

ORDINANCE NO. 2022-77

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, AMENDING ORDINANCE 2022-71, ORDERING A GENERAL AND SPECIAL ELECTION TO BE HELD ON NOVEMBER 8, 2022 FOR THE PURPOSE OF ELECTING A MAYOR, A CITY COUNCIL MEMBER FOR PLACE 1, A CITY COUNCIL MEMBER FOR PLACE 2 AND TO SUBMIT A CITIZEN-INITIATED ORDINANCE TO ELIMINATE LOW-LEVEL MARIJUANA ENFORCEMENT TO THE VOTERS; ADDING POLLING LOCATIONS, DATES, AND TIMES FOR VOTING ON ELECTION DAY AND FOR EARLY VOTING BY PERSONAL APPEARANCE; MAKING PROVISIONS FOR CONDUCTING THE ELECTION; PROVIDING FOR THE APPROVAL OF THIS ORDINANCE AS AN EMERGENCY MEASURE ON ONLY ONE READING; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

Ordinance 2022-71 is hereby amended to read as follows (added language is underlined, deleted language is shown with ~~strikethroughs~~):

SECTION 1. A general election is ordered to be held by the City of San Marcos (the “City”) at the various polling places and election precincts within the corporate limits of the City, ~~yet to be designated~~, as hereinafter designated, on November 8, 2022 from the hours of 7:00 a.m. to 7:00 p.m. This general and special city election will be conducted jointly with Hays County and will be administered for the City by the Hays County Elections Administrator. At the general election the qualified voters of the City will elect a Mayor for a term of two years, City Council Member for Place 1 and a City Council Member for Place 2 with each Council Member position having a term of three years. At the special election, the voters will also consider a citizen-initiated “ORDINANCE TO ELIMINATE LOW-LEVEL MARIJUANA ENFORCEMENT.” The official canvass of the election shall be held November 17, 2022, following Election Day. In the event it becomes necessary to conduct a runoff election it will be necessary to call the runoff election on the same day the final canvass of the main election is completed, November 15, 2022. The runoff election shall be held on December 13, 2022. Canvass of the returns of the runoff election, if necessary, shall be held on December 15, 2022.

SECTION 2. The ballots for the City election will conform to the requirements of the Texas Election Code, and will also contain the following proposition that corresponds to the citizen-initiated ordinance attached to this ordinance as Exhibit “A”.

PROPOSITION - A

FOR/AGAINST AN ORDINANCE TO ELIMINATE LOW-LEVEL
MARIJUANA ENFORCEMENT

SECTION 3. If approved by the voters, the citizen-initiated ordinance attached hereto as Exhibit “A” will be adopted.

SECTION 4. On Election Day, eligible City of San Marcos and Hays County voters may vote at any of the locations listed below from 7:00 a.m. to 7:00 p.m. Voters are not limited to only voting in the precinct where they are registered to vote:

POLLING PLACE	ADDRESS	CITY
<u>Broadway (Christus Trinity Clinic)</u>	<u>401 Broadway Street #A</u>	<u>San Marcos</u>
<u>Brookdale San Marcos North</u>	<u>1720 Old Ranch Road 12</u>	<u>San Marcos</u>
<u>Calvary Baptist Church</u>	<u>1906 North Interstate 35</u>	<u>San Marcos</u>
<u>Centro Cultural Hispano</u>	<u>211 Lee Street</u>	<u>San Marcos</u>
<u>Dunbar Center</u>	<u>801 MLK Dr.</u>	<u>San Marcos</u>
<u>First Baptist Church – San Marcos</u>	<u>325 W McCarty Lane</u>	<u>San Marcos</u>
<u>Hays County Government Center</u>	<u>712 South Stagecoach Trail</u> <u>Northwest Conference</u> <u>Rooms</u>	<u>San Marcos</u>
<u>Texas State University - LBJ Student Center</u>	<u>601 University Drive</u>	<u>San Marcos</u>
<u>Promiseland Church</u>	<u>1650 Lime Kiln Rd.</u>	<u>San Marcos</u>
<u>San Marcos Fire Station #5</u>	<u>100 Carlson Circle</u>	<u>San Marcos</u>
<u>San Marcos Housing/CM Allen Homes</u>	<u>820 Sturgeon St.</u>	<u>San Marcos</u>
<u>San Marcos Public Library</u>	<u>625 East Hopkins Street</u>	<u>San Marcos</u>
<u>Sinai Pentecostal Church</u>	<u>208 Laredo St.</u>	<u>San Marcos</u>
<u>South Hays Fire Station #12</u>	<u>8301 Ranch Road 12</u>	<u>San Marcos</u>
<u>Stone Brook Seniors Community</u>	<u>300 Stagecoach Trail</u>	<u>San Marcos</u>
<u>HCISD Admin - Arnold Transportation Bldg.</u>	<u>21009 IH 35 Frontage Rd</u>	<u>Kyle</u>
<u>Austin Community College – Hays Campus</u>	<u>1200 Kohlers Crossing</u>	<u>Kyle</u>
<u>Kyle City Hall</u>	<u>100 West Center Street</u>	<u>Kyle</u>
<u>Live Oak Academy High School</u>	<u>4820 Jack C. Hays Trail</u>	<u>Kyle</u>
<u>Hays County Precinct 2 Office</u>	<u>5458 FM 2770</u>	<u>Kyle</u>
<u>Simon Middle School</u>	<u>3839 East FM 150</u>	<u>Kyle</u>
<u>Tobias Elementary School</u>	<u>1005 East FM 150</u>	<u>Kyle</u>
<u>Wallace Middle School</u>	<u>1500 West Center Street</u>	<u>Kyle</u>
<u>Hays County Transportation Department. –</u> <u>Yarrington Building</u>	<u>2171 Yarrington Road</u>	<u>Kyle</u>
<u>HCISD Transportation Dept, Main Office</u>	<u>2385 High Road</u>	<u>Uhland</u>
<u>Buda City Hall – Multipurpose Room</u>	<u>405 East Loop St.</u> <u>Bldg.100</u>	<u>Buda</u>
<u>Hays Hill Baptist Church</u>	<u>1401 North FM 1626</u>	<u>Buda</u>
<u>McCormick Middle School</u>	<u>5700 Dacy Lane</u>	<u>Buda</u>
<u>Southern Hills Church of Christ</u>	<u>3740 FM 967</u>	<u>Buda</u>
<u>Sunfield Station</u>	<u>2610 Main Street</u>	<u>Buda</u>

<u>Upper Campus, Buda Elementary School</u>	<u>300 North San Marcos St.</u>	<u>Buda</u>
<u>Cypress Creek Church</u>	<u>211 Stillwater Road</u>	<u>Wimberley</u>
<u>Texas Academy at Scudder - Gym</u>	<u>400 Green Acres Drive</u>	<u>Wimberley</u>
<u>VFW Post #6441</u>	<u>401 Jacobs Well Road</u>	<u>Wimberley</u>
<u>Wimberley Community Center</u>	<u>14068 Ranch Road 12</u>	<u>Wimberley</u>
<u>Dripping Springs Ranch Park</u>	<u>1042 Event Center Drive</u>	<u>Dripping Springs</u>
<u>Henly Station #3, North Hays County Fire Rescue</u>	<u>7520 Creek Road</u>	<u>Dripping Springs</u>
<u>Patriots' Hall of Dripping Springs</u>	<u>231 Patriots' Hall Blvd. (3400 East US 290)</u>	<u>Dripping Springs</u>
<u>Hays County Precinct 4 Office</u>	<u>195 Roger Hanks Parkway</u>	<u>Dripping Springs</u>
<u>Belterra Centre</u>	<u>151 Trinity Hills Drive (sometimes listed as 688 Trinity Hills Drive)</u>	<u>Austin</u>

SECTION. 5. As per the contract, the Hays County Election Administrator shall appoint presiding judges and alternate judges to serve in this election, and it shall be each such judge's duty to hold the election in their respective precincts

SECTION 6. Each presiding judge may appoint up to four clerks, and with the permission of the Hays County Election Administrator, additional clerks, to serve for each precinct in this election.

SECTION 7. Jennifer Anderson is appointed Early Voting Clerk for the City.

SECTION 8. The main early polling place for early voting by personal appearance for the election is the Hays County Government Center, 712 S. Stagecoach Trail, Conference Rooms San Marcos, TX 78666. Early voting by personal appearance will be conducted during the following stated dates and times (excluding holidays) at the following locations:

<u>Location</u>	<u>Date</u>	<u>Time</u>
<u>Broadway (Christus Trinity Clinic)</u> <u>401 Broadway Street #A</u> <u>San Marcos, Texas</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Hays County Government Center</u> <u>712 S. Stagecoach Trail,</u> <u>Conference Room</u> <u>San Marcos, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>

<u>Texas State University</u> <u>LBJ Student Center</u> <u>601 University Drive</u> <u>San Marcos, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Buda City Hall</u> <u>405 East Loop Street, Bld. 100</u> <u>Buda, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Sunfield Station</u> <u>2610 Main Street</u> <u>Buda, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Patriots’ Hall of Dripping</u> <u>Springs</u> <u>231 Patriots’ Hall Boulevard</u> <u>(3400 East US 290)</u> <u>Dripping Springs, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Hays County Precinct 4 Office</u> <u>195 Roger Hanks Parkway</u> <u>Dripping Springs, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>HCISD Administration – Arnold</u> <u>Transportation Building</u> <u>21009 Interstate 35 Frontage</u> <u>Road</u> <u>Kyle, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Kyle City Hall</u> <u>100 West Center Street</u> <u>Kyle, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Live Oak Academy High School</u> <u>4820 Jack C. Hays Trail</u> <u>Kyle, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>

<u>Main Office, HCISD</u> <u>Transportation</u> <u>2385 High Road</u> <u>Uhland, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Hays County Transportation –</u> <u>Yarrington Building</u> <u>2171 Yarrington Road</u> <u>San Marcos, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Texas Academy at Scudder</u> <u>Primary School - Gym</u> <u>400 Green Acres Drive</u> <u>Wimberley, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Wimberley Community Center</u> <u>14068 Ranch Road 12</u> <u>Wimberley, TX</u>	<u>October 24 – 28, 2022</u> <u>October 29, 2022</u> <u>October 30, 2022</u> <u>October 31, 2022</u> <u>November 1- 4, 2022</u>	<u>8:00 a.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>12:00 p.m. - 6:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>

SECTION 9. Early voting by mail ballot shall be conducted in accordance with applicable provisions of the Texas Election Code. The address of 712 S. Stagecoach Trail, Suite 1012 San Marcos, Texas 78666, shall be the early voting clerk's mailing address to which ballot applications and ballots voted by mail may be sent for the City.

SECTION 10. All early votes and other votes to be processed in accordance with early voting procedures pursuant to the Texas Election Code shall be delivered to the Early Voting Ballot Board at the Hays County Election Administrator's office which is located in the City, in accordance with the Election Code. Early votes shall be counted at the central counting station. The Early Voting Ballot Board shall perform in accordance with applicable provisions of the Election Code.

SECTION 11. The Verity Duo Hybrid voting system, shall be utilized in connection with the election. This system shall be utilized for all early voting as well as for all voting conducted on Election Day. Ample voting equipment shall be provided for early voting and in each of the various vote centers on Election Day. The central counting station is established as the Hays County Elections Administrator's office, 712 S. Stagecoach Trail, Suite 1012, San Marcos, Texas.

SECTION 12. The Hays County Elections Administrator will appoint the Early Voting Ballot Board, a Presiding Judge of the Central Counting Station, a Tabulation Supervisor of the Central Counting Station, and a Central Counting Station Manager.

SECTION 4 13. The election will be held in accordance with the provisions of the Charter and Ordinances of the City of San Marcos and the laws of the State of Texas. The deadline for filing by candidates for the position of Mayor, Council Member, Place 1 and Council Member, Place 2 is 5:00 p.m. on August 22, 2022.

SECTION 5 14. An executed copy of this Ordinance will serve as proper notice of the election.

SECTION 6 15. Notice of the election, including a Spanish translation thereof, will be published at least once in a newspaper published in San Marcos on or after October 9, 2022 and on or before October 29, 2022, and will be posted on the bulletin board at City Hall on or before October 9, 2022.

SECTION 7 16. A writ of election as required by the Texas Election Code will be delivered on or before September 9, 2022 by the Hays County Election Administrator to the presiding and alternate judges of each election precinct in which the election is ordered to be held.

SECTION 17. Testing of the automatic tabulating equipment will be performed and notice thereof will be given in accordance with Subchapter D of Chapter 127 of the Texas Election Code.

SECTION 18. The rate of compensation to be paid judges, clerks, and assistants to the Central Counting Station Presiding Judge and Tabulation Supervisor for services rendered during the election will be compensated at the rate of no more than \$12.00 per hour.

SECTION 19. The additional compensation to be paid judges who deliver returns of the election is established at \$25.00.

SECTION 20. If any portion of this Ordinance is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 21. The importance of this Ordinance creates an emergency and an imperative public necessity, and the provisions of the Charter requiring that ordinances be presented at two separate meetings be waived and, this Ordinance will take effect immediately upon adoption.

CONSIDERED, APPROVED, AND ADOPTED on September 6, 2022

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk

Approved:

Michael J. Cosentino
City Attorney