

**ORDINANCE #001-13**

**AN ORDINANCE OF THE CITY OF DE LEON, TEXAS, PROVIDING FOR A GENERAL ELECTION, TO BE HELD ON THE 11<sup>TH</sup> OF MAY 2013, FOR THE PURPOSE OF ELECTING AT LARGE COUNCIL MEMBERS FOR PLACE 3, PLACE 4, AND PLACE 5; APPROVING JOINT ELECTION WITH DE LEON I.S.D., APPROVING JOINT ELECTION WITH COMANCHE COUNTY MEDICAL CENTER (HOSPITAL); AND CONTRACT WITH THE COMANCHE COUNTY FOR ELECTION SERVICES INCLUDING ELECTRONIC VOTING, DESIGNATING POLLING PLACE AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DE LEON, TEXAS:**

**Section 1.** That a general municipal election is hereby called and ordered for the 11<sup>TH</sup> day of May, 2013, at which election all qualified voters residing within the corporate limits of the City may vote for the purpose of electing their respective at large council members to Place 3, Place 4, and Place 5 for the term of two years. Said election shall be held in accordance with the Texas Election Code.

**Section 2.** That for the general election called and ordered for the purpose of electing at large council members for Place 3, Place 4, and Place 5: the City of De Leon Election Administrator shall act as Contracting Officer. The Elections Administrator shall nominate the election officials to be appointed by the City Council for the City of De Leon. The Election Administrator **KAREN WILKERSON-CITY ADMINISTRATOR/CITY SECRETARY** at 140 N TEXAS, P O BOX 318, DE LEON, TEXAS 76444. Voting at such election shall be upon paper ballot and DRE (electronic voting system) prepared in conformity to the Texas Election Code.

**Section 3.** That the City polling place for **EARLY ELECTION** will be located:  
**CITY HALL  
CITY OF DELEON  
P O BOX 318  
140 N TEXAS ST  
DE LEON, TEXAS 76444**

That the City polling place for **ELECTION DAY** will be located:  
**DE LEON I.S.D.  
ADMINISTRATION BUILDING  
425 S TEXAS ST  
DE LEON, TEXAS 76444**

**Section 4.** That the following officials are appointed by the City Council to conduct this general election in conjunction with the De Leon I.S.D and C.C.M.C. election.  
**Presiding Judge- Shirley Wilkerson  
Alternate Judge- Marie Nabors**  
The Presiding Judge shall appoint the clerks of the election in a number not to exceed five (5). The Alternate Judge shall serve as Presiding Judge for an election if the Presiding Judge cannot serve. In an election conducted by the Presiding Judge, the Alternate Judge serves as one of the clerks. The Early Voting Ballot Board shall be comprised of the Presiding Judge and the Alternate Judge. The judge and clerks shall be compensated at a rate of \$8.00 per hour. No judge or clerk shall be paid for more than one hour after the closing of the polls. The election official who delivers the returns of the election shall be paid an additional \$25.00 provided he/she also returns unused

ballots, election supplies, and ballots boxes when he/she makes delivery of the returns of the elections.

**Section 5.** That the City of De Leon will enter into a contract with the Comanche County Clerk, to lease the electronic voting machines for the May 2013 elections, which is mandatory thru HAVA. The County Clerk will be in charge, of loading the election ballot into the system and tabulating the Early Election and Election Day Votes. The County Clerk will also be in charge of the electronic filing of the election results with the Secretary of State office.

**Section 6.** That the City of De Leon will enter into a joint election with the De Leon I.S.D. pursuant to House Bill 1 which requires a joint polling place on election day with a city; effective for the May 2013 election. The City will purchase the supplies for Early Voting and Election Day and bill the De Leon I.S.D. accordingly. The School trustee will provide the City with the school board ballots and must file all appropriate papers in regards to the school election.

**Section 7.** That the City of De Leon will enter into a joint election with the Comanche County Medical Center upon the request of CCMC effective for the May 2013 election. The Comanche County Medical Center will provide the City with the Hospital ballots, supplies for the Early Voting and Election Day, hospital ballot boxes and must file all appropriate papers in regards to the hospital election.

**Section 8.** The election polls at the polling place on Election Day, May 11, 2013, shall be open from 7:00 am to 7:00 pm.

**Section 9.** That early voting by personal appearance shall be at the following locations:

**CITY OF DE LEON  
140 N TEXAS  
P O BOX 318  
DE LEON, TEXAS 76444**

Said places of early voting, shall be open on each day for early voting which is not a Saturday, a Sunday, or an official state or federal holiday beginning on the 29<sup>TH</sup> day of April, 2013 and continuing through 7<sup>TH</sup> day of May, 2013 (preceding the date of said election); except there may be such early voting on a Saturday and Sunday, as may be ordered by the early voting clerk as set forth herein. That the dates and times for early voting by personal appearance shall be as follows:

**De Leon City Hall  
140 N Texas  
De Leon, Texas 76444**

|                   |                       |                        |
|-------------------|-----------------------|------------------------|
| <b>Monday:</b>    | <b>April 29, 2013</b> | <b>8:00am – 8:00pm</b> |
| <b>Tuesday:</b>   | <b>April 30, 2013</b> | <b>8:00am – 5:00pm</b> |
| <b>Wednesday:</b> | <b>May 01, 2013</b>   | <b>8:00am – 5:00pm</b> |
| <b>Thursday:</b>  | <b>May 02, 2013</b>   | <b>8:00am – 5:00pm</b> |
| <b>Friday:</b>    | <b>May 03, 2013</b>   | <b>8:00am – 5:00pm</b> |
| <b>Monday:</b>    | <b>May 06, 2012</b>   | <b>8:00am – 8:00pm</b> |
| <b>Tuesday:</b>   | <b>May 07, 2012</b>   | <b>8:00am – 5:00pm</b> |

**Monday, April 29, 2013, and Monday, May 07, 2013, will be the Cities two 12 hour days as per election law section §85.005(d).**

The City Secretary shall receive applications to Vote by Mail starting March 12, 2013 until April 26, 2013. Request for application should be mailed to:


Karen Wilkerson,  
City Administrator/Secretary  
140 N Texas  
P.O. Box 318  
De Leon, Texas 76444  
Or you may request by phone at: 254-893-2065

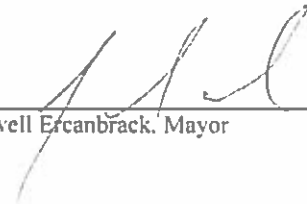
- Section 10.** Early voting by personal appearance shall be by DRE machine and paper ballots. Early voting by mail shall be by paper ballots and shall be canvassed by an Early Voting Ballot Board and County Clerks Office.
- Section 11.** That if any section, subsection, sentence, clause, or phrase of this ordinance, or the application of same to a particular set of persons or circumstances, should for any reason be held to be invalid or adjudged unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of this ordinance, and to such end the various portions and provisions of this ordinance are declared to be severable; and the City Council of the City of De Leon, Texas, declares it would have passed each and every part of the same notwithstanding the omission of any such part, thus declared to be invalid or unconstitutional, or whether there be one or more parts.
- Section 12.** That it is hereby 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 by the *Open Meetings Act, Chapter 551, Loc. Gov. Code.*
- Section 13.** This Ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code.

PASSED AND APPROVED on the first reading this the 24 day of January, 2013.

PASSED, APPROVED AND ADOPTED on this 14 day of February, 2013.



  
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Karen Wilkerson,  
City Administrator/Secretary

  
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Lowell Ercanbrack, Mayor