

ORDINANCE NO. 2022-71

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, ORDERING A GENERAL AND SPECIAL ELECTION TO BE HELD ON NOVEMBER 8, 2022 FOR THE PURPOSE OF ELECTING A MAYOR, 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; 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:

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 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, a 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 concurrent Special City 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 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.
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SECTION 3. If approved by the voters, the citizen-initiated ordinance attached hereto as Exhibit "A" will be adopted.

SECTION 4. 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. An executed copy of this Ordinance will serve as proper notice of the election.

SECTION 6. 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 23, 2022, and will be posted on the bulletin board at City Hall on or before October 19, 2022.

SECTION 7. 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 8. 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 9. 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 16, 2022.

Jane Hughson  
Mayor

Attest:

Approved:

Elizabeth Trevino  
Interim City Clerk

Michael J. Cosentino  
City Attorney

[THE CITIZEN-INITIATED ORDINANCE IS ATTACHED AS EXHIBIT "A"]