

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 6, 2023, IN THE TOWN OF PROSPER FOR THE PURPOSE OF ELECTING COUNCILMEMBER PLACE 3 AND COUNCILMEMBER PLACE 5; DESIGNATING LOCATION OF POLLING PLACES; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACTS WITH COLLIN COUNTY AND DENTON COUNTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:

SECTION 1

A General Election is hereby ordered for the Town of Prosper, Texas ("Prosper"), to be held jointly on Saturday, May 6, 2023, for the purpose of electing Councilmember Place 3 and Councilmember Place 5. The candidate for each office, receiving a majority of all votes cast for all candidates for an office, shall be elected to serve such term.

SECTION 2

No person's name shall be placed upon the ballot as a candidate for Councilmember unless such person has filed his or her sworn application as provided by Section 141.03 of the Texas Election Code, with the Town Secretary at the Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, not later than 5:00 p.m., on the 17th day of February 2023. The Town Secretary shall note on the face of each such application the date of such filing. Such application shall include the office the candidate is seeking.

SECTION 3

Qualified voters of the following election precincts shall cast ballots for the General Election at the heretofore established and designated Election Day polling places, as follows:

Town Precincts

178, 199, 214, 224, 239
(Collin County)

1016, 1017, 9102
(Denton County)

Polling Place

Prosper Town Hall Community Room
250 W. First Street
Prosper, TX 75078

Prosper Fire Station 2 Training Room
1140 S. Teel Parkway
Prosper, TX 75078

General Election polls shall be open from 7:00 a.m. until 7:00 p.m., on the date of the General Election, Saturday, May 6, 2023.

SECTION 4

Early voting by personal appearance for Denton County residents shall be available at the Prosper Fire Station 2 Training Room, 1140 S. Teel Parkway, Prosper, Texas, 75078 from Monday, April 24, 2023, through Saturday, April 29, 2023, from 8:00 a.m. – 5:00 p.m.; Sunday, April 30, 2023, from 11:00 a.m. – 5:00 p.m.; and Monday, May 1, 2023, through Tuesday, May 2, 2023, from 7:00 a.m. -7:00 p.m.

Early voting by personal appearance for Collin County residents shall be available at the Prosper Town Hall Community Room, 250 W. First Street, Prosper, Texas 75078, from Monday, April 24, 2023, through Friday, April 28, 2023, from 8:00 a.m. – 5:00 p.m.; Saturday, April 29, 2023, from 8:00 a.m. – 5:00 p.m.; and Monday, May 1, 2023, through Tuesday, May 2, 2023, from 7:00 a.m. - 7:00 p.m.

Qualified voters may vote at any of the additional Early Voting locations open under full contract services with the Collin County Elections Administrator or the Denton County Elections Administrator. This previous sentence shall also be posted in the Notice of Election.

SECTION 5

That the Town Manager and Town Secretary are authorized to execute a contract for an Election with the Denton County Election Department, the Collin County Election Department, the Prosper Independent School District, and other entities that will provide for all election appointments, early voting by mail, the designated voting location(s) and hours of operation, payments for election officials, necessary election arrangements and a runoff election (if applicable).

SECTION 6

That the Town Secretary shall have the authority to approve any minor modifications as may be necessary in the best interests of the Town and within the regulations of the Texas Election Code. The early voting mail clerk for Collin County is: Bruce Sherbet, Early Voting Clerk, Collin County Elections Department, 2010 Redbud Blvd, Suite 102, McKinney, Texas 75069 (election@collincountytexas.gov), and the Early Voting Clerk for Denton County is Frank Phillips, Early Voting Clerk, Denton County Elections, PO Box 1720, Denton, Texas 76202 (elections@dentoncountytexas.gov).

SECTION 7

The Town Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this General Election. The General Election, including providing notice of the General Election, shall be conducted in accordance with the Texas Election Code and other applicable law, and all resident qualified and registered voters of the Town shall be eligible to vote at the General Election.

SECTION 8

The Mayor and the Town Secretary of the Town, in consultation with the Town Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and any other state or federal law in carrying out and conducting the General Election, whether or not expressly authorized herein.

SECTION 9

That the provisions of this ordinance are severable, so that the invalidity of one or more provisions shall not affect the validity of those valid portions.

SECTION 10

This ordinance and order for a General Election shall be effective from and after the passage of this ordinance.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, COLLIN AND DENTON COUNTIES, TEXAS, ON THIS THE 14TH DAY OF FEBRUARY 2023.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney