

CITY OF ROCKWALL

RESOLUTION NO. 26-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD IN SAID CITY ON THE 2nd DAY OF MAY, 2026, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF ROCKWALL, TEXAS, FOR THE ADOPTION OR REJECTION OF, CERTAIN PROPOSED AMENDMENTS TO THE CITY CHARTER; DESIGNATING THE ENTIRE CITY AS ONE ELECTION PRECINCT; DESIGNATING THE POLLING PLACE(S) AT WHICH SAID ELECTION IS TO BE HELD; APPOINTING THE ADMINISTRATOR OF SAID ELECTION; ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SAID ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Charter of the City of Rockwall ("City") was adopted in January 1985, and amended five times, the last time in May 2015. In accordance with Section 11.15 of the Rockwall City Charter, the City Council appointed a Charter Review Commission to determine whether any Charter provisions require revision and such Section of the Charter requires a review of the Charter every five years; and

WHEREAS, the Charter Review Commission met from December 2024 through February 2025 to review the City Charter and the Commission finalized its report of its findings in writing, and presented its proposed amendments to the City Council in March 2025; and

WHEREAS, Texas Local Government Code Section 9.004 provides that the governing body of a Home Rule municipality may submit on its own motion proposed charter amendments to the voters for their approval at a municipal election; and

WHEREAS, the City Council hereby finds and determines that the propositions to be submitted are in compliance with the Texas Local Government Code and that the holding of this election on the uniform election date set forth below is in conformance with all applicable election laws.

WHEREAS, the City Council determines that the special election shall be held on May 2, 2026, which is the next uniform election date; and

WHEREAS, the meeting at which this resolution is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Chapter 551 of the Texas Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. Incorporation of Recitals. That all of the above recitals are found to be true and correct and are incorporated into the body of this Resolution as if copied in their entirety; and

Section 2. Election Order; Election Date; Purpose of Election. That there be submitted at a specially called election to be participated in by the qualified voters of the City of Rockwall, Texas, to be held on **Saturday, May 2, 2026**, which date is not less than sixty-two (62) days from the date of the adoption of this resolution, for the purpose of submitting a Charter amendment proposition to the qualified voters of the City to amend the Charter of the City at the voting places and hours outlined in this Resolution and Resolution 26-04, which calls for the City's General Election; and

Section 3. Ballot Propositions. That the official ballots shall be prepared in accordance with the Texas Election Code, as amended, so as to permit electors to vote "FOR" or "AGAINST" the aforesaid proposition. Voters should place an "X" in the square beside the statement indicating the way they wish to vote; and

Section 4. That the following measures will be submitted to the qualified voters of the City at the special election to be held on the date specified in the previous section in the form of propositions in accordance with Section 9.004 of the Texas Local Government Code and the City Charter:

PROPOSITION ONE

Shall Sections 11.08 and 11.10 of the City Charter be amended to require submission to the qualified voters of the City to eliminate provisions which have become inoperative because they have been superseded by state law; replace obsolete references; update terminology to current legal usage, and eliminate obsolete transitional provisions?

FOR _____ AGAINST _____

PROPOSITION TWO

Shall Sections 3.01 (c) of the City Charter be amended to require the resignation from office of any city elected official who becomes a candidate for any other municipal office other than the one currently held and such resignation shall become effective at the time of canvassing of the election?

FOR _____ AGAINST _____

PROPOSITION THREE

Shall Section 5.04 (1) of the City Charter be amended to require more than 50% of votes cast to be elected to any municipal office?

FOR _____ AGAINST _____

PROPOSITION FOUR

Shall Section 6.07 (1) of the City Charter be amended to increase the number of days

the City Secretary has to verify signatures on a petition from twenty-one days to thirty-days?

FOR _____ AGAINST _____

PROPOSITION FIVE

Shall Section 7.15 of the City Charter be amended to require that the solid waste contract be competitively bid at least every five (5) years and such contract require city council approval?

FOR _____ AGAINST _____

PROPOSITION SIX

Shall Section 11.14 of the City Charter be amended to allow the City Council by ordinance to amend the City Charter to correct typographical errors, grammatical errors, references to laws which have been changed or which references are, for any reason, incorrect, and to neutralize all gender references; provided, that no such amendment shall change the meaning or substance of the Charter?

FOR _____ AGAINST _____

PROPOSITION SEVEN

Shall Section 11.14 (1) of the City Charter be amended to require the City Council to appoint a Charter Commission at least every ten (10) years?

FOR _____ AGAINST _____

Section 5. That the actual proposed Charter language amendments and additions are attached to this Resolution as **Exhibit A** and are incorporated for all purposes to Resolution.

Section 6. Election Precinct, Polling Place, and Election Hours. That the entire City of Rockwall, Texas shall constitute one (1) election precinct for the election, and the *main* polling place is hereby designated to be located at - 1101 E Yellowjacket Ln, Suite 150, Rockwall, TX 75087. In accordance with and pursuant to the requirements of the Code, said polling place shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

Section 7. Early Voting and Ballots by Mail. That early voting by personal appearance shall be conducted on the dates and times listed below (except for Saturday, Sunday, and State observed holidays) and that the *main* voting location for City of Rockwall voters shall be the Rockwall County Courthouse Annex ("multipurpose room"), located at 1101 E. Yellowjacket Lane, Suite 160, Rockwall, Texas 75087. Rockwall city voters may also vote at any other location designated by the Rockwall County Elections Office, the information of which shall be provided on the County Elections website at www.rockwallvotes.com.

Monday, April 20 - 8:00 a.m. until 5:00 p.m.
Tuesday, April 21 – NO VOTING (San Jacinto Day)

Wednesday through Friday, April 22 – April 24, 2026 - 8:00 a.m. until 5:00 p.m.
Saturday, April 25, 2026 – 10:00 a.m. until 4:00 p.m.
Monday, April 27 and Tuesday, April 28, 2026 - 7:00 a.m. until 7:00 p.m.

Applications for ballot by mail shall be requested from and mailed to the Rockwall County Elections Office - 1101 E. Yellowjacket Lane, Suite 150, Rockwall, Texas 75087. Applications for ballots by mail must be received no later than the close of business on Monday, April 20, 2026.

Section 8. Method of Voting. That Rockwall County Elections owns and utilizes an electronic voting system - the Election System and Software (ES&S) EVS 6.0.2.0 Voting System - which includes the DS200 precinct scanner, the DS450 central scanner and the ExpressVote ballot marking device, and said system has been duly approved by the Secretary of State, pursuant to Texas Election Code Chapter 122 as amended, and is compliant with the accessibility requirements for persons with disabilities set forth by Texas Election Code Section 61.012;

Section 9. Governing Law and Qualified Voters. That the election shall be held in accordance with the constitution of the State of Texas and the Code, and all resident, qualified electors of the city, shall be eligible to vote at the election.

Section 10. Publication and Posting of the Notice. That notice of the election in English and Spanish shall be given by posting a notice of election on the City Hall bulletin board used for posting notices of the meetings of the City Council not less 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 a newspaper of general circulation within the city, the date of said publication to be not less than ten (10) days and not more than thirty (30) days prior to the date set for the election.

Section 11. Administration of Election and Appointment of Judges and Clerks. That the Rockwall County Elections Administrator shall serve as the Administrator of the election. The County Elections Administrator shall appoint a sufficient number of judges and clerks in accordance with Chapter 32 Texas Elections Code to assist in the proper conduct of the election.

Section 12. Delivery of Returns: Preservation of Election Records. That in accordance with the City's joint contract with the Rockwall County Elections Administrator, the returns of said election shall be made in accordance with the Code. All election records and supplies shall be preserved by the County, on behalf of the City of Rockwall, in accordance with the Code.

Section 13. Representatives. That the following slate of officials and other designated persons are hereby authorized to be present to observe the election counting process:

- a. The Mayor and members of the City Council of the City of Rockwall;
- b. Candidates for Mayor and City Council of the City of Rockwall;
- c. The Rockwall City Secretary or her designated representative.

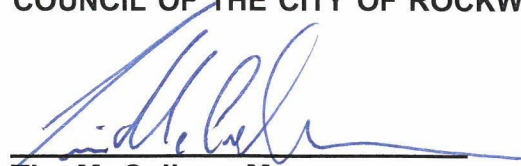
Section 14. Canvassing of Returns. That the City Council of the City shall convene between May 5, 2026 to May 13, 2026 to canvass the returns of the election in accordance with the Texas Election Code.

Section 15. Necessary Action. That the Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Section 16. Severability. That 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.

Section 17. Effective Date. That this resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 2ND DAY OF FEBRUARY, 2026.


Tim McCallum, Mayor

ATTEST:


Kristy Teague, City Secretary



EXHIBIT A

PROPOSITION ONE

Shall Sections 11.08 and 11.10, of the City Charter be amended to require submission to the qualified voters of the City to eliminate provisions which have become inoperative because they have been superseded by state law; replace obsolete references; update terminology to current legal usage, and eliminate obsolete transitional provisions?

Sec. 11.08 – Proposed Charter Language: The City will not be held liable on account of any claim for the death of any person or injuries to any person or damage to any property unless the person making such complaint or claiming such damages will, within sixty one hundred and eighty days after the time at which it is claimed such damages were inflicted upon such person or property, file with the City a written statement under oath, stating the nature and character of such damages or injuries, the extent of the same, the place where same happened, the circumstances under which same happened and the conditions causing same, with a detailed statement of each item of damages and the amount thereof, giving a list of any witnesses known by affiant to have seen the accident.

Sec. 11.10 – Proposed Charter Language: All legal process against the City will be served upon ~~both the Mayor, and the City Manager~~ or City Secretary.

PROPOSITION TWO

Shall Sections 3.01 (c) of the City Charter be amended to require the resignation from office of any city elected official who becomes a candidate for any other municipal office other than the one currently held and such resignation shall become effective at the time of canvassing of the election?

Sec. 3.01 (c) - Proposed Charter Language: If the Mayor or a Council member announces candidacy or becomes a candidate for any other municipal office other than office currently held, such announcement or such candidacy shall constitute a resignation of the office then held, and the vacancy shall become effective at the time of the canvas of that election. Any vacancy thereby created shall be filled pursuant to Section 3.05 of the City Charter.

PROPOSITION THREE

Shall Section 5.04 (1) of the City Charter be amended to require more than 50% of votes cast to be elected to any municipal office?

Sec. 5.04 (1) - Proposed Charter Language: (1) The candidate for elective office receiving a plurality majority of the votes cast will be declared the winner. In case of a tie amongst the candidates receiving the most votes, a runoff election will be held with only the names of those tied candidates on the ballot. The runoff election will be held within thirty days and in accordance with the laws of the State of Texas

PROPOSITION FOUR

Shall Section 6.07 (1) of the City Charter be amended to increase the number of days the City Secretary has to verify signatures on a petition from twenty-one days to thirty-days?

Sec. 6.07 (1) - Proposed Charter Language: Within ~~twenty-one~~ thirty days after the petition is presented, the City Secretary must complete a certificate of sufficiency or insufficiency. Sufficiency must be determined by compliance with this Article.

PROPOSITION FIVE

Shall Section 7.15 of the City Charter be amended to require that the solid waste contract be competitively bid at least every five (5) years and such contract require city council approval?

Sec. 7.15 (4) - Proposed Charter Language: The City shall competitively bid at least every five (5) years its solid waste contract and such contract shall be approved by the City Council.

PROPOSITION SIX

Shall Section 11.14 of the City Charter be amended to allow the City Council by ordinance to amend the City Charter to correct typographical errors, grammatical errors, references to laws which have been changed or which references are, for any reason, incorrect, and to neutralize all gender references; provided, that no such amendment shall change the meaning or substance of the Charter?

Sec. 11.14 - Proposed Charter Language: Amendments to this Charter may be framed and submitted to the qualified voters of the City in the manner provided by the constitution and the laws of the State of Texas as presently enacted or hereafter amended. However, the City Council may, by ordinance, make no substantive amendments to the City Charter to correct typographical errors, grammatical errors, references to laws which have been changed or which references are, for any reason, incorrect, and to neutralize all gender references; provided, that no such amendment shall change the meaning or substance of the Charter.

PROPOSITION SEVEN

Shall Section 11.14 (1) of the City Charter be amended to require the City Council to appoint a Charter Commission at least every ten (10) years?

Sec. 11.15 (1) –Proposed Charter Language: The City Council must appoint at least every ten (10) years a Charter Review Commission of ten citizens of the City...