

**CITY OF JOSHUA, TEXAS  
ORDINANCE NO.   -2023**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON SATURDAY, MAY 6, 2023 FOR THE PURPOSE OF ELECTING A COUNCIL MEMBER PLACE 2 FOR THREE (3) YEAR TERM AND A COUNCIL MEMBER PLACE 5 FOR THREE (3) YEAR TERM; PROVIDING FOR THE DESIGNATION OF THE POLLING PLACE AND MANNER OF HOLDING SAID ELECTION; PROVIDING FOR THE DESIGNATION OF THE EARLY VOTING POLLING PLACE; PROVIDING FOR THE DESIGNATION OF THE EARLY VOTING CLERK; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; PROVIDING FOR THE APPOINTMENT OF ELECTION OFFICERS; PROVIDING A SEVERABILITY AND CONFLICTS CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, the City of Joshua, Texas, is a Home Rule Municipality located in Johnson County, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City has or will enter into a Joint Election Agreement with Joshua Independent School District to hold the general election as a joint election.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, THAT:**

**SECTION 1**

All of the above premises are hereby found to be true and correct factual and legislative determinations of the City of Joshua and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2**

A general election of the City shall be held on May 6, 2023, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of electing a Council Member Place 2 and Council Member Place 5 for three (3) year term each.

The candidate receiving a majority of the votes cast for each place shall be declared elected. If no candidate receives a majority of all votes cast for an office, the City Council shall, upon declaring the official results of the election, immediately order a runoff election for each office remaining to be filled.

**SECTION 3**

Voting on the date of the election, and early voting, therefore, shall be by the use of a

lawfully approved voting system. The preparation of the voting equipment to be used in connection with such voting system and the official ballots for the election shall conform to the Texas Election Code.

#### **SECTION 4**

The City of Joshua, Texas shall constitute one (1) precinct for the election. The polling place for Election Day is hereby designated as the Joshua Community Room, 907 S. Broadway, Joshua, Texas.

#### **SECTION 5**

Early voting by personal appearance will be held at Joshua City Hall, 101 S. Main Street, Joshua, Texas, during regular business hours, which shall be from 7:30 a.m. to 5:30 p.m. on each day that is not a Friday, Saturday, Sunday, or official State holiday, and from 8:00 am to 12:00 pm (noon) on each day that is a Friday commencing on Monday, April 24, 2023, and continuing through Tuesday, May 2, 2023. Extended hours for early voting shall be Monday, May 01, 2023, from 7:00 a.m. to 7:00 p.m. and Tuesday, May 02, 2023, from 7:00 a.m. to 7:00 p.m.

#### **SECTION 6**

The City Secretary is hereby appointed to serve as the Early Voting Clerk and may appoint the necessary Deputy Clerks as required for Early Voting. Applications for ballots by mail shall be mailed to the City Secretary, City of Joshua, 101 S. Main Street, Joshua, Texas 76058.

#### **SECTION 7**

The City Secretary is hereby authorized and directed to file, publish, and/or post, in the time and manner prescribed by law, all notices required to be so filed, published, and/or posted in connection with the conduct of this election.

#### **SECTION 8**

The election shall be conducted pursuant to the election laws of the State of Texas.

#### **SECTION 9**

Phyllis Swaney is hereby appointed Election Judge and Carol Mathieu is hereby appointed Alternate Election Judge for the General Election to be held on May 6, 2023.

The Election Judge may appoint such other clerks as needed to serve and assist in the conduct of the election.

The Election Judge and Alternate Judge for the general election shall also serve as the

Presiding Judge and Alternate Presiding Judge for Early Voting Ballot Board and are hereby directed to perform the duties required by the Texas Election Code, a member of the Early Voting Ballot Board for the Election.

#### **SECTION 10**

If any word, section, article, phrase, paragraph, sentence, clause, or portion of this ordinance or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this ordinance; and the City Council hereby declares it would have passed such remaining portions of this ordinance despite such invalidity which remaining portions shall remain in full force and effect.

#### **SECTION 11**

This Ordinance shall take effect from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, ON THIS THE 19<sup>th</sup> DAY OF JANUARY 2023.**

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**Scott Kimble, Mayor**

**ATTEST:**

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**Alice Holloway, City Secretary**

**APPROVED AS TO FORM:**

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**Terrence S. Welch, City Attorney**