

FEB 21 2023

RESOLUTION 1-23

COKE COUNTY & DIST. CLERK  
MONICA REYES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROBERT LEE:

**A RESOLUTION ORDERING THE 2023 GENERAL ELECTION OF THE CITY OF ROBERT LEE; INDICATING THOSE OFFICERS TO BE ELECTED; PROVIDING FOR AN ACCESSIBLE ELECTRONIC VOTING SYSTEM TO BE USED; ESTABLISHING POLLING PLACES; APPOINTING ELECTION JUDGES; ESTABLISHING HOURS FOR VOTING; ADOPTING THE SEALED BALLOT BOX PROCEDURE; PROVIDING FOR EARLY VOTING; DIRECTING THE CITY SECRETARY TO GIVE NOTICE OF THE GENERAL ELECTION OF THE CITY OF ROBERT LEE; 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 Robert Lee deems it to be in the best interest of the citizens of the City of Robert Lee to order a General Election for the election of municipal officers to be held on May 6<sup>th</sup>, 2023.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROBERT LEE:**

- Section 1. Incorporation of Premises.** That all of the above premises are found to be true and correct and are incorporated into the body of this Resolution as if copied in their entirety.
- Section 2. Election Date: Purpose of Election; Officers and Terms of Office.** That a general Election is hereby ordered to be held on Saturday, May 6<sup>th</sup>, 2023, for the purpose of electing four (4) Councilmembers for a two-year term.
- Section 3. Eligibility for Candidacy.** In accordance with Section 22.032 of the Texas Local Government Code, no person shall be eligible for the office of Mayor, unless he/she is a registered voter who shall have resided within the City not less than twelve (12) months proceeding Election Day. No person shall be eligible for the office of Councilmember, unless he/she is a registered voter who shall reside continuously within the City for six (6) months prior to the Filing Deadline Day from which the person may be elected.
- Section 4. Application for a Place on the Ballot.** In accordance with Section 143.007 of the Code, any eligible and qualified person may have his/her name printed upon the official ballot as a candidate for the offices herein before set forth by filing his/her sworn application with the City Secretary not

earlier than 8:00 a.m. January 18, 2023, and not later than 5:00 p.m. February 17, 2022. Each such application shall be on a form as prescribed by Section 141.031 of the 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 such drawing shall be given in accordance with the Code.

**Section 5. Election Precinct; Polling Place; Election Hours.** The entire City of Robert Lee, Texas shall constitute one (1) election precinct for the election, and the polling place is designated in the Coke County Courthouse located at 13 East 7<sup>th</sup> Street Robert Lee, Texas. The polling place shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

**Section 6. Early Voting.** Early voting by personal appearance shall be conducted as set forth on Exhibit "A".

Applications for ballot by mail shall be requested from and mailed to the District & County Clerk Monica Reyes at 13 East 7<sup>th</sup> Street, Robert Lee, Texas 76945. Applications for ballots by mail must be received no later than the close of business on Tuesday, April 25, 2023.

**Section 7. Method of Voting.** Direct Record Electronic (DRE) voting machines shall be used for early voting by personal appearance and for Election Day voting.

**Section 8. Governing Law; Qualified Voters.** The election shall be held in accordance with the constitution of the State of Texas and the Code, and all resident, qualified electors of the city, shall be eligible to vote at the election.

**Section 9. Publication and Posting of the Notice.** Notice of the election shall be given by posting a notice of election on the City Hall bulletin board used for posting notices of the meetings on the City Council not less than twenty-one (21) days prior to the date upon which the election is to be held, and by publication of said notice at least once in a newspaper of general circulation within the city, the date of said publication to be not less than ten (10) days not more than thirty (30) days prior to the date set for the election.


**Section 10. Delivery of Returns. Preservation of Election Records.** The County Election officer shall prepare the unofficial tabulation report, and will provide a copy of the report to the City Secretary as soon as possible after all returns have been tabulated. The City Secretary is hereby appointed as the custodian of voted ballots and shall preserve them in accordance with Chapter 66 of the Texas Election Code and other applicable law.

**Section 11. Canvassing of Returns.** The City Council of the City shall convene between May 9<sup>th</sup> to the 17<sup>th</sup>, 2023, to canvass the returns of the election.

**Section 12. Necessary Action.** The City Secretary of the City, in consultation with the City Attorney, is hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

**Section 13. Effective Date.** This Resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

Passed by the City Council on February 16, 2023.

  
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Jason Moran, Mayor

ATTEST:  
  
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Amanda G. Mendoza, City Secretary

## **EXHIBIT A**

**Early voting by personal appearance will be conducted each weekday at:  
(La votación anticipada en persona se llevará a cabo de lunes a viernes en)**

Coke County Courthouse, 13 East 7<sup>th</sup> Street, Robert Lee, Texas 76945.

### **Time Period:**

Monday, April 24<sup>th</sup>, 2023, through Tuesday, May 2<sup>nd</sup>, 2023

### **Hours:**

Monday April 24 <sup>th</sup>	8:00 am – 5:00 pm
Tuesday April 25 <sup>th</sup>	7:00 am – 5:00 pm
Wednesday April 26 <sup>th</sup>	8:00 am – 5:00 pm
Thursday April 27 <sup>th</sup>	7:00 am – 5:00 pm
Friday April 28 <sup>th</sup>	8:00 am – 1:00 pm
Monday May 1 <sup>st</sup>	8:00 am – 5:00 pm
Tuesday May 2 <sup>nd</sup>	8:00 am – 5:00 pm