

Approval of the first reading of an ordinance ordering a general election to be held in the City of New Braunfels on May,1 2021, for the election of district 3 and district 4 councilmembers; and establishing an Early Voting Location and Polling Places for this Election; and making ORDINANCE NO. 2021-XX

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS ORDERING A REGULAR ELECTION TO BE HELD IN THE CITY OF NEW BRAUNFELS, TEXAS, ON MAY 1, 2021, FOR DISTRICT NUMBERS 3 AND 4 OF THE NEW BRAUNFELS CITY COUNCIL

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 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 Council of the City of New Braunfels, Texas authorizes the Mayor to sign the order calling the General 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 City Councilmember from **District Number 3** to be elected by a majority of those votes cast.

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

NOW, THEREFORE, BE IT RESOLVED 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 day of May 2021, in the City of New Braunfels, Texas, for the purpose of electing regular City officers as listed below.

- A. One City Councilmember from District Number 3 to be elected by a majority of those votes cast.
- B. One City 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 North Seguin Avenue, New Braunfels
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Early voting by personal appearance shall be conducted between the hours and dates as follows:

Dates	Time
Monday, April 19, 2021–Tuesday April 27, 2021	TIME TBD

SUBJECT TO CHANGE

**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
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 Tuesday, May 1, 2021:

A. 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.

District 1	Westside Community Center	2932 S IH 35 Frontage Road
District 2	New Braunfels First Church of the Nazarene	210 W. Klein Road
District 3	Seniors Center of Comal County	655 Landa Street
District 4	Christ Presbyterian Church	1620 Common Street
District 5	Comal County Goodwin Annex	1297 Church Hill Drive
District 6	Walnut Springs Elementary School	1900 S. Walnut Avenue

**SECTION V
METHOD OF VOTING**

THAT use of Hart DRE Verity Touch, Access Touch, 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 County Election office of Comal County 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**

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. Each 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 Election Offices.

PASSED, ADOPTED, AND APPROVED this the 25th day of JANUARY 2021.

CITY COUNCIL OF THE CITY OF NEW
BRAUNFELS, TEXAS

RUSTY BROCKMAN, MAYOR

SHANE HINES,
Councilmember District 1

JUSTIN MEADOWS,
Mayor Pro-Tem District 2

HARRY BOWERS,
Councilmember District 3

MATTHEW E. HOYT,
Councilmember District 4

JASON HURTA,
Councilmember District 5

JAMES BLAKEY,
Councilmember District 6

Attest:

CAITLIN KROBOT, City Secretary