

AN ORDINANCE OF THE CITY OF VAN ALSTYNE, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 6, 2023 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCIL MEMBERS FOR PLACES FOUR, FIVE, AND SIX; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROVIDING FOR EARLY VOTING; PROVIDING FOR THE APPOINTMENT OF ELECTION ADMINISTRATORS AND JUDGES; ESTABLISHING REGULAR BUSINESS HOURS OF THE CITY SECRETARY'S OFFICE ON THE DAYS OF EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Van Alstyne, Texas ("City") is a Home Rule Municipality located in Grayson and Collin Counties operating pursuant to the laws of the State of Texas, by and through its duly elected City Council ("Council") members; and

WHEREAS, Section 11.01 of the Home Rule Charter provides that an election for officers shall be held annually on the first Saturday in May; and

WHEREAS, Section 41.001 of the Texas Election Code establishes the first Saturday of May, 2023, as a uniform election day for the purposes of conducting a general election; and

WHEREAS, Section 3.004(a)(3) of the Texas Election Code provides that the governing body of a municipality shall be the authority to order a general election for electing municipal officers; and

WHEREAS, in accordance with Section 271.002 of the Texas Election Code, the City General Election will be conducted jointly with other political subdivisions of Grayson County, Texas.

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

SECTION 1: ELECTION ORDERED. The City Council of the City of Van Alstyne, Texas ("City Council") hereby orders that a general election be held on May 6, 2023, being the first Saturday in May of 2023, for the purposes of electing: (1) a citizen to serve as Mayor for a term of three (3) years; (2) a citizen to serve on the City Council for Place 6 for a term of three (3) years; (3) a citizen to serve on the City Council for Place 4 for a term of two (2) years; and (4) a citizen to serve on the City Council for Place 5 for a term of two (2) years.

SECTION 2: PRECINCTS. The election precincts for said election shall be the regular precincts of Grayson and Collin Counties to the extent that they are within the corporate limits of the City of Van Alstyne.

SECTION 3: ADMINISTRATION OF ELECTION. The general election will be conducted jointly with other political subdivisions in Grayson County on May 6, 2023, pursuant to Chapters 31 and 271, Texas Election Code and in accordance with applicable joint election agreements. The City Manager is hereby authorized to sign the contract with the Grayson County Elections Administrator for the purpose of having Grayson County furnish all or any portion of the election services and equipment needed to conduct the election. During the election period, the office of the City Secretary (and/or the office of the authority performing the duties of the City Secretary under the Texas Election Code) shall be open for election duties at least three hours each day, during regular office hours, on regular City business days, beginning on March 17, 2023 and ending on June 15, 2023.

SECTION 4: EARLY VOTING CLERKS.

- (a) In accordance with Sections 31.097 and 271.006 of the Texas Election Code, the following named person is hereby appointed as the Early Voting Clerk of the purposes of conducting said election:

Grayson County Early Voting Clerk
115 W. Houston
Sherman, TX 75090
votegrayson@co.grayson.tx.us
Fax| 903-891-4370

- (b) Jennifer Gould, City Secretary for the City of Van Alstyne, shall serve as Chief Early Voting Clerk.
- (c) Any permanent county employees serving under the Elections Administrator shall serve as deputy early voting clerks.

SECTION 5: EARLY VOTING LOCATIONS AND TIMES. Early Voting by personal appearance of Van Alstyne residents shall be conducted beginning April 24, 2023 and continuing through May 2, 2023. Dates and hours for early voting shall be as specified by the Grayson County Elections Administrator and future notice(s) for the election and incorporated herein by reference, to include at least eight hours of each weekday of the early voting period that is not a legal state holiday, and during other times as specified by written order of the Early Voting Clerk for Saturdays or Sundays within the early voting period. The main early voting location shall be located at:

Grayson College-South Campus
1455 W. Van Alstyne Pkwy.
Van Alstyne, TX 75495

Additional early voting locations will be identified in the contract executed with the Grayson County Elections Administrator.

SECTION 6: NOTICE AND PUBLICATION. The City Secretary is hereby authorized and directed to file, publish and/or post, in the time and manner prescribed by law, all notices required to be so filed, published and/or posted in connection with the conduct of this election. Notice shall be published on the City's website and in the official newspaper of the City, being a newspaper of general circulation within the City, at least once not earlier than the 30th day nor later than the 10th day before election day, as provided in Section 4.003(a)(1) of the Texas Election Code. Public notice shall be provided by posting on the bulletin board used for posting notices of the City Council meetings not later than the 21st day before election day and filed with the City Secretary. 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 in accordance with Texas Election Code § 4.005.

SECTION 7: SAVINGS/REPEALING CLAUSE. All ordinances or resolutions of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict. If any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof. The City declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 8: EFFECTIVE DATE. This ordinance shall be effective immediately upon its adoption.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VAN ALSTYNE, TEXAS ON THE 14TH DAY OF FEBRUARY, 2023.

CITY OF VAN ALSTYNE, TEXAS

Jim Atchison, Mayor

**ATTESTED TO AND
CORRECTLY RECORDED BY:**

Jennifer Gould, City Secretary