

ORDINANCE NO. 1338

AN ORDINANCE AND NOTICE OF THE CITY COUNCIL OF THE CITY OF LLANO, TEXAS, ORDERING A LOCAL OPTION ELECTION, TO BE HELD IN THE CITY OF LLANO ON SATURDAY, MAY 6, 2017; DESIGNATING THE POLLING PLACES AND APPOINTING ELECTION OFFICIALS FOR SUCH ELECTION; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION

WHEREAS, A Petition for Local Option Election was presented to the City Secretary on October 12, 2016, and the City Secretary has verified that the petition bears the actual signatures of a number of qualified voters of the political subdivision equal to at least 35 percent of the registered voters in the City of LLANO who voted in the most recent gubernatorial election for the ballot issue that permits voting for or against "the legal sale of all alcoholic beverages including mixed beverages".

WHEREAS, The Petition for Local Option Election, attached herewith as Exhibit "A" and made a part hereof, is presented to the City Council of the City of LLANO, Texas, for consideration by the City Council on January 17, 2017, and is to order a special election "For/Against the Sale of All Alcoholic Beverages Including Mixed Beverages" in the City of LLANO, Texas. Only duly qualified resident electors of the City of LLANO shall be qualified to vote.

WHEREAS, the City Council desires to **give notice (Exhibit A) and order (Exhibit B)** a special election "For/Against the Sale of All Alcoholic Beverages Including Mixed Beverages" in the City of LLANO, Texas; and

WHEREAS, the City Council wishes to enter a Contract **(Exhibit C)** with Llano County Elections Administrator for Election Services for this election which will expand early voting opportunities for the Election by establishing additional early voting dates, and times for the Election and adjusting the hours of early voting; and,

WHEREAS, the City Council wishes to hold a joint election with Llano Independent School District to hold a joint election at the polling place designated for this election including early voting opportunities for the Election by establishing additional early voting dates, and times for the Election and adjusting the hours of early voting; and,

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LLANO, TEXAS, THAT:

SECTION 1. A special local option election "For/Against the Sale of All Alcoholic Beverages Including Mixed Beverages" in the City of LLANO, Texas.

SECTION 2. Notices of said election shall be published in the official newspaper of the City not earlier than the 30th day or later than the 10th day before election day and shall be posted on the Bulletin Board used to publish notices of City Council Meetings not later than the 21st day before election day. All such notices shall be published and posted in both English and Spanish. A copy of the published notice that contains the name of the newspaper and the date of

publication shall be retained as a record of such notice, and the person posting the notice shall make a record at the time of posting stating the date and place of posting. This certificate shall be signed by the person making it and delivered to the Mayor of Llano County after the last posting is made. The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of the election. The Mayor shall preserve all records of publication and posting as required by law.

SECTION 3. The Mayor of the City of Llano is authorized to enter a contractual agreement with Llano County Elections Administrator for the purpose of conducting the election, and for the use of the voting equipment known as Direct Record Electronic (E-Slate). The City approves the use of the E-Slate system to facilitate the holding of an election with Llano County Elections Administrator. The Mayor is hereby authorized to execute such agreement without further action by the Council.

SECTION 4. The Mayor of the City of Llano is authorized to enter an agreement with Llano County Elections Administrator for the purpose of sharing a common polling place for the election. Texas Election Code, Chapter 271, authorizes political subdivisions of the State of Texas to hold elections jointly in voting precincts if it will be of benefit to the citizens and voters thereof to be served by common polling places and elections are ordered by the authorities of two or more political subdivisions to be held on the same day in all or part of the same territory.

SECTION 5. The Mayor of the City of Llano is authorized to jointly conduct an election with Llano Independent School District, for the purpose of sharing a common polling place for the election.

SECTION 6. The early voting by personal appearance for the election shall commence on Monday, April 24, 2017, at 7:00 a.m. and end at 4:30 p.m. on Tuesday, May 2, 2017. Early voting by personal appearance shall be conducted during the regular business hours, except for Monday, April 24, 2017, and Monday, May 1, 2017 hours are hereby designated as 7:00 a.m. until 7:00 p.m. The polls shall be open from 7:00 a.m. to 7:00 p.m. on Election Day. The City of Llano authorizes Llano County Elections Administrator to name the presiding Election Judge and one alternate presiding Election Judge, and election clerks for the May 2017 special option election. The rate of pay for the presiding Election Judge, the alternate presiding Election Judge and the election clerks shall be at the rate as determined by the agreement with Llano County.

SECTION 7. An Early Voting Ballot Board is hereby created pursuant to Section 87.001 of the Texas Election Code. The Early Voting Ballot Board will count precinct returns for the election. The Early Voting Ballot Board shall be composed of the Presiding Election Judge, and the Alternate Presiding Election Judge; the clerks to be appointed by the Presiding Election Judge. Cindy Ware, Llano County Elections Administrator is hereby appointed the Early Voting Clerk., and Toni Milam, City Secretary will serve as the Deputy Early Voting Clerk in compliance with Section 271.006 of the Texas Election Code. The Early Voting Clerk may appoint other Deputy Early Voting Clerks as needed.

SECTION 8. Early voting shall be conducted at Llano County Library, 102 E. Haynie Street, Llano County, Texas. Early voting by personal appearance will be conducted as follows:

EARLY VOTING LOCATIONS AND TIME PERIOD

April 24, 2017 THROUGH MAY 2, 2017

Main Location

Llano County Library, 102 E. Haynie, Llano, Texas 78643

Hours 8:00 – 4:30 Monday through Friday with the following exceptions: Monday, April 24, 2017, 7:00 A.M. to 7:00 P.M. and Monday May 1, 2017 7:00 A.M. to 7:00 P.M.

Voting by Mail

Llano County Election Department, P.O. Box 787, Llano, Texas 78643

Applications for ballot by mail must be received no later than the close of business on April 25, 2017.

Branch Locations:

Kingsland Public Library, 125 W. Polk, Kingsland, Texas 78639

Hours 9:00 A.M. – 4:00 P.M.

Horseshoe Bay Property Owners Association, 107 Twilight, Horseshoe Bay, Texas 78657

Hours 9:00 A.M. – 3:30 P.M.

Any qualified voter for the Election may vote early by personal appearance at the main early voting location.

MAIN EARLY VOTING POLLING PLACE:

Llano County Library
102 E. Haynie
Llano County, TX 78643

EARLY VOTING BY MAIL

Applications for early voting ballot by mail should be mailed to:

Cindy Ware, Llano County Elections Administrator
PO Box 787
Llano County, TX 78643

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SECTION 9. This Ordinance shall take effect immediately from and after its passage, as the law provides. The Mayor is authorized to sign a Notice of Regular Municipal Election (**Exhibit A**) and an Order of Election (**Exhibit B**) as prescribed by the State of Texas on behalf of the City Council. The Notice of Regular Municipal Election shall be published in accordance with the provisions of the Texas Election Code.

SECTION 10. If any section or part of this ordinance is held by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this ordinance but shall be confined in its operation to the specific section or sections that are held unconstitutional or invalid.

DULY PASSED AND APPROVED ON THE FIRST READING by the City Council of the CITY OF LLANO, Texas, on the 6th day of FEBRUARY, 2017.

APPROVED:



Mayor, Mike Reagor

ATTEST:



Toni Milam, City Secretary