

ORDINANCE NO. 796

ORDERING A SPECIAL ELECTION TO BE HELD IN THE CITY OF BULVERDE, TEXAS ON MAY 3, 2025, TO ELECT A CITY COUNCIL MEMBER TO THE UNEXPIRED TERM FOR PLACE 3, 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, City Council Place 3 is vacant, with an unexpired term lasting until the regular city council election in May 2026, such vacancy occurring on January 31, 2025, pursuant to Texas Elections Code § 201.023;

WHEREAS, a vacancy in any City of Bulverde city council position with an unexpired term of more than 12 months must be filled by a special election held within 120 days of the date that the vacancy occurs pursuant to Article 11, Section 11, Texas Constitution;

WHEREAS, the City Council desires to order a special election to fill the vacant seat for City Council Place 3;

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.

WHEREAS, the City has made provision to contract with Comal County to conduct the City's General Election pursuant to Chapter 31, of the Texas Election Code and Chapter 791 of the Texas Government Code (the "Election Agreement"), jointly with other political subdivisions that hold elections on the same day in all or part of the same territory of the City, as authorized in Chapter 271, Texas Election Code;

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 3, 2025, in the City of Bulverde, Texas in accordance with the following:

(A) The majority of votes cast will elect one individual to City Councilmember, Place 3, to serve the remainder of an unexpired term lasting until the regular city council election in May 2026.

(B) Application for a Place on Ballot – Pursuant to Texas Elections Code § 201.054(c), a candidate’s application for a place on the ballot must be filed by 5:00 p.m., March 3, 2025, by filing such applications with the City Secretary.

Physical address for filing an application in person for place on the ballot: Bulverde City Hall, 30360 Cougar Bend, Bulverde, Texas 78163

Address to mail an application for place on the ballot (if filing by mail): Bulverde City Hall, 30360 Cougar Bend, Bulverde, Texas 78163

Applications sent by mail are considered to be filed at the time of the receipt by the City Secretary.

Email or Fax Number to send an application for place on the ballot:
Email: svham@bulverdetx.gov
Fax: 830-438-4339

(C) Ballots for the City election will conform to the requirements of the Texas Election Code.

(D) 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.

Early Voting by personal appearance shall be conducted during the following dates and times:

Tuesday, April 22nd through Friday, April 25th, 2025
8:00 a.m. to 5:00 p.m.

Monday, April 28th through Tuesday, April 29th, 2025
7:00 a.m. to 7:00 p.m.

- (E) The current boundaries of the City shall constitute the only precinct for this election, hereby designated as Precinct 1. The temporary branch polling places for early voting by personal appearance for the election for Precinct 1 is 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:

Tuesday, April 22nd through Friday, April 25th, 2025
8:00 a.m. to 5:00 p.m.

Monday, April 28th through Tuesday, April 29th, 2025
7:00 a.m. to 7:00 p.m.

- (F) 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 may be delivered or sent for the City.

Applications for ballots by mail must be received not later than the close of business on Tuesday, April 22, 2025.

- (G) The polling place listed below shall be open on Election Day from 7:00 a.m. to 7:00 p.m. on Saturday, May 3, 2025:

For Comal County, at such locations as determined and posted by the Comal County Elections Officers.

LOCATION OF POLLING PLACE:

Comal County Offices, Bulverde Annex, 30470 Cougar Bend, Bulverde, TX 78163

- (H) 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

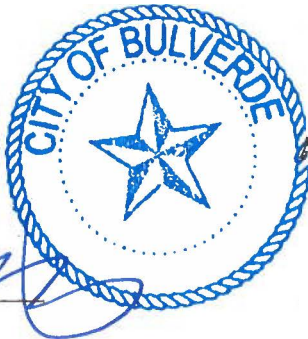
equipment. Ample voting equipment shall be provided for early voting and in the precinct on Election Day. The central counting station is established as the office of the Comal County Clerk, 396 N. Seguin Avenue, New Braunfels, Texas 78130

3. Notice of the election in English and Spanish, and as otherwise provided by law, shall be posted not later than the 21st day before Election Day, and will be posted on the bulletin board at the City's Municipal Building at 30360 Cougar Bend, Bulverde, Texas 78163 and shall remain posted continuously through Election Day. Notice of the Election in English and Spanish shall also be given by publishing the notice at least once, not earlier than the 30th day or later than the 10th day before Election Day in the official newspaper of the City.
4. Testing of the automatic tabulating equipment will be performed and notice thereof will be given in accordance with the Texas Election Code.
5. The presiding judges, alternate presiding judges and clerks for the election precincts, the Presiding Judge of the Early Voting Ballot Board and the Central Counting Station Manager and Tabulation Supervisor shall be selected and appointed by Comal County and its appointees in compliance with the requirements of state law. The rate of compensation will be determined by Comal County. Bobbie Koepf, Comal County Clerk, shall be responsible for the appointment of election officers for this election.
6. **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.
7. **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.
8. **Effective Date.** This Ordinance shall be effective as of the date of adoption.

PASSED, APPROVED AND ADOPTED THIS 11 DAY OF February 2025.

APPROVED:


Bill Krawietz, Mayor



ATTEST:

