RESOLUTION NO. 2021-R-460

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON NOVEMBER 2, 2021, FOR THE PURPOSE OF ELECTING A MAYOR, ALDERMAN PLACE 1, AND ALDERMAN PLACE 2 FOR 2-YEAR TERMS; DESIGNATING POLLING PLACES; ESTABLISHING PROCEDURES FOR THE ELECTION; PROVIDING FOR OTHER MATTERS RELATING TO THE ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS,; *Sec. 41.001 of the Texas Election Code*, as amended ("*Tex. Elec. Code*") establishes the first Tuesday after the first Monday in November as a "uniform election date" for the purpose of conducting general and special elections; and

WHEREAS, the City Council of the City of Jonestown, Texas ("City Council") may order a general election pursuant to *Ch. 41 of the Tex. Elec. Code*, and *Ch. 23 of the Texas Local Government Code*; and

WHEREAS, the terms for Mayor, Alderman Place 1, and Alderman Place 2 are scheduled to expire at the next unform election date; and

WHEREAS, *Sec. 3.004 of the Texas Elec. Code* requires the City Council to order an election for its officers and post notice of Order of Election.

WHEREAS, the City approves and agrees to conducting the City General Election jointly with other political subdivisions in Travis County in accordance with *Tex. Elec. Code, Ch. 271*; and

WHEREAS, the City and other political subdivisions in the area have made provision to contract with the Travis County Elections Officer to conduct the City's election, pursuant to *Chapter 31, Tex. Elec. Code, and Ch. 791, Tex. Government Code ("Tex. Gov't Code"*;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JONESTOWN, TEXAS, THAT:

Section 1. General Election Ordered. A general election is hereby ordered to be held on the next uniform election date of November 2, 2021, for the purpose of electing the following city officers: Mayor, Alderman Place 1, and Alderman Place 2, of the City of Jonestown, Texas.

Section 2. Filing Period. Candidates for the above officers may file their application beginning at 8:00 a.m., July 17, 2021, and shall file their applications no later than 5:00 p.m., August 16, 2021. All candidates for the office to be filed in the election to be held on November 2, 2021, shall file their application to become candidates with the City Secretary of the City at City Hall, 18649 F.M. 1431, Suite 4A, Jonestown, Texas, on any weekday that is not a City holiday,

between 8:00 a.m. and 5:00 p.m., and all said applications shall be on a form as prescribed by the *Tex. Elec. Code*.

Section 3. Drawing. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing conducted by the City Secretary as provided by the *Tex. Elec. Code*. Such drawing will be held at 12:00 p.m. noon on Monday, August 23, 2021, at the Jonestown City Council Chamber, 18649 F.M. 1431, Suite 3A, Jonestown, Texas.

Section 4. Ballots and Printed Materials. The ballots used for the election shall comply with the *Tex. Elec. Code* and be in the form provided by the City to the Travis County Election Officer (the "Election Officer") for use on the voting devices and ballots used by Travis County. The official ballots, together with such other election materials as are required by the *Tex. Elec. Code*, as amended, shall be printed in both the English and Spanish languages and shall contain such provisions, markings and language as required by law

Section 5. Joint Election. The City agrees to conduct a joint election with the political subdivisions designated by the Elections Officer, provided that such political subdivisions hold an election on November 2, 2021, in all or part of the same territory as the City. The joint election for political subdivisions in Travis County will be conducted in accordance with state law, this resolution, and the contract for election services with Travis County ("Election Services Contract").

Section 6. Conduct of Election. The Election Officer and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in the manner provided by the Election Services Contract and the law governing the holding of general elections by general law cities of the State of Texas.

Section 7. Election Precinct and Polling Place. The election precincts for the election shall be the election precincts established by Travis County, provided that each shall contain and include geographic area that is within the City. Election Day voting shall be conducted at places, times, and locations authorized and required by state law and the Election Officer. The returns for the precincts in Travis County will be provided by precinct, and the Election Officer shall tabulate and provide the election returns for the election. Any polling place may be changed by the Election Officer upon compliance with state and federal law.

Section 8. Election Officer. The Election Officer is appointed to serve as the City's Election Officer, Joint Early Voting Clerk and the Joint Custodian of Records for precincts which may be affected, to conduct the City's election on November 2, 2021.

As the City's Election Officer and Early Voting Clerk, The Election Officer shall coordinate, supervise, and conduct all aspects of administering voting in the City's election in compliance with state law and the Election Services Contract.

Section 9. Early Voting. Early voting, both by personal appearance and by mail, will be conducted by the Election Officer in accordance with the *Tex. Elec. Code*. Early voting by personal appearance shall be conducted at places, times, and locations authorized and required by state law and the Election Officer. Early voting shall commence on Monday, October 18, 2021, and continue

through Friday, October 29, 2021. Early voting by City residents may be conducted at any Travis County early voting location and any location exclusively designated by the Election Officer for City residents.

Section 10. Election Judges and Clerks. The presiding judges, alternate presiding judges and clerks for the election shall be selected and appointed by Travis County and its appointees in compliance with the requirements of state law, and such judges and clerks so selected by Travis County and its appointees are hereby designated and appointed by the City Council as the election officers, judges and clerks, respectively, for the holding of said general election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law. The City Council will further confirm and appoint the election judges and alternate election judges that are appointed by Travis County for the election.

Section 11. City Secretary. The City Secretary, or designee, is instructed to aid the Election Officer in the acquisition and furnishing of all election supplies and materials necessary to conduct the election as provided by the Election Service Contract. The City Secretary will serve as Regular Early Voting Clerk for the City to receive requests for applications for early voting ballots and forward those applications to the Joint Early Voting Clerk. The City Secretary is further authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Tex. Elec. Code*; provided that, pursuant to the Election Services Contract between Travis County and the City, the Election Officer shall have the duty and be responsible for organizing and conducting the election in compliance with the *Tex. Elec. Code*; and for providing all services specified to be provided in the Election Services Contract. The Election Officer shall give the notices required by the *Tex. Elec. Code* to be given for the election not required to be given by the City under the Election Services Contract.

Section 12. Notice of Election. Notice of the election shall be given by posting a notice containing a substantial copy of this resolution on the bulletin board used for posting notice of meetings of the governing body at the City Hall and at the aforesaid election day polling places not later than the twenty-first (21st) day before the election, and by publishing said Notice of Election at least one time, not earlier than thirty (30) days nor later than ten (10) days prior to said election, in a newspaper of general circulation in the City. The notice that is posted, and the notice that is published in a newspaper of general circulation within the city, will be written in both English and Spanish.

Section 13. General. The Election Officer shall hold said election in accordance with the *Tex. Elec. Code* and the Election Services Contract, and only resident qualified voters of said City shall be eligible to vote at said election. Returns of said election shall be made known as soon as possible after the closing of the polls; and the election returns shall be canvassed by the City Council not earlier than November 5, 2021, nor later than November 15, 2021.

Section 14. Effective Date; Election Code. This resolution shall be in full force and effect from and after its passage on the date shown below; provided that if any term or provision of this resolution conflicts with, or is inconsistent with, the *Tex. Elec. Code*, the *Tex. Elec. Code* shall govern and control and the Election Officer shall comply with the *Tex. Elec. Code*.

Section 15. **Open Meetings.** It is officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required *Ch.. 551, Tex. Gov't. Code*.

PASSED AND APPROVED this 12th day of August, 2021.

CITY OF JONESTOWN

Paul Johnson, Mayor

Tom Buckle, Mayor Pro Tem

Eric Davis, Alderman

Rod Schaffner, Alderman

Dave Nelsen, Alderman

Linda Bush, Alderman

ATTEST:

Rachel Austin, City Secretary

CITY OF JONESTOWN TEXAS