

NOTICE OF GENERAL ELECTION

TO THE RESIDENT, QUALIFIED ELECTORS OF THE CITY OF ROSENBERG, TEXAS:

NOTICE IS HEREBY GIVEN that an election will be held in the CITY OF ROSENBERG, TEXAS on the 4th day of May, 2019, in accordance with the following ordinance:

ORDINANCE NO. 2019-02

AN ORDINANCE OF THE CITY OF ROSENBERG, TEXAS, PROVIDING THAT A GENERAL MUNICIPAL ELECTION BE HELD ON MAY 4, 2019, AND A RUN-OFF ELECTION, IF REQUIRED, ON JUNE 8, 2019, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO CITY COUNCIL MEMBERS, AT LARGE, POSITION NO. 1 AND AT LARGE, POSITION NO. 2; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:

Section 1. In accordance with the general laws and Constitution of the State of Texas, a General Municipal Election is hereby called and ordered for the first Saturday in May 2019, the same being the 4th day of said month, for the purpose of electing the following officials of the City to two-year terms of office:

**Mayor, At Large
Councilmember, At Large, Position 1
Councilmember, At Large, Position 2**

Each resident qualified voter of the City may vote for only one candidate for Mayor and one candidate for each At Large Council Position.

Section 2. The candidate receiving a majority of the votes in the General Municipal Election for each of the offices identified in Section 1 hereof, shall be declared elected. If no candidate for an office shall receive a majority of all votes cast for such office at such Election, a run-off election, between the two candidates who received the highest number of votes, is hereby called and ordered for Saturday, June 8, 2019 (the "Run-off Election").

Section 3. No person's name shall be placed upon the official ballot as a candidate for any of the above referenced positions unless such person has filed his or her sworn application, as provided by Section 143.007 of the TEXAS ELECTION CODE, with the City Secretary at the City of Rosenberg City Hall, 2110 4th Street, Rosenberg, Texas 77471, not later than five o'clock (5:00) p.m. on the 15th day of February 2019. The City Secretary shall note on the face of each such application the date and time of its filing. Such application shall include the office the candidate is seeking and the number of the position or district the candidate is seeking.

Section 4. The election precincts for the Election shall consist of the territory within the boundaries of the City situated within one or more County election precincts,

which bear the precinct numbers set forth in Exhibit A attached hereto and incorporated herein. The voting location for voting on Election Day for each election precinct shall be as set forth in Exhibit A, or at such other locations as hereafter may be designated by the County Elections Administrator as provided in the Joint Election Agreement. On Election Day the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 5. The General Municipal Election, and the Run-off Election, if required, ordered hereby shall be conducted by the County Elections Administrator pursuant to that certain Joint Election Agreement and Contract for Election Services, dated February 19, 2019 (the "2019 Election Services Contract"), by and between the City and the County Elections Administrator of Fort Bend County, Texas (the "County Elections Administrator"). The County Elections Administrator shall appoint election judges, alternate election judges, and clerks, pursuant to the 2019 Election Services Contract. The City Secretary is hereby authorized and directed to provide a copy of this Ordinance to the County Elections Administrator.

Section 6. Pursuant to the 2019 Election Services Contract, Mr. John Oldham, the County Elections Administrator, is hereby appointed clerk for early voting; appointments of deputy clerks for early voting by the County Elections Administrator shall be in accordance with Section 83.001, *et seq.*, of the TEXAS ELECTION CODE.

The County Elections Administrator shall receive applications by mail for a ballot to be voted by mail from January 1, 2019, until the close of business on April 23, 2019. Requests for applications should be mailed to: Mr. John Oldham, County Elections Administration, Fort Bend County Elections Division, 4520 Reading Road, Suite A, Rosenberg, Texas 77471.

Early voting for the General Municipal Election, and the Run-off Election, if required, shall be conducted by personal appearance at the locations, at the times and on the days as set forth or in Exhibit B attached hereto and incorporated herein, or at such other locations as hereafter may be designated by the County Elections Administrator as provided in the Joint Election Agreement.

Section 7. Pursuant to the provisions of the TEXAS ELECTION CODE, an Early Voting Ballot Board is hereby created, which shall consist of a presiding judge and clerks as appointed by the County Elections Administrator. 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 Elections shall be operated by the County Elections Administrator and such clerks as shall be necessary to count the ballots and to prepare Election returns in accordance with the provisions of Chapter 65 of the TEXAS ELECTION CODE.

Section 8. Voting at the General Municipal Election, and the Run-off Election, if required, and early voting therefor, shall be by the use of the lawfully approved Fort Bend County voting systems and ballots.

Section 9. Pursuant to Chapter 146 of the TEXAS ELECTION CODE, write-in votes cast in a municipal election shall not be counted unless the name written in appears on the list of write-in candidates. To be entitled to a place on the list of write-in candidates, a candidate must make a declaration of write-in candidacy. Such declaration is to be filed with the City Secretary not later than five o'clock (5:00) p.m. on February 19, 2019, and all of said declarations shall be on a form as prescribed by the Secretary of State.

Section 10. The order in which the names of the candidates are to be printed on the ballots for the General Municipal Election, and the Run-off Election, if required, shall be determined by a drawing conducted by the City Secretary, as provided by Section 52.094 of the TEXAS ELECTION CODE. The City Secretary shall post a notice in her office of the date, hour, and place of drawing. Such notice shall remain posted continuously for seventy-two (72) hours immediately preceding the scheduled time of

such drawing, and personal notice shall also be given to any candidate who makes a written request for such notice and furnishes to the City Secretary a self-addressed, stamped envelope. Each candidate involved in such drawing, or his or her designated representative, shall have the right to be present and observe the drawing.

Section 11. Notice of these Elections shall be given in accordance with the provisions of the TEXAS ELECTION CODE and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such Elections, and returns of such Elections shall be made to the City Secretary immediately after the closing of the polls.

Section 12. Such Elections shall be held in accordance with the TEXAS ELECTION CODE, as amended.

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 5th day of February 2019.

ATTEST:
Danyel Swint, **City Secretary**

APPROVED:
William Benton, **Mayor**

APPROVED AS TO FORM:
City Attorney, Randle Law Office Ltd., L.L.P.