

ORDINANCE NO. 718

ORDERING A REGULAR ELECTION TO BE HELD IN THE CITY OF BULVERDE, TEXAS ON MAY 6, 2023, TO ELECT CITY OFFICERS; ESTABLISHING AN EARLY VOTING LOCATION, ELECTION PRECINCTS, AND POLLING PLACES FOR SAID ELECTION; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the laws of the State of Texas provide that on the first Saturday in May, being the uniform election date, there shall be an election to elect City Officers;

WHEREAS, in 2023, the first Saturday of May is May 6; and

WHEREAS, pursuant to Texas Election Code § 3.004, the governing body of a municipality must order an election not later than the 78th day before the uniform election date, as required by Texas Election Code § 3.005(d).

WHEREAS, the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election and it is the desire of City council to establish the procedure to be followed in said election;

WHEREAS, the City Council finds and determines that the passage of this Ordinance promotes the health, safety, and welfare of the public and the City of Bulverde; and

WHEREAS, the City Council finds and determines that the meeting at which this Ordinance was passed was open to the public, that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code; and that the City of Bulverde complied with all other requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BULVERDE, TEXAS THAT:

- 1. Findings of Fact.** The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.
- 2. ORDER.** It is ORDERED that a regular election shall be held on May 6, 2023, in the City of Bulverde, Texas in accordance with the following:
 - (A) The majority of votes cast will elect the following officers of the City:
 - (1) One Council Member for Place 3 of the City Council
 - (2) One Council Member for Place 4 of the City Council

- (B) Ballots for the City election will conform to the requirements of the Texas Election Code.
- (C) The main polling place for early voting by personal appearance for the election is Precinct 1 – Comal County Offices, Bulverde Annex, 30470 Cougar Bend, Bulverde, TX 78163. Early Voting by personal appearance shall be conducted during the following dates and times:

Dates: Monday through Friday, April 24, 2023, through May 2, 2023

Times: 8:00 a.m. to 5:00 p.m.

- (D) Early voting by mail shall be conducted in accordance with applicable provisions of the Texas Election Code. Bobbie Koepp, Comal County Clerk, shall serve as Early Voting Clerk, and the Early Voting Clerk's Office shall be located at 396 N. Seguin Avenue, New Braunfels, Texas 78130. This address shall be the early voting clerk's address to which ballot applications and ballots voted by mail must be delivered or sent to the City. Applications for ballots by mail must be received not later than the close of business on Tuesday, April 25, 2023.
- (E) The current boundaries of the City shall constitute the only precinct for this election, hereby designated as Precinct 1. The polling place listed below shall be open on Election Day from 7:00 a.m. to 7:00 p.m. on Saturday, May 6, 2023:

LOCATION OF POLLING PLACE: Precinct 1 – Comal County Offices, Bulverde Annex, 30470 Cougar Bend, Bulverde, TX 78163

- (F) Use of the Hart Duo – Verity Touch Writer and Verity Scan voting system, as the term is defined in the Texas Election Code, shall be utilized in connection with the election. This system shall be utilized for early voting as well as for precinct voting conducted on Election Day. Bobbie Koepp, Comal County Clerk, will appoint the DRE programmer, and such programmer shall prepare a program for the automatic tabulating equipment. Ample voting equipment shall be provided for early voting and in the precinct on Election Day. The central counting station is established as the office of the Comal County Clerk, 396 N. Seguin Avenue, New Braunfels, Texas 78130
- (G) Bobbie Koepp, Comal County Clerk, shall be responsible for the appointment of election officers for this election.
- (H) The election will be held in accordance with the provisions of the laws of the State of Texas. Notice of the election 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 the City's Municipal Building at 30360 Cougar Bend, Bulverde, Texas 78163.
- (I) Testing of the automatic tabulating equipment will be performed and notice thereof will be given in accordance with the Texas Election Code.

(J) The rate of compensation for polling location judges is established at \$12.00 per hour and the rate of compensation of clerks is established at \$10.00 per hour. The rate of compensation for clerks, and assistants and any personnel assisting the Central Counting Station Presiding Judge and Tabulation Supervisor for services rendered during the election is established at \$10.00 per hour.

3. **Repealer.** All ordinances, resolutions, or parts thereof that are in conflict or are inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict or inconsistency, and the provisions of this Ordinance shall be and remain controlling as to the matter regulated herein.

4. **Severability.** Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause, or phrase of this Ordinance and same are deemed severable for this purpose.


5. **Effective Date.** This Ordinance shall be effective as of the date of adoption.

PASSED, APPROVED AND ADOPTED THIS 14 DAY OF FEB, 2023

APPROVED:


Bill Krawietz, Mayor

ATTEST:


Charles West, City Manager/Interim City Secretary

