

# Resolution NO. 2022-1113

A RESOLUTION AUTHORIZING A GENERAL (REGULAR) CITY ELECTION TO BE HELD ON MAY 6, 2023 FOR THE PURPOSE OF ELECTING FIVE CITY COUNCIL AT-LARGE AND ONE MAYOR BY THE QUALIFIED VOTERS OF THE CITY OF ENCINAL. SPECIFYING THE NUMBER OF VOTES REQUIRED FOR ELECTION; AUTHORIZING AN ELECTION TO BE HELD ON MAY 6, 2023 APPOINTS THE CITY MANAGER/ATTEST CITY SECRETARY VELMA DAVILA AS ELECTION ADMINISTRATOR FOR POSTING PURPOSES, AUTHORIZING THE CITY MANAGER/ATTEST CITY SECRETARY TO DESIGNATE ELECTION DISTRICTS; APPOINTING ELECTION OFFICIALS; ESTABLISHING PAY RATES FOR ELECTION WORKERS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF MANUAL BALLOTS ; PROVIDING FOR EARLY VOTING; ESTABLISHING REGULAR BUSINESS HOURS OF THE CITY MANAGER/ATTEST CITY SECRETARY'S OFFICE ON THE FINAL TWO DAYS OF EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

## BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENCINAL:

**Section 1.** That a general (regular) City election is hereby ordered to be held on the 6<sup>TH</sup> day of May, 2023, for the purpose of electing five City councilmember's and one Mayor by the qualified voters of the City of Encinal.

**Section 2.** Should any candidate in the general City election fail to receive a majority vote, then in that event, it shall be the duty of the Mayor to order a runoff election for every place in the regular City election to which no one was elected by majority vote.

**Section 3.** That the election will be held on May 6, 2023, pursuant to Section 271, Texas Election Code.

**Section 4.** The polls for said election shall be open from 7:00 A.M. to 7:00 P.M. on the day of said City election.

**Section 5.** The City Manager/Attest City Secretary is expressly authorized to obtain election supplies and equipment required by law and necessary to conduct said election.

**Section 6.** The Office of the City Manager/Attest City Secretary shall perform all duties normally performed by the County Clerk in general elections with respect to early voting, giving notice of the election and preparing the official ballots.

**Section 7.** The election precincts, voting places and election officers of said City election shall be as follows:

City Voting Precinct / Consisting of Voting Districts City Election Officers

### Single Member District

City Hall of Encinal	to Include All City Districts	<u>Felecia Bookout</u> , Election Judge;
701 Berry St.	_____	_____, TBD, Election Clerks
Encinal, Texas		<u>Felecia Bookout</u> , Deputy Elec. Judge Ballot Board Judge

**Section 8.** In addition to the presiding judge and alternate judge for each district herein above designated, the respective presiding judge for each district and the Early Ballot Board as herein provided, shall be authorized to appoint a sufficient number of clerks as they may deem necessary to assist them in said election, provided however, that the number of clerks appointed by said presiding judge for each polling place shall not be less than two, including the alternate judge also serving as a clerk.

**Section 9.** The judges and clerks shall be compensated at the rate of eleven dollars (\$11.00) per hour. No judge or clerk shall be paid for more than one hour of work before the polls open and no period of the time subsequent to two hours after voting is concluded by all voters offering themselves for voting during regular voting hours, whichever is later.

**Section 10.** Early voting shall be conducted by the Office of the City Manager/Attest City Secretary in the Encinal City Hall Encinal, Texas, and manual ballots shall be used for early voting by mail and for voting by personal appearance. Early voting by personal appearance for the election shall commence on April 24, 2023 at 8:00 A.M. and end at 5:00 P.M. on April 28, 2023. Early voting by personal appearance shall be conducted during the regular business hours of the City Manager/Attest City's Secretary's Office each weekday from 8:00 A.M. until 5:00 P.M., **except for the second and final day of the early voting period. On the final day of early voting by personal appearance, the City Manager/ Attest City Secretary's regular business hours are hereby designated as 7:00 A.M. until 7:00 P.M which the two days are said to be May 2, 2023 and Election Day to be May 6. 2023.**

**Section 11.** An Early Ballot Board is hereby designated to canvass the early votes cast by mail and by personal appearance. Hector Cortez is dully appointed as Presiding Judge of said Board, and he shall appoint such other members as provided in the Texas Election Code, Section 87.002(b).

**Section 12.** The following slate of officials and other designated persons are hereby authorized to be present at the Central Counting Station to observe the election counting process:

- a. The Mayor and members of the City Council of the City of Encinal
- b. The Secretary of State and / or his / her authorized representative;
- c. The Encinal City Manager/Attest City Secretary or her / his designated representative.

**Section 13.** The Council Chambers located in the Encinal City Hall is hereby established as the Central Counting Station to receive and tabulate votes and ballots cast in said election.

**Section 14.** The following persons are hereby authorized and approved as persons employed and designated to handle the ballots, count the ballots, and be present in the Central Counting Station.

- a. Central Counting Station Presiding Judge- TBD
- b. Central Counting Station Clerk – TBD
- c. Central Counting Station – City Hall Conference Room
- d. Central Counting Station Deputy Clerk: - City of Encinal Police Chief

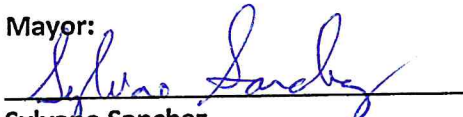
**Section 15.** All residents and qualified voters of the City of Encinal shall be permitted to vote for (5) Councilmember's At-Large and for one (1) Mayor, respectively, in said election. In Addition, the election materials as outlined in Section 272.005, Texas Education Code, shall be printed in both English and Spanish for use at the polling places and for early voting for said election.

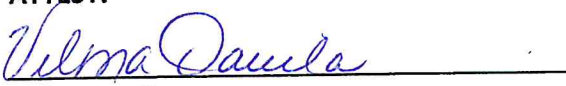
**Section 16.** The Mayor is authorized to sign an Order of Election and a Notice of Regular City Election prescribed by the State of Texas on behalf of the City Council. The Notice of Regular City Election shall be published in accordance with the provisions of the Texas Election Code.

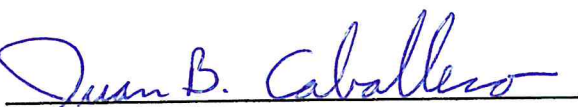
**Section 17.** Should any part, section, subsection, paragraph, sentence, clause, or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of the resolution, but in all respects said remaining portion shall be and remain in full force and effect.

**Section 18.** That this resolution shall be effective immediately upon adoption.

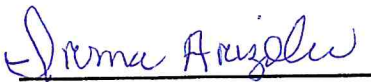

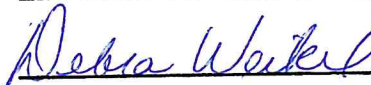
APPROVED AND ADOPTED by the City Council of the City of Encinal this 8<sup>th</sup> day of November 2022.

Mayor:  
  
Sylvano Sanchez

ATTEST:  
  
Velma Davila  
City Manager/Attest City Secretary

APPROVED AS TO FORM:  
  
Juan B. Caballero  
City Attorney

**COUNCIL MEMBERS:**

 _____	IRMA ARIZOLA
 _____	SONNY ALDACO
_____	GILBERT INOCENCIO
 _____	DEBRA WEIKEL
_____	SANDY GARZA