

**CITY OF UHLAND TEXAS**

**ORDINANCE # 170**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UHLAND, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 7, 2016; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Umland, Texas, is a Type A general law municipality located in Hays and Caldwell counties, created in accordance with Chapter t 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 Umland is required to be held on May 7, 2016, at which time the voters will elect persons to fill the offices of (3) Alderpersons

**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 three Alderpersons to serve a two (2) year term from May of 2016 until May of 2018 or until their successors are duly elected and qualified. The election shall be held on May 7, 2016 between the hours of 7:00am and 7:00pm at the County Line Water SUD located at 8870 Camino Real, Umland Texas 78640

**Section 2. Contract for Election Services Approved.** The Contract for Election Services for Hays County and the City of Umland and County Line Water SUD (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 of 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, Umland, Texas 78640. The first date for filing is **January 20, 2016**. Applications for filing as a candidate will be accepted during normal business hours through 5:00 pm on Friday February 19, 2016.

**Filing deadline is 5:00pm on February 19, 2016. Application 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 27, 2016 and shall continue until May 7, 2016 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.** Karen Gallaher City Administrator for the City of Umland is hereby designated as Early Voting Clerk for the General election. The following are designated as deputy early voting clerk 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 23, 2016 and not later than close of business on April 26, 2016. Early voting by ballots shall be mailed to the Early Voting Clerk as 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, 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 Inter Civic eSlate (Direct Recording Electronic Voting System) shall be used for voting by personal appearance on Election Day and the Hart Inter Civic eSlate (Direct Recording Electronic Voting System) for early voting by personal appearance. The City Council hereby adopts The Hart Inter Civic 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 State Justice Department.** The City Administrator of the City of Uhland or her designee is authorized to make such submissions as are necessary to the United States Justice Department to seek pro-clearance for any changes in voting practices. The City Administrator shall prepare a submission, on behalf of the City of Uhland, 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 Uhland, candidates, press, and general public by distribution of hard copies at the central counting station.


**Section 11. Necessary actions.** The Mayor and the City Administrator of the City of Uhland, 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 third (3<sup>rd</sup>) day of February, 2016. 4 Ayes ~~0~~ Nays  
~~0~~ Abstain.

  
Bryan Geiger, Mayor

ATTEST:

  
Karen Gallaher, City Administrator