



Legislation Details (With Text)

File #: Ord. 2018-45 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 10/26/2018 **In control:** City Council
On agenda: 10/30/2018 **Final action:** 10/30/2018
Title: Consider approval of Ordinance 2018-45, on first and final reading, amending Ordinance 2018-23 ordering a General and Special Election to be held on November 6, 2018 by amending the polling locations for Election Day voting; and amending the locations, dates and times for Early Voting by Personal Appearance; and declaring an emergency creating the need to adopt this Ordinance with only one reading; and providing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Amended - 2018 General and Special Election Ordinance, 2. Early Voting and Election Day Polling Amendments, 3. 334 Map

Date	Ver.	Action By	Action	Result
10/30/2018	1	City Council		

AGENDA CAPTION:

Consider approval of Ordinance 2018-45, on first and final reading, amending Ordinance 2018-23 ordering a General and Special Election to be held on November 6, 2018 by amending the polling locations for Election Day voting; and amending the locations, dates and times for Early Voting by Personal Appearance; and declaring an emergency creating the need to adopt this Ordinance with only one reading; and providing an effective date.

Meeting date: October 30, 2018

Department: City Clerk's Office

Amount & Source of Funding

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

Fiscal Note:

Prior Council Action: Council approved Ordinance 2018-23 on August 7, 2018.

City Council Strategic Initiative: [Please select from the dropdown menu below]

N/A

Choose an item.

Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☐ Land Use - Choose an item.
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☒ Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

The County Commissioners Court met Friday, 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.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Approve Ordinance 2018-45 as submitted.