

ORDINANCE NO. 2020-08-04-23

**AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, AMENDING
ORDINANCE NO. 2020-01-21-04, THE ORDER OF THE MAY 2, 2020
ELECTION TO BE HELD ON NOVEMBER 3, 2020 FOR THE PURPOSE
OF ELECTING CERTAIN OFFICIALS.**

STATE OF TEXAS

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COUNTIES OF BASTROP
AND TRAVIS

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KNOW ALL BY THESE PRESENTS:

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CITY OF ELGIN

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WHEREAS, pursuant to the provisions of the Texas Election Code (as amended), other related statutes, and its Home Rule Charter, the City Council of the City of Elgin, Texas ("City"), ordered a general election for the purpose of electing a Mayor at Large, Ward 1, Ward 2, Ward 3, and Ward 4; and

WHEREAS, in response to public health and safety concerns related to the novel coronavirus ("COVID-19") infectious disease outbreak, the Governor of the State of Texas issued a proclamation on March 18, 2020 authorizing political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections order for May 2, 2020 to the next uniform election date, occurring on November 3, 2020; and

WHEREAS, on April 23, 2020, the City Council approved Resolution No. 2020-03-23-17 postponing the general election to be held on May 2, 2020 to the next uniform election date, November 3, 2020; and

WHEREAS, the City desires to amend the May 2, 2020 Order of Election as set forth herein; and

WHEREAS, the City will enter into Joint Election Agreements and Election Services Agreements with and Travis and Bastrop Counties pursuant to Election Code Sections 31.092 and 271.002 for the November 3, 2020 election; Now Therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELGIN,
TEXAS, THAT:**

I.

Section 1. ELECTION DATE, PRECINCTS AND POLLING PLACES.

Election Date. The General Election previously ordered by Ordinance No. 2020-01-21-04 and postponed by Resolution No. 2020-03-23-17 shall be held between the hours of 7:00 a.m.

and 7:00 p.m. on Tuesday, November 3, 2020, in accordance with the attached Amended Order of Election, which Amended Order of Election is labeled as Exhibit "A," attached hereto and incorporated herein by reference for all purposes.

Precincts and Polling Places. For voters in Bastrop County, the City hereby designates the election precincts and polling places designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court for Election Day voting, and same are delineated on Exhibit "B-1," attached to the Amended Order of Election and incorporated herein by reference for all purposes.

For voters in Travis County, the City hereby designates the election precincts and polling places designated by the Travis County Elections Administrator and approved by the Travis County Commissioners Court for Election Day voting, and same are delineated on Exhibit "B-2," attached to the Amended Order of Election and incorporated herein by reference for all purposes.

Section 2. EARLY VOTING.

Applications for ballots by mail. All applications for ballot by mail submitted by voters that are over the age of 65 or disabled for the May 2, 2020 election will still be valid for the November 3, 2020 election. However, applications for ballot by mail submitted by voters not over the age of 65 or disabled, but based on expected absence from the county, will **not** be valid for the November 3, 2020 election. Applications for ballot by mail based on expected absence from the county and new applications by persons over the age of 65 or disabled must be received not later than 5:00 p.m. on Friday, October 23, 2020.

Dates for Early Voting. Early voting shall commence on Tuesday, October 13, 2020 and continue through Friday, October 30, 2020, as provided by proclamation issued by the Governor on July 27, 2020, and as shown on attached exhibits.

Places for Early Voting. For voters in Bastrop County, early voting shall be conducted by personal appearance and by mail at the early voting polling places and temporary polling places designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court for early voting, and same are delineated on Exhibit "C-1" attached to the Amended Order of Election and incorporated herein by reference for all purposes.

For voters in Travis County, early voting shall be conducted by personal appearance and by mail at the early voting polling places and temporary polling places designated by the Travis County Elections Administrator and approved by the Travis County Commissioners Court for early voting, and same are delineated on Exhibit "C-2" attached to the Amended Order of Election and incorporated herein by reference for all purposes.

Times for Early Voting. For voters in Bastrop County, during the period in which early voting is required or permitted by law or by proclamation of the Governor, that being October 13, 2020 through October 30, 2020, the hours designated for early voting by personal appearance shall be designated in writing by the Bastrop County Elections Administrator, and approved by

the Bastrop County Commissioners Court.

For voters in Travis County, during the period in which early voting is required or permitted by law or by proclamation of the Governor, that being October 13, 2020 through October 30, 2020, the hours designated for early voting by personal appearance shall be designated in writing by the Travis County Elections Administrator, and approved by the Travis County Commissioners Court.

Section 3. NOTICE.

Posting. Notice of this election, including a Spanish translation hereof, shall be given by posting the appropriate documentation on the bulletin board used for posting notices of City Council meetings, and same shall be posted not later than Tuesday, October 13, 2020 and shall remain posted through Election Day.

Publication. Notice of this election, including a Spanish translation hereof, shall be published once in a newspaper of general circulation in the City, the publication to appear not earlier than October 4, 2020 or later than October 24, 2020.

Section 4. ELECTION RESULTS.

For voters in Bastrop County, the Bastrop County Elections Administrator shall conduct an unofficial tabulation of results after the closing of the polls on November 3, 2020.

For voters in Travis County, the Travis County Elections Administrator shall conduct an unofficial tabulation of results after the closing of the polls on November 3, 2020.

Section 5. MISCELLANEOUS.

The provisions of this Ordinance are severable; and in case any one or more of the provisions of this Ordinance or the application thereof to any person or circumstance should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, then the remainder of this Ordinance nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Ordinance No. 2020-01-21-04 and Resolution No. 2020-03-23-17 shall remain in full force except wherein specifically amended by this Ordinance. This Ordinance shall take effect immediately upon passage.

II.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and **APPROVED** on first reading this the 4th day of August 2020.



Chris Cannon, Mayor
City of Elgin, Texas

ATTEST:



AMELIA SANCHEZ, City Secretary

EXHIBIT "A"
AMENDED ORDER OF ELECTION
CITY OF ELGIN, TEXAS

An election is hereby ordered to be held on November 3, 2020 for the purpose of electing Members for Mayor at Large, Ward 1, Ward 2, Ward 3, and Ward 4.

For voters in Bastrop County, Election Day voting shall be conducted at the polling places for the precincts designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court, all as shown on Exhibit "B-1" to the Order of Election, which is incorporated herein by reference and made a part hereof for all intents and purposes. For voters in Travis County, Election Day voting shall be conducted at the polling places for the precincts designated by the Travis County Elections Administrator and approved by the Travis County Commissioners Court, all as shown on Exhibit "B-2" to the Order of Election, which is incorporated herein by reference and made a part hereof for all intents and purposes. The polls at the designated polling places shall be open on Election Day from 7:00 a.m. to 7:00 p.m.

For voters in Bastrop County, early voting by personal appearance will be conducted at the locations designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court, all as are delineated on Exhibit "C-1" attached hereto and incorporated herein by reference for all purposes. For voters in Travis County, early voting by personal appearance will be conducted at the locations designated by the Travis County Elections Administrator and approved by the Travis County Commissioners Court, all as are delineated on Exhibit "C-2" attached hereto and incorporated herein by reference for all purposes.

For voters in Bastrop County, applications for ballots by mail shall be mailed to:
Bastrop County Early Voting Clerk
804 Pecan
Bastrop, TX 78602

For voters in Bastrop County, a completed, scanned application for a ballot by mail containing an original signature may be submitted electronically to elections@co.bastrop.tx.us.

For voters in Travis County, applications for ballots by mail shall be mailed to:
Travis County Early Voting Clerk
PO Box 149325
Austin, TX 78714-9325

For voters in Travis County, a completed, scanned application for a ballot by mail containing an original signature may be submitted electronically to ebbm@traviscountytexas.gov.

Applications for ballot by mail must be received no later than 5:00 pm on Friday, October 23, 2020. Early voting by personal appearance shall commence on Tuesday, October 13, 2020 and continue through Friday, October 30, 2020

Issued this 4th day of August 2020.



CHRIS CANNON, Mayor
City of Elgin, Texas

EXHIBIT "B-1"

BASTROP COUNTY ELECTION DAY PRECINCTS AND POLLING PLACES

*As of the date the Amended Election Order was issued, Bastrop County had not determined all the Election Day precincts and polling places. As soon as this information is made available from Bastrop County, it will be attached as Exhibit "B-1" to this Amended Election Order.

EXHIBIT "B-2"

TRAVIS COUNTY ELECTION DAY PRECINCTS AND POLLING PLACES

*As of the date the Amended Election Order was issued, Travis County had not determined all the Election Day precincts and polling places. As soon as this information is made available from Travis County, it will be attached as Exhibit "B-2" to this Amended Election Order.

EXHIBIT "C-2"

EARLY VOTING LOCATIONS, DATES AND TIMES –
TRAVIS COUNTY

*As of the date the Amended Election Order was issued, Travis County had not determined the Early Voting locations, dates and times. As soon as this information is made available from Travis County, it will be attached as Exhibit "C-2" to this Amended Election Order.