

RESOLUTION NO. 2023-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE WORTH, TEXAS, CALLING AND ORDERING A GENERAL ELECTION TO BE HELD ON SATURDAY, MAY 6, 2023 FOR THE OFFICES OF MAYOR AND CITY COUNCIL MEMBERS FOR PLACES 2, 4, AND 6; APPROVING A JOINT ELECTION CONTRACT WITH TARRANT COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT; DESIGNATING A POLLING PLACE; AUTHORIZING THE TARRANT COUNTY ELECTIONS ADMINISTRATOR TO APPOINT AN ELECTION JUDGE AND AN ALTERNATE JUDGE; PROVIDING FOR EARLY VOTING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 41.001 of the Texas Election Code (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, state law and the charter of the City of Lake Worth require that a general election be held; and

WHEREAS, by this Resolution, it is the intention of the City Council to adopt all requirements of an Election Order and Notice of Election in accordance with state law and authorize a contract with Tarrant County for joint election services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE WORTH, TEXAS, THAT:

SECTION 1. GENERAL ELECTION CALLED/ORDERED: A general election shall be held in the City of Lake Worth, Texas, on Saturday, May 6, 2023, at which the following officers will be elected:

**MAYOR
COUNCIL MEMBER, PLACE 2
COUNCIL MEMBER, PLACE 4
COUNCIL MEMBER, PLACE 6**

SECTION 2. TERM OF OFFICE: In accordance with the City Charter, the candidate for each office receiving the highest number of votes for such office shall be elected to a two (2) year term beginning May 2023 and ending May 2025, or until a successor is duly elected and qualified.

SECTION 3. APPLICATION FOR A PLACE ON THE BALLOT: Any eligible and qualified person shall have his/her name printed upon the official ballot as a candidate for the offices herein set forth by filing his/her sworn application with the City Secretary not earlier than Wednesday, January 18, 2023 and not later than 5:00 p.m. Friday, 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 conducted pursuant to state law and City Charter. Notice of the time and place for such drawing shall be given in accordance with the Code.

SECTION 4. JOINT ELECTION AGREEMENT AND CONTRACT AUTHORIZED:

The City Secretary is hereby authorized to contract (the "Contract") with Tarrant County for joint election services and the City Manager shall sign the Contract. At the time the Contract and its attachments are finalized, it shall be a part of this resolution. In the event of a conflict between this Resolution and the Contract, the Contract shall control.

SECTION 5. ELECTION DAY POLLING PLACE: The Election Day polling place for the general election shall be at any designated polling location within Tarrant County between the hours of 7:00 a.m. and 7:00 p.m.

SECTION 6. APPOINTMENT OF ELECTION JUDGE AND ALTERNATE ELECTION JUDGE: The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed by Tarrant County as indicated in the Contract and authorized by Chapter 271 of the Code.

SECTION 7. PUBLICATION AND POSTING OF NOTICE OF ELECTION: Notice of the election shall be published in the newspaper and posted in accordance with the provisions of the Code.

SECTION 8. EARLY VOTING:

a. Early voting by personal appearance. Heider Garcia, the Tarrant County Elections Administrator, acting pursuant to Texas Government Code §601.002, ("Elections Administrator"), is hereby designated as the Early Voting Clerk for the election, as so indicated in the Contract. Early voting by personal appearance shall commence April 24, 2023 and shall continue until May 2, 2023 at the locations established by Tarrant County on the dates and times as follows or as may be amended by Tarrant County:

April 24 – April 28	Monday – Friday	8:00 a.m. – 5:00 p.m.
April 29	Saturday	7:00 a.m. – 7:00 p.m.
April 30	Sunday	10:00 a.m. – 4:00 p.m.
May 1 – May 2	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

The main early voting location shall be located at:

Tarrant County Elections
2700 Premier Street
Fort Worth, TX 76111
electionsinfo@tarrantcountytexas.gov
www.tarrantcounty.com
817-831-8683

Early voting location in Lake Worth shall be located at:

Tarrant County Sheriff's Office - North Patrol Division
6651 Lake Worth Boulevard
Lake Worth, TX 76135

b. Early voting by mail. The Elections Administrator shall be responsible for the Early Voting applications and ballots.

Applications for ballot by mail shall be mailed to:

Mailing Address: Tarrant County Elections
PO Box 961011
Fort Worth, Texas 76161-0011

Express Courier Delivery: Tarrant County Elections
2700 Premier St.
Fort Worth, Texas 76111-3011

Telephone Number: 817-831-8683

Fax: 817-850-2344

Email Address: votebymail@tarrantcountytexas.gov

Early Voting Clerk's Website: <https://access.tarrantcounty.com/en/elections.html>

Applications for Ballots by Mail (ABBM)s must be received no later than the close of business on April 25, 2023.

Federal Post Card Applications (FPCAs) must be received no later than the close of business on April 25, 2023.

c. Early Voting Ballot Board. Early voting, both by personal appearance and by mail shall be canvassed by an Early Voting Ballot Board which is hereby created. According to the Contract, Tarrant County shall appoint the Early Voting Ballot Board to process early voting results from the election.

SECTION 9. RUNOFF ELECTION: In accordance with Section 2.025 of the Texas Election Code, in the event no candidate receives a plurality of votes for an office, there shall be a runoff election held on June 10, 2023. The polling place on Election Day for the runoff election shall be at the same polling places as those of the original election, and the hours of voting shall be between 7:00 a.m. and 7:00 p.m. Early voting by personal appearance shall be held at the same locations set out in Section 5 on the dates and times as follows or as may be amended by Tarrant County:

May 29	Closed
May 30 – 31	8:00 a.m. – 5:00 p.m.
June 1 – June 2	8:00 a.m. – 5:00 p.m.
June 3	7:00 a.m. – 7:00 p.m.
June 4	10:00 a.m. – 4:00 p.m.
June 5 – June 6	7:00 a.m. – 7:00 p.m.

SECTION 10. METHOD OF VOTING: Early and Election Day Voting by personal appearance shall be conducted exclusively on Tarrant County's Hart InterCivic Verity Voting System (Version 2.5). All expenditures necessary for the conduct of the election, the purchase of materials thereof, and the employment of all election officials are hereby authorized and shall be conducted in accordance with the Contract and the Code.

SECTION 11. NECESSARY ACTIONS: The City Manager and the City Secretary of the City, in consultation with the City Attorney if needed, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Contract in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 12. The City Secretary is also hereby authorized to appoint person(s) as appropriate to perform duties relating to this election in her absence, including but not limited to acceptance of candidate filings, in accordance with the City Charter and Section 1.007 (a-b) and 143.006 of the Texas Election Code.

PASSED AND APPROVED on the 17th day of January 2023.

CITY OF LAKE WORTH

By: Walter Bowen
Walter Bowen, Mayor

ATTEST:

Holly Fimbres
Holly Fimbres, City Secretary

