

**ORDINANCE NO. 2018-03**

**AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, AMENDING VILLAGE OF SALADO ORDINANCE NO. 2018-01 ORDERING A GENERAL ELECTION ON MAY 5, 2018, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) ALDERMEN OF THE VILLAGE OF SALADO BOARD OF ALDERMEN, FOR THE PURPOSE OF MODIFYING THE DATES AND TIMES OF EARLY VOTING AND TO APPOINT ELECTION WORKERS; PROVIDING FOR FINDINGS OF FACT, SEVERABILITY, CONFLICTING PROVISIONS, GOVERNING LAW, PROPER NOTICE AND OPEN MEETING, AND AN EFFECTIVE DATE.**

**WHEREAS**, on or about February 1, 2018, the Board of Aldermen of the Village of Salado adopted Ordinance No. 2018-01, calling a general election to be held on May 5, 2018 for the purpose of electing a Mayor and two (2) Aldermen; and

**WHEREAS**, the Board of Aldermen, has entered into a joint election agreement, pursuant to the authority granted in Chapter 271 Texas Election Code, with the Salado Independent School District ("Salado ISD") and the Salado Public Library District which are political subdivisions holding elections on the same day in all or part of the same territory; and

**WHEREAS**, the Board of Aldermen now finds it reasonable and necessary to amend Ordinance No. 2018-01 to appoint election workers and to modify the dates and times for Early Voting to accommodate all entities participating in the Joint Election on May 5, 2018;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS:**

**SECTION 1. Amendments.**

(A) That *Section 5. Appointment of Election Officers.* of Ordinance No. 2018-01 is hereby amended to read as follows:

**"SECTION 5. Appointment of Election Officers.** The Board of Aldermen shall appoint Darlene Kirk as the Joint Election Officer, L. Eldon Miller as the Election Day Presiding Judge, LaNora Miller as the Election Day Alternate Presiding Judge, and Deborah Roberson and Barbara Swarhout as Election Day Clerks.

Each Presiding and Alternate Presiding Judge shall be given written notice of the appointment in accordance with Texas Election Code Section 32.009. Each Presiding Judge shall be served with a writ of election (notice of election) in accordance with Texas Election Code Section 4.007.

The Presiding Judge shall be compensated at the rate of \$9 per hour and election clerks shall be compensated at the rate of \$9 per hour. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code, as amended (the "Election Code") and other applicable laws."

(B) That *Section 6. Early Voting.* of the Ordinance No. 2018-01 is hereby amended to read as follows:

**"SECTION 6. Early Voting.** The Board of Aldermen shall appoint Darlene Kirk as Early Voting Clerk, L. Eldon Miller as Alternate Early Voting Clerk and L. Eldon Miller, Brandy Stanford, Tonja Chaplin, LaNora Miller, Jennifer Umpleby and Belia Rodriguez (also translator) as Deputy Early Voting Clerks."

(C) That *Section 7. Early Voting by Personal Appearance.* of Ordinance No. 2018-01 is hereby amended to read as follows:

**"SECTION 7. Early Voting by Personal Appearance.** The polling place for early voting by personal appearance for the Village election is:

Village of Salado  
Salado Civic Center  
601 N. Main Street  
Salado, Texas 76571

Early voting by personal appearance shall be conducted on Monday, April 23, 2018, from 7:30 a.m. to 4:30 p.m.; Tuesday, April 24, 2018, from 7:00 a.m. to 7:00 p.m.; Wednesday, April 25, 2018, from 7:30 a.m. to 4:30 p.m.; Thursday, April 26, 2018, from 7:30 a.m. to 8:00 p.m.; Friday, April 27, 2018, from 7:30 a.m. to 4:30 p.m.; Saturday, April 28, 2018, from 7:00 a.m. to 7:00 p.m.; Sunday, April 29, 2018, from 9:00 a.m. to 5:00 p.m.; Monday, April 30, 2018, from 7:30 a.m. to 4:30 p.m. and Tuesday, May 1, 2018, from 7:00 a.m. to 7:00 p.m.."

(D) That *Section 8. Early Voting by Mail.* of Ordinance No. 2018-01 is hereby amended to read as follows:

**"SECTION 8. Early Voting by Mail.** Early voting by mail shall be conducted in accordance with applicable provisions of the Texas Election Code. Ballot applications and ballots voted by mail shall be sent to: Salado ISD, Attn: Darlene Kirk, Early Voting Clerk, P.O. Box 98, Salado, Texas, 76571. Applications for ballot by mail must be received no later than the close of business on Tuesday, April 24, 2018."

(E) That *Section 9. Early Voting Ballot Board.* of Ordinance No. 2018-01 is hereby amended to read as follows:

**“SECTION 9. Early Voting Ballot Board.** The Board of Aldermen shall appoint Lyndal Cabaniss as the Presiding Judge of the Early Voting Ballot Board and Ann Moore and Rosalie Glass as Early Voting Ballot Board Members. All early votes and other votes to be processed in accordance with early voting procedures pursuant to the Texas Election Code shall be delivered to the Salado ISD, 601 N. Main Street/P.O. Box 98, Salado, Texas, 76571 in accordance with the Election Code. The Early Voting Ballot Board shall perform its duties in accordance with applicable provisions of the Election Code.”

**SECTION 2. Severability.** If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance and the application of such provision to other persons and circumstances shall remain valid and in full force and effect, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

**SECTION 3. Conflicting Provisions.** All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

**SECTION 4. Governing Law.** This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**SECTION 5. Proper Notice and Open Meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was acted upon was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION 6. Authorization to Execute.** The Mayor is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the Board; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

**SECTION 7. Effective Date.** This Ordinance is effective immediately upon its passage and approval.

**PASSED AND APPROVED** by the Village of Salado Board of Aldermen on the 15<sup>th</sup> day of February, 2018, by a vote of 4 (Ayes) and 0 (Nays).

VILLAGE OF SALADO

By *Skip Blancett*  
Skip Blancett, Mayor

ATTEST:

*Cara McPartland*  
Cara McPartland, City Secretary

(SEAL)

APPROVED AS TO FORM:

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Alan Bojorquez, City Attorney

