

ORDINANCE NO. _____

AN ORDINANCE ORDERING A RECALL ELECTION TO BE HELD ON NOVEMBER 8, 2022 FOR THE PURPOSE OF DETERMINING WHETHER CITY COUNCIL MEMBER ALISON MAGUIRE SHALL BE REMOVED FROM DISTRICT 4 OF THE CITY COUNCIL BY RECALL; PRESCRIBING THE TIME, MANNER, AND CONDUCT OF THE ELECTION IN ACCORDANCE WITH AN ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH THE ELECTION ADMINISTRATOR OF DENTON COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 12, 2022, a petition seeking the Recall of City Council Member Alison Maguire was filed with the City Secretary; and

WHEREAS, within seven days of the filing of the petition in accordance with Section 4.13 of the City Charter, the City Secretary examined the petition, and on June 7, 2022 submitted her certificate stating the petition was sufficient and in compliance with the provisions of Article IV Initiative, Referendum and Recall of the City Charter; and

WHEREAS, Council Member Alison Maguire did not resign her office and in order to comply with the requirements of the Recall Election provisions of the City Charter, the Texas Election Code, and other applicable provisions of the law, it is necessary to order a Recall Election; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. A municipal Recall Election is ordered to be held in the City of Denton, Texas, on Tuesday, November 8, 2022, such date being a uniform election date as defined in Texas Election Code §41.001, for the purpose of determining whether Council Member Alison Maguire shall be removed from the City Council by Recall.

SECTION 2. The City Secretary is authorized to prepare the official ballot for the Recall Election and perform every act required by the City Charter and laws of the State of Texas for holding elections. The ballots used at the recall election shall conform to the following requirements:

- a) With respect to the person whose removal is sought, the question shall be submitted:

"SHALL ALISON MAGUIRE BE REMOVED FROM THE CITY COUNCIL BY RECALL?"

- b) Immediately below such question shall be printed the two following propositions, one above the other, in the order indicated:

"YES"

"NO"

SECTION 3. The polling places shall be designated by the Denton County Elections Administrator (the “Elections Administrator”) in accordance with the provisions of a joint election agreement and contract for election services (the “Agreement”) with the Elections Administrator. The locations of such polling places are set forth in Exhibit A, attached hereto. Exhibit A shall be modified to include additional or different election day polling places designated by the Elections Administrator and to conform to the Agreement.

SECTION 4. Early voting shall be conducted by personal appearance at the locations, dates and times set forth in Exhibit B, attached hereto, and during the early voting period as required or permitted by law. Exhibit B shall be modified to include additional or different early voting locations designated by the Elections Administrator and to conform to the Agreement.

SECTION 5. The most accurate information on election day and early voting locations and voting times can be found or obtained by visiting the Denton County webpage noted below or contacting said County as noted:

Denton County Elections Administrator
701 Kimberly Drive, Suite A101
Denton, Texas 76208
(940) 349-3200
<https://www.votedenton.com/upcoming-election-information/>

SECTION 6. The Elections Administrator shall serve as the early voting clerk in accordance with the terms of the Agreement. The main early voting location for the election shall be at the following address:

Denton County Elections Administrator
701 Kimberly Drive, Suite A101
Denton, Texas 76208

SECTION 7. Applications for early voting by mail must be received no later than the close of regular business on October 28, 2022. Applications for early voting by mail must be submitted to the following address:

Early Voting Clerk
Denton County Elections Administrator
701 Kimberly Drive, Suite A101
Denton, Texas 76208

SECTION 8. The manner of holding such election and all questions pertaining thereto shall be governed by the election laws of the State of Texas.

SECTION 9. This Ordinance shall become effective immediately upon its passage and approval.

The motion to approve this ordinance was made by _____
and seconded by _____; the ordinance was passed and
approved by the following vote [___ - ___]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Jesse Davis, District 3:	_____	_____	_____	_____
Alison Maguire, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2022.

GERARD HUDSPETH, MAYOR

ATTEST:
ROSA RIOS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY



BY: _____

EXHIBIT A

ELECTION DAY BY PERSONAL APPEARANCE LOCATIONS (LUGARES DE VOTACIÓN EL DÍA DE ELECCIÓN POR APARICIÓN PERSONAL)						
November 8, 2022 - 7:00 am - 7:00 pm (8 de Noviembre de 2022 - 7:00 am - 7:00 pm)						
District <i>(distrito)</i>	Precinct <i>(precinto)</i>	Location <i>(lugar)</i>	Address <i>(dirección)</i>	Room <i>(sitió de votación)</i>	City <i>(ciudad)</i>	Zip Code <i>(código postal)</i>
4	*	Denton Fire Station #7	4201 Vintage Blvd.	Community Room	Denton	76226
4	*	Robson Ranch Clubhouse	9501 Ed Robson Cir.	CATC Building	Denton	76207
4	*	South Branch Library	3228 Teasley Ln.	Program Room	Denton	76208

*Note: City of Denton Precinct assignments will be determined by Denton County Elections Administration at such time as all joint-election participants are known and their locations identified. Therefore, this exhibit is not indicative of all election day locations to be used for the City of Denton; and will be updated at a later date.

EXHIBIT B

November 8, 2022 Special Election

(Elección Especial - 8 de Noviembre de 2022)

Early Voting

(Votación Adelantada)

Early Voting Locations Dates and Times:

(Fechas y horarios de los lugares de votación anticipada:)

Monday – Saturday
(Lunes – Sábado)

October 24 – 29
(Octubre 24 – 29)

8 am – 5 pm

Sunday
(Domingo)

October 30
(30 de Octubre)

11 am – 5 pm

Monday – Friday
(Lunes – Viernes)

October 31 – November 4
(Octubre 31 – Noviembre 4)

7 am – 7 pm

Location <i>(lugar)</i>	Address <i>(dirección)</i>	Room <i>(sitio de votación)</i>	City <i>(ciudad)</i>	Zip Code <i>(código postal)</i>
Denton Civic Center	321 E. McKinney St.	Community Room	Denton	76201
Denton County Elections Administration (Main Early Voting Location) <i>(Lugar principal de votación anticipada)</i>	701 Kimberly Dr.	A111	Denton	76208
MLK Recreation Center	1300 Wilson St.	Meeting Room B (Computer Lab)	Denton	76205
North Branch Library	3020 N. Locust St.	Meeting Room	Denton	76209
Voertman's Bookstore	1314 W. Hickory St.	Art Gallery	Denton	76201
Robson Ranch	9501 Ed Robson Cir.	Creative Arts & Technology Center	Denton	76207
South Branch Library	3228 Teasley Ln.	Program Room	Denton	76208

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