

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 23-01

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 6, 2023 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; 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, requires that the City comply with the Code and therefore the general municipal election shall be conducted on the first Saturday in May 2023; 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 6, 2023 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 main polling place for City of Rockwall voters 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 6, 2023, 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 (2) two-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 18, 2023 and not later than 5:00 p.m. on February 17, 2023. 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 held 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 main 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 an Election Contract and the Code. Early voting shall be conducted on/at the dates, times and locations specified by the County Elections Administrator with the exception of Sunday and State holidays; ~~however, the~~ schedule listed below is a tentative schedule that may be subject to change following the February 17, 2023 candidate filing deadline.

SUNDAY (Domingo)	MONDAY (Lunes)	TUESDAY (Martes)	WEDNESDAY (Miércoles)	THURSDAY (Jueves)	FRIDAY (Viernes)	SATURDAY (Sábado)
	APR 24 8am – 5pm Early Voting	APR 25 8am – 5pm Early Voting	APR 26 8am – 5pm Early Voting	APR 27 8am – 5pm Early Voting	APR 28 8am – 5pm Early Voting	APR 29 10am – 3pm Early Voting
SUNDAY (Domingo)	MONDAY (Lunes)	TUESDAY (Martes)	WEDNESDAY (Miércoles)	THURSDAY (Jueves)	FRIDAY (Viernes)	SATURDAY (Sábado)
	MAY 1 7am – 7pm Early Voting	MAY 2 7am – 7pm Early Voting				MAY 6 ELECTION DAY 7AM – 7PM

LOCATION (ubicación)	LOCATION & ADDRESS (ubicación y dirección)	CITY (ciudad)
ROCKWALL	COUNTY LIBRARY <i>BIBLIOTECA DEL CONDADO</i> 1215 E. YELLOWJACKET LN MAIN EARLY VOTING POLLING PLACE <i>PRINCIPAL LUGAR DE VOTACIÓN ANTICIPADA</i>	ROCKWALL
HEATH	HEATH CITY HALL <i>AYUNTAMIENTO DE HEATH</i> 200 LAURENCE DR	HEATH
FATE	FATE CITY HALL <i>AYUNTAMIENTO DE FATE</i> 1900 CD BOREN PKWY	FATE
ROYSE CITY	ROYSE CITY CITY HALL <i>AYUNTAMIENTO DE ROYSE</i> 305 N ARCH ST	ROYSE CITY

Applications for Ballots by Mail (ABBM) from voters who are already registered must be requested from, mailed to, and received by the Rockwall County Elections Administrators Office no later than the close of business (5:00 p.m.) on Tuesday, April 25. Federal Post Card Applications (FPCA) must be requested from the Rockwall County Elections Department and received by that office by either Monday, April 17 (if NOT currently a registered voter) or by Tuesday, April 25 (if currently a registered voter) by 5:00 p.m. The address is 915 Whitmore Dr., Suite D • Rockwall, TX 75087 (phone: (972) 204-6200).

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 is to be the designated elections officer pursuant to law and per the Election Contract to oversee all aspects of the election. 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, City Manager, Assistant City Manager, 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, including the joint election agreement, 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. 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 11. Canvassing of Returns. That the City Council of the City shall convene between May 9, 2023 and May 17, 2023 to canvass the returns of the election in accordance with the Texas Election Code.

Section 12. 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 13. 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 6th day of FEBRUARY, 2023.

ATTEST:



Kristy Teague, City Secretary



Kevin Fowler, Mayor

