

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO. 21-037-00

AN ORDINANCE OF THE CITY OF LEANDER ORDERING, ESTABLISHING PROCEDURES, AND SETTING THE DATE FOR A RUNOFF ELECTION FOR COUNCILMEMBER PLACE 2 AND COUNCILMEMBER PLACE 4 RACES; PROVIDING FOR THE APPROVAL OF ELECTION JUDGES AND VOTING CLERKS; AND PROVIDING FOR RELATED MATTERS.

**WHEREAS**, on May 1, 2021 an election was held for the election of Mayor, Councilmember Place 2; Councilmember Place 4 and Councilmember Place 6; and

**WHEREAS**, no candidate for the Councilmember Place 2 and Councilmember Place 4 election received a majority vote in the election, which is required by the *City Charter* for a candidate to be elected to office; and

**WHEREAS**, if no candidate receives a majority vote, a runoff election for that office is required; and

**WHEREAS**, the *Texas Election Code* is applicable to said election and this Ordinance establishes procedures consistent with the Code, and designates the date and voting place for the runoff election; and

**WHEREAS**, the City has contracted with the Williamson County Elections Administrator to conduct the City's runoff election, pursuant to *Chapter 31, Texas Election Code*, and *Chapter 791, Tex. Gov't Code* (the "Election Services Agreement);

**NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:**

**SECTION 1. Runoff Election.** A runoff election for Councilmember Place 2 and Councilmember Place 4 shall be held on Saturday, June 5, 2021, to elect a Councilmember Place 2 and Councilmember Place 4 to serve a three (3) year term. The candidates' names appearing on the ballot for the runoff election shall be the names of the two candidates receiving the highest and second highest number of votes cast at the May 1, 2021 General Election for the office of Councilmember Place 2 and Councilmember Place 4.

**SECTION 2. Conformance with General Election.** The general processes and procedures, and the procedures for approving election judges, early voting clerks, etc. shall be and remain as approved for the general election, except as required by the Tex. Elec. Code. In addition, the runoff election shall be held in accordance with this Ordinance:

(a) **Notice of Election.** Notice of the election shall be given in the manner as provided

in the *Texas Election Code* and the *City Charter* for runoff elections. A notice compliant with Chapter 4 of the *Election Code* and the *City Charter* shall be posted on the bulletin board used for posting notice of meetings of the governing body at the City Hall not later than the fifteenth (15th) day before the election, and by publishing a notice of election compliant with Chapter 4 of the *Election Code* and the *City Charter* at least one time not later than the fifteenth (15th) day prior to said election day, in a newspaper in general circulation in the City.

(b) **Conduct of Election.** The Williamson County Elections Administrator and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election for the City pursuant to the contract for election services between the City of Leander and Williamson County. The election shall be held and conducted in compliance with state law and the Election Services Contract.

(c) **Election Precincts and Election Day Polling Places.** The election precincts in the City located in Williamson County and Travis County shall be the election precincts established by Williamson County, provided that each shall contain and include geographic area that is within the City. The polling place for the election shall be the Leander Public Library, Annex, 1011 S. Bagdad Road, Leander, Texas. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m. The returns will be provided by precinct and the Williamson County Elections Administrator shall tabulate and provide the election returns for votes cast by Williamson County and Travis County voters.

(d) **Early Voting.** Early voting, both by personal appearance and by mail, will be conducted by the Williamson County Elections Administrator for both Williamson County and Travis County, and is hereby designated and appointed as an Early Voting Clerk for the runoff election for City residents residing in Williamson County and Travis County in accordance with the *Texas Election Code*.

Early voting shall commence on Monday, May 24, 2021, and continue through Tuesday, June 1, 2021 and early voting polls shall remain open for the time specified by the *Texas Election Code*. The polling place for the early voting shall be the Leander Public Library, Annex, 1011 S. Bagdad Road, Leander, Texas.

(e) **Election Judges and Clerks.** The presiding judges, alternate presiding judges and clerks for the election shall be selected and appointed by Williamson County in compliance with the requirements of state law, and are hereby designated and appointed election officers for the holding of said election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law.

(f) **City Secretary Assistance.** The City Secretary is hereby authorized and instructed to aide the Williamson County Elections Administrator in the acquisition and furnishing of all election supplies and materials necessary to conduct the election. The City Secretary is further authorized to assist with the giving of notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Texas Election Code*; provided that, pursuant to the respective Election Services Contract between the City and the

Williamson County Elections Administrator, the Williamson County Elections Administrators shall have the duty and be responsible for organizing and conducting the election in compliance with the *Texas Election Code*; and for providing all services specified to be provided in the respective Election Services Contracts.

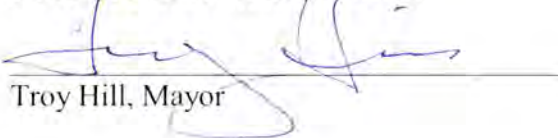
(g) **General.** The runoff election shall be held and conducted by the Williamson County Elections Administrators in compliance with the *Texas Election Code* and, to the extent not inconsistent therewith, the *City Charter*, and only resident qualified voters of the City shall be eligible to vote at the election. The Elections Administrator is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Returns of the election shall be made known as soon as possible after the closing of the polls; and the election returns shall be canvassed by the City Council not later than June 14, 2021.

**Section 3. Effective Date; Election Code.** This Ordinance shall be in full force and effect from and after its passage on the date shown below; provided that if any term or provision of this Ordinance conflicts with, or is inconsistent with, the *Texas Election Code*, the *Texas Election Code* shall govern and control and the Williamson County Elections Administrator shall comply with the *Texas Elections Code*.

**Section 4. Open Meetings.** It is officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required *Chapt. 551, Tex. Gov't. Code*.

**PASSED, ADOPTED AND APPROVED** on this the 6<sup>th</sup> day of May, 2021.

**CITY OF LEANDER, TEXAS**

  
Troy Hill, Mayor

Attest:

  
Dara Crabtree, City Secretary

