

**CITY OF UHLAND TEXAS  
ORDINANCE NO 80.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UHLAND, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 10, 2008; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Uhland, Texas, is a Type A general law municipality located in Hays and Caldwell counties, created in accordance with Chapter 6 of the Local Government Code, and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the regular election for City Council members of the City of Uhland is required to be held on May 10, 2008, at which time the voters will elect persons to fill the offices of Mayor and Two Aldermen; and

WHEREAS, it is the intention of the City Council to designate a polling place for the election, to appoint the necessary election officers to establish and set forth procedures for conducting the election, and authorize the Mayor to execute a contract with Hays County for conducting the election.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UHLAND, TEXAS, THAT:**

**Section 1. General Election Called.** An election is hereby called to elect the offices of Mayor and Two Aldermen to serve a two (2) year term from May of 2008 until May of 2010 or until their successors are duly elected and qualified. The election shall be held on May 10, 2008 between the hours of 7:00 a.m. and 7:00 p.m. at the Uhland Community Center located at 15 N. Old Spanish Trail, Uhland Texas 78640.

**Section 2. Contract for Election Services Approved.** The Contract for Election Services for Hays County and the City of Uhland (the "Agreement") is attached hereto as Exhibit "A" and incorporated herein for all purposes is hereby approved and the Mayor is authorized to execute the Agreement. In the event of conflict between this Ordinance and the Agreement, the Agreement shall control.

**Section 3. Application for Place on Ballot.** Qualified persons may file as candidates by filing an application in the office of the City Secretary located at 15 N. Old Spanish Trail, Uhland, Texas 78640. The first date of filing is **February 9, 2008**. Applications for filing as a candidate will be accepted during normal business hours through 5:00 p.m. on Monday, March 10, 2008. **Filing deadline is 5:00 p.m. on March 10, 2008. Applications must be RECEIVED by the above mentioned time and date.**

**Section 4. Early Voting.**

**a. Early voting by personal appearance.** Early voting by personal appearance shall commence April 28, 2008 and shall continue until May 6, 2008 at the location and times designated in the Agreement. On at least two days during the early voting period, the location for early voting shall be open for at least twelve (12) hours.

**b. Early voting by mail.** Diana T. Woods, the City Administrator/City Secretary for the City of Umland is hereby designated as Early Voting Clerk for the general election. The following are designated as deputy early voting clerks: Priscilla Chapa, Municipal Clerk, City of Umland, Joyce Cowan, and Hays County Elections Administrator. Applications for early voting by mail may be delivered to the Early Voting Clerk at the following address: Early Voting Clerk, 15 N. Old Spanish Trail, Umland Texas 78640 not earlier than March 11, 2008 and not later than close of business on May 2, 2008. Early voting by ballots shall be mailed to the Early Voting Clerk at the same address.

**c. Early voting by Ballot Board.** Early voting, both by personal appearance and by mail shall be canvassed by the Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and Alternate Presiding Election Judge, appointed herein, shall serve as the presiding officer and alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board.

**Section 5. Appointment of Election Judge and Alternate Election Judge.** The Presiding Election Judge and Alternate Presiding Judge shall be appointed by the Hays County Elections Administrator as authorized by Chapter 271 of the Code.

**Section 6. Method of Voting.** The Hart InterCivic eSlate (Direct Recording Electronic Voting System) shall be used for voting by personal appearance on Election Day and the Hart InterCivic eSlate (Direct Recording Electronic Voting System) for early voting by personal appearance. The City Council hereby adopts The Hart InterCivic eSlate (Direct Recording Electronic Voting System) DRE for early voting and Election Day. The voting systems are being provided by Hays County under the terms of the agreement. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Texas Election Code.

**Section 7. Governing Law and Qualified Voters.** The election shall be held in accordance with the Constitution of the State of Texas and the Texas Election Code, and all resident qualified voters of the City shall be eligible to vote at the election.

**Section 8. Publication and Posting of Notice of Election.** Notice of the election shall be given as required by the Texas Election Code.

**Section 9. Submissions to the United States Justice Department.** The City Secretary of the City of Umland or her designee is authorized to make such submissions as are necessary to

the United States Justice Department to seek pre-clearance for any changes in voting practices. The City Secretary shall prepare a submission, on behalf of the City of Umland, to the United States Department of Justice for preclearance of the election procedures and polling places, pursuant to the Voting Rights Act of 1965, as amended.

**Section 10. Delivery of Returns.** The counting station manager or his representative shall deliver timely cumulative reports of the election results as tabulated. The manager shall be responsible for releasing unofficial cumulative totals from the election to the City of Umland, candidates, press, and general public by distribution of hard copies at the central counting station.

**Section 11. Necessary Actions.** The Mayor and the City Secretary of the City of Umland, 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 12. Effective Date.** This Ordinance shall be effective upon its adoption.

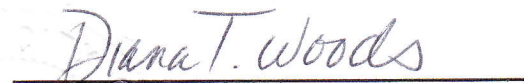
PASSED AND APPROVED this 9th day of January, 2008.

CITY OF UHLAND



Daniel R. Heideman, Mayor

ATTEST:



Diana T. Woods, City Administrator/City Secretary

APPROVED AS TO FORM:



Cary Bovey, City Attorney

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PASSED AND APPROVED this 9th day of January, 2008.

CITY OF UHLAND

Daniel R. Heideman  
Daniel R. Heideman, Mayor

ATTEST:

Diana T. Woods  
Diana T. Woods, City Administrator/City Secretary

APPROVED AS TO FORM:

Cary Bovey  
Cary Bovey, City Attorney