

RESOLUTION NO. 20-22

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, ORDERING AND CALLING A PRIMARY ELECTION TO BE HELD ON TUESDAY, AUGUST 2, 2022, AND, IF NECESSARY, A GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, TO NOMINATE CANDIDATES FOR COUNCIL MEMBER SEATS FOR DISTRICTS 4, 5, AND 6 IN THE CITY OF BUCKEYE; DESIGNATING OR PROVIDING FOR THE MANNER IN WHICH THE CITY CLERK SHALL CONDUCT THE ELECTION; SPANISH TRANSLATION OF ELECTION MATERIALS; AND THE DEADLINE FOR VOTER REGISTRATION AND MAILING OF BALLOTS.

WHEREAS, the Mayor and Council (collectively, the “Council”) desire to submit to the qualified electors of the City of Buckeye (the “City”) the selection of candidates for Councilmember seats for Districts 4, 5, and 6; and

WHEREAS, the Council may consolidate the election with any other election conducted in the City on August 2, 2022 and November 8, 2022, as applicable.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, as follows:

Section 1. Order and Call of Election; Purpose. The primary election (“Primary Election”) is hereby ordered and called to be held in and for the City on Tuesday, August 2, 2022 to nominate candidates for three council member seats whose names shall appear on the ballot at the general election to be held on November 8, 2022 (the “General Election” and together with the Primary Election, the “Election”), if necessary. Any candidates receiving a majority of all the votes cast at the Primary Election will be declared elected without running at the General Election.

Section 2. Publication of the Call and Notice of Election. The publication of the call and notice of the Election shall be given, or caused to be given, by the City Clerk, as provided by law, and as may be deemed necessary and appropriate in the City Clerk’s discretion to advise the public of the Election.

Section 3. Conduct of Election; Contracts. The Election may be conducted by mail ballot according to ARIZ. REV. STAT. § 16-409, as amended, and the City Clerk is hereby authorized to determine the manner in which the Election shall be conducted. The Mayor, City Manager or City Clerk is authorized and directed to enter into an intergovernmental agreement with the Maricopa County Recorder and/or the Maricopa County Elections Department to conduct the Election. The Election shall be conducted and the votes cast thereat shall be counted and tabulated, and the returns thereof shall be made in the manner provided by law. Only persons who are qualified electors of the City shall vote at the Election. The City of Buckeye City Hall, located at 530 East Monroe Avenue, and any office of the Maricopa County Recorder, are hereby designated as ballot depositories pursuant to ARIZ. REV. STAT. § 16-411, as amended, at which locations voters may deposit marked ballots until 7:00 p.m. on August 2, 2022 for the Primary Election and November 8, 2022 for the General Election. Further, the City of Buckeye

City Hall and any office of the Maricopa County Recorder are hereby designated as the City's ballot replacement locations at which a voter may obtain a replacement ballot until 7:00 p.m. on August 2, 2022 for the Primary Election and November 8, 2022 for the General Election. The Election may be consolidated with any other election conducted in the City on August 2, 2022 and November 8, 2022.

Section 4. Deadline for Voter Registration and Mailing of Ballots. Maricopa County registration and voting lists will be used for the Election. To be qualified to vote in the Primary Election, a City resident must be registered to vote by July 5, 2022. To be qualified to vote in the General Election, a City resident must be registered to vote by October 11, 2022. For those persons on the permanent early voter list, official ballots will be mailed by Maricopa County Elections Department to qualified electors on July 6, 2022 for the Primary Election and on October 12, 2022 for the General Election. The City of Buckeye City Hall and Maricopa County Recorder offices will open as ballot replacement locations.

Section 5. Voting Rights Act Submission and Spanish Translation. To comply with the Voting Rights Act of 1965, as amended, the proceedings pertaining to the Election will be translated into Spanish and posted, published, and/or recorded in each instance where posting, publication, and/or recording for such proceedings are required, such as this call of election, the notice of election, ballots, all early voting materials, and all instructions contained in the mail ballot materials.

Section 6. Ballots. The City Clerk is hereby authorized and directed to cause ballots to be printed and mailed to the qualified electors offering to vote at the Election. The Election may be conducted in the manner determined to be in the best interests of the City by the Maricopa County Elections Department and the City Council or either of them.

Section 7. Canvass of Election. The returns of the Election shall be made to the Council, which shall meet on a day that is not less than six (6) days nor more than twenty (20) days after the Election to canvass the returns and certify the results, all as provided by law. The Council will be governed by the vote of the majority of the ballots cast on the questions submitted. The City Clerk shall record a copy of the Council resolution canvassing the results in the office of the Maricopa County Recorder.

PASSED AND ADOPTED by the Mayor and City Council of the City of Buckeye, Arizona, this 15th day of February, 2022. Eric W. Orsborn, Mayor; **ATTEST:** Lucinda J. Aja, City Clerk; **APPROVED AS TO FORM:** Shiela B. Schmidt, City Attorney