**ORDINANCE 466**

**AN ORDINANCE OF THE CITY OF EL LAGO, TEXAS, ORDERING A REGULAR CITY OFFICERS ELECTION TO BE HELD ON THE 2nd DAY OF MAY, 2020; PRESCRIBING THE FORM OF THE BALLOT; DESIGNATING THE POLLING PLACES AND APPOINTING ELECTION OFFICIALS FOR SUCH ELECTION; PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; MAKING CERTAIN FINDINGS; AND PROVIDING FOR SEVERABILITY.**

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**WHEREAS**, Section 3.004 (a) of the Texas Election Code directs that the governing body of the City of El Lago shall order the general election for City Officers in the City; and

**WHEREAS,** Section 41.001 of the Texas Election Code establishes May 2, 2020 as a "uniform election date" for the purposes of conducting the election; and

**WHEREAS,** three (3) positions on the City Council are to be contested in this election.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL LAGO, TEXAS:**

**Section 1. Findings.**

The findings contained in the preamble to this Ordinance are determined to be true and correct and are hereby adopted as a part of the Ordinance.

**Section 2. Election Order- City Officers.**

It is hereby ordered that a Regular Election be held in the City of El Lago on the 2nd day of May, 2020, at which election the following officers shall be elected by the qualified voters of the City:

**POSITIONS:**

Council Position 3

Council Position 4

Council Position 5

**Section 3. Polling Place and Election Officers.**

The present boundaries of the City constituting one election precinct, the polls shall be open for voting from seven (7:00) AM until seven (7:00) PM at the following polling place and the following are hereby appointed officers to conduct the election at said polling place:

**POLLING PLACE:**

City of El Lago City Hall

411 Tallowood

El Lago, TX 77586

**ELECTION OFFICERS:**

Arthur Richard

Charles Chiampi (alternate judge)

The City Secretary is hereby authorized and directed to provide a copy of this Ordinance to the judges as written notice of their appointment as required by Section 32.009 of the Texas Election Code.

The Presiding Judge shall have the authority to appoint no more than two (2) clerks to assist in the holding of such election, but in no event shall the Presiding Judge appoint less than one clerk. Said election officers shall also serve as the Early Voting Ballot Board for such election: the Presiding Judge of such election precinct shall also serve as the Presiding Officer of the Early Voting Ballot Board.

The Election Judge shall be compensated at an hourly rate of $16.00 and election clerks shall be compensated at an hourly rate of $14.00 as provided by Section 32.091 (a) of the Texas Election Code. The Election Judge shall be compensated in the amount of $25.00 for the delivery of election equipment and supplies as provided by Section 32.092 (a) of the Texas Election Code, if such delivery is necessary. The City will pay for any required training of the City's election judges and clerks. Judges and clerks will also be reimbursed for travel and will be paid at the set hourly rates for training time.

**Section 4. Early Voting.**

The City Secretary is hereby appointed clerk for early voting; the appointment of a deputy clerk or clerks for early voting by the City Secretary shall be in accordance with Section 83.001 of the Texas Election Code.

The City of El Lago City Hall, at 411 Tallowood Drive, El Lago, TX 77586, is hereby designated as the place for early voting for such election. Said clerks shall keep said office open during regular office hours, that is, from nine (9:00) AM until five (5:00) PM Monday through Thursday, nine (9:00) AM until twelve (12:00) PM, with additional extended hours from seven (7:00) AM until seven (7:00) PM on the last 2 dates of early voting which occur on a weekday, that is Monday through Friday. Early voting will begin on the 12th day and continue through the 4th day preceding the date of the election, which is not a Saturday, Sunday, or an official state holiday.

Said clerks shall not permit anyone to vote early by personal appearance on any day which is not a regular working day for the clerk's office, and under no circumstances shall they permit anyone to vote early by personal appearance at any time when such office is not open to the public. The above described place for early voting is also the clerk's mailing address to which ballot applications and ballots voted by mail may be sent. The early voting clerk, in accordance with the provisions of the Texas Election Code, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

**Section 5. Ballots.**

All ballots shall be prepared in accordance with the Texas Election Code. The system used for voting shall be paper ballots, which are to be used for early voting by mail and for provisional voting both on Election Day and during early voting by personal appearance. All expenditures necessary for the conduct

of the election, the purchase of materials therefore, and the employment of all election officials is hereby authorized.

**Section 6. Election Supplies.**

The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

**Section 7. Notice.**

Notice of this election shall be given in accordance with the provisions of the Texas Election Code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such election and returns of such election shall be made to the City Secretary after the closing of the polls.

**Section 8. Applicable Law.**

Said election shall be held in accordance with the Texas Election Code and the Federal Voting Rights Act of 1965, as amended.

**Section 9. Severability.**

In the event that any provision, section, subsection, sentence, clause, or phrase of this Ordinance or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other person or set of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**PASSED, APPROVED, AND ADOPTED** THIS 5th DAY OF FEBRUARY, 2020.

John F. Skelton

Mayor

ATTEST:

Rachel Lewis

City Secretary