

ORDINANCE NO. 23-02-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DILLEY, TEXAS ORDERING A GENERAL ELECTION TO BE HELD ON MAY 6, 2023 FOR THE ELECTION OF CITY MAYOR, CITY COUNCIL PLACE #1 AND CITY COUNCIL PLAC#2, TO SERVE A TWO-YEAR TERM; DESIGNATING THE MAIN EARLY VOTING PLACE FOR SUCH ELECTION; AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH FRIO COUNTY ELECTIONS ADMINISTRATOR PROVIDING FOR AN ORDER AND NOTICE OF SUCH GENERAL ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the laws of the State of Texas provide that a General Election shall be held annually for the election of members of the Dilley governing body; and

WHEREAS the terms for City Mayor, Gilbert Villanueva Eguia, City Council Place 1, Inelda Rodriguez, and City Council Place #2 Nathan Rodriguez are set to expire in May 2023 and there is a need to call for a General Election and City Council 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 jointly with Frio County on May 6, 2023 pursuant to Section 271.002(a) of the Texas Election Code; and

WHEREAS Frio County and City of Dilley desire that a joint election be held in order to provide a convenient, simple, and cost-saving election to the voters in their respective jurisdictions; and

WHEREAS the City will enter into an agreement with setting out respective duties and responsibilities for the May 6, 2023 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 3.005(a) of the Texas Election Code, that a Regular General Election be held in the City of Dilley, Texas on the first Saturday on the 6th day of May 2023, at which election the following officers shall be elected by the qualified voters of the City of Dilley:

POSITIONS:

**MAYOR (TWO-YEAR TERM)
CITY COUNCIL PLACE #1 (TWO-YEAR TERM)
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. That qualified person desiring to be candidates in the aforementioned places shall file for election as such candidates with the City Secretary beginning at 8:00 a.m. on the 18th day of January 2023 and not later than 5:00 p.m. on the 17th day of February 2023.

SECTION 4. Voting on Election Day, Early voting and by Mail ballot and Provisional Voting shall be done on paper ballot.

SECTION 5. The polling place designated for Dilley voting precincts for voting in the May 6, 2023 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 6. The polling place designated for Dilley voting precincts for Early Voting for the May 6, 2023 General Election shall be the Dilley City Hall located at 116 E. Miller, Dilley, Texas 78017. Early Voting will be conducted Monday April 24, 2023 thru Tuesday May 2, 2023. 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. Early Voting shall be conducted at the Dilley City Hall located at 116 E. Miller, Dilley, Texas 78017.

SECTION 7. Applications for ballot by mail shall be mailed to Juanita G. Fonseca, Early Voting Clerk at P.O. Box 230 Dilley, Texas 78017. Applications for ballots by mail must be received by the Early Voting Clerk no later than the close of business day on April 25, 2023.

SECTION 8. Juanita G. Fonseca, City Secretary/Early Voting Clerk is designated as the election officer to conduct the Early Voting from April 24, 2023 thru May 2, 2023. The Election Day Judge for May 6, 2023 shall appoint a sufficient number of clerks to assist in the proper conduct of the election and other persons to serve with him/her as Early Voting Ballot Board and Election Day Judge.

SECTION 9. That notice of the May 6, 2023 General Election of the City of Dilley shall be posted and published no later than Monday April 26, 2023 in accordance with the Election Code of the State of Texas.

SECTION 10. The Mayor is authorized to enter into a contract with Frio County Elections Administrator to order ballots and for the use of the election machine and committing to pay the fee charged by the Frio County Elections Administrator for such services.

SECTION 11. 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.

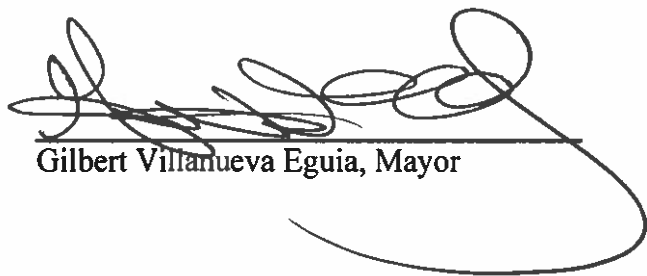
SECTION 12. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 13. 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 14. 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 15. 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 14th day of February 2023.



Gilbert Villanueva Eguia, Mayor

ATTEST:



Juanita Fonseca, City Secretary