

City of Cottonwood Shores

ORDINANCE 11093

AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS, PROVIDING FOR A SPECIAL ELECTION TO BE HELD ON MAY 6, 2017, FOR THE PURPOSE OF REAUTHORIZING A LOCAL SALES AND USE TAX IN THE CITY OF COTTONWOOD SHORES, TEXAS, AT THE RATE OF ONE-FOURTH (1/4th) OF ONE PERCENT (1%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. In accordance with the general laws and the Constitution of the State of Texas and Section 327.007 of the Texas Tax Code, a Special Municipal Election is hereby called and ordered for the first (1st) Saturday in May 2017, the same being the 6th day of said month, at which election all qualified voters of the City of Cottonwood Shores, Texas (the "City") may vote for the purpose of submitting the following measure to the qualified voters of the City.

Measure:

"Shall the City Council of the City of Cottonwood Shores, Texas, be reauthorized to impose a local sales and use tax in the City of Cottonwood Shores, Texas, at the rate of one-fourth (1/4th) of one percent (1%) to continue providing revenue for maintenance and repair of municipal streets?"

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. The present boundaries of the City constitute one (1) election precinct (Burnet County Precinct No. 19). 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 4. 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, Texas Election Code.

The Presiding Judge shall have the authority to appoint no more than six (6) clerks to assist in the holding of said election, but in no event shall the Presiding Judge appoint less than three (3) clerks.

Section 5. Doug Ferguson, Burnet County Elections Administrator, is hereby appointed clerk for early voting; the appointment of a deputy clerk or clerks for early voting by the Burnet County Elections Administrator shall be in accordance with Section 83.031 et. seq., Texas Election Code, at said polling place:

EARLY VOTING POLLING PLACE

Early voting by personal appearance shall be conducted at the following places and hours of operation are as follows:

Early Voting Polling Place Name	Early Voting Polling Place Address	Hours for April 24 – April 26	Hours for April 27	Hours for April 28	Hours for May 1	Hours for May 2
Burnet County Courthouse	220 S. Pierce Burnet, TX 78611	8:00 a.m. -- 5:00 p.m.	7:00 a.m. – 7:00 p.m.	8:00 a.m. – 5:00 p.m.	7:00 a.m. – 7:00 p.m.	8:00 a.m. – 5:00 p.m.
Marble Falls County Courthouse Annex	810 Steve Hawkins Pkwy. Marble Falls, TX 78654	8:00 a.m. – 5:00 p.m.	7:00 a.m. – 7:00 p.m.	8:00 a.m. – 5:00 p.m.	7:00 a.m. – 7:00 p.m.	8:00 a.m. – 5:00 p.m.

Said clerks for early voting shall keep said office open on each day for early voting which is not a Saturday, Sunday, or an official State or federal 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 Burnet County Courthouse 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 6. Sandra Howe is hereby appointed as Presiding Judge of the Early Voting Ballot Board. In accordance with Section 87.001, et. seq., Texas Election Code, said Presiding Judge shall appoint at least three (3) and no more than six (6) other members to said Board, and shall process early voting results in accordance with said Texas Election Code.

Section 7. 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 8. 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, 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. 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, Texas Election Code.


Section 9. 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 10. The Burnet County Elections Administrator is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 11. 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 12. 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 16TH DAY OF FEBRUARY, 2017 AT A MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THERE BEING A QUORUM PRESENT, BY 5 YEAS, 0 NAYS AND 0 ABSTAINS.


Donald Orr, Mayor




Sheila C. Moore
City Administrator/City Secretary