

ORDINANCE NO. 2020-71

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, AMENDING ORDINANCE 2020-52, ORDERING A GENERAL AND SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 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:

Ordinance 2020-52 is hereby amended to read as follows (added language is underlined, deleted language is shown with ~~strikethroughs~~):

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 3, 2020 from the hours of 7:00 a.m. to 7:00 p.m. This general and special 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 Mayor for a term of two years, City Council Member for Place 3 and a City Council Member for Place 4 with each Council Member position having a term of three years. At the special election, the qualified voters of the City will elect a candidate to fill a vacancy in the office of Council Member Place 5 for the one-year remainder of the unexpired term of that office. The official canvass of the election shall be held November 16, 2020, 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 16, 2020. The runoff election shall be held on December 1, 2020. Canvass of the returns of the runoff election, if necessary, shall be held on December 9, 2020.

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
<u>Calvary Baptist Church</u>	<u>1906 North Interstate 35</u>	<u>San Marcos</u>
<u>Centro Cultural Hispano</u>	<u>211 Lee Street</u>	<u>San Marcos</u>
<u>Dunbar Center</u>	<u>801 MLK Dr.</u>	<u>San Marcos</u>
<u>First Baptist Church – San Marcos</u>	<u>325 W McCarty Lane</u>	<u>San Marcos</u>

<u>Hays County Government Center</u>	<u>712 South Stagecoach Trail</u> <u>Northwest Conference</u> <u>Rooms</u>	<u>San Marcos</u>
<u>Hays County Transportation Department –</u> <u>Yarrington Building</u>	<u>2171 Yarrington Road</u>	<u>San Marcos</u>
<u>Live Oak Health Partners</u>	<u>401 Boradway Street #C</u>	<u>San Marcos</u>
<u>Promiseland Church</u>	<u>1650 Lime Kiln Rd.</u>	<u>San Marcos</u>
<u>San Marcos Activity Center</u>	<u>501 E. Hopkins</u>	<u>San Marcos</u>
<u>San Marcos Fire Station #5</u>	<u>100 Carlson Circle</u>	<u>San Marcos</u>
<u>San Marcos Housing/CM Allen Homes</u>	<u>820 Sturgeon St.</u>	<u>San Marcos</u>
<u>Sinai Pentecostal Church</u>	<u>208 Laredo St.</u>	<u>San Marcos</u>
<u>South Hays Fire Station #12</u>	<u>8301 Ranch Road 12</u>	<u>San Marcos</u>
<u>Stone Brook Seniors Community</u>	<u>300 Stagecoach Trail</u>	<u>San Marcos</u>
<u>Texas State University Performing Arts Center</u>	<u>405 Moon Street</u>	<u>San Marcos</u>

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, 712 S. Stagecoach Trail, Northwest Conference Rooms 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>
<u>Buda City Hall</u> <u>405 East Loop Street, Bld. 100</u> <u>Buda, TX</u>	<u>October 13 – 16, 2020</u>	<u>10:00 a.m. - 7:00 p.m.</u>
	<u>October 17, 2020</u>	<u>7:00 a.m. - 7:00 p.m.</u>
	<u>October 18, 2020</u>	<u>1:00 p.m. - 6:00 p.m.</u>
	<u>October 19, - 23, 2020</u>	<u>10:00 a.m. - 7:00 p.m.</u>
	<u>October 24, 2020</u>	<u>7:00 a.m. – 7:00 p.m.</u>
	<u>October 25, 2020</u>	<u>1:00 p.m.- 6:00 p.m.</u>
	<u>October 26 – October 30, 2020</u>	<u>7:00 a.m. – 7:00 p.m.</u>
<u>Dripping Springs Ranch Park</u> <u>1042 Event Center Drive</u> <u>Dripping Springs, TX</u>	<u>October 13 – 16, 2020</u>	<u>10:00 a.m. - 7:00 p.m.</u>
	<u>October 17, 2020</u>	<u>7:00 a.m. - 7:00 p.m.</u>
	<u>October 18, 2020</u>	<u>1:00 p.m. - 6:00 p.m.</u>
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<u>Hays County Government Center</u> <u>712 S. Stagecoach Trail,</u> <u>Northwest Conference Room</u> <u>San Marcos, TX</u>	<u>October 13 – 16, 2020</u> <u>October 17, 2020</u> <u>October 18, 2020</u> <u>October 19, - 23, 2020</u> <u>October 24, 2020</u> <u>October 25, 2020</u> <u>October 26 – October 30, 2020</u>	<u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>1:00 p.m. - 6:00 p.m.</u> <u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u> <u>1:00 p.m.- 6:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Hays County Precinct 4 Office</u> <u>195 Roger Hanks Parkway</u> <u>Dripping Springs, TX</u>	<u>October 13 – 16, 2020</u> <u>October 17, 2020</u> <u>October 18, 2020</u> <u>October 19, - 23, 2020</u> <u>October 24, 2020</u> <u>October 25, 2020</u> <u>October 26 – October 30, 2020</u>	<u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>1:00 p.m. - 6:00 p.m.</u> <u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u> <u>1:00 p.m.- 6:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Hays County Transportation –</u> <u>Yarrington Building</u> <u>2171 Yarrington Road</u> <u>San Marcos, TX</u>	<u>October 13 – 16, 2020</u> <u>October 17, 2020</u> <u>October 18, 2020</u> <u>October 19, - 23, 2020</u> <u>October 24, 2020</u> <u>October 25, 2020</u> <u>October 26 – October 30, 2020</u>	<u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>1:00 p.m. - 6:00 p.m.</u> <u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u> <u>1:00 p.m.- 6:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>HCISD Administration – Arnold</u> <u>Transportation Building</u> <u>(formerly the bus barn)</u> <u>21003 Interstate 35 Frontage</u> <u>Road</u> <u>Kyle, TX</u>	<u>October 13 – 16, 2020</u> <u>October 17, 2020</u> <u>October 18, 2020</u> <u>October 19, - 23, 2020</u> <u>October 24, 2020</u> <u>October 25, 2020</u> <u>October 26 – October 30, 2020</u>	<u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>1:00 p.m. - 6:00 p.m.</u> <u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u> <u>1:00 p.m.- 6:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Kyle City Hall</u> <u>100 West Center Street</u> <u>Kyle, TX</u>	<u>October 13 – 16, 2020</u> <u>October 17, 2020</u> <u>October 18, 2020</u> <u>October 19, - 23, 2020</u> <u>October 24, 2020</u> <u>October 25, 2020</u> <u>October 26 – October 30, 2020</u>	<u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>1:00 p.m. - 6:00 p.m.</u> <u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u> <u>1:00 p.m.- 6:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>
<u>Live Oak Academy High School</u> <u>4820 Jack C. Hays Trail</u> <u>Kyle, TX</u>	<u>October 13 – 16, 2020</u> <u>October 17, 2020</u> <u>October 18, 2020</u> <u>October 19, - 23, 2020</u> <u>October 24, 2020</u> <u>October 25, 2020</u> <u>October 26 – October 30, 2020</u>	<u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. - 7:00 p.m.</u> <u>1:00 p.m. - 6:00 p.m.</u> <u>10:00 a.m. - 7:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u> <u>1:00 p.m.- 6:00 p.m.</u> <u>7:00 a.m. – 7:00 p.m.</u>

<u>Live Oak Health Partners (formerly County Health Department) 401 Broadway Street #C San Marcos, TX</u>	<u>October 13 – 16, 2020 October 17, 2020 October 18, 2020 October 19, - 23, 2020 October 24, 2020 October 25, 2020 October 26 – October 30, 2020</u>	<u>10:00 a.m. - 7:00 p.m. 7:00 a.m. - 7:00 p.m. 1:00 p.m. - 6:00 p.m. 10:00 a.m. - 7:00 p.m. 7:00 a.m. – 7:00 p.m. 1:00 p.m.- 6:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Scudder Primary School 400 Green Acres Drive Wimberley, TX</u>	<u>October 13 – 16, 2020 October 17, 2020 October 18, 2020 October 19, - 23, 2020 October 24, 2020 October 25, 2020 October 26 – October 30, 2020</u>	<u>10:00 a.m. - 7:00 p.m. 7:00 a.m. - 7:00 p.m. 1:00 p.m. - 6:00 p.m. 10:00 a.m. - 7:00 p.m. 7:00 a.m. – 7:00 p.m. 1:00 p.m.- 6:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Texas State University Performing Arts Center 405 Moon Street San Marcos, TX</u>	<u>October 13 – 16, 2020 October 17, 2020 October 18, 2020 October 19, - 23, 2020 October 24, 2020 October 25, 2020 October 26 – October 30, 2020</u>	<u>10:00 a.m. - 7:00 p.m. 7:00 a.m. - 7:00 p.m. 1:00 p.m. - 6:00 p.m. 10:00 a.m. - 7:00 p.m. 7:00 a.m. – 7:00 p.m. 1:00 p.m.- 6:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Wimberley Community Center 14068 Ranch Road 12 Wimberley, TX</u>	<u>October 13 – 16, 2020 October 17, 2020 October 18, 2020 October 19, - 23, 2020 October 24, 2020 October 25, 2020 October 26 – October 30, 2020</u>	<u>10:00 a.m. - 7:00 p.m. 7:00 a.m. - 7:00 p.m. 1:00 p.m. - 6:00 p.m. 10:00 a.m. - 7:00 p.m. 7:00 a.m. – 7:00 p.m. 1:00 p.m.- 6:00 p.m. 7:00 a.m. – 7:00 p.m.</u>

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, Suite 1012 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. 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, Suite 1012, 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 2 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 of Mayor, Council Member, Place 3 and Council Member, Place 4 is 5:00 p.m. on August 17, 2020. The deadline for filing by candidates for the position of Council Member, Place 5 for the one-year remainder of the unexpired term of that office is 6:00 p.m. on August 20, 2020.

SECTION 3 12. An executed copy of this Ordinance will serve as proper notice of the election.

SECTION 4 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 4, 2020 and on or before October 26, 2020, and will be posted on the bulletin board at City Hall on or before October 13, 2020.

SECTION 5 14. A writ of election as required by the Texas Election Code will be delivered on or before October 19, 2020 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 \$25.00.


SECTION 6 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 7 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.

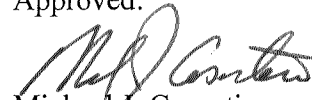
CONSIDERED, APPROVED, AND ADOPTED on September 1, 2020

  
Jane Hughson  
Mayor

Attest:

  
Tammy K. Cook  
Interim City Clerk

Approved:

  
Michael J. Cosentino  
City Attorney