbefore set forth by filing the person's sworn application with the City Secretary not earlier than February 5, 2010 and not later than 5:00 p.m. on March 8, 2010. Each such application shall be on a form as prescribed by Section 141.031 of the Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing of the City Secretary as provided by Section 52.094 of the Code. Notice of the time and place for such drawing shall be given in accordance with the Code.

Section 5. Runoff Election. If two or more candidates for a particular office tie for the number of votes required to be elected, there shall be a runoff election held on June 12, 2010. The runoff election shall be held in accordance with the Code.

Section 6. Election Precinct; Polling Place; Election Hours. The corporate limits of the City shall constitute four (4) election precincts for the election. The polling places for the general election shall be the Country Place Elementary School, 2115 Raintree, Carrollton, Texas 75006), Addison Fire Department building (4798 Airport Parkway, Addison, Texas 75001), and Addison Fire Station II (3950 Beltway Drive, Addison, Texas 75001), in accordance with and pursuant to the requirements of the Code, said polling place shall be open from 7:00 a.m. to 7:00 p.m. on the date of the election.

Section 7. Appointment of a Presiding Election Judge and Alternate Presiding Election Judge; Qualifications to Serve as Election Judge; Confirmation of Appointments; Notice of Appointments. The election shall be held as a joint election with Dallas County, and the County shall be responsible for appointing all election judges and clerks, and shall be responsible for their compensation.

Section 10. Method of Voting. The City Secretary is hereby authorized to contract with Dallas County for the conduct of the joint election, and Dallas County shall be responsible for an optical scanning voting system. Dallas County shall be responsible for the preparation of the official ballots for the election, and they shall conform to the requirements of the Code, and in so doing shall permit the voter to vote for three (3) Councilmembers for two (2) year terms each.

No elector shall vote for more than three (3) candidates for terms of two (2) years each.

Section 11. Governing Law; Qualified Voters. The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident, qualified electors of the City shall be eligible to vote at the election. In addition, the election materials enumerated in the Code shall be printed in both English and Spanish for use at the polling place and for early voting for the election.

Section 12. Publication and Posting of Notice. Notice of the election shall be given by posting a notice of election in both English and Spanish at Town Hall, 5300 Belt Line Road, Addison, Texas on the bulletin board or other location used for posting notices of the meetings of the City Council not less 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 a newspaper published in the City or if none, then in a newspaper of general circulation

within the City, 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.

In addition thereto, a copy of the notice shall also be filed with the City Secretary at least twenty-one (21) days before the election. Upon publication of the election notice, the City Secretary shall secure a publisher's affidavit, which complies with the requirements of the Election Code.

Section 13. Early Voting. Early voting by personal appearance shall be conducted in accordance with Section 271.006 of the Texas Election Code. Bruce R. Sherbet, Dallas County Elections Administrator, is hereby appointed the Deputy Early Voting Clerk. Early voting by personal appearance will be conducted beginning Monday, April 26, 2010, and continue through Tuesday, May 4, 2010. Any qualified voter for the Joint Election may also vote early by personal appearance at the main early voting location:

DALLAS COUNTY RECORDS BUILDING  
Office of the Elections Department, Eighth Floor  
2377 N. Stemmons Freeway, Dallas, TX 75207

Or, at any of the following branch locations:

**DATES AND TIMES OF EARLY VOTING FOR THE JOINT  
ELECTION TO BE HELD ON SATURDAY, MAY 8, 2010  
FECHAS Y HORARIOS DE LAS VOTACIONES ADELANTADAS PARA LA CONJUNTA  
ELECCIÓN  
DEL SÁBADO, OCHO DE MAYO, 2010**

01	ADDISON FIRE STATION #1	4798 AIRPORT PKWY	ADDISON	75001
02	AUDELIA ROAD LIBRARY	10045 AUDELIA ROAD	DALLAS	75238
03	BALCH SPRINGS CITY HALL	3117 HICKORY TREE	BALCH SPRINGS	75180
04	CARROLLTON/FR BR ISD ADM	1445 N PERRY ROAD	CARROLLTON	75006
05	CEDAR HILL GOVERNMENT CTR	285 UPTOWN BLVD	CEDAR HILL	75104
06	COCKRELL HILL CITY HALL	4125 W CLARENDON	DALLAS	75211
07	COPPELL TOWN CENTER	255 W PARKWAY BLVD	COPPELL	75019
08	CROSSWINDS HIGH SCHOOL ( Replaces Boze Learning Center)	1100 N CARRIER PKWY	GRAND PRAIRIE	75050
09	DALLAS COUNTY WCID #6	13503 ALEXANDER RD	BALCH SPRINGS	75180
	DISD ADMINISTRATION BLDG	3700 ROSS AVE	DALLAS	75204
11	DESOTO TOWN CENTER LIBRARY	211 E PLEASANT RUN	DESOTO	75115

12	DUNCANVILLE LIBRARY	201 JAMES COLLINS	DUNCANVILLE	75116
	FARMERS BRANCH CITY HALL	13000 WILLIAM DODSON	FR BR	75234
14	GARLAND CITY HALL	200 N FIFTH	GARLAND	75040
15	GARLAND ISD STUDENT SVC BLDG	720 STADIUM DR	GARLAND	75040
16	GARNER ELEMENTARY	145 POLO ROAD	GRAND PRAIRIE	75052
17	GLENN HEIGHTS CITY HALL	1938 S HAMPTON ROAD	GLENN HEIGHTS	75154
18	HARRY STONE REC CENTER	2403 MILLMAR DR	DALLAS	75228
19	HUTCHINS CITY HALL	321 N. MAIN ST	HUTCHINS	75141
20	IRVING ARTS CENTER	3333 N MACARTHUR	IRVING	75062
21	IRVING CITY HALL	825 W IRVING BLVD	IRVING	75060
22	JOSEY RANCH LIBRARY	1700 KELLER SPRINGS	CARROLLTON	75006
23	LAKESIDE ACTIVITY CENTER	101 HOLLEY PARK DR	MESQUITE	75149
24	LANCASTER LIBRARY	1600 VETERANS MEMORIAL	LANCASTER	75134
	MARSH LANE BAPTIST CHURCH (Replacement for North Dallas Govt Ctr)	10716 MARSH LN	DALLAS	75229
26	OAK CLIFF SUB COURTHOUSE	410 S BECKLEY	DALLAS	75203
27	OUR REDEEMER LUTHERAN	7611 PARK LANE	DALLAS	75225
28	PLEASANT OAKS REC CENTER	8701 GREENMOUND	DALLAS	75227
29	RECORDS BUILDING	509 MAIN STREET	DALLAS	75202
30	RICHARDSON CIVIC CENTER	411 W ARAPAHO ROAD	RICHARDSON	75080
31	ROWLETT LIBRARY	3900 MAIN STREET	ROWLETT	75088
32	SACHSE CITY HALL	5560 HIGHWAY 78	SACHSE	75048
33	SEAGOVILLE CITY HALL	702 N. HWY 175	SEAGOVILLE	75159
34	SUNNYVALE TOWN HALL	127 N COLLINS ROAD	SUNNYVALE	75182
35	VALLEY RANCH LIBRARY	401 CIMARRON TRAIL	IRVING	75063
	VETERANS ADM MEDICAL CTR	4500 S LANCASTER RD	DALLAS	75216
37	WEST DALLAS MULTIPURPOSE	2828 FISHTRAP	DALLAS	75212

38	WILMER COMMUNITY CENTER	101 DAVIDSON PLAZA	WILMER	75172
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**DATES AND TIMES OF EARLY VOTING**

**FECHAS Y HORARIOS DE LAS VOTACIONES ADELANTADAS**

<b>APRIL 26(MONDAY THROUGH FRIDAY) April 30</b>	<b>8 AM TO 5 PM</b>
<b>26 DE ABRIL (LUNES A VIERNES) AL 30 DE ABRIL</b>	<b>8AM A 5PM.</b>
<b>MAY 1 (SATURDAY)</b>	<b>8 AM TO 5 PM</b>
<b>EL PRIMERO DE MAYO (SÁBADO)</b>	<b>8AM A 5PM.</b>
<b>MAY 2 (SUNDAY)</b>	<b>1 PM TO 6 PM</b>
<b>2 DE MAYO (DOMINGO)</b>	<b>1PM A 6PM</b>
<b>MAY 3 (MONDAY AND TUESDAY) MAY 4</b>	<b>7 AM TO 7 PM</b>
<b>3 DE MAYO (LUNES A VIERNES) AL 4 DE MAYO</b>	<b>7AM A 7PM.</b>

02/03/2010 Subject to Change

All requests for early voting ballots by mail that are received by participating authorities will be transported by runner on the day of receipt to the Dallas County Elections Department, 8<sup>th</sup> Floor, Health and Human Service Building, 2377 N. Stemmons Frwy, Dallas, Texas 75207 for processing. Persons voting by mail will send their voted ballots to the Dallas County Elections Department.

All early voting ballots will be prepared for counting by an Early Voting Ballot Board appointed in accordance with Section 87.001 of the Texas Election Code. Addison hereby waives its right to appoint a member to the Board, and will have Dallas County appoint a member for the Town. The participating authorities agree to appoint other deputy early voting judges/clerks.

A signature verification committee will be appointed in accordance with Section 87.027 of the Texas Election Code. A list of the members of the signature verification committee will be furnished to each participating authority.

Section 14. Delivery of Returns; Preservation of Election Records. A general custodian of the voted ballots and all records of the joint Election as authorized by Section 271.010 of the Texas Election Code shall be appointed.

Access to the election records will be available to each participating authority as well as to the public in accordance with the Texas Public Information Act, Chapter 552, Government Code, at the Elections Department, 2377 N. Stemmons Freeway, Dallas, Texas, at any time during normal business hours. The Election Administrator shall ensure that the records are maintained in an orderly manner, so that records are clearly identifiable and retrievable per records storage container.

Records of the election will be retained and disposed of in accordance with Addison's records retention schedules, and in accordance with the provisions of Title 6, Subtitle C, Chapters 201 through 205 Texas Local Government Code, including the minimum retention requirements established by the Texas State Library and Archives Commission. If records of the election are involved in any pending election contest, investigation, litigation, or Texas Public Information Act, the Election Administrator shall maintain the records until final resolution or until final judgement, whichever is applicable. It is the responsibility of any participating authority to bring to the attention of the Elections Administrator any notice of any pending election contest, investigation, litigation, or Texas Public Information Act request, which may be filed with a participating authority. Upon request to maintain records beyond eligibility for preservation according with Section 66.058 of the Texas Election Code, the Elections Administrator shall supply a written cost estimate for storage to requesting participant.


On the first business day that follows the date that the records of the election are eligible for destruction, the Election Administrator will notify in writing each participating authority of the planned destruction of any records of the election. Within fifteen days of receipt of the Election Administrator's notice of intent to destroy the records, each participating authority will provide the Election Administrator with written authorization to proceed with destruction or written instructions to withhold destruction.

Section 15. Canvassing of Returns. In accordance with the Code, the City Council of the City shall convene on May 18, 2010, at 7:30 o'clock p.m. to canvass the returns of the election.

Section 16. Necessary Actions. The Mayor, City Manager 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 17. Effective Date. This Ordinance shall be in full force and effect from and after its passage.

**DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS,**  
the 9<sup>th</sup> day of February 2010.

  
MAYOR-Joe Chow

ATTEST:

  
CITY SECRETARY-Lea Dunn