

RESOLUTION NO. R-2021-115

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS,
CALLING FOR AND ESTABLISHING THE PROCEDURES FOR A JANUARY
29, 2022, SPECIAL ELECTION TO FILL VACANCY IN OFFICE FOR BASTROP
TEXAS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the laws of the State of Texas and the City of Bastrop, provide that on **January 29, 2022**, there shall be elected the following official for the City at a special election to fill vacancy in office:

**Place 3 – Council Member at Large, for an unexpired Term of 1 year and 6 months
and,**

WHEREAS, the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to the elections, and in order to comply with said Code, a resolution shall be passed establishing the procedures to be followed in the elections, and designating the voting places for the elections.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
BASTROP, TEXAS:**

Section 1. That all candidates, for the special election to be held on **January 29, 2022**, for the above mentioned City office, shall file their application to become a candidate with the City Secretary of the City of Bastrop, at City Hall, 1311 Chestnut Street, Bastrop, Texas 78602 or by email at afranklin@cityofbastrop.org on or before **5:00 p.m. on December 20, 2021**, the fortieth (40th) day before the election, and that all of the applications shall be on a form as prescribed by Section 141.031 of the Election Code of the State of Texas.

Section 2. The order in which the names of the candidates are to be printed on the ballot for the general election shall be determined by a drawing by the Bastrop City Secretary as provided by Section 52.094 of the Election Code.

Section 3. This City has six (6) election precincts and the election shall be held at the following location:

For Election Precincts 1001, 1003, 1004, 1005, 2010 and 2011 (including all of the area within the boundaries of the Bastrop City limits) the election polling place shall be at Ascension Catholic Church Bastrop, 804 Pine St., Bastrop, Texas, 78602.

Section 4. The County Elections Administrator is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct the elections. Voting at such elections shall be prepared in conformity to the Texas Election Code.

Section 5. Section 61.012 of the Texas Election Code requires that the Bastrop City Council must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. This system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot.

Section 6. The Office of the Texas Secretary of State has certified that the Election Systems & Software's (ES&S) EVS 6110 which includes the Express Vote ballot marking device, the DS850 central scanner, and the DS200 precinct scanner is an accessible voting system that may legally be used in Texas elections.

Section 7. Sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of voting of such voting systems.

Section 8. As chief elections officer as appointed by the Bastrop City Council, **the Elections Administrator** must, according to Section 61.012 of the Texas Election Code provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. This system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot.

Section 9. The following named persons are hereby appointed officers for the special election:

For Election Precincts 1001, 1003, 1004, 1005, 2010 and 2011 – Geneva Bratrud shall serve as Presiding Judge;

For Election Precincts 1001, 1003, 1004, 1005, 2010 and 2011 – William Bratrud shall serve as Alternate Presiding Judge;

The clerks for the election will be appointed by the Presiding Judge, in a number not to exceed six (6) clerks.

Section 10. The polls at the above designated polling place shall be open on the Election Day from 7:00 a.m. to 7:00 p.m.

Section 11. Kristin Miles is hereby appointed Clerk for Early Voting. Early voting begins on January 12, 2022, the seventeenth (17th) day before the election and ends on January 25, 2022, the fourth (4th) day preceding the date of the election.

EARLY VOTING DATES, TIMES, AND LOCATIONS

Main Location:

Bastrop County Courthouse Annex, Lower Level Conference Room, 804 Pecan St., Bastrop, Texas 78602.

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
		January 12 8:00 a.m.- 5:00 p.m.	January 13 8:00 a.m.- 5:00 p.m.	January 14 8:00 a.m.- 5:00 p.m.
January 17 NO VOTING STATE HOLIDAY	January 18 8:00 a.m. – 5:00 p.m.	January 19 8:00 a.m.- 5:00 p.m.	January 20 8:00 a.m.- 5:00 p.m.	January 21 8:00 a.m.- 5:00 p.m.
January 24 7:00 a.m.- 7:00 p.m.	January 25 7:00 a.m.- 7:00 p.m.			

Section 12. Ballot applications and ballots voted by mail should be addressed to the Early Voting Clerk, Kristin Miles, Bastrop County Elections Administrator, 804 Pecan Street, Bastrop, Texas 78602. Applications for ballots by mail must be received no later than the close of business on January 18, 2022, the eleventh (11th) day before the election.

Section 13. For Elections Precincts 1001, 1002, 1003, 1022, 2009 and 2011, Staci Calvert is hereby appointed as Presiding Judge of the Early Voting Ballot Board. In accordance with Section 87.002 et seq. of the Texas Election Code the presiding judge shall appoint at least two (2) other members to the Early Voting Ballot Board and shall process early voting results in accordance with the Texas Election Code.

Section 14. The Presiding Judge and Alternate Presiding Judge will receive compensation at the rate of \$12.00 per hour. The Clerks will receive compensation at the rate of \$10.00 per hour. The Presiding Judge or his/her designee will receive an additional \$25.00 for picking up the election supplies prior to Election Day and for returning the supplies after the polls close.

Section 15. The special election shall be held in accordance with the Election Code of this State and only resident qualified voters of the City shall be eligible to vote at the election.

Section 16. The Mayor shall give notice of this election in accordance with the terms and provisions of Sections 4.004, 83.010, 85.004 and 85.007 of the Election Code, and all necessary orders and writs for the elections shall be issued by the proper authority. Returns of the elections shall be made to the City Council immediately after the closing of the polls.

Section 17. It is further found and determined that in accordance with the order of this governing body, the City Secretary will post notice of the date to hold the drawing for a place on the ballot on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and the notice will be posted and remain posted continuously for at least

seventy-two (72) hours preceding the scheduled time of the meeting. A copy of the return of the posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

Section 18. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby adopted and made a part of this Resolution for all purposes.

Section 19. If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this resolution.

Section 20. This resolution shall be in full force and effect from and after its passage on the date shown below; provided that if any term or provision of this resolution conflicts with, or is inconsistent with, the Texas Elections Code, the Texas Election Code shall govern and control and the Election Officer shall comply with the Texas Election Code.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 14th day of December, 2021.

APPROVED:



Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney