

**RESOLUTION NO. 2023-255**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PROVIDENCE VILLAGE, DENTON COUNTY, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 6, 2023, FOR THE PURPOSE OF ELECTING THE MAYOR AND TWO (2) TOWN COUNCIL MEMBERS FOR PLACES 1 AND 6 TO A THREE-YEAR TERM EACH; DESIGNATING THE POLLING PLACES AND HOURS; DESIGNATING ELECTION DAY POLLING PLACES AND HOURS; DESIGNATING FILING DEADLINES; ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; PROVIDING FOR A RUNOFF ELECTION, IF NECESSARY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Providence Village (the "Town") is a Home Rule Charter Municipality located in Denton County, Texas, 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 Town Charter provides that the Mayor and Place 1 and Place 6 on the Town Council shall be elected at an election held on the May uniform election date in 2023; and

**WHEREAS**, Section 41.001 of the Texas Election Code, as amended by the 84<sup>th</sup> Texas Legislature, establishes the first Saturday of May as the uniform election day for the purposes of conducting a General Election; and

**WHEREAS**, Section 3.004(b) of the Texas Election Code provides that the Town Council shall be the authority to order a General Election for electing municipal officers.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PROVIDENCE VILLAGE, TEXAS, THAT:**

**SECTION 1: *General Election Ordered***

The Town Council of the Town of Providence Village hereby orders that a General Election shall be held on May 6, 2023, being the first Saturday in May of 2023, during the hours of seven o'clock a.m. (7:00 a.m.) and seven o'clock p.m. (7:00 p.m.), for the purposes of electing the Mayor and two (2) citizens to serve as Council Members for a term of three (3) years each for Places 1 and 6.

SECTION 2: *Runoff Election, If Needed*

In the event there is a need for a runoff election, then it is ordered that such shall occur on June 3, 2023 with early voting for such runoff election to be announced in the Town's Election Notice for said runoff in accordance with the Texas Election Code.

SECTION 3: *Candidate Application; Ballot Drawing;*

In accordance with Section 143.007 of the Texas Election Code, an eligible and qualified person may have his/her name printed upon the official ballot as a candidate for the Mayor and Town Council Places 1 and 6 by filing his/her sworn application with the Town Secretary not earlier than 8:00 a.m. January 18, 2023 and not later than 5:00 p.m. February 17, 2023. Each such application for the Mayor and Town Council Places 1 and 6 shall be on a form as prescribed by Section 141.031 of the Texas Election Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the Town Secretary as provided by Section 52.094 of the Texas Election Code. Notice of the time and place for such drawing shall be given in accordance with the Texas Election Code.

SECTION 4: *Precincts*

The election precinct for the Election shall be the corporate limits of the Town of Providence Village, Denton County, Texas.

SECTION 5: *Administration of Election*

The Election shall be conducted in accordance with the provisions of the Texas Election Code. The Town of Providence Village intends to contract with Denton County for a joint election for the purpose of having Denton County furnish all or any portion of the election services and equipment needed to conduct the Election in accordance with state law. The voting on the date of General Election, and early voting, 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 Election Code, as amended.

SECTION 6: *Early Voting Clerks*

- (a) In accordance with Sections 31.097 and 271.006 of the Texas Election Code, the following named person is hereby appointed as the Early Voting Clerk for the purposes of conducting said Election:

Frank Phillips, Denton County Elections Administrator.

Applications for early voting ballots should be forwarded as follows:

Mailing Address:

Frank Phillips, Early Voting Clerk  
Denton County Elections  
P.O. Box 1720  
Denton, Texas 76202

Express Courier Delivery: Frank Phillips, Early Voting Clerk  
Denton County Elections  
701 Kimberly Drive, Suite A101  
Denton, Texas 76208

Fax: (940) 349-3201

Email: [elections@dentoncounty.com](mailto:elections@dentoncounty.com)

Applications for ballot for early voting by mail must be received by the early voting clerk by close of business on Tuesday, April 25, 2023 if by mail.

- (b) Any permanent county employee(s) serving under the Elections Administrator shall serve as deputy early voting clerks.

SECTION 7: *Early Voting Locations*

Early Voting by personal appearance of Providence Village residents shall be conducted beginning April 24, 2023 and continuing through May 2, 2023. The main early voting location shall be located at:

Denton County Elections  
701 Kimberly Drive, Suite A101  
Denton, Texas 76208

Early voting shall take place during the following dates and times:

April 24 – April 29, 2023                      Monday - Saturday      8:00 a.m. – 5:00 p.m.

May 1 – May 2, 2023                              Monday – Tuesday      7:00 a.m. – 7:00 p.m.

Additional early voting locations will be identified in the contract executed with the Denton County Elections Administrator.

SECTION 8: *Election Day Polling Places*

The polling place for all voters of the Town of Providence Village will be located at:

Steven E. Copeland Government Center  
1400 F.M. 424  
Cross Roads, Texas 76227

The election precinct for said Election shall be the corporate limits of the Town of Providence Village, Denton County, Texas.

SECTION 9: *Notice and Publication*

Notice of the Election shall be given by posting a notice of election in both English and Spanish at Providence Town Hall located at 1755 Main Street, Providence Village, Texas, on the bulletin board not later than twenty-one (21) days prior to the date upon which the Election is to be held, and by publication of said notice at least once in the official newspaper of the Town, being a newspaper of general circulation within the Town, the date of said publication to be not less than ten (10) days nor more than thirty (30) days prior to the date set for the Election. Upon publication of the election notice, the Town Secretary shall secure a publisher's affidavit.

In addition thereto, a copy of the notice shall also be filed with the Town Secretary at least twenty-one (21) days before the Election.

SECTION 10: Record Retention

A copy of this Resolution shall be retained with the other records of the Election in accordance with the Texas Election Code.

SECTION 11: Open Meeting

It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

SECTION 12. Effective Date

This Resolution shall become effective immediately upon its passage and approval.

**PASSED AND APPROVED** by the Town Council at a regular meeting the 17<sup>th</sup> day of January, 2023, at which a quorum was present.

**APPROVED:**

**ATTEST:**

  
\_\_\_\_\_  
Linda Iman, Mayor

  
\_\_\_\_\_  
Hilary McConnell, Interim Town Secretary

