



City of Dilley

ORDINANCE NO. 21-05-11-A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DILLEY, TEXAS ORDERING A SECOND GENERAL ELECTION TO BE HELD ON JUNE 12, 2021 FOR THE ELECTION OF CITY COUNCIL PLACE #2, TO SERVE A TWO YEAR TERM; DESIGNATING THE EARLY VOTING DATES AND PLACE FOR SUCH ELECTION; AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FRIO COUNTY ELECTIONS ADMINISTRATOR; PROVIDING FOR AN ORDER AND NOTICE OF SUCH SECOND GENERAL ELECTION; PROVIDING FOR PUBLICATION OF NOTICE OF THE SECOND GENERAL ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the laws of the State of Texas provide that a Second General Election shall be held in June 2021 for the election of city council member Place 2 of the Dilley governing body; and

WHEREAS, the General Election for City Council Place #2, Joanne Rodriguez and Nathan Rodriguez resulted in a tie-on May 1, 2021 and there is a need to call for a Second General Election for City Council Place #2 in accordance with the Election Code; and

WHEREAS, the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said elections, and in order to comply with said Code, a resolution or ordinance and order should be passed ordering said elections; and

WHEREAS, the election will be held on June 12, 2021 pursuant to Section 271.002(a) of the Texas Election Code; and

WHEREAS, the City will enter into an agreement, with Frio County, setting out respective duties and responsibilities for the June 12, 2021 second general election;

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

SECTION 1. It is hereby ordered, pursuant to Section 2.002 of the Texas Election Code, that a Second General Election be held in the City of Dilley, Texas on the Saturday the

12th day of June, 2021, at which election the following officers shall be elected by the qualified voters of the City of Dilley:

POSITIONS:

CITY COUNCIL PLACE #2 (TWO-YEAR TERM)

SECTION 2. That at said election each of the foregoing named positions shall be voted upon separately and that the candidate receiving the highest number of votes for each said position shall be elected to such office.

SECTION 3. Voting on Election Day and during early voting shall be done on election equipment provided by Frio County and paper ballots with ballot tabulation performed by Dilley City Election Officials. Voting by Mail ballot and Provisional Voting shall be done on paper ballot.

SECTION 4. The polling place designated for Dilley voting precincts for voting in the June 12, 2021 Second General Election shall be at the Dilley City Hall located at 116 E. Miller Dilley, Texas 78017 and such polling place shall be open on said Election Day from 7:00 a.m. to 7:00 p.m.

SECTION 5. The polling place designated for Dilley voting precincts for Early Voting for the June 12, 2021 General Election shall be the Dilley City Hall located at 116 E. Miller, Dilley, Texas 78017. Early Voting will be conducted Tuesday the 1st day of June, 2021 thru Tuesday, the 8th day of June, 2021. Early voting in person must be conducted at least eight (8) hours each weekday that is not a legal state holiday per Texas Election Code. Extended hours for Early Voting will be conducted at Dilley City Hall on June 3 & June 7, 2021 - 8:00 am - 8:00 pm and Saturday, June 5th, 2021 - 8:00 am - 5:00 pm.

SECTION 6. Applications for ballot by mail shall be mailed to Dilley City Hall City Secretary Juanita Fonseca, P.O. Box 230 Dilley, Texas 78017. Applications for ballots by mail must be received by the City Secretary no later than the close of business on June 1, 2021.

SECTION 7. Juanita Fonseca, is designated as the election officer to conduct the Second General Election of June 12, 2021 and Early Voting for the Second General Election. She shall appoint a sufficient number of clerks to assist in the proper conduct of the election and other persons to serve with her as Early Voting Ballot Board.

SECTION 8. That notice of the June 12, 2021 Second General Election of the City of Dilley shall be posted and published in the newspaper and on the City website no later than Friday, May, 28, 2021 in accordance with the Election Code of the State of Texas.

SECTION 9. The Mayor is authorized to enter into a contract with Frio County Elections Administrator to conduct the election ordered herein and committing to pay the fees charged by Frio County Elections Administrator for such services.

SECTION 10. That the returns of said election be made in accordance with the State Election Code and shall be canvassed by the City Council at a Special City Council Meeting at a time to be set by Mayor in accordance with the Election Code of the State of Texas.

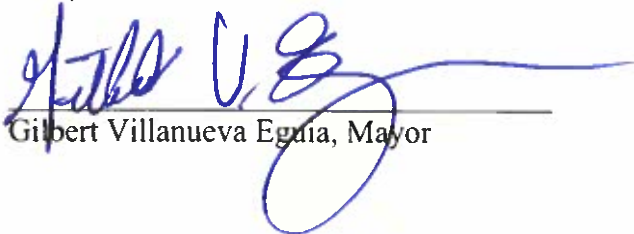
SECTION 11. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 12. All ordinances 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 Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 13. If any provision of this Ordinance or the application thereof to any person or circumstances shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

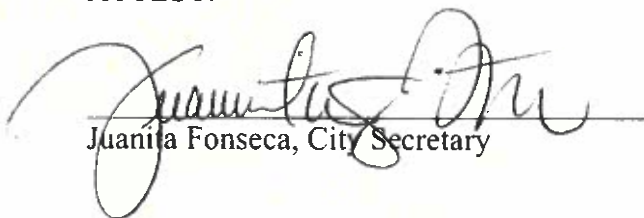
SECTION 14. This Ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

PASSED AND ADOPTED on the 11th day of May, 2021.



Gilbert Villanueva Egua, Mayor

ATTEST:



Juanita Fonseca, City Secretary