

**CITY OF ROCKWALL, TEXAS**  
**RESOLUTION NO. 21-02**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CALLING A GENERAL ELECTION TO BE HELD JOINTLY WITH THE ROCKWALL INDEPENDENT SCHOOL DISTRICT (RISD) AND DESIGNATING THE ROCKWALL COUNTY ELECTIONS ADMINISTRATOR AS THE ELECTION ADMINISTRATOR TO CONDUCT SAID GENERAL ELECTION ON BEHALF OF THE CITY OF ROCKWALL ON SATURDAY, MAY 1, 2021 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE (3) COUNCIL MEMBERS - ONE (1) FOR PLACE 1, ONE (1) FOR PLACE 3, AND ONE (1) FOR PLACE 5, EACH FOR A TWO (2) YEAR TERM AND ONE (1) COUNCIL MEMBER FOR PLACE 6 FOR A ONE (1) YEAR TERM; DESIGNATING THE ENTIRE CITY AS ONE ELECTION PRECINCT; DESIGNATING POLLING PLACES, DATES AND TIMES; DESIGNATING FILING DEADLINES; ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SAID ELECTION; PROVIDING FOR OTHER ELECTION-RELATED PROCEDURES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 41.001 of the Texas Election Code, as amended (the "Code") specifies that the first 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 City of Rockwall, Texas (hereinafter referred to as the "City"), in accordance with the Rockwall City Charter, Section 5.01, has determined that a general municipal election shall be conducted on the first Saturday in May 2021; and

**WHEREAS**, Section 271.002 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 of Rockwall, the Rockwall Independent School District, and Rockwall County desire that a joint election be held in order to provide a convenient, simple, and cost-saving election for the voters; and

**WHEREAS**, the City of Rockwall, the Rockwall Independent School District, and Rockwall County will enter into a joint agreement setting out each entity's respective duties, responsibilities and costs associated with the May 1, 2021 election; and

**WHEREAS**, by this Resolution, it is the intention of the Rockwall City Council to: (1) call for said election to be held on the above named date, (2) designate the entire City as one election precinct, (3) designate the Rockwall County Library as the polling place for the election and (4) establish and set forth general procedures for conducting said election; and

**WHEREAS**, it is hereby officially found and determined that the meeting at which this Resolution was adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

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

**Section 1. Findings.** That the statements contained in the preamble of this Resolution are true and correct and are adopted as findings of fact hereby, which findings are conclusive and incontestable.

**Section 2. Election Date, Purpose of Election, Officers and Terms of Office.** That a General Election is hereby ordered to be held jointly with the Rockwall Independent School District in and throughout the City of Rockwall on Saturday, May 1, 2021, for the purpose of electing a (1) Mayor and three (3) Council Members - one (1) for Place 1, one (1) for Place 3, and one (1) for Place 5, each for a two (2) year term and one (1) Council Member for Place 6 for a one (1) year term.

**Section 3. Eligibility for Candidacy & Winner(s) Declared via Plurality Vote.** That in accordance with Section 5.02 of the City Charter of the City of Rockwall, no person shall be eligible for the office of Council Member, unless he is at least twenty-one years of age at the time of the election for which he is filing; is a qualified voter (of the City); has resided within the corporate limits of the City, or recently annexed territory, for at least twelve (12) months prior to the filing deadline; after notice of any delinquency, not in arrears in payment of taxes or other liabilities due the City. In accordance with Section 5.04(1) of the City Charter, a plurality vote is required to be elected and declared the winner.

**Section 4. Application for a Place on the Ballot.** That in accordance with Section 143.007 of the Texas Election Code, any eligible and qualified person may have his name printed upon the official ballot as a candidate for the offices herein before set forth by filing his sworn application with the City Secretary not earlier than 8:00 a.m. on January 13, 2021 and not later than 5:00 p.m. on February 12, 2021. Each such application shall be on a form as prescribed by Section 141.031 of the Texas Election Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Code. Notice of the time and place for said drawing shall be given in accordance with the Code.

**Section 5. Election Precinct, Polling Place, and Election Hours.** That the entire City of Rockwall, Texas shall constitute one (1) election precinct for the City's General Election, and the polling place is hereby designated to be located at the Rockwall County Library, 1215 E. Yellowjacket Lane, Rockwall, Texas 75087. In accordance with and pursuant to the requirements of the Code, said polling place shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

**Section 6. Early & Election Day Voting and Ballots by Mail.** That early voting by personal appearance shall be administered by the Rockwall County Elections Administrator as set forth in the Election Contract and the Code. Early voting shall be conducted on/at the dates, times and locations specified below with the exception of Sunday and State holidays.

| SUNDAY<br>(Domingo) | MONDAY<br>(Lunes)                        | TUESDAY<br>(Martes)                             | WEDNESDAY<br>(Miercoles)                   | THURSDAY<br>(Jueves)                              | FRIDAY<br>(Viernes)                        | SATURDAY<br>(Sabado)                        |
|---------------------|--|---|--|---|--|---|
|                     | <b>APR 19</b><br>8am–5pm<br>Early Voting | <b>APR 20</b><br><b>7am–7pm</b><br>Early Voting | <b>APR 21</b><br>8am – 5pm<br>Early Voting | <b>APR 22</b><br><b>7am – 7pm</b><br>Early Voting | <b>APR 23</b><br>8am - 5pm<br>Early Voting | <b>APR 24</b><br>10am - 3pm<br>Early Voting |

| SUNDAY<br>(Domingo) | MONDAY<br>(Lunes)                        | TUESDAY<br>(Martes)                      | WEDNESDAY<br>(Miercoles) | THURSDAY<br>(Jueves) | FRIDAY<br>(Viernes) | SATURDAY<br>(Sabado)                                |
|---------------------|--|--|--------------------------|----------------------|---------------------|---|
|                     | <b>APR 26</b><br>8am–5pm<br>Early Voting | <b>APR 27</b><br>8am–5pm<br>Early Voting |                          |                      |                     | <b>MAY 1</b><br><b>7am–7pm</b><br>ELECTION<br>DAY * |

| CITY<br>(ciudad)  | LOCATION & ADDRESS<br>(lugar y direccion)                                   |
|---|---|
| ROCKWALL  | COUNTY LIBRARY<br>1215 E. YELLOWJACKET LN<br>ROCKWALL, TX 75087             |
| HEATH   | HEATH CITY HALL<br>200 LAURENCE DR.<br>HEATH, TX 75032                      |
| FATE  | FATE CITY HALL<br>1900 CD BOREN PKWY<br>FATE, TX 75087                      |
| ROYSE CITY  | ROYSE CITY CITY HALL<br>305 N. ARCH ST<br>ROYSE CITY, TX 75189              |
| MCLENDON-<br>CHISHOLM   | MCLENDON-CHISHOLM CITY HALL<br>1371 W FM 550<br>MCLENDON-CHISHOLM, TX 75032 |
| <b>Note:</b> The above listed locations are subject to change, pending a final determination from the Rockwall County Elections Administrator. For a final list of voting locations countywide, please refer to the City of Rockwall's "Notice of Election," which will be published sometime between April 1 and April 21, 2021. |   |

\* NOTE: The designated Election Day polling location for Rockwall voters shall be: the Rockwall County Library (1215 E. Yellowjacket Lane, Rockwall, TX 75087). Voters who choose to vote on Election Day itself (Sat., May 1<sup>st</sup>) must vote at this location (only).

Applications for ballot by mail shall be requested from and mailed to the Rockwall County Election Administrator and Early Voting Clerk, Attn: Christopher Lynch, 915 Whitmore Drive, Suite D, Rockwall, TX 75087 (e-mail: [clynch@rockwallcountytexas.com](mailto:clynch@rockwallcountytexas.com)). Applications for ballots by mail must be received (not postmarked) no later than the close of business (5:00 p.m.) on Tuesday, April 20, 2021.

**Section 7. Governing Law and Qualified Voters.** That the election shall be held in accordance with the constitution of the State of Texas, the City Charter, and the Texas Election Code, and all resident, qualified electors of the city, shall be eligible to vote in the election.

**Section 8. Notice and Conduct of the Election.** That proper notice of the Election shall be given and, in all respects, the Election shall be conducted in accordance with the Code.

**Section 9. Election Officers and Authorization of Further Procedures.** That the Elections Administrator, early ballot board, voting judges, voting clerks and all other election officers and officials designated or to be designated pursuant to law and the Election Contract are hereby appointed and confirmed to hold the Election at said polling places and all early voting places. The Elections Administrator, the City and the County may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary for the Election, to ensure the timely delivery of supplies during early voting and on Election Day.

The City Council hereby authorizes and directs the Mayor, (Interim) City Manager, Assistant City Manager(s), City Secretary, and all other officers, employees and agents of the City, in consultation with the City Attorney, if necessary, to do and perform all such acts and to execute, acknowledge and deliver in the name and on behalf of the City such documents, agreements, certificates and other instruments, whether or not mentioned in this Resolution, as may be necessary or desirable in order to carry out the terms, provisions and actions provided for in this Resolution.

**Section 10. Delivery of Returns and Preservation of Election Records.** That in accordance with the Code and the City's contract with the Rockwall County Election's Administrator, immediately after the closing of the poll on the day of the election, the election officers shall make and deliver the returns of the election in triplicate as follows: one copy shall be retained by the Presiding Election Judge and by the Presiding Election Judge of the Early Voting Ballot Board, one copy shall be delivered to the Mayor of the City, and one copy of the returns, together with the ballot boxes and all election supplies, shall be delivered to the Rockwall County Elections Administrator. All election records and supplies shall be preserved by the Rockwall County Elections Administrator in accordance with the Code.

**Section 11. Representatives.** That the following slate of officials and other designated persons are hereby authorized to be present to observe the election counting process:

- a. The Mayor and members of the City Council of the City of Rockwall;
- b. Candidates for Mayor and City Council of the City of Rockwall;
- c. The Rockwall City Secretary or her designated representative.

**Section 12. Canvassing of Returns.** That the City Council of the City shall convene between May 4, 2021 and May 12, 2021 to canvass the returns of the election in accordance with the Texas Election Code.

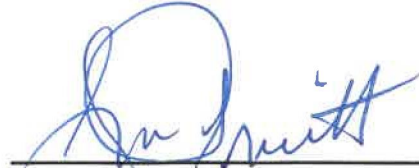
**Section 13. Severability.** That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

**Section 14. Effective Date.** That this resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 1<sup>st</sup> day of February, 2021.**

**ATTEST:**

  
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**Kristy Cole, City Secretary**

  
\_\_\_\_\_  
**Jim Pruitt, Mayor**

