ORDINANCE 2020-O-03

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF VOLENTE, TEXAS, ORDERING A GENERAL ELECTION ON NOVEMBER 3, 2020, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) COUNCIL MEMBERS OF THE VILLAGE COUNCIL OF THE VILLAGE OF VOLENTE; ESTABLISHING EARLY VOTING LOCATIONS AND POLLING PLACES FOR THE ELECTION; MAKING OTHER PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND PROVIDING FOR FINDINGS OF FACT, SEVERABILITY, CONFLICTING PROVISIONS, GOVERNING LAW, PROPER NOTICE AND OPEN MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the laws of the State of Texas provide that on November 3, 2020, there shall be a general election for municipal officers; and

WHEREAS, the Texas Election Code is applicable to said election, and in order to comply with said Code, an ordinance should be passed calling the election and establishing the procedures to be followed in said election and designating the voting place for said election; and

WHEREAS, the Village of Volente, Texas, (the "City") lies within the boundaries of Travis County; and

WHEREAS, the City approves and agrees to conducting the General Election jointly with other political subdivisions in Travis County in accordance with Tex. Elec. Code Chapter 271.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VOLENTE, TEXAS, THAT:

Section 1. General Election Ordered. A general election shall be held on November 3, 2020 to elect the following city officers: Mayor and Two (2) Council Members of the Village of Volente, Texas.

Section 2. Filing Period. Candidates for the above offices may file their application beginning at 8:00 a.m. July 18, 2020 and shall file their applications no later than 5:00 p.m. August 17, 2020. All candidates for the offices to be filled in the election to be held on November 3, 2020, shall file their application to become candidates, with the City Secretary of the City at City Hall, 16100 Wharf Cove, Volente, Texas, on any weekday that is not a City holiday between 8:00 a.m. and 5:00 p.m., and all of said applications shall be on a form as prescribed by the Election Code of the State of Texas.

Section 3. Drawing. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing conducted by the City Secretary as provided by the Election Code. Notice of the drawing will be posted by the City Secretary a minimum of seventy-two (72) hours in advance.

Section 4. Ballots and Printed Materials. The ballots used for the election shall comply with the Texas Election Code and be in the form provided by the City to the Travis County Election Officer (the "Election Officer") for use on the voting devices and ballots used by Travis County. The official ballots, together with such other election materials as are required by the Texas

Election Code, as amended, shall be printed in both the English and Spanish languages and shall contain such provisions, markings and language as required by law.

Section 5. Joint Election. The City agrees to conduct a joint election with the political subdivisions designated by the Elections Officer, provided that such political subdivisions hold an election on November 3, 2020, in all or part of the same territory as the City. The joint election for political subdivisions in Travis County will be conducted in accordance with state law, this ordinance, and the contract for election services with Travis County ("Election Services Contract").

Section 6. Conduct of Election. The 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 Services Contract and the law governing the holding of general elections by general law cities of the State of Texas.

Section 7. Election Precinct and Polling Place. The election precincts for the election shall be the election precincts established by Travis County, provided that each shall contain and include geographic area that is within the City. Election Day voting shall be conducted at places, times, and locations authorized and required by state law and the Election Officer. The returns for the precincts in Travis County will be provided by precinct, and the Election Officer shall tabulate and provide the election returns for the election. Any polling place may be changed by the Election Officer upon compliance with state and federal law.

Section 8. Election Officer. The Election Officer is appointed to serve as the City's Election Officer, Joint Early Voting Clerk and the Joint Custodian of Records for precincts which may be affected, to conduct the City's election on November 3, 2020. As the City's Election Officer and Early Voting Clerk, The Election Officer shall coordinate, supervise, and conduct all aspects of administering voting in the City's election in compliance with state law and the Election Services Contract.

Section 9. Early Voting. Early voting, both by personal appearance and by mail, will be conducted by the Election Officer in accordance with the Texas Election Code. Early voting by personal appearance shall be conducted at places, times, and locations authorized and required by state law and the Election Officer. Early voting shall commence on Tuesday, October 13, 2020, and continue through Friday, October 30, 2020. Early voting by City residents may be conducted at any Travis County early voting location and any location exclusively designated by the Election Officer for City residents. The early voting clerk's official mailing address is:

Travis County Early Voting Clerk
P.O. Box 149325
Austin, Texas 78714-9325

Section 10. Election Judges and Clerks. The presiding judges, alternate presiding judges and clerks for the election shall be selected and appointed by Travis County and its appointees in compliance with the requirements of state law, and such judges and clerks so selected by Travis County and its appointees are hereby designated and appointed by the city council as the election officers, judges and clerks, respectively, for the holding of said general election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law. The city council will further confirm and appoint the election judges and alternate election judges that are appointed by Travis County for the election.

Section 11. City Secretary. The City Secretary, or designee, is instructed to aid the Election Officer in the acquisition and furnishing of all election supplies and materials necessary to conduct the election as provided by the Election Service Contract. The City Secretary will serve as Regular Early Voting Clerk for the City to receive requests for applications for early voting ballots and forward those applications to the Joint Early Voting Clerk. The City Secretary is further 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 Election Services Contract between Travis County and the City, the Election 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 Election Services Contract. The Election Officer shall give the notices required by the Texas Election Code to be given for the election not required to be given by the City under the Election Services Contract.

Section 12. Notice of Election. Notice of the election shall be given by posting a notice containing a substantial copy of this ordinance on the bulletin board used for posting notice of meetings of the governing body at the City Hall and at the aforesaid election day polling places not later than the twenty-first (21st) day before the election, and by publishing said Notice of Election at least one time, not earlier than thirty (30) days nor later than ten (10) days prior to said election, in a newspaper of general circulation in the City. The notice that is posted, and the notice that is published in a newspaper of general circulation within the city, will be written in both English and Spanish.

Section 13. General. The Election Officer shall hold said election in accordance with the Texas Election Code and the Election Services Contract, and only resident qualified voters of said City shall be eligible to vote at said election.

Section 14. Effective Date; Election Code. This ordinance shall be in full force and effect from and after its passage on the date shown below; provided that if any term or provision of this ordinance conflicts with, or is inconsistent with, the Texas Elections Code, the Texas Election Code shall govern and control and the Election Officer shall comply with the Texas Election Code.

Section 15. Open Meetings. It is officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required Chapter 551, Tex. Gov't. Code.

PASSED AND APPROVED this 14th day of August 2020.

Jana Nace, Mayor

ATTEST:

Debbie Gold, Interim Assistant City Secretary