

RESOLUTION NO. 22-013R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RED OAK, TEXAS, ORDERING FOR A GENERAL ELECTION TO BE HELD ON MAY 7, 2022, FOR THE PURPOSE OF ELECTING THREE (3) COUNCILMEMBERS TO THE RED OAK CITY COUNCIL FOR PLACE TWO (2), PLACE FOUR (4) AND PLACE FIVE (5), FOR THREE (3) YEAR TERMS; ESTABLISHING PROCEDURE FOR SAID ELECTION, DESIGNATING LOCATIONS OF POLLING PLACES (VOTE CENTERS); DESIGNATING FILING DEADLINES; DESIGNATING PRESIDING ELECTION JUDGE AND ALTERNATE PRESIDING JUDGE; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROVIDING FOR AUTHORIZATION TO ENTER INTO JOINT ELECTION CONTRACT FOR ELECTION SERVICES WITH ELLIS COUNTY TO CONDUCT SUCH ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the TEXAS ELECTION CODE (hereinafter the “Code”) establishes the first Saturday of May as a Uniform Election Date for the purposes of conducting a General and/or Special Election; and

WHEREAS, Section 3.004 of the Code provides that the governing body of a municipality shall be the authority to order a General and/or Special Election; and

WHEREAS, the City Council desires to and hereby calls a General Election for the purposes of electing three (3) members of the Red Oak City Council for Place Two (2), Place Four (4) and Place Five (5), to be elected for a period of three (3) years; and

WHEREAS, the Code provides that an election ordered by an authority of a municipality for a uniform election date shall be ordered not later than the seventy-eighth (78th) day before Election Day; and

WHEREAS, the Code provides for the governing body to appoint a Presiding Judge and an Alternate Presiding Election Judge to conduct voting in each precinct where an election is held; and

WHEREAS, the Code provides that, on behalf of the City of Red Oak, Texas, the Ellis County Election Office, Jana Onyon, shall serve as the Early Voting Clerk and for an appointment of an Early Voting Ballot Board and Judge thereof; and

WHEREAS, the Council has determined that it is in the best interest of the City for Ellis County to conduct such election.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF RED OAK, TEXAS:

SECTION 1. That an election be held on the 7th day of May, 2022, 7:00 a.m. to 7:00 p.m., for the purpose of electing Councilmembers to the Red Oak City Council for Place Two (2), Place Four (4) and Place Five (5), for three (3) year terms. The election shall be administered in accordance with the provisions of the Code.

SECTION 2. That the City Secretary shall present the election returns to the City of Red Oak City Council at a City Council meeting for the canvassing of said election in accordance with the Code.

SECTION 3. That Early Voting by personal appearance shall be conducted at the Main location of Elections Office (Voting Room), 204 E. Jefferson Street, Waxahachie, Texas, 75165, and the Red Oak Municipal Center, 200 Lakeview Parkway, Red Oak, Texas 75154. Early Voting period shall commence on Monday, April 25, 2022 and end on Tuesday, May 3, 2022, and, every voting will be conducted at such other places as provided by the Joint Election Contract and Code. Early Voting by personal appearance shall be conducted during the regular business hours of the City Secretary's Office or such other designated branch locations by the county's election office each weekday, Monday through Friday, from 8:00 a.m. to 5:00 p.m., being April 25, 2022, through April 29, 2022, and weekend, Saturday, April 30, 2022, from 8:00 a.m. to 4:00 p.m. The final two days of early voting, Monday through Tuesday, being May 2, 2022, through May 3, 2022, at 7:00 a.m. to 7:00 p.m.; the City Secretary shall post such branch polling locations as provided by law.

SECTION 4. Candidates must file for a specific place and adhere to the filing deadlines accordingly. Candidate Packets are available in the City Secretary's Office. The candidate filing periods for the General Election for three (3) Members of the Red Oak City Council, Place Two (2), Place Four (4) and Place Five (5) are as follows:

Beginning: January 19, 2022 at 8:00 a.m.
Ending: February 18, 2022 at 5:00 p.m.

Candidates must file in the City Secretary's Office located at 200 Lakeview Parkway, Red Oak, Texas.

SECTION 5. That on Election Day, Red Oak residents may vote at the Red Oak Municipal Center, 200 Lakeview Parkway, Red Oak, Texas 75154 or such other locations permitted by law.

SECTION 6. That applications for early voting ballot by mail shall be mailed to: Ellis County Elections Administration Office, 204 E. Jefferson Street, Waxahachie, Texas 75165, and must be received by no later than close of business on April 26, 2022. Ballot process can be tracked through the online portal at: <https://teamrv-mvp.sos.texas.gov/BallotTrackerApp/#/login>. More information: Website: <http://www.co.ellis.tx.us/Elections>; Email: elections@co.ellis.tx.us.

SECTION 7. In accordance with Section 123.001 of the Code, the ES&S ExpressVote Handicap Voting Systems approved by the Secretary of State are hereby adopted as the voting devices for the in person early voting election day and for the general election provided herein.

SECTION 8. John Casarez shall serve as the Presiding Election Judge and Cheri Hawley shall serve as the Alternate Presiding Judge for said election. The Presiding Election Judge shall be compensated at the rate of \$12.00 per hour and the Alternate Presiding Judge shall be compensated at a rate of \$12.00 per hour, and each Election Clerk shall be compensated at a rate of \$10.00 per hour for Election Day and for attending required training as determined by the governing body, pursuant to Section 32.091 and 32.112 of the Code. The Election Judge shall make a reasonable effort to appoint at least one (1) bilingual election clerk.

SECTION 9. In compliance with Section 271.006 of the Code, Jana Onyon shall be the Early Voting Clerk. Deputy early voting clerks will be appointed as needed to process early voting mail and to conduct early voting by personal appearance.

SECTION 10. An Early Voting Ballot Board shall be created to process early voting results in accordance with Section 87.001 of the Code. The Presiding Election Judge and the Alternate Presiding Judge appointed by the contracting officer shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election.

SECTION 11. That the City Secretary shall present such returns to the City Council for the canvassing of said election. The canvass of said election returns shall be conducted by the City Council not earlier than the 3rd day or later than the 11th day after the election in accordance with Section 67.003(a) of the Code.

SECTION 12. If no candidate for a particular office receives a majority of the votes cast, a runoff election shall be held on June 18, 2022, between the two (2) candidates having received the highest number of votes.

SECTION 13: The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this election.

SECTION 14. The City hereby approves and authorizes a Joint Election Contract for Election Services with Ellis County and the City Manager is authorized to execute such contract after review by the City Attorney; and Officers of the City and City Council shall take any and all actions necessary to comply with the provisions of the Election Code in carrying out and conducting the Election, whether or not expressly authorized herein.

SECTION 15. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 16. This Resolution shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.


DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF RED OAK, TEXAS, this 14th day of February, 2022.



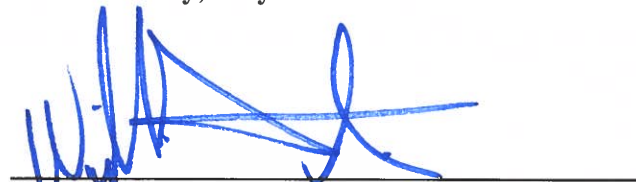
APPROVED:



Mark L. Stanfill, DVM, Mayor



Michael Braly, Mayor Pro Tem




Willie G. Franklin, Jr., Councilmember Place 1



Ben Goodwyn, Councilmember Place 2

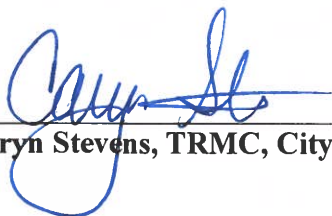


William Drake, Councilmember Place 3



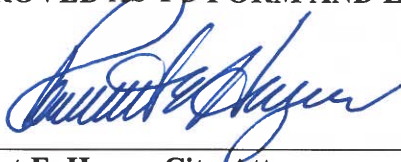
Ron Wilson, Councilmember Place 4

ATTEST:



Caryn Stevens, TRMC, City Secretary

APPROVED AS TO FORM AND LEGALITY:



Robert E. Hager, City Attorney