

**CITY OF SANDY OAKS, TEXAS**

**RESOLUTION NO. 2017-43**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS APPROVING A JOINT ELECTION AGREEMENT WITH THE BEXAR COUNTY ELECTIONS ADMINISTRATOR, AUTHORIZING EXECUTION OF SUCH JOINT ELECTION AGREEMENT, AUTHORIZING OTHER NECESSARY ACTION REQUIRED BY THE TEXAS ELECTION CODE, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on January 12, 2017 the Bexar County Commissioners' Court ordered a special election to be held in the City of Sandy Oaks, Texas ("City") on May 6, 2017 for the purposes of filling vacancies in the positions of Alderman Place 1 (unexpired term), Alderman Place 3 (unexpired term) and Alderman Place 5 (unexpired term) ("Special Election"); and

**WHEREAS**, Section 271.002(a) of the Texas Election Code authorizes two or more political subdivisions to enter into an agreement to hold elections jointly in the election precincts that can be served by common polling places; and

**WHEREAS**, the City Council desires that the City hold a joint election with Bexar County to provide a convenient, simple, and cost-saving election to the voters in the City; and

**WHEREAS**, the City Council desires to enter into an agreement with the Bexar County Elections Administrator ("Elections Administrator") setting out the duties and responsibilities of the parties for the May 6, 2017 Special Election; and

**WHEREAS**, the City Council desires to authorize the Mayor and/or City Clerk to perform any other such duties required by the Texas Election Code regarding the Special Election that may not be prescribed for herein;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS:**

**Section 1. Preambles.** The facts and recitations contained in the preamble to this Resolution are hereby found to be true and correct and incorporated herein for all purposes.

**Section 2. Agreement with Bexar County Elections Administrator.** The City hereby approves the Joint Election Agreement ("Agreement") with the Elections Administrator attached hereto as Exhibit "A" and incorporated by reference and understands the Agreement is required by section 271.002 of the Texas Election Code. The Mayor and/or City Clerk are hereby authorized to execute the Agreement (or other required agreement) with the Elections Administrator on behalf of the City for the purposes of conducting the Special Election. The Mayor and/or City Secretary shall have further authority to approve any minor modifications as may be necessary in the best interest of the City.

**Section 3. Other Necessary Action.** The Mayor and the City Secretary, 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 Texas Election Code and any other statute or federal law in carrying out and conducting the Special Election, whether or not expressly authorized herein.

**Section 4. Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**Section 5. Effective Date.** This Resolution shall take effect immediately upon its passage.

**PASSED AND APPROVED** on this 12<sup>th</sup> day of January 2017.

**CITY OF SANDY OAKS, TEXAS**

SIGNED

Karen Mendiola Tanguma, Mayor

**ATTEST:**

SIGNED

Charlotte Rabe, City Clerk

# **EXHIBIT “A”**