ORDINANCE NO. 17 - 470

AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS PROVIDING FOR THE HOLDING OF A SPECIAL ELECTION TO BE HELD ON SATURDAY, MAY 6, 2017, FOR THE PURPOSE OF ELECTING ONE COUNCILMEMBER POSITION NO. 3; PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS:

Section 1. In accordance with the general laws and Constitution of the State of Texas, a Special Municipal Election is hereby called and ordered for the 1st Saturday in May 2017, the same being the 6th day of said month, at which special election all qualified voters of the City may vote for the purpose of electing the following official of the City:

Councilmember, Position 3

Section 2. No persons name shall be placed upon the official ballot as a candidate for any of the above-mentioned positions unless such person has filed his or her sworn application, as provided by Section 141.031 of the TEXAS ELECTION CODE, with the City Secretary of the City at the City Offices, located at 11977 Memorial Drive, Houston, Texas 77024, not later than five o'clock (5:00) p.m. on the sixty-second (62nd) day before the date of such election (March 6, 2017). The City Secretary shall note on the face of each such application the date and time of its filing. Such application shall include the office the candidate is seeking and, if applicable, the position number of such position.

Section 3. The present boundaries of the City constituting one election precinct, the polls shall be open for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling place, and the following are hereby appointed officers to conduct the above-described election at said polling place:

POLLING PLACE

City of Bunker Hill Village

11977 Memorial Drive

Houston, Texas 77024

ELECTION OFFICERS

Clara Towsley_____Presiding Judge

Tom Rigamonti_____Alternate Presiding Judge

The City Secretary is hereby authorized and directed to provide a copy of this Ordinance to each judge as written notice of the appointment as required by Section 32.009 of the TEXAS ELECTION CODE.

The Presiding Judge shall have the authority to appoint no more than ten (10) clerks to assist in the holding of said election, but in no event shall the Presiding Judge appoint less than two (2) clerks.

Section 4. The City Secretary is hereby appointed clerk for early voting; the appointment of a deputy clerk or clerks for early voting by the City Secretary shall be in accordance with Section 83.031 *et seq.* of the TEXAS ELECTION CODE. The City Office of the City of Bunker Hill Village, 11977 Memorial Drive, Houston, Texas 77024, is hereby designated as the place for early voting for said election. Except as otherwise provided below, said clerks shall keep said office open during the hours that the City Secretary's main office is regularly open for business, that is from seven-thirty (7:30) a.m. until four (4:00) p.m., on each day for early voting which is not a Saturday, a Sunday, or an official state or federal holiday, beginning on the twelfth (12^{th}) day Monday, April 24, 2017; and continuing through the fourth (4^{th}) day Tuesday, May 2, 2017; preceding the date of said election. Said clerks shall not permit anyone to vote early by personal appearance on any day which is not a regular working day for the clerk's office, and under no circumstances shall they permit anyone to vote early by personal appearance at any time when such office is not open to the public. As required by Section 85.005(d), TEXAS ELECTION CODE, early voting by personal appearance at the main early voting polling place shall be conducted for at least twelve (12) hours on two weekdays; therefore early voting by personal appearance shall be conducted from 7:00 a.m. to 7:00 p.m. on Wednesday, April 26, 2017 and

Monday, May 1, 2017. The above-described place for early voting is also the clerk's mailing address to which ballot applications and ballots voted by mail may be sent. The early voting clerk, in accordance with the provisions of the TEXAS ELECTION CODE, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

Section 5. The Election Judge is hereby appointed as Presiding Judge of the Early Ballot Board. In accordance with Section 87.001, *et seq.,* TEXAS ELECTION CODE, said Presiding Judge shall appoint at least two (2) other members to said Board, and shall process early voting results in accordance with said TEXAS ELECTION CODE.

Section 6. AutoMARK Voter Assist Terminal, Eslate, Direct Record Electronic (DRE) Voting Systems, a Disabled Access Unit (DAU), and paper balloting shall be used for said election, both in the early voting and for voting on election day, in accordance with the Texas Election Code. All expenditures necessary for the conduct of the election and the purchase of materials therefore are hereby authorized. Compensation of all election officials is hereby established at the maximum amounts permitted under Section 32.091 *et seq.*, TEXAS ELECTION CODE.

Section 7. The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 8. The candidates receiving the highest number of votes in each of the positions to be filled at such election shall be declared elected to such positions.

Section 9. The order in which the names of the candidates are to be printed on the ballot for the general and special election shall be determined by a drawing by the City Secretary, as provided by Section 52.094 of the TEXAS ELECTION CODE. The City Secretary shall post a notice in her office of the date, hour and place of drawing. Such notice shall remain posted continuously for seventy-two (72) hours immediately proceeding the scheduled time of the drawing, and personal notice shall also be given to any candidate who makes written request for such notice and furnishes to the City Secretary a self-addressed, stamped envelope. Each candidate involved in the drawing, or his/her designated representative, shall have a right to be present and observe the drawing.

Section 10. Notice of said election shall be given in accordance with the provisions of the TEXAS ELECTION CODE and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such election, and returns of such

election shall be made to the City Secretary immediately after the closing of the polls.

Section 11. Said election shall be held in accordance with the TEXAS ELECTION CODE and the Federal Voting Rights Act of 1965, as amended.

PASSED, APPROVED, AND ADOPTED this 17th day of January, 2017.

JAY WILLIAMS
Mayor

ATTEST:

Britique Williams
City Secretary