

CITY OF ITALY

ORDINANCE NO. 2020-0210-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ITALY, TEXAS, PROVIDING FOR A GENERAL ELECTION TO BE HELD ON MAY 02, 2020, FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS AT LARGE FOR TERMS OF TWO YEARS EACH; ESTABLISHING PROCEDURES FOR THE CONDUCT OF SUCH ELECTION; PROVIDING OTHER DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF NOTICES AND AN EFFECTIVE DATE.

WHEREAS, Section 41.001 of the Texas Election Code, as amended (hereinafter referred to as the “Code”) establishes the first Saturday in May as a “uniform election date” for the purpose of conducting general elections; and

WHEREAS, the City Council of the City of Italy, Texas (“City”) may by ordinance order a general election pursuant to Chapter 41 of the Code and Chapter 22 of the Texas Local Government Code; and

WHEREAS, the City Council has determined that the City shall conduct a general election to elect three (3) council members at large for terms of two (2) years each; and

WHEREAS, the City has made provision to contract with Ellis County to conduct the City’s election, pursuant to Chapter 31, Texas Election Code, and Chapter 791, Texas Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ITALY, TEXAS, THAT;

Section 1. Recitals Incorporated. All of the above premises are found to be true and correct legislative determinations and are incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. Order of General Election on May 2, 2020. In accordance with the general laws and Constitution of the State of Texas, a General Election is hereby called and ordered for the first Saturday in May 2020, being May 2, 2020, to be held between the hours of seven o’clock a.m. (7:00 a.m.) and seven o’clock p.m. (7:00 p.m.) (“General Election”).

Section 3. Offices to Appear on Ballot. The purpose of the General Election is so that all qualified voters residing within the corporate limits of the City may vote for the purpose of electing three (3) Council Members at large for terms of two (2) years each.

Section 4. Drawing for Order of Candidates on Ballot. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Administrator as provided by Section 52.094 of the Texas Election Code.

Section 5. Polling Location on Election Day. The City polling place shall be Mt. Gilead Baptist Church, 300 Harris Street, Italy, Texas. The polls shall be open on said election day, May 2, 2020, from seven o'clock (7:00) a.m. to seven o'clock (7:00) p.m.

Section 6. Compliant Voting System. Section 61.012 of the Texas Election Code requires that the City of Italy must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. The City shall adopt, for the use in Early Voting and Election Day Voting, the DS200 Precinct Scanner/Tabulators and the DS450 Absentee Scanner/Tabulator voting system approved by the Secretary of State.

Section 7. Preparation of Ballot and Voting Equipment. The preparation of the ballot and voting equipment to be used in connection with the General Election ordered herein shall conform with the Texas Election Code, as amended, so as to permit the electors to vote for three (3) Council Members at large. Said ballots shall have printed thereon such provisions, markings, and language as may be required by law.

Section 8. Contract with Ellis County for Election Services. City of Italy city officials are authorized and directed to contract with Ellis County Elections Administrator hereinafter referred to as "Contracting Officer" for Election Services.

Section 9. Ellis County Authority. The Contracting Officer is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election as required by law.

Section 10. Early Voting Clerk, Location, Times and Mail Ballot. The Contracting Officer is hereby appointed as early voting clerk. Early voting shall be conducted by the Contracting Officer at Mt. Gilead Baptist Church, 300 Harris Street, Italy, Texas.

The early voting location shall remain open during the Contracting Officer's regular business hours, which is the hours of eight o'clock (8:00) a.m. to five o'clock (5:00) p.m., each day for early voting which is not a Saturday, a Sunday, or an official state or federal holiday, beginning April 20, 2020 thru April 24, 2020,

In accordance with section 85.005(d) of the Code, two days of the early voting period will be open for twelve (12) hours which is not a Saturday, a Sunday, or an official state or federal holiday. The dates for the two days of twelve (12) hours of early voting will be April 27, 2020 and April 28, 2020 during the early voting period and the early voting location shall remain open between the hours of seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m.

Applications for ballot for early voting by mail shall be requested from and forwarded to the Ellis County Elections Department as follows:

Physical / Mailing Address: Ellis County Elections
204 E Jefferson Street
Waxahachie, Texas 75165-3752

Fax: 972-923-5194

Email: elections@co.ellis.tx.us

Applications for ballot for early voting by mail must be received by the early voting clerk not later than the close of business on Monday, April 20, 2020.

Section 11. Notices and Administrative Duties. Said election shall be held in accordance with the Texas Election Code and the Mayor shall give notice of said General Election in accordance with the provisions of the Texas Election Code, and all necessary orders and writs for said General Election shall be issued by the proper authority. The Mayor, or his/her designee, is hereby authorized to give notice of the General Election by publication of said notice at least once in the official newspaper of the City, being a newspaper of general circulation within the City, the date of said publication to be not less than ten (10) days nor more than thirty (30) days prior to the date set for the General Election. Upon publication of the election notice, the City Secretary shall secure a publisher's affidavit. Notice of the General Election shall be posted on the bulletin board used for posting notices of the city council meetings on or before April 11, 2020 and remain posted through election day. The Mayor, or his/her designee, is authorized to take all other administrative actions to lawfully conduct the General Election.

Section 12. Severability. Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this Ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portions of this Ordinance, but in all respects said remaining portions shall be and remain in full force and effect.

Section 13. Effective Date. This Ordinance shall become effective immediately upon adoption.

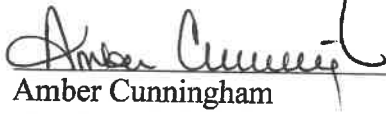
PASSED, APPROVED, AND ADOPTED by the City Council of the City of Italy, Texas this 10th day of February, 2020.

APPROVED:



Bryant Cockran
Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Amber Cunningham", written over a horizontal line.

Amber Cunningham
City Secretary