



**CITY COUNCIL AGENDA
Tuesday, February 21, 2017**

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Special Session on Tuesday, February 21, 2017, at 5:30 p.m. in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

The City of Big Spring City Council reserves the right to consider business out of the posted order, and at any time during the meeting, reserves the right to adjourn into executive session on any of the below agenda items which are not listed as executive session items and which qualify to be discussed in closed session under Chapter 551 or the Texas Government Code.


- 1. Call to Order McLellan

- 2. Emergency Reading of an Ordinance Calling for a Special Election to be Held on May 6, 2017, for the Purpose of Electing One Person to Fill a Vacancy for the Unexpired Term of Office of City Council Member District 4 Which Shall be Elected by Majority Vote of the Qualified Voters of District Four; Designating One Central Polling Place within the City; Authorizing the Mayor to Execute Notice and Have the Notice Posted for the Purpose of Notifying the Public of Said Election; Providing for Severability; Providing an Effective Date; and Declaring an Emergency 2-3 McLellan

- 3. Adjourn McLellan

I hereby certify that this agenda was posted on the official bulletin boards at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas. Given by order of the City Council and Posted on Friday, February 17, 2017 at 4:00 p.m. in accordance with Title 5, Texas Government Code, and Chapter 551.

In addition, this agenda and supporting documents are posted on the City of Big Spring's website, www.mybigspring.com, in accordance with legal requirements.


Lesa Gamble, Assistant to the City Manager

THE MEETING FACILITY IS ACCESSIBLE TO DISABLED PERSONS. ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATIONS OR HEARING-IMPAIRED PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT LESA GAMBLE AT 264-2401. REQUESTS FOR AN INTERPRETER SHOULD BE MADE AT LEAST 48 HOURS IN ADVANCE OF THE MEETING TIME.

Agenda Removal Notice - This public notice was removed from the official posting board at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on

February __, 2017 at _____ a.m./p.m.

By: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, CALLING FOR A SPECIAL ELECTION TO BE HELD ON MAY 6, 2017, FOR THE PURPOSE OF ELECTING ONE PERSON TO FILL A VACANCY FOR THE UNEXPIRED TERM OF OFFICE OF CITY COUNCIL MEMBER DISTRICT 4 WHICH SHALL BE ELECTED BY MAJORITY VOTE OF THE QUALIFIED VOTERS OF DISTRICT FOUR; DESIGNATING ONE CENTRAL POLLING PLACE WITHIN THE CITY; AUTHORIZING THE MAYOR TO EXECUTE NOTICE AND HAVE THE NOTICE POSTED FOR THE PURPOSE OF NOTIFYING THE PUBLIC OF SAID ELECTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, Councilmember Waggoner resigned his position as District Four Councilmember in a letter to the Council dated February 1, 2017;

WHEREAS, there are more than twelve months remaining in the resigned term (ending May 2018) which requires the City Council to call for a special election; and

WHEREAS, the City Council finds it in the best interest of the citizens of Big Spring to call this special election to run concurrently with the upcoming general election;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, THAT:

SECTION 1. That a special election shall be held on the 6th day of May, 2017, for the purpose of electing one person to fill a vacancy for the unexpired term of office of City Council Member District 4 who shall be a resident of the City and shall be elected by majority vote of the qualified voters of District Four.

SECTION 2. Mayor Larry McLellan is hereby authorized to execute and have posted notice of said election in accordance with the law.

SECTION 3. The polling place on election day for a resident voter of City District Four will be in the East Room of the Dorothy Garrett Coliseum, located at the corner of Birdwell Lane and Kentucky Way.

SECTION 4. Said election shall be held in accordance with the constitution and laws of the State of Texas and the Charter of the City of Big Spring, Texas, and the manner of holding said election shall be governed by the laws of the State regulating general elections and this Ordinance.

SECTION 5. Voting by personal appearance during early voting and on election day shall be by DRE (Direct Recording Electronic) System and by official paper ballot for early voting by mail and for provisional ballots. Each candidate shall make application in writing to the City

Secretary for the candidate's name to appear on the official ballot no later than 5:00 p.m. of the sixty-second (62nd) before election day which will be March 6th. The application shall clearly designate the residence address of the candidate. Each candidate must reside in the city limits of the City of Big Spring. A candidate for each office may reside anywhere within the city limits of the City of Big Spring. All candidates for the office of City Council shall have been a resident citizen of the City of Big Spring for a period of one (1) year immediately preceding the date of the election as required by Art. V, Sec. 7 of the City Charter.

SECTION 6. Early voting by personal appearance will be conducted at Howard County Courthouse located at 300 S. Main. Early voting will be held on weekdays beginning April 24, 2017 and ending May 2, 2017. The early voting polling place shall be open to the public from 7:00 a.m. to 7:00 p.m. on Thursday, April 27, 2017 and Tuesday, May 2, 2017 and from 8:00 a.m. to 5:00 p.m. on all other days.

SECTION 7. Only qualified electors under the general laws of the state who reside in City District Four shall be qualified to vote for the office of District Four of the City of Big Spring.

SECTION 8. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph or section be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, said unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance.

SECTION 9. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 10. The City Council declares it a public necessity to call a special election to run in conjunction with the upcoming general election in order to avoid a disruption in city business and to relieve the economic burden of paying for two separate elections, and that such is an imperative public necessity requiring the suspension of the City Charter rule that an ordinance or resolution shall be read at two meetings of the City Council and that this ordinance take effect and be in full force and effect from and after its passage.

PASSED AND APPROVED on an emergency reading at a special meeting of the City Council on the 21st day of February, 2017, with all members present voting "aye" for passage of same.

Larry McLellan, Mayor

ATTEST:

Tami L. Davis, Assistant City Secretary