



CITY CLERK'S OFFICE

MEMO

To: Mayor and City Council

FROM: Jamie Lee Case, City Clerk

DATE: OCTOBER 26, 2018

RE: Amendment of Election Early Voting and Election Day Polling Sites

The County Commissioners Court met today at 12:15 p.m. in an emergency meeting to receive legal advice regarding a threat of litigation by the Texas Civil Rights Project regarding Early Voting and Election Day polling places.

The County and the City both established the branch voting schedule during their regular meetings held on August 7, 2018. These were approved after recommendations from both primary parties, input from third parties, municipalities and by recommendation of the Elections Administration of the County, and it is substantially the same as it has been in past elections.

The letter that the County received from the Civil Rights Project only demanded an addition of a campus location. However, Section 85.062 of the Texas Election Code describes how balance must be maintained between the County Commissioners' Precincts of the County, and the addition of the Precinct 3 location would not achieve the balance that is required. Therefore, in order to maintain that balance it was recommended that the Commissioners Court add one polling place for Precincts 1, 3 and 4 as follows:

For Precinct 1 – Live Oak/Health Dept.
401 Broadway St.
San Marcos, Texas 78666

For Precinct 3 – Texas State University
LBJ Student Center
700 Student Center Dr.
San Marcos, Texas 78666

For Precinct 4 – Belterra Welcome Center
151 Trinity Hills Dr.
Austin, Texas 78737



Section 85.067 also requires a five day posting of Notice prior to changing the Branch Voting Schedule, so it was recommended that these additional polling places be open on Thursday, November 1 and Friday, November 2. The City has named Jennifer Anderson, Hays County Election Administrator, as the Early Voting Clerk in the original Ordinance ordering the election, the Election Services Contract and the Joint Elections Agreement, thus covering the City of San Marcos within the Notice as well as the County.

In recognition of the increase in registered voters within Hays County Election Precinct 334, the Hays County Commissioners Court voted to separate "Box 334" from Elections Precincts 319 and 330. Those three Election Precincts have historically voted at Crockett Elementary, which will continue to be the polling location for Precincts 319 and 330. However, the number of registered voters within Election Precinct 334 had increased to more than 500 voters before August 7, 2018, when the Commissioners Court approved the Polling Place locations. For that reason, the Commissioners Court found it appropriate to amend the location for "Box 334," directing that it be moved to the LBJ Student Center for Election Day voting.

It is recommended that the Council amend the original ordinance ordering the General and Special Election to contain the amendments that the County has made for consistency.

We have enough money within the Elections Budget to cover the additional cost of the additional polling locations, dates and times.