

ORDINANCE 2017- 03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LA FERIA ORDERING A GENERAL ELECTION IN THE CITY OF LA FERIA ON SATURDAY MAY 06, 2017, FOR THE PURPOSE OF ELECTING A CITY COMMISSIONER FOR POSITION NUMBER THREE, A CITY COMMISSIONER FOR POSITION NUMBER FOUR, AND A CITY COMMISSIONER FOR POSITION NUMBER FIVE ON THE CITY COMMISSION TO HOLD OFFICE FOR A PERIOD OF THREE YEARS, DESIGNATING POLLING PLACES, PROVIDING FOR DESIGNATION OF OFFICERS FOR SUCH ELECTION, ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION, AND PROVIDING FOR OTHER MATTERS RELATING TO THE GENERAL ELECTION.

WHEREAS, the laws of the State of Texas and the Home Rule Charter of the City of La Feria, Texas require that the City of La Feria General Election be held on the first Saturday in May; and

WHEREAS, said first Saturday in May 2017 falls on May 06, 2017; and

WHEREAS, the City's Home Rule Charter, as amended by Charter Election in 2008, stipulates that the City Commissioners Position 3, 4, and 5 shall be elected in 2008 and every three years thereafter;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, CAMERON COUNTY, TEXAS:

That notice is hereby given that a General City Election will be held in and throughout the City of La Feria, Texas, on Saturday, May 06, 2017 at which there shall be submitted to the duly qualified resident electors of the City as to the election of a city commissioner for City Commissioner Position Three, a city commissioner for City Commissioner Position Four, and a city commissioner for City Commissioner Position Five.

That the Cameron County Elections Administrator is the early voting clerk for the election pursuant to Sec. 83.005 of the Election Code and that the Cameron County Elections Administrator may appoint deputy early voting clerks to assist with early voting pursuant to Sec. 83.031 and Sec. 83.032.

That the City Secretary is hereby directed to cause notice to be given of said election by publication in a newspaper with a general circulation in La Feria and shall be posted on the City's website, in accordance with the City Home Rule Charter and State Election Code and all necessary orders and writs for said election shall be issued by the proper authority.

That applications to have the name of a candidate placed on the ballot may not be filed earlier than thirty (30) days before the deadline prescribed by the State Election Code for filing applications with the City Secretary at City Hall, 115 East Commercial Avenue, La Feria, Texas

and that the earliest date for a candidate to file same will be January 18, 2017, at 8:00 AM, with the last day for filing to be on the 78th day before the election, February 17th, 2017, at 5:00 PM, in accordance with Election Code Sec. 143.001, 143.004, 143.006, and 143.007 (a).

That the order in which the names of the candidates for each position are to be printed on the ballot shall be determined by a drawing of names to be conducted on February 23, 2017, at 6:30 PM.

That the election shall be held at the La Feria Fire Department on May 06, 2017, during the hours of 7:00 AM to 7:00 PM.

That in accordance with Sec. 123.001 of the Texas Election Code, the use of the paper ballot is hereby adopted for the early voting and regular voting for the election of May 06, 2017.

That the City of La Feria will use an ES&S Auto Mark Voter Assist Terminal, version 1.0.121 and Model 100 Scanner (Precinct Counter), version 5.0.0, both being state certified provided such machines are available through Cameron County, Texas, for the City's General Election to be held on May 06, 2017 for the Early Voting period starting April 24 through May 02 and also on Election Day, May 06, 2017.

That the Cameron County Elections Administrator shall serve as the General Custodian of election records for voting precincts.

That the Cameron County Elections Administrator is hereby authorized to appoint Election Presiding Judge and staff for said election:

That any further election staff appointments for this election shall be done in accordance with the provisions of the Texas Election Code and the City of La Feria Home Rule Charter.

That the personal appearance early voting for the above-designated election shall be at the La Feria Fire Department, located at 200 E. Business 83, La Feria, Texas 78559 beginning April 24 through May 02, 2017 (Except Federal, State and Local Holidays). Early voting hours are as follows:

Monday through Friday, April 24 through April 28, 2017

9:00 a.m. to 6:00 p.m.

Saturday, April 29, 2017

10:00 a.m. to 2:00 p.m.

Monday and Tuesday, May 1st and May 2nd, 2017 (designated 12 hour days) -

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

Ballot applications and ballots voted by mail are to be sent via regular mail or e-mail to the Early Voting Clerk, to the address of Cameron County Elections Department PO Box 3587 Brownsville, Texas 78523 or elections@co.cameron.tx.us.

That the early voting ballot shall be canvassed by the Early Voting Ballot Board,

That if any provisions of this resolution or the Charter of the City are in conflict with the Texas Election Code, the terms and provisions of the Texas Election Code shall supersede.

That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public as required by law, and that public notice of time, place, and purpose of said meeting was given as required by law.

PASSED, APPROVED, AND ADOPTED this 14th day of February 2017.

APPROVED:



Olga H. Maldonado., Mayor

ATTEST:



Amanda Morales, City Secretary

APPROVED AS TO FORM:



Rebecca S. Hayward, City Attorney