

RESOLUTION NO. R-2023-76

A RESOLUTION CALLING FOR AND ESTABLISHING THE PROCEDURES FOR A RUNOFF ELECTION FOR MAYOR OF THE BASTROP CITY COUNCIL FOR A TERM OF THREE YEARS; DESIGNATING THE DATE OF SAID ELECTION FOR JUNE 10, 2023; DESIGNATING POLLING PLACES; DESIGNATING EARLY VOTING HOURS AND PLACES; PROVIDING FOR POSTING AND PUBLICATION OF NOTICE FOR SAID ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Sec. 2.021 of the Election Code of the State of Texas, and Article IX, Section 9.07 of the Bastrop City Charter, it is provided that if no candidate for a particular office receives the vote necessary to be elected in an election requiring a majority vote, a runoff election for that office is required; and

WHEREAS, a canvassing of the returns and declaring the results of a regular City Municipal Election held on May 6, 2023, was approved by the City Council on May 16, 2023; and

WHEREAS, the canvass determined that, in the race for Mayor no candidate received a majority of the votes cast; and

WHEREAS, the two candidates receiving the highest number of votes for the office of Mayor were Lyle Nelson and Dock Jackson.

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

SECTION 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby adopted and made a part of this Resolution for all purposes.

SECTION 2. There is hereby ordered a runoff election to be held in the City of Bastrop, Texas, on the 10th day of June 2023, for the purpose of electing a Mayor for a term of three years or until their successor has been duly qualified. The two candidates for the Mayoral runoff election shall be Lyle Nelson and Dock Jackson. The candidate receiving a majority of the votes cast for Mayor shall be declared elected to such office.

SECTION 3. Ballot applications and ballots voted by mail should be addressed to the Early Voting Clerk, Kristin Miles, Bastrop County Elections Administrator, 804 Pecan Street, Bastrop, Texas 78602. Applications for ballots by mail must be received no later than the close of business on May 30, 2023, the 11th day before Election Day. The early voting clerk may receive applications for ballot by mail at elections@co.bastrop.tx.us.

SECTION 4. Kristin Miles is hereby appointed Clerk for Early Voting. Early voting by personal appearance shall be conducted at, Bastrop County Courthouse Annex, 804 Pecan Street, Bastrop, TX 78602

Early voting by personal appearance will begin on Tuesday, May 30, 2023, and will end on Tuesday, June 6, 2023, and the hours designated for early voting by personal appearance shall be as set forth below:

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
29 HOLIDAY – NO VOTING	30 8:00 am – 5:00 pm	31 8:00 am – 5:00 pm	1 8:00 am – 5:00 pm	2 8:00 am – 5:00 pm	
5 7:00 am – 7:00 pm	6 7:00 am – 7:00 pm	7	8	9	10 ELECTION DAY

For Elections Precincts 1001, 1003, 1004, 1005, 1007, 2010, 2011, and 3017, Staci Calvert is hereby appointed as Presiding Judge of the Early Voting Ballot Board. In accordance with Section 87.0021 et seq. of the Texas Election Code the presiding judge shall appoint at least two (2) other members to the Early Voting Ballot Board and shall process early voting results in accordance with the Texas Election Code.

The Presiding and Alternate Presiding Judges will receive compensation at the rate of \$12.00 per hour. The Clerks will receive compensation at the rate of \$10.00 per hour. The Presiding Judge will receive an additional \$25.00 for picking up the election supplies prior to Election Day and for returning the supplies after the polls close.

SECTION 5. All resident, qualified voters, determined by the laws of the State of Texas, the Charter and ordinances of the City of Bastrop shall be qualified to vote at such election. For the purpose of said election, the entire city is hereby constituted into eight voting precincts. Voting on Election Day, June 10, 2023, shall be conducted at, Bastrop County Courthouse Annex, 804 Pecan Street, Bastrop, TX 78602, and said election shall be held between the hours of 7:00 a.m. and 7:00 p.m. on the aforementioned date.

SECTION 6. The runoff election shall be held in accordance with the Election Code of this State and only resident qualified voters of the City shall be eligible to vote at the election.

SECTION 7. The Mayor shall give notice of this election in accordance with the terms and provisions of Sections 4.004, 83.010, 85.004, and 85.007 of the Election Code, and all necessary orders and writs for the elections shall be issued by the proper authority. Returns of the elections shall be made to the City Council immediately after the closing of the polls.

SECTION 8. The results of the elections shall be certified, canvassed, and returned in the form and manner prescribed by the laws of the State of Texas and the Charter and Ordinances of the City of Bastrop.

SECTION 9. The notice of the election hereby ordered and called shall be promulgated, published, and posted in keeping with the laws of the State of Texas, and the Charter and Ordinances of the City of Bastrop.

SECTION 10. If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this resolution.

SECTION 11. This resolution shall be in full force and effect from and after its passage on the date shown below; provided that if any term or provision of this Resolution conflicts with, or is inconsistent with, the Texas Elections Code, the Texas Election Code shall govern and control and the Election Officer shall comply with the Texas Election Code.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 16th day of May, 2023.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney