

**ORDINANCE NO. 2022-02-01-05**

**AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, CALLING A GENERAL ELECTION ON MAY 7, 2022 FOR THE PURPOSE OF ELECTING CERTAIN CITY OFFICIALS; DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR EARLY VOTING AND ELECTION DAY VOTING; PROVIDING FOR PERFORMANCE OF REQUIRED ADMINISTRATIVE DUTIES; MAKING PROVISIONS FOR THE CONDUCT OF SUCH ELECTION; CERTIFYING PROVISION OF REQUIRED ACCESSIBLE VOTING SYSTEMS AT EACH POLLING PLACE; AND PROVIDING FOR OTHER MATTERS RELATING TO SUCH CITY ELECTION**

WHEREAS, the City Council of the City of Elgin, Texas, wishes to order a general election for Mayor At Large, Ward 1, Ward 2, Ward 3, and Ward 4; and

WHEREAS, the City Council has determined that May 7, 2022 is the appropriate date for holding the election for electing Mayor at Large, Ward 1, Ward 2, Ward 3, and Ward 4; and

WHEREAS, the City Council wishes to encourage all registered voters in the city to vote in this election; Now, Therefore,

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

**Section 1. ELECTION DATE, PRECINCTS AND POLLING PLACES, AND ELECTION JUDGES.**

**Election Date.** An election shall be held on Saturday, May 7, 2022 between the hours of 7:00 a.m. and 7:00 p.m., in accordance with the attached Order of Election, which Order is labeled as Exhibit "A" attached hereto and incorporated herein by reference for all purposes.

**Precincts and Polling Places.** The City hereby designates the election precincts and polling places designated by the Bastrop County Elections Administrator and Travis County Elections Administrator and approved by the Bastrop County Commissioners Court and Travis County Commissioners Court, for such Election Day voting, as delineated on Exhibit "A-1" and Exhibit "A-2" attached to the Order of Election and incorporated herein by reference for all purposes. Further, the City hereby designates the early voting polling places and the temporary polling places designated by the Bastrop County Elections Administrator and Travis County Elections Administrator and approved by the Bastrop County Commissioners Court and Travis County Commissioners Court, for early voting in such election, as delineated on Exhibit "B-1" and Exhibit "B-2" attached to the Order of Election and incorporated herein by reference for all purposes.

**Election Judges.** The Bastrop County Elections Administrator and Travis County Elections Administrator is conducting such election for the City pursuant to the terms of an

Election Services Contract. The City Council hereby appoints, for the term of such election, the presiding election judge(s) and alternate election judge(s) as being those designated by the Bastrop County Elections Administrator and Travis County Elections Administrator.

**Section 2. ELECTION CLERKS.**

The presiding election judge is hereby authorized to appoint the number of election clerks necessary to assist in the proper conduct of the election, and such election clerks shall be qualified voters of the City of Elgin, Texas. If the election is conducted by the regularly appointed presiding election judge, then the alternate presiding election judge shall be appointed to serve as one of the clerks. The appointment of such clerks shall include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on the day of the election.

**Section 3. EARLY VOTING.**

**Early Voting Clerk.** The City Council hereby appoints the Bastrop County Elections Administrator as the City of Elgin Election Officer and Early Voting Clerk. The Early Voting Clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is as follows:

Kristin Miles  
Bastrop County Elections Administrator  
804 Pecan Street  
Bastrop, TX 78602

Applications for ballots by mail must be received no later than 5:00 p.m. on Tuesday, April 26, 2022. A completed, scanned application for a ballot by mail containing an original signature may be submitted electronically to [elections@co.bastrop.tx.us](mailto: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](mailto:ebbm@traviscountytexas.gov).

**Dates for Early Voting.** Early voting shall commence on Monday, April 25, 2022 and continue through Tuesday, May 3, 2022, as provided by the Texas Election Code and as shown on attached exhibits.

**Places for Early Voting.** 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 Travis County Administrator approved by the Bastrop County Commissioners Court and Travis County Commissioners Court and as

delineated on Exhibit "B-1" and Exhibit "B-2" attached to the Order of Election.

**Times for Early Voting.** During the period in which early voting is required or permitted by law, that being April 25, 2022 through May 3, 2022 the hours designated for early voting by personal appearance shall be designated in writing by the Bastrop County Elections Administrator and Travis County Elections Administrator.

**Section 4. EARLY VOTING BALLOT BOARD.**

An Early Voting Ballot Board is hereby created to process early voting results, and the City hereby appoints the presiding judge of the Early Voting Ballot Board as appointed by the Bastrop County Elections Administrator and Travis County Elections Administrator. Such presiding judge shall appoint not less than two (2) other qualified members to serve on such Board.

**Section 5. CUSTODIAN OF ELECTION RECORDS.**

Pursuant to the Texas Election Code and the applicable Election Services Contract, the Bastrop County Elections Administrator and Travis County Elections Administrator shall serve as the custodians of voted ballots, and the City Secretary of Elgin, Texas shall be appointed as custodian of all other election records.

**Section 6. CANDIDATE FILING PERIOD.**

In accordance with Section 143.007 of the Texas Election Code, the first day of filing is 8:00 a.m. Wednesday, January 19, 2022 and the deadline for filing an application for a place on the ballot for this election is declared to be 5:00 p.m. Friday, February 18, 2022.

The deadline for a write-in candidate to declare candidacy is Tuesday, February 22, 2022.

**Section 7. VOTERS.**

All resident, qualified voters of the City shall be entitled to vote at the election.

**Section 8. 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 Saturday, April 16, 2022 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 April 7, 2022 nor later than April 27, 2022.

**Authorization to City Secretary.** The City Secretary is hereby authorized and directed to publish and post the required notices in the manner and for the time periods required by law.

**Section 9. VOTING DEVICES.**

Pursuant to the Election Code and the applicable Election Services Contract, the Bastrop County Elections Administrator and Travis County Elections Administrator may use electronic voting systems and corresponding voting devices and equipment in conducting the election. The Bastrop County Elections Administrator and Travis County Elections Administrator are currently using election systems and software certified by the Texas Secretary of State.

The City Council of the City of Elgin, Texas, finds as follows:

Section 61.012, Texas Election Code, requires that at least one accessible voting station must be provided in each polling place used in a Texas election on or after January 1, 2006. Such system must comply with state and federal laws setting the requirements for voting systems that (i) fully comply with applicable laws relating to accessible voting systems which make voting accessible for disabled voters; and (ii) provide a practical and effective means for voters with physical disabilities to cast a secret ballot. The Office of the Texas Secretary of State has certified that the DRE - Election Systems and Software iVotronic is an accessible voting system that may legally be used in Texas elections.

Sections 123.032 and 123.035, Texas Election Code, authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems. As chief elections officer for the City of Elgin, the Bastrop County Elections Administrator shall provide at least one DRE - Election Systems and Software iVotronic in each polling place at every polling location used to conduct any election ordered on or after January 1, 2006. The DRE - Election Systems and Software iVotronic may be acquired by any legal means available to the City of Elgin, including but not limited to lease or rental from Bastrop County or from any other legal source, as authorized or required by Sections 123.032 and 123.035 of the Texas Election Code.

The Bastrop County Elections Administrator and Travis County Elections Administrator may also utilize a central counting station as provided by Texas Election Code § 127.000 *et seq.*, as amended.

**Section 10. CONDUCT ACCORDING TO STATUTES.**

In all substantive respects, the election shall be conducted in accordance with applicable provisions of the Texas Election Code, any other applicable statutes, and the City of Elgin's Home Rule Charter.

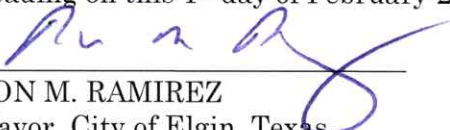
**Section 11. ELECTION RESULTS.**

The Bastrop County Elections Administrator and Travis County Elections Administrator shall conduct an unofficial tabulation of results after the closing of the polls on May 7, 2022. The official canvass, tabulation and declaration of the results of the election shall be conducted by the City Council at a regular or special council meeting held in accordance with provisions of the Texas Election Code.

**Section 12. 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.

By motion duly made, seconded, and passed with an affirmative vote of the City Council members present, the requirement for reading this ordinance was dispensed. **READ, PASSED and ADOPTED** on first reading on this 1<sup>st</sup> day of February 2022.

  
\_\_\_\_\_  
RON M. RAMIREZ  
Mayor, City of Elgin, Texas

ATTEST:

  
\_\_\_\_\_  
JENNIFER STUBBS  
City Secretary



**EXHIBIT "A"**

**ORDER OF ELECTION  
CITY OF ELGIN, TEXAS**

An election is hereby ordered to be held on Saturday, May 7, 2022 for the purpose of electing Mayor at Large, Ward 1, Ward 2, Ward 3, and Ward 4.

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 "B-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 "B-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:

Kristin Miles  
Bastrop County Elections Administrator  
804 Pecan Street  
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](mailto: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 [ebm@traviscountytexas.gov](mailto:ebm@traviscountytexas.gov).

Applications for ballot by mail must be received no later than 5:00 pm on Tuesday, April 26, 2022.

Issued this 10<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
RON M. RAMIREZ, Mayor  
City of Elgin, Texas

EXHIBIT "A-1"

BASTROP COUNTY ELECTION DAY PRECINCTS AND POLLING PLACES

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

EXHIBIT "A-2"

TRAVIS COUNTY ELECTION DAY PRECINCTS AND POLLING PLACES

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



**EXHIBIT "B-1"**

**EARLY VOTING LOCATIONS, DATES AND TIMES –  
BASTROP COUNTY**

\*As of the date the Election Order was issued, Bastrop County had not determined the Early Voting locations, dates and times. As soon as this information is made available from Bastrop County, it will be attached as Exhibit "B-1" to this Election Order.

**EXHIBIT "B-2"**

**EARLY VOTING LOCATIONS, DATES AND TIMES - TRAVIS COUNTY**

\*As of the date the 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 "B-2" to this Election Order.