

**ORDINANCE NO. 2022-21**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, ORDERING A MUNICIPAL RUNOFF ELECTION TO BE HELD ON JUNE 11, 2022, FOR THE PURPOSE OF ELECTING A CITY COUNCIL MEMBER FOR DISTRICT 3; PROVIDING FOR EARLY VOTING AND FOR NOTICE OF THE ELECTION; AND PROVIDING FOR OTHER MATTERS RELATING TO THE ELECTION.**

**WHEREAS**, on June 11, 2022, unless superseded by State or Federal law, there shall be elected the following officials for this City: Council Member District 3; and,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 ROSENBERG, TEXAS:**

Section 1. In accordance with the Constitution and general laws of the State of Texas, a Municipal Runoff Election is hereby called and ordered for Saturday, June 11, 2022, at which election all qualified voters of the City may vote for the purpose of electing the following officials of the City: Council Member District 3.

Section 2. The candidates for such runoff election shall be Hector Trevino and Randy Weishiemer, same being the candidates in the general election receiving the highest and the second highest number of votes for Council Member District 3.

Section 3. The polling place for the voting precincts in the City of Rosenberg for the Election Day voting is the Rosenberg City Hall, Council Chamber, 2110 4th Street, Rosenberg, Texas 77471.

Section 4. The Elections Administrator of Fort Bend County, Texas, shall act as Contracting Officer (the "Contracting Officer") and shall appoint election judges, alternate judges, and clerks as described in the Contract for Election Services between Fort Bend County and the City of Rosenberg, Texas.

Section 5. The last day for the early voting clerk to receive applications for a ballot to be voted by mail via mail (regardless of postmarked date), fax, common or contract carrier, or

email, is May 31, 2022, in accordance with the Election Code Sec. 84.007(c). If a voter submits an ABBM mail via fax or email, the Early Voting Clerk must receive an original or a copy with a wet signature via mail within four (4) business days of the submission of the fax or email, in accordance with Election Code Sec. 84-007(b-1). ABBM's shall be mailed, fax, emailed, or delivered by common or contract carrier to:

Mailing Address:  
 Mr. John Oldham  
 County Elections Administrator  
 Fort Bend County Elections Division  
 301 Jackson St  
 Richmond, Texas 77469

Physical Address (common or contract carrier):  
 Mr. John Oldham  
 County Elections Administrator  
 Fort Bend County Elections Division  
 4520 Reading Road, Suite A  
 Rosenberg, Texas 77471

Telephone: 281-341-8670  
 Fax: 281-341-4418  
 Email: [vote@fortbendcountytexas.gov](mailto:vote@fortbendcountytexas.gov)  
 Website: [www.fortbendvotes.org](http://www.fortbendvotes.org)

who shall, upon approval of the application, provide balloting materials to the voter in accordance with the Texas Election Code.

Section 6. The dates and times for early voting by personal appearance shall be as follows at the location below:

**Fort Bend County Rosenberg Annex  
 4520 Reading Road, Rosenberg, Texas 77471  
 (Times are subject to change by Elections Administrator)**

Tuesday	May 31st	8:00 a.m. to 5:00 p.m.
Wednesday	June 1st	8:00 a.m. to 5:00 p.m.
Thursday	June 2nd	8:00 a.m. to 5:00 p.m.
Friday	June 3rd	8:00 a.m. to 5:00 p.m.
Saturday	June 4th	8:00 a.m. to 5:00 p.m.
Sunday	June 5th	CLOSED
Monday	June 6th	7:00 a.m. to 7:00 p.m.
Tuesday	June 7th	7:00 a.m. to 7:00 p.m.

Section 7. Such election shall be held in accordance with the *Texas Election Code* and only resident, qualified voters of the City shall be eligible to vote.

Section 8. Notice of the election shall be given in the manner as provided in the *Tex. Elec. Code*. 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 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. The Mayor shall give notice of this election in accordance with the terms and provisions of this Section, and all necessary orders and writs therefore shall be issued by the proper authority.

Section 9. Voting at the election, including early voting, shall be by use of the County electronic voting system that has been duly approved by the Secretary of State.

Section 10. That pursuant to the provisions of Chapter 87 of the *Texas Election Code*, an Early Voting Ballot Board is created, which Board shall consist of a presiding judge and clerks as appointed by the Contracting Officer. The Early Voting Ballot Board shall perform such functions and shall have such duties as are provided for by the *Texas Election Code*. In addition, the counting station for all ballots cast in such election shall be operated by the Contracting Officer, and such clerks as shall be necessary to count the ballots and to prepare the election returns in accordance with the provisions of Chapter 65 of the *Texas Election Code*.

Section 11. The runoff election shall be held in accordance with the *Tex. Elec. Code* and, to the extent not inconsistent therewith, the *City Charter*. The City Secretary 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 June 14, 2022 nor later than June 22, 2022.

Section 12. SEVERABILITY: That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance, or any part or provision thereof other than the part decided to be invalid, illegal, or unconstitutional.

Section 13. Effective Date. This ordinance shall be effective upon its adoption.

**PASSED AND APPROVED** by a vote of 7 "ayes" in favor and 0 "noes" against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the 17 day of May, 2022.

**ATTEST:**

  
Danyel Swint, TRMC, **City Secretary**

**APPROVED:**

  
Kevin Raines, **Mayor**

**APPROVED AS TO FORM:**

  
Randle Law Office, Ltd., L.L.P.  
**City Attorney**