

**ORDINANCE**

**NO. OR02-2019-05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEBURNE, TEXAS ORDERING AN ELECTION TO BE HELD ON MAY 4, 2019, IN THE CITY OF CLEBURNE, TEXAS, AND A RUN-OFF ELECTION TO BE HELD, SHOULD SAME BE REQUIRED, ON JUNE 15, 2019, FOR THE PURPOSE OF ELECTING COUNCILMEMBERS FOR SINGLE MEMBER DISTRICTS TWO AND THREE; PROVIDING FOR BALLOTS; DESIGNATING THE TIME AND PLACE OF HOLDING SUCH ELECTIONS; PROVIDING APPOINTMENT OF ELECTION OFFICIALS AND THEIR COMPENSATION; PROVIDING FOR NOTICES; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

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

**SECTION ONE. Order of Election.** This Ordinance shall constitute the Order of such elections.

**SECTION TWO. Date(s) of Election.** That the General Election for the City of Cleburne, Texas, be ordered for and the same be held on the first Saturday in May, 2019, which is the 4th day of May, 2019. Said election shall be conducted between the hours of 7:00 a.m. and 7:00 p.m. on said date; and in the event a Run-Off is required, such election shall be held in the City of Cleburne, Texas, on the third Saturday in June, 2019, which is the 15th day of June, 2019, for such purposes and between said hours on said date as required by the Election Code of the State of Texas and pursuant to the City Charter of the City of Cleburne, Texas.

**SECTION THREE. Purpose.** Said election shall be held for the purpose of electing and there shall be elected at such election the following officers:

a) A Councilperson to represent Single Member District Two (SMD #2) within the City of Cleburne who shall reside in such district and who shall be elected solely by the voters residing within the boundaries of such district; Councilperson elected from SMD #2 shall hold his or her office for two (2) years and until his or her successor is elected and has qualified to take over the same office

b) A Councilperson to represent Single Member District Three (SMD #3) within the City of Cleburne who shall reside in such district and who shall be elected solely by the voters residing within the boundaries of such district; Councilperson elected from SMD #3 shall hold his or her office for two (2) years and until his or her successor is elected and has qualified to take over the same office.

**SECTION FOUR. Joint Election Agreement.** The City of Cleburne and the Cleburne Independent School District intend to enter into a Joint Election Agreement for said 2019 General Elections which will be held on the same day in all or part of the same territory. Pursuant to the provisions of the Texas Election Code, the elections may be combined maintaining consistency and accessibility in voting practices, polling places, and election procedures to best assist the voters of Cleburne.

**SECTION FIVE. Filing Application for Place on Ballot.** Any person desiring to have his name placed upon the ballot as a candidate for any office to be filled at said election, shall file a sworn written application with the City Secretary of the City of Cleburne on or before 5:00 p.m. on the 15th day of February, 2019, but not before the 16th day of January, 2019.

**SECTION SIX. Paper Ballots (General).** In the May 4, 2019 Election, the City Secretary shall cause paper ballots to be prepared being in both English and Spanish, and shall furnish election officials said ballots, in such form, together with any other forms or blanks, in accordance with the Charter of the City of Cleburne, Texas, the Constitution and Laws of the State of Texas and the Voting Rights Act of 1965, and any amendments thereto, insofar as same are applicable.

**SECTION SEVEN. Paper Ballots (Runoff).** In the June 15, 2019 Run-Off Election, the City Secretary shall cause paper ballots to be prepared being in both English and Spanish, and shall furnish election officials said ballots, in such form, together with any other forms or blanks, in accordance with the Charter of the City of Cleburne, Texas, the Constitution and Laws of the State of Texas and the Voting Rights Act of 1965, and any amendments thereto, insofar as same are applicable.

**SECTION EIGHT. Polling Locations and Judge Appointments.** That the following places are designated as polling places for such election and whereby election officials are appointed to conduct said election on election day, and Early Voting and providing the appointment of the Early Voting Ballot Board to process votes cast during the early voting period by personal appearance, ballots cast by mail and, if necessary, shall reconvene after election day to process votes cast provisionally:

| <b>DISTRICT</b>              | <b>LOCATION OF POLLING PLACE</b>                                   | <b>JUDGES</b>  |
|------------------------------|--|--|
| 1                            | Cleburne ISD Administration<br>505 North Ridgeway Drive, Suite 100 | Sherry Reeves<br>Lois Cochran (Alternate)  |
| 2                            | Gerard Elementary<br>1212 South Hyde Park Boulevard                | Kim Spalding<br>Janelle Parker (Alternate)   |
| 3                            | Cooke Elementary School<br>902 Phillips Street                     | Nathan Dubois<br><i>Cynthia Paniagua (Alternate)</i><br><i>(appointed 2/26/19)</i> |
| 4                            | Booker T Washington Comm & Rec Center<br>100 Mansfield Road        | Doris Sims<br>Barbara Rochelle (Alternate)   |
| Early Voting<br>Ballot Board | Cleburne City Hall<br>10 North Robinson Street                     | Heather Aikman<br>Julie Traut (Alternate)  |

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|--------------------------|--|
| Early Voting<br>(Main)   | Cleburne City Hall<br>10 North Robinson Street           |
| Early Voting<br>(Branch) | Cleburne Conference Center<br>1501 West Henderson Street |

**SECTION NINE. Rate of Pay.** The rate of pay for election workers shall be as follows:

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| Early Voting Ballot Board Judge                        | \$15.00/hour |
| Early Voting Branch Supervisor                         | \$15.00/hour |
| District Judges  | \$15.00/hour |
| Alternate Judges and Clerks                            | \$12.00/hour |
| Person delivering supplies to City Hall Election Night | \$25.00      |

**SECTION TEN. Duty of Judges.** The manner of holding and voting of said election and the powers and duties of the judges thereof, the counting of ballots and making returns of said election shall be according to the Election Code of the State of Texas, and the Charter of the City of Cleburne, Texas, in force at the time of said election.

**SECTION ELEVEN. Early Voting Locations/Schedule.** It shall be provided that early voting by personal appearance shall be held and the City Secretary shall preside as the Early Voting Clerk of said early voting. The period to conduct early voting shall begin on the 22nd day of April, 2019, and shall continue through the 30th day of April, 2019, with the exceptions as prescribed by Texas State Law. The early voting hours will be each of the above mentioned days from 8:00 a.m. until 5:00 p.m. (excluding Saturdays, Sundays, and holidays) with the exception of Monday, April 29th and Tuesday, April 30th, having extended hours of early voting from 7:00 a.m. until 7:00 p.m. Early voting shall be conducted at Cleburne City Hall (Main Poll), 10 North Robinson Street, Cleburne, TX 76031 and the Cleburne Conference Center (Temporary Branch), 1501 West Henderson Street, Cleburne, TX 76033. In the event a Run-off Election is necessary, early voting will be conducted only at the Main Early Voting location, City Hall, 10 North Robinson Street beginning June 3 – 7, 2019 from 8:00am – 5:00pm and June 10 – 11, 2019 from 7:00am – 7:00pm.

**SECTION TWELVE. Ballots by Mail.** Applications for ballot by mail shall be mailed to Shelly Doty, City Secretary, City of Cleburne, P.O. Box 677, Cleburne, Texas 76033 and shall be received, in person, no later than the close of business on Thursday, April 18, 2019 and, by mail, no later than the close of business on Tuesday, April 23, 2019. Applications for ballot by mail may not be received before January 1, 2019.

**SECTION THIRTEEN. Notice of Election – Posting.** The City Secretary is hereby directed and instructed to post a properly executed copy of Notice of these elections at each polling place named in this Ordinance and on the bulletin board used for posting notice of meetings of the governing body. Said notices shall be posted not less than twenty-one (21) days before the date of such elections and said notices shall be posted in both English and Spanish.

**SECTION FOURTEEN. Notice of Election – Publication.** The City Secretary is hereby directed and instructed to publish a properly executed Notice of Election at least once, not earlier

than the thirtieth (30<sup>th</sup>) day or later than the tenth (10<sup>th</sup>) day before said election day in a newspaper of general circulation in the City of Cleburne, and said notice shall be published in both English and Spanish, all of which is in compliance with the provisions of Chapter 4 of the Texas Election Code.

**SECTION FIFTEEN. Liability.** All of the regulations provided in this Ordinance are hereby declared to be governmental and for the health, safety, and welfare of the general public. Any member of the City Council or any City Official or employee charged with the enforcement of this Ordinance, acting for the City of Cleburne in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his said duties.

**SECTION SIXTEEN. Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.


**SECTION SEVENTEEN. Effective Date.** This Ordinance shall take effect and be in full force and effect from and after the date of its passage, and it is so ordained; however, in the event that a Run-Off Election is not required, the provisions of this Ordinance pertaining to such Run-Off Election shall be and become null and void and of no force and effect.

**PASSED AND APPROVED** this the 12th day of February, 2019 at a Regular Meeting of the City Council of the City of Cleburne, Texas.



  
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Shelly Doty, City Secretary

CITY OF CLEBURNE

BY:   
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Scott Cain, Mayor