

ORDINANCE NO. #001-06

AN ORDINANCE OF THE CITY OF DE LEON, TEXAS PROVIDING FOR A GENERAL ELECTION TO BE HELD ON THE 13TH OF MAY 2006, FOR THE PURPOSE OF ELECTING THE MAYOR, AND AT LARGE COUNCIL MEMBERS FOR PLACE 1 AND PLACE 2; AND FOR A SPECIAL A SPECIAL ELECTION FOR THE PURPOSE OF ELECTING AT LARGE COUNCIL MEMBER PLACE 4 FOR THE REMAINING TERM, DESIGNATING POLLING PLACE; AUTHORIZING JOINT ELECTION, 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 13th day of May, 2006, 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 1 and Place 2 and the position of Mayor, for the term of two years. Said election shall be held in accordance with the Texas Election Code.

Section 2. That a special municipal election is hereby called and ordered for the 13th day of May, 2006, at which election all qualified voters residing within the corporate city limits of the City may vote for the purpose of electing their respective at large council member to Place 4 for the remainder of the term. The remainder of the term will expire at the May, 2007 election.

Section 3. That for the general election called and ordered for the purpose of electing at large council members for Place 1, Place 2 and for Mayor and also for the special election called and ordered for the purpose of electing at large council member for Place 4, 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 is hereby authorized and instructed to provide and furnish all necessary election supplies for the City of De Leon. The official mailing address of the Election Administrator: Karen Wilkerson - City Secretary, is 125 S Texas, PO BOX 318, DE LEON, TEXAS 76444. Voting at such election shall be upon paper ballots prepared in conformity to the Texas Election Code and on electronic voting machines. This election shall be a joint election with De Leon Independent School District and the Middle Trinity Water District.

Section 4. That the City polling place will be located:

City of De Leon
125 S Texas
P O Box 318
De Leon, TX 76444

Section 5. That the following officials are appointed by the City Council to conduct this general election.

Presiding Judge- Shirley Wilkerson
Alternate Judge- Judy Barnes

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 6. That the City Council of the City of De Leon hereby authorizes the acquisition and use of electronic voting machines, which are accessible to disable voters in all City elections and such voting machines may be used in conjunction with paper ballots. The City of De Leon will enter into a contract with the Comanche County Clerk, to lease eSlate electronic voting machines for the May 2006 election. The eSlate system has been certified by the Texas Secretary of State as an electronic voting system for use in Texas. 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 7. That the polls at the polling place on Election Day shall be open from 7:00 a.m. to 7:00 p.m.

Section 8. That early voting by personal appearance shall be at the following locations:

CITY OF DE LEON - CITY HALL
COUNCIL CHAMBERS
125 S 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 1st day of May, 2006 and continuing through the 9th day of May, 2006 (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:

Location- De Leon City Hall-125 S Texas, De Leon, Texas 76444

<u>DAY</u>	<u>DATE</u>	<u>HOURS</u>
Monday - Thursday	May 1-4, 2006	8:00 a.m. to 5:00 pm.
Friday	May 5, 2006	8:00 a.m. to 5:00 p.m.
Monday	May 8, 2006	8:00 a.m. to 5:00 p.m.
Monday	May 9, 2006	8:00 a.m. to 5:00 p.m.

And that the hours for early voting will be extended to twelve hours on the 1st Friday of Early Voting and the Last day of Early Voting at any City Election.

The City Secretary shall receive applications for a ballot to be voted by mail beginning on the 14th day of March, 2006 and continuing through the close of the regular business day of May 5, 2006. Requests for application should be mailed to: Karen Wikerson, City Secretary, City of De Leon, 125 S Texas, De Leon, Texas 76444; or requested by phone at 254-893-2065.

Section 9. That early voting by mail shall be with paper ballots; personal appearance shall be with paper and electronic voting machine; and shall be canvassed by an Early Voting Ballot Board.

Section 10. 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.

PASSED AND APPROVED on first reading this the 26th day of January, 2006.

PASSED, APPROVED, AND ADOPTED on this the 9th day of February, 2006.

JIM ADAMS, MAYOR

ATTEST:

KAREN WILKERSON,
CITY SECRETARY