

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, AMENDING ORDINANCE 2019-18 ORDERING A GENERAL ELECTION TO BE HELD ON NOVEMBER 5, 2019 BY ESTABLISHING EARLY VOTING AND ELECTION DAY POLLING PLACES FOR THIS ELECTION; AND 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 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 5, 2019 from the hours of 7:00 a.m. to 7:00 p.m. This general 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 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. The official canvass of the election shall be held November 18, 2019, 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, 2019. 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 not later than the 11<sup>th</sup> day following the date of the Runoff Election.

SECTION 2. On Election Day, eligible City of San Marcos and Hays County voters may vote at any of the locations listed below. Voters are not limited to only voting in the precinct where they are registered to vote:

POLLING PLACE	ADDRESS	CITY
Brookdale - Horizon Bay at San Marcos	1720 Old Ranch Rd 12	San Marcos
Calvary Baptist Church	1906 North Interstate 35	San Marcos
Centro Cultural Hispano	211 Lee Street	San Marcos
Dunbar Center	801 MLK Dr.	San Marcos
First Baptist Church – San Marcos	325 W McCarty Lane	San Marcos
Hays County Government Center	712 South Stagecoach Trail	San Marcos
Hays County Health Dept.	401 A Broadway St.	San Marcos
Promiseland Church	1650 Lime Kiln Rd.	San Marcos
San Marcos Activity Center	501 E. Hopkins	San Marcos

San Marcos Conference Center – Embassy Suites	1001 East McCarty Lane	San Marcos
San Marcos Fire Station #5	100 Carlson Circle	San Marcos
San Marcos Housing - CM Allen Homes	820 Sturgeon St.	San Marcos
South Hays Fire Station #12	8301 Ranch Road 12	San Marcos
Stone Brook Seniors Community	300 Stagecoach Trail	San Marcos
Texas State University	TBD	San Marcos

SECTION 3. 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 4. 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 5. Jennifer Anderson is appointed Early Voting Clerk for the City.

SECTION 6. The main early polling place for early voting by personal appearance for the election is the Hays County Government Center Conference Room, 712 S. Stagecoach Trail, 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>
Austin Community College	October 21 – 26, 2019	8:00 a.m. – 5:00 p.m.
Hays Campus	October 28 – November 1, 2019	7:00 a.m. – 7:00 p.m.
1200 Kohlers Crossing Kyle, TX 78640		
Buda City Hall	October 21 – 26, 2019	8:00 a.m. – 5:00 p.m.
121 N Main St.	October 28 – November 1, 2019	7:00 a.m. – 7:00 p.m.
Buda, TX		
Hays County Government Center	October 21 – 26, 2019	8:00 a.m. – 5:00 p.m.
Conference Room	October 28 – November 1, 2019	7:00 a.m. – 7:00 p.m.
712 S Stagecoach Trail San Marcos, TX		
Hays County Precinct 2 Office	October 21 – 26, 2019	8:00 a.m. – 5:00 p.m.
5458 FM 2770	October 28 – November 1, 2019	7:00 a.m. – 7:00 p.m.
@ Crystal Meadow Dr. Kyle, TX		
Hays County Precinct 4 Office	October 21 – 26, 2019	8:00 a.m. – 5:00 p.m.
195 Roger Hanks Pkwy	October 28 – November 1, 2019	7:00 a.m. – 7:00 p.m.
Dripping Springs, TX		

Live Oak/Health Department 401 Broadway St San Marcos, TX	October 21 – 26, 2019 October 28 – November 1, 2019	8:00 a.m. – 5:00 p.m. 7:00 a.m. – 7:00 p.m.
McCormick Middle School 5700 Dacy Lane Buda, TX	October 21 – 26, 2019 October 28 – November 1, 2019	8:00 a.m. – 5:00 p.m. 7:00 a.m. – 7:00 p.m.
Texas State University TBD	October 21 – 26, 2019 October 28 – November 1, 2019	8:00 a.m. – 5:00 p.m. 7:00 a.m. – 7:00 p.m.
Wimberley ISD Administration Building 951 FM 2325 Wimberley, TX	October 21 – 26, 2019 October 28 – November 1, 2019	8:00 a.m. – 5:00 p.m. 7:00 a.m. – 7:00 p.m.
Wimberley Community Center 14068 Ranch Rd. 12 Wimberley, TX	October 21 – 26, 2019 October 28 – November 1, 2019	8:00 a.m. – 5:00 p.m. 7:00 a.m. – 7:00 p.m.

SECTION 7. 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, 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 8. 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 9. ~~A Direct Record Electronic ("DRE") System, as the term is defined in the Texas Election Code~~ 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, San Marcos, Texas.

SECTION 10. 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 11. 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 Council Member, Place 1 and Council Member, Place 2 is 5:00 p.m. on August 19, 2019.

SECTION 12. An executed copy of this Ordinance will serve as proper notice of the election.

SECTION 13. 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 6, 2019 and on or before October 28, 2019, and will be posted on the bulletin board at City Hall on or before October 15, 2019.

SECTION 14. A writ of election as required by the Texas Election Code will be delivered on or before October 21, 2019 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 15. 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 16. 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 17. The additional compensation to be paid judges who deliver returns of the election is established at \$35.00.

SECTION 18. 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 19. 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 20, 2019

Jane Hughson  
Mayor

Attest:

Approved:

Jamie Lee Case

Michael J. Cosentino

City Clerk

City Attorney