

ORDINANCE NO. 2016-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, TEXAS, ORDERING A MUNICIPAL ELECTION TO BE HELD ON THE 8TH DAY OF NOVEMBER 2016, FOR THE PURPOSE OF ELECTING FOUR AT-LARGE COUNCILMEMBERS; 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 8th day of November 2016, in the City, for the purpose of electing four at-large Councilmembers.

SECTION 2. 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 election agreement(s) and/or the contract(s) for election services that may be authorized by City Council.

SECTION 3. 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 23, 2016 and must be filed not later than 5:00 p.m. on August 22, 2016.

SECTION 4. Four at-large Councilmembers shall be selected as representatives of all four Huntsville wards. The Councilmembers to be elected shall hold office for a period of two (2) years.

SECTION 5. Each of the four 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 6. 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 8, 2016

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

Councilmember, At-Large Position One (Vote for one)

- (candidates' name)
- (candidates' name)

Councilmember, At-Large Position Two (Vote for one)

- (candidates' name)
- (candidates' name)

Councilmember, At-Large Position Three (Vote for one)

- (candidates' name)
- (candidates' name)

Councilmember, At-Large Position Four (Vote for one)

- (candidates' name)
- (candidates' name)

SECTION 7. 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. 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 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 24-November 4, 2016; and from 7:00 a.m. - 7:00 p.m. on Tuesday, October 25, 2016 and Tuesday, November 1, 2016; except on official state holidays.

Weekend voting will be conducted at the Main Early Voting Site only, on October 29 and 30, from 8:00 a.m.-12:00 p.m. and from 1:00 p.m.-5:00 p.m. Branch Early Voting will be conducted at the H.E.A.R.T.S. Veterans Museum/Walker County Storm Shelter Complex from 8:00 a.m.-5:00 p.m. on October 24-28; and from 7:00 a.m.-7:00 p.m. on Tuesday, October 25, 2016.

SECTION 8. 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 9. 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 10. 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 11. 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 12. This ordinance shall take effect from and after its passage.

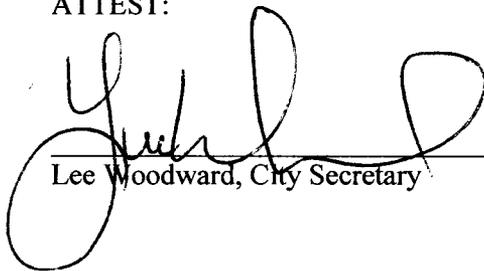
PASSED AND APPROVED this 16th day of August 2016.

THE CITY OF HUNTSVILLE



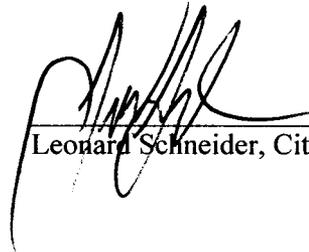
Andy Brauning, Mayor

ATTEST:



Lee Woodward, City Secretary

APPROVED AS TO FORM:



Leonard Schneider, City Attorney