

Filed in 2022 day of Feb At 11:34 P.M. By Jodi Morgan Milam County Clerk Deputy

ORDINANCE NO. 2022-02-25 (4A)

AN ORDINANCE ORDERING AND ESTABLISHING PROCEDURES FOR A 2022 SPECIAL ELECTION IN THE CITY OF ROCKDALE.

WHEREAS, on February 18, 2022 a vacancy occurred of an unexpired term of a Councilmember in the West Ward; and

WHEREAS, the Texas Constitution, Article XI, Section 11, requires a council vacancy to be filled by special election; and

WHEREAS, on May 7, 2022 there shall be elected the following official to fill the unexpired term for this City: Councilmember, West Ward; and

WHEREAS, the Texas Election Code is applicable to said election and this Ordinance establishes procedures consistent with the Code, and designates the voting place for the election;

NOW, THEREFORE, BE IT ORDAINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF ROCKDALE, TEXAS:

Section 1. Special Election. The Special Election of the City shall be held on Saturday, May 7, 2022, unless superseded by State or Federal law, to elect one Councilmember to the West Ward for an unexpired term (May 2024). Candidates at the election for the above office shall file their application to become candidates with the City Secretary of the City, at City Hall, 505 W. Cameron Ave, Rockdale, Texas, between 8:30 a.m. on February 28, 2022 and 5:00 p.m. on March 7, 2022. All applications for candidacy shall be on a form as prescribed by the Tex. Elec. Code. The order in which the names of the candidates for each office are to be printed on the ballot shall be determined by a drawing conducted by the City Secretary. The drawing will be held at 10:00 a.m. on March 10, 2022, at Rockdale City Hall.

Section 2. Election Administration. The Milam County Clerk, Jodi Morgan, shall be the Early Voting Clerk for the May 7, 2022 election, and the Milam County Clerk's Office will administer the election on behalf of the City. The Milam County Clerk's Office shall be responsible for election workers, supplies, publications, mail ballots, and other election-related items as described in the Interlocal Agreement between the City of Rockdale and Milam County.

Section 3. Ballots. Electronic ballots using the Verity electronic voting system shall be used for the election. The electronic voting machines shall be programmed in such a manner as to prevent a voter from voting in the city election in which he or she is not entitled to vote. Use of paper ballots to be voted by mail will remain the same.

Section 4. Printed Materials. The official ballots, together with such other election materials as are required by the Tex. Elec. Code, as amended, shall be printed in both the English and Spanish languages and shall contain such provisions, markings and language as required by law.

Section 5. Early Voting. Early voting by personal appearance will be conducted each weekday beginning on April 25, 2022 and ending on May 3, 2022 as described in "Exhibit A" as attached. Amendments may be made by the Milam County Clerk's Office, if necessary.

**Section 6. Election Day Voting.** Election Day voting by personal appearance will be conducted from 7:00 AM to 7:00 PM on Saturday, May 7, 2022 as described in "Exhibit A" as attached. Amendments may be made by the Milam County Clerk's Office, if necessary.

**Section 7. Notice of Election.** Notice of the election shall be given in the manner as provided in the *Tex. Elec. Code* and the *City Charter*. A notice containing a substantial copy of this Ordinance shall be posted on the bulletin board used for posting notice of meetings of the governing body at the City Hall and at the aforesaid polling place not later than the twenty-first (21st) day before the election, and by publishing said Notice of Election at least one time, not earlier than thirty (30) days nor later than ten (10) days prior to said election, in a newspaper in general circulation in the City.

**Section 8. General Information.** The special election shall be held in accordance with the *Tex. Elec. Code* and, to the extent not inconsistent therewith, the *City Charter*. The Milam County Clerk is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Returns of the election shall be made known as soon as possible after the closing of the polls; and the election returns shall be canvassed by the City Council not earlier than May 10, 2022 nor later than May 18, 2022. Election information is available on the City's website at [www.rockdalecityhall.com](http://www.rockdalecityhall.com).

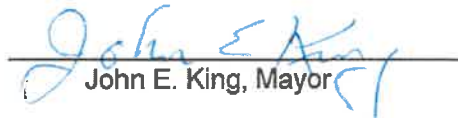
**Section 9. Run-Off Election.** The City of Rockdale requires a majority vote since our officers have terms in excess of two years (Article XI, Section 11, Texas Constitution) and our City Charter requires a majority vote. If no candidate for a particular office receives more than 50 percent of the votes cast for the office, a runoff election would be required for that office (EC § 2.021). If a run-off election is required, the run-off election would be held on the third Saturday of June 2022.

**Section 10. Emergency.** The City Council hereby finds and declares that the adoption, passage and implementation of this ordinance is an emergency and is necessary to properly provide for the orderly conduct of business by the City and the proper representation of the citizens of the city.


**Section 11. Effective Date.** This ordinance shall take effect immediately from and after its passage and signature by the Mayor.

**PASSED, ADOPTED AND APPROVED** on this the 25<sup>th</sup> day of February, 2022.

**City of Rockdale**

  
John E. King, Mayor

**Attest:**

  
Terry Blanchard, TRMC  
City Secretary

# EXHIBIT A

## Preliminary Locations & Times for May 7, 2022 Election

Early Voting – April 25-May 3

Tuesday 4/26 – 7am-7pm

Monday 5/2 – 7am-7pm

Other days will be 8am-5pm

### Early Voting

Cameron- County Clerk

107 West Main St. (subject to change)

Rockdale Clinic (Old Hospital)

1700 Brazos Ave-Rockdale, TX

Thorndale VFW

304 E. Moerbe Thorndale, TX 76577

Buckholts Community Center

110 W. Main Buckholts, TX 76518

Milano High School

600 N. 6<sup>th</sup> St Milano, TX 76556

### Election Day

Cameron-TBD

Rockdale Clinic (old Hospital)

Thorndale VFW

Buckholts Community Center

Milano VFD- 305 E. Avenue C (HWY 79), Milano, TX 76556