

ORDINANCE NO. 2017-41

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, ORDERING A MUNICIPAL ELECTION TO BE HELD ON THE 7TH DAY OF NOVEMBER 2017, FOR THE PURPOSE OF ELECTING A MAYOR AT-LARGE AND FOUR COUNCILMEMBERS, ONE FROM EACH OF THE CITY'S FOUR WARDS, ONE, TWO, THREE, AND FOUR; DESIGNATING THE PLACES AND MANNER OF HOLDING THE ELECTION; AND PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, that:

SECTION 1. The regular municipal election of the City of Huntsville, prescribed by Section 6.01 of the City Charter, shall be held between the hours of seven (7:00) o'clock a.m. and seven (7:00) o'clock p.m. on the 7th day of November 2017, in the City, for the purpose of electing a Mayor at-large and four Ward Councilmembers, one for each of the City's four wards: (1) one, (2) two, (3) three, and (4) four.

SECTION 2. The City is hereby divided into seven (7) election precincts. The polling places for these election precincts shall be as follows:

<u>Precinct</u>	<u>Polling Place</u>
101/102	Walker County Annex; 1301 Sam Houston Avenue, Suite 101
201	Walker County Storm Shelter; 455 State Highway 75
205	Elkins Lake Recreation Conference Center; 634 Cherry Hills Drive
206	Huntsville Fire Station No. 1; 1987 Veterans Memorial Parkway
301	Huntsville ISD Transportation Building; 95 Martin Luther King
401	University Heights Baptist Church; 2400 Sycamore Avenue

SECTION 3. This election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. In all City elections, the Mayor, City Secretary or City Council shall do and perform each act as in other elections required to be done and performed, respectively, by the County Judge, the County Clerk or the Commissioners' Court. The City Council has determined, pursuant to Chapter 31 of the Texas Election Code, that the City is authorized to enter into an Election Services Agreement with Walker County, Texas, and, pursuant to Chapter 271 of the Texas Election Code, the City is authorized to enter into a Joint Election Agreement with Walker County and other participating political subdivisions for this election. The City Secretary and Mayor are hereby authorized to perform all duties and take all actions as required by any joint election agreement(s) and/or the contract(s) for election services that may be authorized by City Council.

SECTION 4. Any eligible and qualified person may have his name upon the official ballot as an independent candidate by submitting an application, which, in accordance with Texas Election Code Section 141.031, must be in writing and be signed and sworn to by the candidate and indicate the date that the candidate swears to the application. Such application for the general election may be filed with the City Secretary beginning on July 22, 2017 and must be filed not later than 5:00 p.m. on August 21, 2017.

SECTION 5. A Mayor At-Large and Councilmembers for each of the City's four wards shall be selected. The Mayor and Ward Councilmembers to be elected shall hold office for a period of two (2) years.

SECTION 6. Each of the five Councilmembers (the Mayor and the four Ward Councilmembers) shall be citizens of the United States, qualified and registered voters of the State of Texas; residents within the present corporate limits of Huntsville for at least twelve months immediately preceding the election; and current in payment of taxes and assessments due to the City.

SECTION 7. The order in which the names of the candidates are to be printed on the ballot shall be determined

by a drawing of the City Secretary as provided by section 52.094 of the Texas Election Code.

The form of the ballot for the election shall be as follows:

OFFICIAL BALLOT
General Election
City of Huntsville, Texas
November 7, 2017

INSTRUCTION NOTE: Vote for the candidate of your choice in each race by placing an "X" in the square beside the candidate's name.

Mayor (Vote for one)

- (candidate's name)
- (candidate's name)

Councilmember, Ward One (Vote for one)

- (candidate's name)
- (candidate's name)

Councilmember, Ward Two (Vote for one)

- (candidate's name)
- (candidate's name)

Councilmember, Ward Three (Vote for one)

- (candidate's name)
- (candidate's name)

Councilmember, Ward Four (Vote for one)

- (candidate's name)
- (candidate's name)

SECTION 8. Diana L. McRae, the Walker County Election Officer/Tax Assessor-Collector, is the Early Voting Clerk (EVC), and Julie Cooper, Walker County Elections Manager, is appointed Deputy Early Voting Clerk (DEVK) for the joint early voting approved by Commissioners' Court, as with respect to early voting in person and voting by mail, and the Walker County Annex, 1301 Sam Houston Avenue, Suite 101, is hereby designated as the Main Early Voting Site for early voting for the election.

Applications for ballot by mail shall be mailed, faxed, or emailed to:

Diana McRae, Walker County Tax Assessor-Collector
1301 Sam Houston Avenue, Suite 100, Huntsville 77340
(936) 436-4959
Fax Number: (936) 436-4961/Email: walkervr@co.walker.tx.us

Early Voting in the election by personal appearance shall be conducted at the times, dates and polling places as provided for in the Walker County Joint Election Agreement and Election Services Contract between the City of Huntsville, Texas and Walker County, Texas, and further adopts any additions or amendments to such concerning early voting times, dates, and polling location as approved by the Walker County Deputy Elections Administrator.

During the lawful early voting period, such clerk shall keep such place for early voting open for early voting from 8:00 a.m. - 5:00 p.m., Monday through Friday, October 23-November 3, 2017; and from 7:00 a.m. - 7:00

p.m. on Tuesday, October 24, 2017 and Tuesday, October 31, 2017; except on official state holidays.

SECTION 9. The Mayor and City Secretary are hereby directed to give notice of the election by:

- a) causing said notice of such election to be published at least forty (40) days prior to the date of such election in the newspaper;
- b) by publishing the notice at least one time, not more than thirty (30) days nor less than ten (10) days before the election, in the newspaper;
- c) by filing with the City Secretary, for posting, a copy of said notice at least twenty-one (21) days before the election; and
- d) by posting on the City Hall bulletin board notice of the election at least twenty-one (21) days before the election.

The Mayor and City Secretary shall file with the City Secretary a copy of the notice as published, together with the name of the newspaper and the dates of publication.

SECTION 10. It is further found and determined that, in accordance with the order of this governing body, the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and such notice having been so posted and remaining posted continuously for at least seventy-two (72) hours preceding the scheduled time of such meeting.

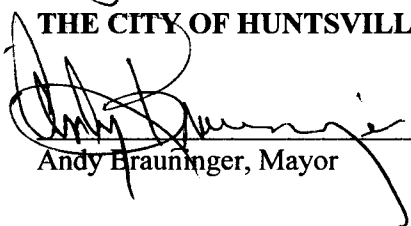
SECTION 11. That the Mayor and/or the City Secretary of the City of Huntsville are hereby authorized to execute and/or issue, for an on behalf of the City, such orders, documents and forms as may, from time to time, be promulgated by the Secretary of State of the State of Texas in conjunction with the election herein ordained.

SECTION 12. The Mayor and/or the City Secretary and the attorney for the City are hereby authorized and directed to make any filings required by the Federal Voting Rights Act. The Mayor and/or the City Secretary and the attorney for the City are further authorized and directed to take any action necessary to comply with the provisions of the Texas Elections Code, the Federal Voting Rights Act and the terms and provisions of any Election Services Contract(s) and the Joint Election Agreement(s) in carrying out the provisions of this Ordinance, whether or not expressly authorized herein.

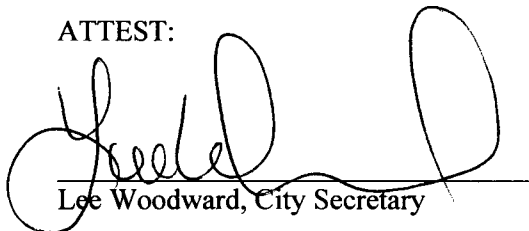
SECTION 13. This ordinance shall take effect from and after its passage.

PASSED AND APPROVED this 1st day of August 2017.

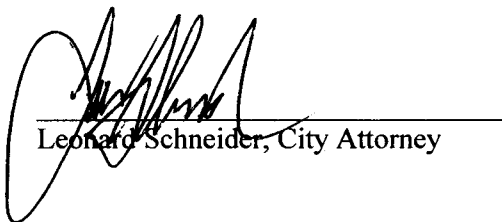
THE CITY OF HUNTSVILLE


Andy Brauninger, Mayor

ATTEST:


Lee Woodward, City Secretary

APPROVED AS TO FORM:


Leonard Schneider, City Attorney