

ORDINANCE 2024-XX

AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS ORDERING A GENERAL ELECTION FOR THE PURPOSE OF ELECTING A COUNCILPERSON FOR DISTRICT 3 AND A COUNCILPERSON FOR DISTRICT 4 TO BE HELD ON THE 4th DAY OF MAY 2024; AND PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; CONTAINING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE UPON ONE READING.

WHEREAS, the City of New Braunfels, Texas (“City”) is a home-rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City of New Braunfels Charter provides that city elections shall be held in accordance with laws of the State of Texas; and

WHEREAS, Section 41.001(a) of the Texas Election Code establishes the first Saturday in May as a uniform election date for the purposes of conducting a General Election; and

WHEREAS, Section 3.004(b) of the Texas Election Code provides that the governing body of a municipality shall be the authority to order a General Election for the purposes of electing members to the governing body; and

WHEREAS, Texas Government Code, Chapter 791, authorizes local governments to contract with one another and with agencies of the state for various governmental functions including those in which the contracting parties are mutually interested; and

WHEREAS, the City will enter into joint election agreements and contracts for election services with Comal County pursuant to Texas Election Code (“Code”) Sections 31.092 and 271.002;

WHEREAS, the City will enter into a contract for election services with Comal County pursuant to Texas Election Code (“Code”) Sections 31.092 and 271.002; and

WHEREAS, the City Council of the City of New Braunfels, Texas authorizes the Mayor to sign the order calling the Runoff Election and any subsequent orders adjusting the polling locations, dates and times that are subject to change due to agreements with Comal County Elections Department and other joint election agreements up until the final posting deadline of such notice pursuant Texas Election Code (“Code”) § 4.003(a)(b) and (c).

WHEREAS, THE LAWS OF THE State of Texas, provide that the next ensuing first Saturday in May, there shall be elected the following officials for this City.

- A. One Councilmember from **District Number 3** to be elected by a majority of those votes cast.
- B. One Councilmember from **District Number 4** to be elected by a majority of those votes cast.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION I

CALL OF A REGULAR MUNICIPAL ELECTION

That a regular election be held on the 1st Saturday of May 2024, in the City of New Braunfels, Texas, for the purpose of electing regular City officers as listed below.

- A. One Councilmember from **District Number 3** to be elected by a majority of those votes cast.
- B. One Councilmember from **District Number 4** to be elected by a majority of those votes cast.

SECTION II

EARLY VOTING BY PERSONAL APPEARANCE

(Subject to Change)

THAT the main polling place for early voting by personal appearance for the election is:

Comal County Elections Office, 396 N. Seguin Avenue, New Braunfels, Texas 78130

DATES and HOURS: **April 22-26, 2024 – 8 a.m. - 5 p.m.**
 (Fechas y Horas) *(22-26 de abril de 2024 – 8 a.m. - 5 p.m.)*
 April 27, 2024 – 10 a.m. - 6 p.m.
 (27 de abril de 2024 – 7 a.m. - 7 p.m.)
 April 29 -30, 2024 – 7 a.m. - 7 p.m.
 (29-30 de abril de 2024 – 7 a.m. - 7 p.m.)

****Emergency and Limited ballots available at this location only.** *(Boletas limitadas y de emergencia solamente están disponibles en esta caseta.)*

THAT the temporary branch polling places for early voting by personal appearance for the election are:

Mammen Family Public Library, Room A, 131 Bulverde Crossing, Bulverde, Texas 78163

Comal County Offices, Bulverde Annex, JP #2 Courtroom, 30470 Cougar Bend, Bulverde, Texas 78163

**Comal County Offices, Goodwin Annex, Training Room, 1297 Church Hill Drive, New Braunfels,
Texas 78130**

**St Francis by the Lake Episcopal Church, Large Room, 121 Spring Mountain Dr., Canyon Lake,
Texas 78133**

Garden Ridge City Hall, Municipal Court Room, 9400 Municipal Pkwy, Garden Ridge, Texas 78266

Early Voting Dates and Hours

(Fechas y Horarios de Votación Anticipada)

(SUBJECT TO CHANGE)

DATES and HOURS: **April 22-26, 2024 – 8 a.m. - 5 p.m.**
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SECTION III

EARLY VOTING BY MAIL

THAT early voting by mail ballot shall be conducted in accordance with applicable provisions of the Texas Election Code.

- A. The address of the Comal County Elections Office, 396 North Seguin Avenue, New Braunfels, Texas 78130, shall be the early voting clerk's mailing address to which ballot applications and ballots voted by mail may be sent for the City for Comal County residents.

SECTION IV

ELECTION DAY POLLING PLACES

(Subject to Change)

THAT the polling places listed below shall be open on Election Day from 7:00 a.m. to 7:00 p.m. on Saturday, May 4, 2024:

For Comal County, at such locations as determined and posted by the Comal County Elections Officers. Initial Polling Places have been designated below and are expected to be confirmed.

GENERAL ELECTIONS*(Elecciones Generales)***May 4, 2024***(4 de mayo de 2024)***Election Day Polling Locations***(Lugares de votación el día de las elecciones)***Polls Open from 7:00 a.m. to 7:00 p.m.***(Urnas Abiertas de 7:00 a.m. a 7:00 p.m.)***Comal County will be using Vote Centers for the May 4, 2024, Elections***(El condado de Comal utilizará centros de votación para las elecciones generales del 4 de mayo de 2024)*

PCT	POLLING LOCATION (UBICACIÓN DE VOTACIÓN)	ADDRESS (DIRECCIÓN)
VC #1	Comal County Senior Citizens Center	710 Landa, New Braunfels 78130
VC #2	Mammen Family Public Library, Meeting Room A	131 Bulverde Crossing, Bulverde, Tx 78163
VC #3	Freedom Fellowship Church, Foyer	410 Oak Run Point, New Braunfels, Tx 78130
VC #4	Tye Preston Memorial Library	16311 South Access Rd., Canyon Lake, Tx 78133
VC #5	Canyon Springs Resort Clubhouse	691 Canyon Springs Dr., Canyon Lake, Tx 78133
VC #6	Emergency Services District No. 4 Fire Station No. 4	215 Rebecca Creek Road, Canyon Lake, TX 78133
VC #7	Vintage Oaks Amenity Center	1250 Via Principale, New Braunfels, Tx 78132
VC #8	Lakeside Golf Club	405 Watts Lane, Canyon Lake, Tx 78133
VC #9	Cibolo Creek Community Church	30395 Ralph Fair Rd., Boerne, Tx 78015
VC #10	Real Life Community Church	1615 FM 1044, New Braunfels. TX 78130
VC #11	Christ Our King Anglican Church	115 Kings Way, New Braunfels, Tx 78132
VC #12	Comal County Offices, Bulverde Annex, JP 2 Courtroom	30470 Cougar Bend, Bulverde, Tx 78163
VC #13	Garden Ridge Community Center, Wildflower Room	9500 Municipal Parkway, Garden Ridge, Tx 78266
VC #14	Bulverde/Spring Branch Fire & EMS @ Johnson Ranch	30475 Johnson Way, Bulverde, Tx 78163
VC #15	Westside Public Library	2932 S. IH 35, New Braunfels, Tx 78130
VC #16	City of New Braunfels, Public Works Building Room A	424 S. Castell Ave., New Braunfels, Tx 78130
VC #17	New Braunfels Library, Large Meeting Room	700 E. Common, New Braunfels, Tx 78130
VC #18	Comal ISD Support Services Building	1404 IH 35 North, New Braunfels, Tx 78130
VC #19	Comal County Offices, Goodwin Annex, Training Room	1297 Church Hill Dr., New Braunfels, Tx 78130
VC #20	New Braunfels Christian Church, Fellowship Hall	734 N. Loop 337, New Braunfels, Tx 78130
VC #21	Eden Hill, Town Hall	631 Lakeview Blvd, New Braunfels, Tx 78130
VC #22	St. Francis by the Lake Episcopal Church, Large Room	121 Spring Mountain Dr., Canyon Lake, Tx 78133
VC #23	North Shore United Methodist Church	23880 N. Cranes Mill Rd, Canyon Lake, Tx 78133
VC #24	Gruene Methodist Church, Mission and Outreach Building	2629 E. Common St., New Braunfels, Tx 78130
VC #25	Rebecca Creek Baptist Church	11755 Hwy 281 N., Spring Branch, Tx 78070
VC #26	River Chase Clubhouse	436 River Chase Way, New Braunfels, Tx 78132

(Subject to Change)

SECTION V

METHOD OF VOTING

THAT use of Hart DRE Verity Duo version 2.5.1, and controller voting system, as the term is defined in the Texas Election Code, shall be utilized in connection with the election for Comal County residents. This system shall be utilized for early voting as well as for district voting conducted on Election Day. Cynthia Jaqua is appointed as programmer, and she shall prepare a program for the automatic tabulating equipment. Ample voting equipment shall be provided for early voting and in the specific districts on Election Day. The central counting station is established as the Comal County Elections Office.

SECTION VI

APPOINTMENT OF PRESIDING JUDGES

THAT the Comal County Elections Office will appoint the Early Voting Ballot Board, a Presiding Judge for the Early Voting Ballot Board, and a Presiding Judge for the Central Counting Station.

SECTION VII

GOVERNING LAW, POSTING AND PUBLICATION

THAT the election will be held in accordance with the provisions of the Charter of the City of New Braunfels and the laws of the State of Texas. Notice of the election, including a Spanish translation thereof, will be published at least once in the local newspaper in accordance with the Texas Election Code and will be posted on the bulletin board at City Hall at 550 Landa Street, New Braunfels, Texas.

SECTION VIII
TESTING OF AUTOMATIC TABULATING
EQUIPMENT

THAT testing of the automatic tabulating equipment will be performed and notice thereof will be given in accordance with the Texas Election Code. Comal County shall designate the tabulating equipment and personnel required under the Election Code.

SECTION IX
COMPENSATION FOR ELECTION WORKERS

THAT the rate of compensation for all polling workers will be decided by the Comal County Elections Office.

SECTION X
SAVINGS CLAUSE

THAT if any part of this ordinance shall be held to be unconstitutional or invalid for any reason, such unconstitutionality or invalidity shall not affect the constitutionality or validity of the remaining parts of this Ordinance. The City Council hereby declares that it would have passed the remaining parts of this ordinance if it had known that such part or parts thereof would have been declared unconstitutional or invalid, and further declares that such remaining parts shall remain in full force and effect; and that the provisions hereof are severable.

SECTION XI
EFFECTIVE DATE

THAT it is further ordained that this ordinance shall become effective upon one (1) reading of the City Council as allowed by the City Charter, Section 3.10.

PASSED, ADOPTED, AND APPROVED this the 22nd day of January 2024.

CITY COUNCIL OF THE CITY OF NEW
BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVES AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY