

ORDINANCE NO. 2020-52

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING A MAYOR, CITY COUNCIL MEMBER, PLACE THREE, CITY COUNCIL MEMBER, PLACE FOUR, AND ORDERING A SPECIAL ELECTION TO FILL A VACANCY FOR THE ONE YEAR REMAINDER OF THE UNEXPIRED TERM OF OFFICE OF CITY COUNCIL MEMBER, PLACE 5 TO BE CONDUCTED CONCURRENTLY WITH THE GENERAL ELECTION; MAKING PROVISIONS FOR CONDUCTING THE ELECTION; DECLARING AN EMERGENCY CREATING THE NEED TO ADOPT THIS ORDINANCE WITH ONLY ONE READING; AND PROVIDING AN EFFECTIVE DATE

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

SECTION 1. A general and special 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, on November 3, 2020 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 3 and a City Council Member for Place 4 with each Council Member position having a term of three years. At the special election, the qualified voters of the City will elect a candidate to fill a vacancy in the office of Council Member Place 5 for the one-year remainder of the unexpired term of that office. The official canvass of the election shall be held November 18, 2020, 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 18, 2020. The runoff election shall be held not earlier than the 20<sup>th</sup> nor later than the 45<sup>th</sup> day after the date the final canvass of the regular election is completed. Canvass of the returns of the runoff election, if necessary, shall be held no earlier than the 8<sup>th</sup> day nor later than the 11<sup>th</sup> day following the date of the Runoff Election.

SECTION 2. 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 3 and Council Member, Place 4 is 5:00 p.m. on August 17, 2020. The deadline for filing by candidates for the position of Council Member, Place 5 for the one-year remainder of the unexpired term of that office is 6:00 p.m. on August 20, 2020.

SECTION 3. An executed copy of this Ordinance will serve as proper notice of the election.

SECTION 4. 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 4, 2020 and on or before October 24, 2020, and will be posted on the bulletin board at City Hall on or before October 13, 2020.

SECTION 5. A writ of election as required by the Texas Election Code will be delivered on or before October 19, 2020 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 6. 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 7. 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 August 4, 2020

Jane Hughson  
Mayor

Attest:

Approved:

Tammy K. Cook  
Interim City Clerk

Michael J. Cosentino  
City Attorney