

ORDINANCE NO. 307

AN ORDINANCE OF THE CITY OF UHLAND, TEXAS ORDERING A SPECIAL ELECTION IN THE CITY OF UHLAND, TEXAS, TO ELECT ONE (1) ALDERPERSON FOR A ONE YEAR TERM FOR SAID CITY; MAKING PROVISION FOR THE CONDUCT AND GIVING NOTICE OF SAID ELECTION; PROVIDING FOR AN ELECTION AGREEMENT WITH CALDWELL COUNTY; COMBINING OF THE GENERAL ELECTION IN CONJUNCTION WITH OTHER PARTICIPATING ENTITIES IN A JOINT ELECTION; PROVIDING EARLY VOTING POLLING PLACES, TIMES, AND DATES; AUTHORIZING QUALIFIED VOTER PARTICIPATION; REQUIRING NOTICE OF ELECTION TO BE POSTED IN ENGLISH AND SPANISH; PROVIDING FOR SELECTION OF ELECTION JUDGES AND CLERKS; PROVIDING FOR SEVERABILITY, OPEN MEETING, AND EFFECTIVE DATE

WHEREAS, the election laws of the State of Texas provide that a Special Election may be held on a uniform election date; and

WHEREAS, the City Council finds that calling a Special Election on the first Saturday in May 2024, is in the best interest of the City; and

WHEREAS, the City Council calls for a special municipal election for the purpose of electing an alderperson to fill the vacancy on city council for a one (1) year term; and

WHEREAS, pursuant to the Texas Election Code, the City Council of the City of Uhlund, Texas hereby calls for the above Special Election for municipal officers and hereby sets forth the procedures and requirements for the conduct of said election; and

WHEREAS, the City Council will make provision for the Special Election to be conducted jointly with the City's General Election and other political subdivisions in the area under the authority of Texas Election Code, Chapter 271; and

WHEREAS, the City will make provisions to contract with Caldwell County to conduct the City's Special Election pursuant to Chapter 31, of the Texas Election Code and Chapter 791 of the Texas Government Code (the "Election Agreement"), jointly with other political subdivisions that hold elections on the same day in all or part of the same territory of the City, as authorized in Chapter 271, Texas Election Code;

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

Section 1: Date of Election. A Special Election shall be held in the City on the 4th day of May, 2024, which day is not less than Sixty-two (62) days from the date of the adoption hereof.

Section 2: Joint Election Agreement, Election Services Agreement, Use of Electronic Voting System and Authorization of Ballot. The election shall be held as a

joint election pursuant to Texas Election Code Chapter 271, which allows the City's General and Special elections and elections which may be held on the election day by other political subdivisions (hereinafter "Participating Entities"), under a Joint Election/Election Services Agreement that will be submitted to the City Council for approval at a subsequent meeting.

Pursuant to Chapter 31 of the Texas Election Code, the City Council orders that the Election be conducted pursuant to a Joint Election/Election Services Agreement with Caldwell County Clerk which will be submitted to the City Council for approval at a subsequent meeting.

An electronic voting system, as defined and described in Title 8 of the Texas Election Code, shall be utilized for the Election and for early voting, by personal appearance, and paper ballots for early voting by mail.

Section 3: Election Day Precincts, Polling Places, Precinct Officials and Voting Times. The election precincts for this election shall be the Caldwell County Election Precincts wholly within the territorial limits of the City and the polling place established for each of these precincts shall serve as common polling places for the joint elections of the Participating Entities and they may be combined for the convenience of the voters. On Election Day, the polls shall be open from 7:00 AM to 7:00 PM. The returns for precincts in Caldwell County will be provided by precinct for the election and the Caldwell County Elections Administrator shall tabulate and provide the election returns for the election.

Section 4: Conduct of Election. The Caldwell County Election Officer and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in the manner provided by the Election Agreement with the City; and the official ballots, together with such other election materials as are required by the Texas Election Code, shall be prepared in both the English and Spanish languages and shall contain such provisions, markings and language as is required by law.

Section 5: Early Voting Polling Places, Times and Dates, Mail in Voting Procedures. Early voting for the election shall be conducted jointly with the Participating Entities in the joint election. Early Voting by personal appearance for the Election shall be conducted jointly at the locations and on the dates and times specified. These Early Voting polling places shall be common polling places utilized by the City, the Participating Entities and Caldwell County, Texas.

Early voting by personal appearance will be as follows:

Scott Annex Building
1403 Blackjack St. Suite A
Lockhart, TX 78644

April 22-26, 2024, 8:00 AM to 5:00 PM
April 27, 2024, 10:00 AM to 3:00 PM
April 29-30, 2024, 7:00 AM to 7:00 PM

Section 6: Qualified Voters and Conduct of Election. All resident qualified electors of the City shall be permitted to vote at said election, and on the day of the election, such electors shall vote at the polling place designated for the City Election Precinct in which they reside or at any Voting Center if they are used during this Election. This election shall be held and conducted in accordance with the Texas Election Code, and as may be required by law, all election materials shall be printed in both English and Spanish.

Section 7: Notices. Notice of the election in English and Spanish, and as otherwise provided by law, shall be posted not later than the 21st day before Election Day, on the bulletin board used for posting notices of the meetings of the City Council of the City of Umland and shall remain posted continuously through Election Day. Notice of the Election in English and Spanish shall also be given by publishing the notice at least once, not earlier than the 30th day or later than the 10th day before Election Day in the official newspaper of the City.

Section 8: Election Materials and Supplies. The City Secretary is authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the Texas Election Code; provided that, pursuant to the Joint Election Agreement between the City and Caldwell County, the Caldwell County Elections Officer shall have the duty and be responsible for organizing and conducting the election in compliance with the Texas Election Code; and for providing all services specified to be provided in the Joint Election Agreement. The Caldwell County Elections Officer shall give the notices required by the Texas Election Code and the Joint Election Agreement to be given for the election.

Section 9: Election Judges and Clerks. The presiding judges, alternate presiding judges and clerks for the election precincts, the Presiding Judge of the Early Voting Ballot Board and the Central Counting Station Manager and Tabulation Supervisor shall be selected and appointed by Caldwell County and its appointees in compliance with the requirements of state law.

Section 10: Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 11: Proper Notice and Open Meeting. The City Council officially finds, determines, and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance is adopted was posted for at least 72 hours preceding the scheduled time of the meeting and at the location required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter thereof was discussed, considered and formally acted upon.

Section 12: Authorization to Execute. The Mayor is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the City Council;

and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 13: Effective Date. This Ordinance is effective immediately upon its passage and approval and publication as may be required by governing law.

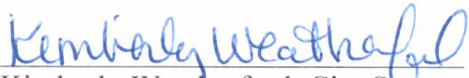
PASSED AND ADOPTED this 7th day of February, 2024.

City of Uhland, Texas



Lacey Duke, Mayor

ATTEST:



Kimberly Weatherford, City Secretary
City of Uhland, Texas

