

ORDINANCE NUMBER 1079

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 3, 2025 TO ELECT A COMMISSIONER FOR PLACE 5; DESIGNATING THE POLLING PLACE AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

WHEREAS, the City of Burkburnett (the “City”) is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code;

WHEREAS, the person holding the office of Commissioner, Place 5 has filed an application for a place on the ballot for the May 3, 2025 election for the office of Mayor;

WHEREAS, the current term of office for Commissioner Place 5 expires in May of 2026;

WHEREAS, Article 16, Section 65 and Article 11, Section 11 of the Texas Constitution provide that, for cities with Commissioner terms longer than two years, a Commissioner who has more than one year and 30 days remaining in his or her term of office automatically resigns from that position if he or she becomes a candidate for another public office and “the vacancy thereby created shall be filled pursuant to law in the same manner as other vacancies for such office are filled”;

WHEREAS, Article IV, Section 6(A) provides that “[v]acancies for an unexpired term of greater than twelve (12) months must be filled by majority vote of the qualified voters at a special election called for such purpose”;

WHEREAS, pursuant to the above referenced authorities and in accordance with the Texas Election Code, a special election shall be held in said City to fill the vacancy in the office of Commissioner Place 5 for the unexpired term.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, THAT:

SECTION 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. A Special Election is ordered to be held on May 3, 2025, for which sufficient time elapses for the holding of an election after passage of this Ordinance. Said election shall be held to elect a Commissioner for Place 5 for a term ending in May of 2026.

SECTION 3. The polling place in Burkburnett will be:

**COMMISSIONER PRECINCT 2 BUILDING
102 W COLLEGE, BURKBURNETT, TEXAS 76354**

and shall be open from 7:00 a.m. to 7:00 p.m. on Election Day, May 3, 2025. The Wichita County Elections Administrator will appoint the Presiding Judge and Alternate Presiding Judge. The Presiding Judge shall appoint the necessary clerks to assist on Election Day. Additional polling centers can be found on the Wichita County website: <https://wichitacountytx.com/elections/>.

SECTION 4. The Wichita County Elections Administrator will appoint the Presiding Officer of the Early Voting Ballot Board in accordance with the Texas Election Code.

SECTION 5. Robin Fincannon, Wichita County Elections Administrator, 900 7th Street, Room 104, Wichita Falls, Texas 76301 (elections@co.wichita.tx.us), is hereby appointed the Early Voting Clerk. Early voting will be April 22, 2025 – April 25, 2025 and April 28, 2025 – April 29, 2025 from 8:00 a.m. to 4:00 p.m.. Early voting shall be conducted at the:

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in accordance with the Texas Election Code. Additional polling centers, along with dates and times, can be found on the Wichita County website: <https://wichitacountytx.com/elections/>.

SECTION 6. Notice of posting and publishing of said election and the preparation of ballots for said election will be in accordance with the Texas Election Code.

SECTION 7. The Board of Commissioners of the City of Burkburnett shall canvass the election not earlier than the third day nor later than the eleventh day after said election in accordance with the Texas Election Code.

PASSED AND APPROVED ON THIS 21ST DAY OF JANUARY 2025.

Lori Kemp, Mayor

ATTEST:

Nikki Tepfer, City Clerk