

RESOLUTION NO. 2023-04

A RESOLUTION OF THE CITY OF CLEAR LAKE SHORES, TEXAS, PROVIDING THAT A GENERAL MUNICIPAL ELECTION BE HELD ON MAY 6, 2023 FOR THE PURPOSE OF ELECTING ONE (1) MAYOR TWO (2) ALDERMAN; AND A SPECIAL ELECTION FOR THE ADOPTION OF THE STATE LAW APPLICABLE TO POLICE OFFICERS THAT ESTABLISHES COLLECTIVE BARGAINING IF A MAJORITY OF THE AFFECTED EMPLOYEES FAVOR REPRESENTATION BY AN EMPLOYEES ASSOCIATION, PRESERVES THE PROHIBITION AGAINST STRIKES AND LOCKOUTS, AND PROVIDES PENALTIES FOR STRIKES AND LOCKOUTS; DESIGNATING THE POLLING PLACE; PROVIDING THE FORM OF THE BALLOT FOR SUCH ELECTION; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; AND PROVIDING FOR DETAILS RELATING TO THE HOLDINGS OF SUCH ELECTION.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEAR LAKE SHORES, TEXAS:

Section 1. In accordance with the general laws and Constitution of the State of Texas, a Municipal Election is hereby called and ordered for the first Saturday in May 2023, the same being the seventh (6th) day of said month, at which election all qualified voters of the City may vote for the purpose of:

- 1. Election of one (1) Mayor and two (2) Alderman to serve on City Council**
- 2. Special Election for Adoption of the state law applicable to police officers that establishes collective bargaining if a majority of the affected employees favor representation by an employees association, preserves the prohibition against strikes and lockouts, and provides penalties for strikes and lockouts.**

Section 2. The present boundaries of the City constituting one election precinct, the polls shall be open for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling place:

POLLING PLACE

Clear Lake Shores Clubhouse
931 Cedar Road
Clear Lake Shores, Texas 77565

Section 4. Christy Stroup, City Secretary, is hereby appointed clerk for early voting; the appointment of a deputy clerk or clerks for early voting by the City Secretary shall be in accordance with Section 83.031 et seq. of the TEXAS ELECTION CODE.

City of Clear Lake Shores Clubhouse
931 Cedar Rd.
Clear Lake Shores, Texas 77565

is hereby designated as the place for early voting for such elections. Said clerks shall keep said office open during the hours that the City Secretary's main office is regularly open for business, that is from eight o'clock (8:00) a.m. until five o'clock (5:00) p.m., Monday through Friday for early voting which is not a Saturday, a Sunday, or an official state or federal holiday, beginning on the twelfth (12th) day and continuing through the fourth (4th) day preceding the date of such election. The early voting hours for the third (3rd) and fourth (4th) days preceding the date of the election shall be twelve (12) hours, seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. Said clerks shall not permit anyone to vote early by personal appearance at any time when such office is not open to the public. The early voting clerk, in accordance with the provision of the TEXAS ELECTION CODE, shall maintain a roster listing each person who votes early by personal appearance. The roster shall be maintained in a form approved by the Secretary of State.

Section 5. Direct Record Electronic (DRE) voting machines shall be used for early voting personal appearance and for Election Day voting. Paper ballots shall be used for early voting by mail. The City Secretary, acting as chief elections officer shall provide at least one (1) A.D.A.

approved voting machine at a polling place as required by Section 61.012 of the Texas Election Code. All expenditures necessary for the conduct of the election purchase of materials and the employment of all election officials are hereby authorized in accordance with the Texas Election Code.

Section 7. The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 8. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary, as provided by Section 52.094 of the Texas Election Code. The City Secretary shall post a notice at City Hall, at least seventy-two (72) hours prior to the date on which the drawing is to be held, of the time and place of the drawing and shall also give personal notice to any candidate who makes written request for such notice and furnishes to the City Secretary a self-addressed, stamped envelope. Each candidate involved in the drawing, or a representative designated by him, shall have a right to be present and observe the drawing.

Section 9. The candidate receiving a majority of votes in each of the positions to be filled in the Municipal Election shall be declared elected to such position.

Section 10. Notice of this election shall be given in accordance with the provision 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 election shall be made to the City Secretary immediately after the closing of the polls.


Section 11. Such election shall be held in accordance with the TEXAS ELECTION CODE and the Federal Voting Rights Act of 1965, as amended.

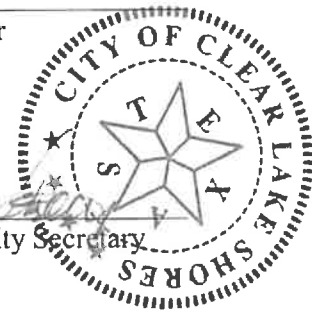
Section 13. Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

PASSED, APPROVED, AND ADOPTED this 7th day of February 2023.

Kurt J. Otten
Kurt Otten, Mayor

ATTEST:


Christy Stroup, City Secretary



Signature: Kurt J. Otten
Kurt J. Otten (Feb 9, 2023 13:56 CST)

Email: kurt.otten.cls@gmail.com