

**ORDINANCE NO. 254**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UHLAND, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 1, 2021; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE HOLDING OF SUCH ELECTION.**

**WHEREAS**, the City of Uhlend, Texas, is a Type A general law municipality located in Hays and Caldwell counties, created in accordance with Chapter 7 of the Local Government Code, and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the regular election day for the City of Uhlend, Texas ("City") is on the uniform election day occurring the first Saturday in May (May 1, 2021); and

**WHEREAS**, the terms for City Mayor, City Alderperson Place 4 and City Alderperson Place 5 are scheduled to expire at the next uniform election date; and

**WHEREAS**, pursuant to Section 22.003 of the Texas Local Government Code and Section 3.005 of the Texas Election Code, the City is required to order an election for the City's elected officers annually; 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 Ordered.**

- A. An Election (the "Election") is hereby ordered to elect the following municipal officer positions:
- City Mayor;
  - Alderperson Place 4; and
  - Alderperson Place 5.

- B. The Election shall be held on the next uniform election date of May 1, 2021.

**Section 2. Elected Officer Positions.**

- A. Each of the officer positions up for election shall be for a two (2) year term beginning on the later of the fifth (5th) day after the uniform election date of May 1, 2021 or the date the elected officer takes the oath of office.

B. A candidate must receive a plurality vote to be elected to office by the Election.

**Section 3. Ballots; Application for Place on Ballot.**

- A. Ballots shall be prepared in accordance with the Texas Election Code, so as to permit the voters to cast a ballot for the candidate(s) of their choice.
- B. Qualified persons may file as a candidate by filing an application in the office of the City Secretary located at 15 N. Old Spanish Trail, Uhland, Texas 78640. The first date for filing is **January 13, 2021**. Applications for filing as a candidate will be accepted during normal City Hall business hours through 5:00 p.m. on Friday February 12, 2021. The **filing deadline is 5:00 p.m. on Friday February 12, 2021. Applications must be RECEIVED by the above-mentioned time and date.**

**Section 4. Election Day Precincts & Polling Places.**

- A. The territorial boundaries of the City of Uhland are hereby designated as the voting precinct for the Election.
- B. The Election day polling place shall be at the Uhland Community Center located at 15 N. Spanish Trail, Uhland Texas 78640.
- C. The Election day polling place shall be open for voting on May 1, 2021 between the hours of 7:00 a.m. and 7:00 p.m.

**Section 5. Early Voting.**

**A. Early Voting by Personal Appearance.**

- i. Early voting by personal appearance shall commence April 19, 2021 and shall continue until April 27, 2021.
- ii. The Early Voting polling place shall be at the Uhland Community Center located at 15 N. Spanish Trail, Uhland Texas 78640.
- iii. The Early Voting polling place shall be open for voting as follows:

Monday April 19, 2021 – Friday April 23, 2021  
8:00 a.m. - 5:00 p.m.

Saturday April 24, 2021  
10:00 a.m. - 2:00 p.m.

Monday April 26, 2021 – Tuesday April 27, 2021  
7:00 a.m. - 7:00 p.m.



iv. The Hays County Elections Administrator shall serve as the Early Voting Clerk for all purposes other than for the purpose of receiving ballot applications for ballots to be voted by mail. The Early Voting Clerk shall have the authority to designate such Deputy Early Voting Clerks as may be necessary to staff the Early Voting Polling Place. On at least two (2) 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.** The City Secretary for the City of Uhland is hereby appointed as and shall serve as Early Voting Clerk solely for the purpose of receiving ballot applications for ballots to be voted by mail. Ballot applications submitted by mail shall be addressed to: City of Uhland, Attn: Early Voting Clerk, 15 N. Old Spanish Trail, Uhland Texas 78640 not later than close of business on May 1, 2021. Early voting by ballots shall be mailed to the Early Voting Clerk as the same address. The City Secretary for Uhland shall collect all applications for ballots received by the City at the above address during the period allowed by the Texas Election Code and deliver to the Hays County Elections Administrator as required by law.

**Section 6. Conduct of Election; Appointments.**

- A. The Election shall be conducted by election officers appointed by the City Council in accordance with the Texas Election Code, the Constitution and laws of the State of Texas and the United States.
- B. The City Council hereby appoints the Hays County Elections Administrator as the election officer for the sole purpose of conducting the Election, early voting related thereto, tabulation of votes and the custody of any records from the Election.
- C. The City Council hereby delegates the authority to the Hays County Election Administrator to appoint the Election Judge and Alternate Election Judge.
- D. In the event any person appointed under this Ordinance cannot or will not serve in the appointed capacity, the Mayor is authorized to appoint alternates, if necessary.

**Section 7. Notice of Election.**

- A. Notice of the Election shall be published in a newspaper one time in both English and Spanish languages as required by the Texas Election Code.
- B. Notice of the Election shall be posted on the bulletin board used by the City Council to post notices of its City Council meetings as required by the Texas Elections Code.

**Section 8. Information in Spanish.**

Notices, instructions, ballots and other written material pertaining to the Election shall be translated into the Spanish language. This material shall be furnished to voters in both

English and Spanish in order to enable voters to properly participate in the election process. In addition, the City shall provide the services of a translator speaking both English and Spanish languages during the Election process to voters who notify the City of the need for such services.

**Section 9. Authorization to Execute.**

The Mayor of the City of Umland is authorized to execute, and the City Secretary is authorized to attest to, in consultation with the City Attorney, this Ordinance and any other document or other legal action necessary to order, hold and carryout the intent of this Ordinance and the consummation of the Election.

**Section 10. Delivery of Return; Canvassing.**

- A. The Hays County Elections Administrator shall make a written return of the Election results to the City Council in accordance with the Texas Elections Code.
- B. The City Council shall canvas the returns and declare the results of the Election in accordance with the Texas Elections Code.

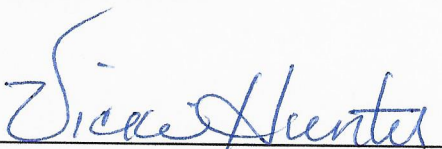
**Section 11. Proper Notice and Meeting.**

A quorum of the City Council was present at the meeting at which this Ordinance was adopted. The meeting was open to the public and notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.


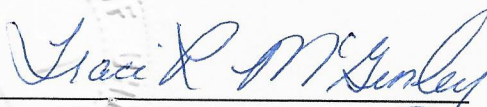
**Section 12. Effective Date.**

This Ordinance shall be effective immediately upon its passage and approval.

**PASSED, APPROVED AND ADOPTED** this 2<sup>nd</sup> day of December 2020, by a vote of 5 ayes, 0 nays and 0 abstentions of the City Council of Umland, Texas.

  
\_\_\_\_\_  
Vicki Hunter, Mayor

ATTEST:

  
  
\_\_\_\_\_  
Traci R. McGinley, City Secretary