

**ORDINANCE 1014**

**AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS; PROVIDING FOR A SPECIAL ELECTION TO BE HELD ON MAY 12, 2012, FOR THE PURPOSE OF CALLING A REFERENDUM REGARDING THE CONTINUATION OF THE COTTONWOOD SHORES CRIME CONTROL AND PREVENTION DISTRICT AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS:**

**Section 1:** In accordance with the general laws and the Constitution of the State of Texas, a Special Election is hereby called and ordered for the second (2<sup>nd</sup>) Saturday in May, 2012, the same being the 12th day of said month, at which election all qualified voters of the City of Cottonwood Shores, Texas (the "City") may vote for the continuation of the Cottonwood Shores Crime Control and Prevention District in accordance with Texas Local Government Code Section 363.251

**Section 2:** The City is contracting with Burnet County for election services, administration and equipment pursuant to Section 31.092(a) of the Texas Election Code, as amended.

**Section 3:** At the Election the following proposition (the "Propositions") shall be submitted to the qualified voters of the City in accordance with law:

**PROPOSITION**

**WHETHER THE CITY OF COTTONWOOD SHORES CRIME CONTROL AND PREVENTION DISTRICT SHOULD BE CONTINUED FOR 20 YEARS AND THE CRIME CONTROL AND PREVENTION DISTRICT SALES AND USE TAX SHOULD BE CONTINUED FOR 20 YEARS.**

**Section 4. Official Ballot:** (a) Voting at the Election, and early voting therefor, shall be by the use of the lawfully approved County voting systems and ballots.

(b) The preparation of the necessary equipment and the official ballots for the Election shall conform to the requirements of the Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid Proposition which shall be set forth on the ballots substantially in the following form:

**PROPOSITION 1**

[ ] FOR	)	WHETHER THE CITY OF COTTONWOOD SHORES
	)	CRIME CONTROL AND PREVENTION DISTRICT SHOULD
	)	BE CONTINUED FOR <u>20</u> YEARS AND THE CRIME
	)	CONTROL AND PREVENTION DISTRICT SALES AND USE
	)	TAX SHOULD BE CONTINUED FOR <u>20</u> YEARS
[ ] AGAINST	)	

**Section 5:** The present boundaries of the City constitute one (1) election precinct (Burnet County Precinct No. 22). The polls shall be open for voting from 7:00 a.m. until 7:00 p.m. at the following polling place:

**ELECTION DAY POLLING PLACE**

County Courthouse South Annex, 810 Steve Hawkins Pkwy., Marble Falls, TX 78654,

**Section 6:** The following are hereby appointed election officers to conduct said election at the above-referenced polling place:

**ELECTION OFFICERS**

Melodee Slade

Presiding Judge

Peggy Davis

Alternate Presiding Judge

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

The Presiding Judge shall have the authority to appoint no more than five (5) clerks to assist in the holding of said election, but in no event shall the Presiding Judge appoint less than two (2) clerks.

**Section 7:** 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 83.031 et. seq. of the Texas Election Code at said polling place:

**EARLY VOTING POLLING PLACE**

County Courthouse Annex, 810 Steve Hawkins Pkwy., Marble Falls, TX 78654,

Said clerks for early voting shall keep said office open during the hours the City Secretary's main office is regularly open for business, that is, from 8:00 a.m. until 5:00 p.m. from Monday, April 30, 2012 through Tuesday, May 8, 2012, on each day for early voting which is not a Saturday, a Sunday, or an official state or federal holiday, except that the early voting polling place shall be open from 7:00 a.m. until 7:00 p.m. on Thursday, May 3, 2012 and Monday, May 7, 2012. 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 8:** The Election Judge is hereby appointed as Presiding Judge of the Early Voting Ballot Board. In accordance with Section 87.001, et. seq., Texas Election Code, said

**Original**

Presiding Judge shall appoint at least two (2) other members to said Board, and shall process early voting results in accordance with said Texas Election Code.

**Section 9:** All ballots shall be prepared in accordance with the Texas Election Code. Direct recording electronic voting machines ("eSlate") and paper ballots shall be used for early voting by personal appearance and for voting on Election Day. Early voting by a method other than by personal appearance shall be by paper ballot. All expenditures necessary for the conduct of the election and the purchase of materials therefore is hereby authorized.

**Section 10:** The office of the Texas Secretary of State has certified that the eSlate to be provided by Burnet County is an accessible voting system that may legally be used in Texas elections. Sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems. The City shall provide at least one (1) eSlate in each polling place in every polling location used to conduct an election ordered on or after January 1, 2006. The eSlate may be acquired by any legal means available to the City, but not limited to lease or rental from Burnet County or from another legal source, as authorized or required by Sections 123.032 and 123.035 of the Texas Election Code.

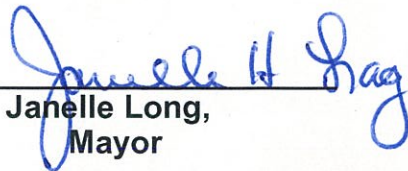
**Section 11:** Compensation for all election officials is hereby established in amounts permitted under Section 32.091, Texas Election Code. Compensation for the Election Judge shall be \$9.00 per hour. Election Clerks shall be paid \$8.00 per hour. Early voting deputies shall be paid \$8.00 per hour.

**Section 12:** The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

**Section 13:** 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 immediately after closing of the polls.

**Section 14:** Said election shall be held in accordance with the Texas Election Code and the Voting Rights Act of 1965, as amended.

**PASSED, APPROVED and ADOPTED this, the 1st day of March, 2012.**

  
\_\_\_\_\_  
Janelle Long,  
Mayor



**ATTEST:**

  
\_\_\_\_\_  
Mark E. Pederson,  
City Secretary