

RESOLUTION NO. RES23-002

A RESOLUTION OF THE CITY OF PELICAN BAY, TEXAS, CALLING A GENERAL ELECTION FOR THE CITY COUNCIL MEMBERS PLACES THREE, FOUR, AND FIVE; ESTABLISHING THE DATES AND TIMES OF EARLY VOTING FOR SUCH ELECTION; AND AUTHORIZING A CONTRACT WITH TARRANT COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT.

WHEREAS, the City of Pelican Bay, Texas is a Type “A” general-law municipality located in Tarrant County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the regular election for the City of Pelican Bay, Texas, as set forth by the Texas Election Code, is required to be held on May 6, 2023, at which time the voters will elect persons to fill the offices of City Council Places 3, 4, and 5; and

WHEREAS, in accordance with Section 271.002 of the Texas Election Code, the City Election will be conducted jointly with other political subdivisions in Tarrant County; and

WHEREAS, by this resolution, it is the intention of the City Council to designate a polling place for the election, to appoint the necessary election officers to establish and set forth procedures for conducting the election, and to authorize the Mayor and City Secretary to execute an agreement with Tarrant County for conducting the election;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PELICAN BAY, TEXAS:

SECTION 1: General Election Called. An election is hereby called to elect the offices of City Council Places 3, 4, and 5 to serve until May, 2025, or until their successors are duly elected and qualified. Such elections shall be held at 1300 Pelican Circle, Azle, Texas 76020, on the 6th day of May, 2023, from 7:00 a.m. until 7:00 p.m.

SECTION 2: Joint Election Agreement Approved. The Mayor and City Secretary are authorized to execute the Joint Election Agreement between Tarrant County and the City of Pelican Bay for the conduct of the election in accordance with Chapter 31, Subchapter D, of the Code and other applicable statutes and laws. In the event of conflict between this resolution and the Agreement, the Agreement shall control.

SECTION 3: Application for a Place on Ballot. Qualified persons shall have their name printed upon the official ballot as a candidate for the office herein set forth by filing their sworn application with the City Secretary at 1300 Pelican Circle, Azle, Texas

76020, from 7:30 a.m. until 5:30 p.m. Monday through Thursday from January 18, 2023 through February 16, 2023 and 3:00 p.m. to 5:00 p.m. on February 17, 2023. 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. Notice of the time and place for such drawing shall be given in accordance with Chapter 52 of the Code.

SECTION 4: Early Voting.

a. Early Voting Clerk. The Tarrant County Elections Administrator or his successor is hereby designated as Early Voting Clerk for the general election. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

b. Early Voting By Personal Appearance. Early voting by personal appearance shall commence April 24, 2023 and shall continue daily, until May 2, 2023, at the location designated in the Agreement for joint election. Hours for early voting by personal appearance shall be from 8:00 a.m. to 5:00 p.m., from April 24, 2023, through April 28, 2023; from 7:00 a.m. to 7:00 p.m. on each of April 29, 2023, May 1, 2023, and May 2, 2023; and from 11:00 a.m. to 4:00 p.m. on April 30, 2023. May 1, 2023, and May 2, 2023 are hereby designated as the two week days during the early voting period, during which the location for early voting shall be open for at least twelve (12) hours.

c. Early Voting by Mail. Applications for early voting by mail may be delivered to the Elections Administrator or his successor at the following address: Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas 76161-0011, not later than close of business on April 25, 2023. Early voting by mail ballots shall be mailed to the Elections Administrator or his successor at the same address.

d. Early Voting by Ballot Board. Early voting, both by personal appearance and by mail, shall be canvassed by the Early Voting Ballot Board established by Tarrant County under the terms of the Agreement.

e. Early Voting Locations. Early voting by personal appearance shall be held jointly with other Tarrant County public entities at Tarrant County's main early voting site located at Tarrant County Elections Center, 2700 Premier Street, Fort Worth, Texas 76111 at the times designated in section b of this resolution. Additional early voting locations will be identified in the contract executed with the Tarrant County Elections Administrator.

SECTION 5: Election Day Polling Places. The polling place for City of Pelican Bay will be located at a location determined by the Tarrant County Elections Administrator to be identified in the joint services agreement. The polls for said location shall be open from 7:00 a.m. to 7:00 p.m.

SECTION 6: Governing Law and Qualified Voters. The election shall be held in accordance with the Constitution of the State of Texas, the Election Code, the City Code and all resident qualified electors of the City shall be permitted to vote at said election.

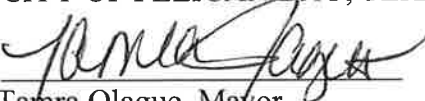
SECTION 7: Publication and Posting of Notice of Election. The Mayor is authorized to sign the Order of Election and Notice of General Election. The Notice of General Election shall be published in accordance with the provisions of the Texas Election Code. The City Secretary, in consultation with the City Attorney, is hereby authorized and directed to take any and all actions necessary to comply with the provisions of federal law, state law, in conducting the election, whether or not expressly authorized herein.

SECTION 8: Effective Date. This resolution shall be effective upon its adoption at a regular meeting of the Pelican Bay City Council.

AND SO IT IS RESOLVED.

PASSED AND APPROVED on the 14th day of February, 2023 by a vote of 3 ayes to 0 nays, and 0 abstentions.

CITY OF PELICAN BAY, TEXAS



Tamra Olague, Mayor

ATTEST:



Cynthia Daniels, City Secretary