

**City of Horseshoe Bay
City Council Meeting Agenda
August 16, 2022 at 3:00 PM
City Hall, 1 Community Drive, Horseshoe Bay, Texas**

1. Call the Meeting to Order and Establish a Quorum

Mayor Cynthia Clinesmith
Mayor Pro Tem Elsie Thurman
Council Member Jerry Gray
Council Member Frank Hosea
Council Member Randy Rives
Council Member Elaine Waddill

2. Public Comment

3. Business

Discuss, Consider, and Possibly Take Action Regarding:

- A. Ordinance 2022-18: Ordering a Special Bond Election to be Held Within the City, Making Provisions for the Conduct of the Election and Other Provisions Relating Thereto; and Providing an Effective Date
- B. Ordinance 2022-19: Ordering a General Election to be Held in the City of Horseshoe Bay on November 8, 2022 for the Purpose of Electing Three City Council Members; Making Provisions for the Conduct of the Election and Resolving Other Matters Incident and Related to Such Election and Providing for Inconsistent Provisions; Governing Law; Severability; Proper Notice and Meeting; and Effective Date

4. Executive Session

- A. Monarch Ridge Public Improvement District (551.071)

5. Adjourn

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting as authorized by the Texas Government Code. This facility is wheelchair accessible. Accessible parking spaces are available. Requests for auxiliary aids and services must be made two business days prior to this meeting by calling 830-598-9943 or emailing kcraig@horseshoe-bay-tx.gov.



CITY OF HORSESHOE BAY

AUGUST 16, 2022

To: Mayor and City Council
Thru: Jeff Koska, City Manager
From: Margie Cardenas, Finance Director
Re: Ordinance 2022-18 Calling a Special Bond Election

City staff and Council have discussed the possibility of building a new City Hall. The current City Hall building has reached its capacity of officing employees and servicing the public. There is no additional room for employee growth. The Council Chambers and Conference rooms are being utilized to their capacity and we often have people standing during council meetings.

In consideration of the new building, we would issue bonds for the design, construction, utilities, and any related expenses for the building. We are considering borrowing \$8,000,000 for the City Hall building through General Obligation Bonds. H.B. 1869 requires that debt for the purpose of a City Hall be taken to the citizens for approval at an election. Therefore, we are proposing ordering the election for the November 2022 ballot.

If the election is successful, we will begin the bond issuance process in December. There are several steps in the process with final closing of the bonds expected around February 2023. Jennifer Ritter, financial advisor has prepared a tentative timetable of the process. She will review with Council the financial impact of the borrowing later in the bond issuance process.

Potential motion: *“I move to approve Ordinance 2022-18 calling a Special Bond Election.”*

**Enclosures: Ordinance 2022-18
Timetable for Issuance**

CITY OF HORSESHOE BAY

ORDINANCE NO. 2022-18

ORDERING THE NOVEMBER 8, 2022 SPECIAL BOND ELECTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS, CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS RELATING THERETO; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council (the “City Council”) of the City of Horseshoe Bay, Texas (the “City”), hereby finds and determines that it is necessary and advisable to call and hold an election in the City for the purpose of submitting a proposition pertaining to the issuance of bonds for the purposes herein set forth; and

WHEREAS, the City Council hereby finds and determines that said election shall be held on a uniform election date established by Section 41.001(a) Texas Election Code, as amended, as required by Texas law; and

WHEREAS, the City Council finds, determines and declares that the meeting at which this Ordinance is considered is open to the public, and that the public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code, as amended.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

Section 1. **Findings.** The statements contained in the preamble of this Ordinance are true and correct and are hereby adopted as findings of fact and as part of the operative provisions hereof.

Section 2. **Election Ordered; Date; Proposition.** A bond election (the “Election”) shall be held for and within the City on Tuesday, November 8, 2022 (“Election Day”), a uniform election date established by Section 41.001(a), Texas Election Code, as amended (the “Code”), as required by Texas law. At the Election the following proposition (the “Proposition”) shall be submitted to the qualified voters of the City in accordance with law:

CITY OF HORSESHOE BAY, TEXAS – PROPOSITION A

“Shall the City Council of the City of Horseshoe Bay, Texas (the “City”) be authorized to issue bonds of the City, which may be called City of Horseshoe Bay, Texas, General Obligation Bonds, in the amount of \$8,000,000 for the purpose of providing funds for permanent public improvements, to wit: designing, constructing, acquiring and equipping a new city hall and acquiring land, easements and rights-of-way in connection therewith; said bonds to mature serially or otherwise not more than forty (40) years from their date or dates, to be issued in various issues or series, to be sold at any price or prices and to bear interest at any rate or rates, not to exceed the maximum rate now or hereafter authorized by law, all as shall be determined within the discretion of the City Council at the time of issuance under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds by levying a tax upon all taxable property in the City sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?”

Section 3. **Official Ballot.**

(a) The preparation of the necessary equipment and the official ballots for the Election shall conform to the requirements of the Code so as to permit the electors to vote “FOR” or “AGAINST” the Proposition which shall be set forth on the ballots substantially in the following form:

CITY OF HORSESHOE BAY, TEXAS – PROPOSITION A

- FOR THE ISSUANCE OF \$8,000,000 GENERAL OBLIGATION BONDS FOR DESIGNING, CONSTRUCTING, ACQUIRING, AND EQUIPPING A NEW CITY HALL AND ACQUIRING LAND, EASEMENTS AND RIGHTS-OF-WAY IN CONNECTION THEREWITH AND THE LEVYING OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS.
- AGAINST

Section 4. **Bilingual Election Materials.** All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in both English and Spanish in compliance with the Code and with the Federal Voting Rights Act of 1965, as amended, including particularly Chapter 272 of the Code pertaining to bilingual requirements.

Section 5. **Persons Qualified to Vote.** All resident, qualified electors of the City shall be eligible to vote at the Election.

Section 6. **Election Precincts, Voting Locations and Voting Hours on Election Day.** The election precincts for the Election shall consist of the territory within the boundaries of the City situated within one or more County election precincts located wholly or partially within the City. The precinct numbers for the City’s election precincts shall be the same as those assigned by Llano County and Burnet County (together, the “Counties”), as applicable, to those Counties’ election precincts. The polling places for the Election are hereby designated to be those locations identified by the Llano County Elections Administrator and Burnet County Elections Administrator (as defined herein). Such locations are listed on Exhibit A attached hereto, which is incorporated herein by reference and made a part hereof for all purposes; provided, however, such locations may be changed if so directed by the Llano County Elections Administrator or Burnet County Elections Administrator without further action of the City. Llano County and Burnet County, or their respective Elections Administrators, are hereby authorized and directed to make such changes in polling locations as may be necessary for proper conduct of the Election, without further action by the City, and the City Secretary or such person’s designee is hereby authorized to update Exhibit A to reflect the locations designated by Llano County and Burnet County, or their respective Elections Administrators, which locations are hereby approved. Each polling place shall be open from 7:00 AM to 7:00 PM on Election Day.

Section 7. **County Clerk; Early Voting Clerk; Early Voting Locations, Dates and Times.**

(a) Andrea Wilson (the “Llano County Elections Administrator”), and Doug Ferguson (the “Burnet County Elections Administrator” and, together with the Llano County Elections Administrator, the “Election Administrators”) are hereby appointed as the Early Voting Clerks for Llano County and Burnet County, respectively, for purposes of this Election (the “Early Voting Clerks”) and agents for the custodian of voted ballots in the jurisdiction.

(b) The address for the Early Voting Clerk of Llano County and the address for application for ballot by mail is Andrea Wilson, Early Voting Clerk, P.O. Box 787, Llano, TX 78643, and the Early Voting Clerk may be reached at the following: (i) Telephone: (325) 247 - 5425, (ii) Email: elections@co.llano.tx.us, and (iii) Website: <https://www.co.llano.tx.us/page/llano.Elections>.

The address for the Early Voting Clerk of Burnet County and the address for application for ballot by mail is Doug Ferguson, Early Voting Clerk, 220 South Pierce, Burnet, Texas 78611, and the Early Voting Clerk may be reached at the following: (i) Telephone: (512) 715-5288, (ii) Email: elections@burnetcountytexas.org, and (iii) Website: <https://burnetcountyelections.com/>.

(c) The main early voting polling place for Llano County is hereby designated to be Llano County Library, 102 E. Haynie, Llano, TX 78643. The main early voting polling place for Burnet County is hereby designated to be Burnet County AgriLife, 607 N. Vandever St., Burnet, TX 78611.

(d) The early voting places and the addresses for early voting by mail for the Election are hereby designated as set forth in Exhibit B; provided, however, such locations may be changed if so directed by the Election Administrators without further action of the City. The Election Administrators are hereby authorized and directed to make such changes in locations as may be necessary for the proper conduct of the Election. The City Secretary or such person's designee is hereby authorized to update Exhibit B to reflect the locations designated by the Election Administrators, and such locations are hereby approved. The Election Administrators and/or Early Voting Clerks are hereby authorized to appoint the members of the Early Voting Ballot board and the presiding judges and alternate judges for each polling location in accordance with the requirements of the Code. Each of the presiding judges shall be authorized to approve the necessary election clerks to assist in conducting the Election.

(e) Early voting by personal appearance shall be conducted on the days and during the hours set forth in Exhibit B, as may be adjusted by the Election Administrators without further City action.

(f) The Election Administrators and/or Early Voting Clerks are hereby authorized to appoint the members of the early voting ballot board and the presiding judges and alternate judges for each polling location in accordance with the requirements of the Code. Each of the presiding judges shall be authorized to approve the necessary election clerks to assist in conducting the Election.

(g) Voting times may be changed if so directed by the Election Administrators without further action of the City. The Election Administrators are hereby authorized and directed to make such changes in voting hours as may be necessary for the proper conduct of the Election.

Section 8. **Joint Election.** The City has determined that it is in the best interest of the City to participate in a joint election with other governmental entities in the Counties holding elections on Election Day and to contract with the Llano County Election Administrator and Burnet County Election Administrator for election services (the "Election Agreements").

Section 9. **Appointment of Election Officers.** The election judges, alternate judges, clerks, members of the early voting ballot board, the central counting station officials, and other personnel necessary for conducting the Election shall be appointed, election judges and alternate judges may be changed, and the central counting station shall be established and staffed all as provided in the Election Agreements and such actions are hereby approved. Further, the City Council hereby authorizes the Mayor to appoint any such other officials not designated herein or appointed pursuant to the Election Agreements as are necessary and appropriate to conduct the Election in accordance with the Code.

Section 10. **Notice of Election.** Notice of the Election shall be given by: (i) publishing a substantial copy of this Ordinance, in English and Spanish, two (2) times on the same day in consecutive weeks, with the first publication to occur not earlier than the thirtieth (30th) day nor later than the fourteenth (14th) day prior to the date set for the Election, in a newspaper published in the City (or that otherwise complies with applicable law), (ii) posting a copy of this Ordinance and the Voter Information Document (as hereinafter defined), in English and Spanish, on the bulletin board used for posting notices of meetings of the City Council (and at City Hall if the place of posting is different from City Hall) and in at least three (3) other public places within the boundaries of the City, not later than the twenty-first (21st) day prior to the date set

for the Election, and (iii) posting a copy of this Ordinance and the Voter Information Document, in English and Spanish, on the City's website, prominently and together with the notice of the Election, the contents of the Proposition and any sample ballots prepared for the election, not later than the twenty-first (21st) day prior to the date set for the Election through Election Day. Additionally, on Election Day and during early voting by personal appearance, this Ordinance and the Voter Information Document shall be posted in a prominent location at each polling place. Notice of the Election shall also be provided to the county clerk and voter registrar of the Counties not later than the sixtieth (60th) day before the Election Day; which notice the Counties are hereby authorized and directed to post to their respective websites not later than the twenty-first (21st) day prior to Election Day. Notice of the Election shall be posted to the City's internet website not later than the twenty-first (21st) day before the election, in compliance with Section 4.009, Texas Election Code, as amended. The website for the City can be found at www.horseshoe-bay-tx.gov.

Section 11. **Conduct of Election**. The Election shall be held in accordance with the Code, the Texas Government Code, and the Federal Voting Rights Act of 1965, as amended (the "Voting Rights Act"), including particularly Chapter 272 of the Code pertaining to bilingual requirements.

Section 12. **Information Required by Section 3.009 of the Election Code**.

(a) **City's Outstanding Debt**. As of the date of this Ordinance, the City's aggregate principal amount of outstanding tax-supported debt was \$10,870,000 and the aggregate amount of outstanding interest on such tax-supported debt was \$2,566,620. Pursuant to Section 3.009(a) of the Code, such numbers do not include public securities that were designated as self-supporting by the City in Resolution No. 2020-17. As of the date of this Ordinance, the City's total ad valorem tax rate is \$0.27 per \$100 of assessed valuation, which is made up of a maintenance and operations tax rate component of \$0.22897 per \$100 of assessed valuation and a debt service tax rate component of \$0.04103 per \$100 of assessed valuation of taxable property in the City.

(b) **Issuance of New Debt**. The City intends to issue the bonds authorized by the Proposition over a period of years in a manner and in accordance with a schedule to be determined by the City Council based upon a number of factors, including, but not limited to, the then current needs of the City, demographic changes, prevailing market conditions, assessed valuations of property in the City, the use of variable rate debt and management of the City's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations of property vary based upon a number of factors beyond the City's control. Therefore, the City cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Proposition. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The City estimates that, based on the City's current taxable assessed valuation, current market conditions as of the date of this Ordinance, and estimated future growth in the City's taxable assessed valuation, if the Proposition are approved and all of the bonds authorized by the Proposition were issued in accordance with the City's current projected plan of finance, the maximum interest rate on the bonds is not expected to exceed 5.0%.

(c) **Additional Information Required by Section 3.009 of the Code**. The additional information required by Section 3.009 of the Code is located in Sections 2 and 3 of this Ordinance.

Section 13. **Voter Information Documents**. The City Council hereby approves a voter information document for the Proposition (the "Voter Information Documents"), in substantially the form presented to the City Council, with such changes as may be approved by the Mayor or City Manager of the City or their designee, acting on behalf of the City Council, in consultation with the City Attorney, bond counsel, and/or financial advisor, as prescribed by Section 1251.052(b), Texas Government Code.

The Mayor or City Manager of the City or their designee, acting on behalf of the City Council, is further authorized and directed to post or provide for the posting of the Voter Information Documents in the manner provided under Section 10 of this Order, and additionally on the District's website in an easily accessible manner beginning not later than the twenty-first (21st) day before the date set for the Election and ending on the day after Election Day

Section 14. **Necessary Actions**. The Mayor and the City Secretary of the City, or such person's designee, acting on behalf of the City Council, in consultation with the City Attorney and/or bond counsel are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein, including making changes or additions to polling places or procedures to the extent required or desirable as determined by the County Election Officers.

Section 15. **Severability**. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Ordinance nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 16. **Appointment of Election Administrators**. The Election Administrators are hereby appointed Election Administrators for the City and agent for the custodian of voted ballots in the respective jurisdictions.

Section 17. **Effective Date**. This Ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED the 16th day of August, 2022.

Cynthia Clinesmith, Mayor
City of Horseshoe Bay, Texas

Kerri Craig, City Secretary
City of Horseshoe Bay, Texas

EXHIBIT A

LLANO COUNTY

ELECTION DAY SCHEDULE

Tuesday, November 8, 2022 – Polls are open from 7:00 a.m. to 7:00 p.m.

ELECTION DAY POLLING LOCATIONS*

Precincts

Location

102 & 109

Horseshoe Bay Council Chambers at City Hall
1 Community Drive
Horseshoe Bay, Texas

* Subject to change. To verify, please go to the Llano County Election Administrator's website,
<https://www.co.llano.tx.us/page/llano.Elections>.

BURNET COUNTY

ELECTION DAY SCHEDULE

Tuesday, November 8, 2022 – Polls are open from 7:00 a.m. to 7:00 p.m.

ELECTION DAY POLLING LOCATIONS*

Burnet County utilizes countywide vote centers. City voters may vote at any of the following locations on Election Day:

Burnet County AgriLife, 607 N. Vandever St., Burnet, TX 78611
Grace United Methodist Church, 4007 Valley View, Granite Shoals, TX 78654
Spicewood Community Center, 7901 CR 404, Spicewood, TX 78669
Silver Creek Community Center, 101 CR 128, Burnet, TX 78611
Smithwick Community Center, 10800 E. FM 1431, Marble Falls, TX 78654
Cassie Subdivision Community Center, 3920 FM 690, Burnet, TX 78611
Hoover Valley Volunteer Fire Dept, 303 CR 118B, Burnet, TX 78611
Highland Haven Community Center, 118 Blackbird Drive, Highland Haven, TX 78654
Iglesia Bautista Church Hall, (CR330 and FM 243) 4000 W. FM 243, Bertram, TX 78605
Naruna Church Bldg., 9170 FM 1478, Lampasas, TX 76550
Bertram Library, 170 N. Gabriel St., Bertram, TX 78605
Joppa Fellowship Hall, 8447 CR 210, Bertram (Joppa), TX 78605
Lake Victor Community Center, 200 Lake Ave., Burnet (Lake Victor), TX 78611
Briggs Community Center, 215 Loop 308, Briggs, TX 78608
Oakalla Community Center, 29011 FM 963, Oakalla, TX 78608
Granite Shoals Community Center, 1208 N. Phillips Ranch Rd, Granite Shoals, TX 78654
Texas Tech University at Highland Lakes, 806 Steve Hawkins Pkwy., Marble Falls, TX 78654
Meadowlakes City Hall, 177 Broadmoor St. #B, Meadowlakes, TX 78654
Church of Christ, 711 Broadway, Marble Falls, TX 78654

*Subject to change. To verify, please go to the Burnet County Election Administrator's website,
<https://burnetcountyelections.com/polling-locations/>.

EXHIBIT B

LLANO COUNTY

Early Voting Schedule*

<u>DATE</u>	<u>DAY</u>	<u>TIME</u>
10/24/2022	Monday	7:00 AM – 7:00 PM
10/25/2022	Tuesday	8:00 AM – 5:00 PM
10/26/2022	Wednesday	8:00 AM – 5:00 PM
10/27/2022	Thursday	8:00 AM – 5:00 PM
10/28/2022	Friday	8:00 AM – 5:00 PM
10/31/2022	Monday	7:00 AM – 7:00 PM
11/01/2022	Tuesday	8:00 AM – 5:00 PM
11/02/2022	Wednesday	8:00 AM – 5:00 PM
11/03/2022	Thursday	8:00 AM – 5:00 PM
11/04/2022	Friday	8:00 AM – 5:00 PM

Llano County Early Voting Locations*

Llano County Library**
102 E. Haynie
Llano, TX 78643

Branch Locations:

Kingsland Public Library, 125 W. Polk, Kingsland, 78639
(Hours: 8:30 AM to 4:30 PM Monday through Friday)

Horseshoe Bay City Council Chambers at City Hall, 1 Community Dr, Horseshoe Bay, 78657
(Hours: 8:30 AM to 4:30 PM Monday through Friday)

*Subject to change. To verify, please go to the Llano County Election Administrator's website:

<https://www.co.llano.tx.us/page/llano.Elections>

**Main Polling Location.

The address for the Early Voting Clerk of Llano County and the address for application for ballot by mail is:

Andrea Wilson
Llano County – Elections Administrator
PO Box 787
Llano, TX 78643

Telephone: 325-247-5425
Email: elections@co.llano.tx.us

EXHIBIT B (cont'd)

BURNET COUNTY

Early Voting Schedule*

<u>DATE</u>	<u>DAY</u>	<u>TIME</u>
10/24/2022	Monday	7:00 AM – 7:00 PM
10/25/2022	Tuesday	8:00 AM – 5:00 PM
10/26/2022	Wednesday	8:00 AM – 5:00 PM
10/27/2022	Thursday	8:00 AM – 5:00 PM
10/28/2022	Friday	8:00 AM – 5:00 PM
10/31/2022	Monday	7:00 AM – 7:00 PM
11/01/2022	Tuesday	8:00 AM – 5:00 PM
11/02/2022	Wednesday	8:00 AM – 5:00 PM
11/03/2022	Thursday	8:00 AM – 5:00 PM
11/04/2022	Friday	8:00 AM – 5:00 PM

Burnet County Early Voting Locations*

Texas Tech University at Highland Lakes, 806 Steve Hawkins Pkwy., Marble Falls, TX 78654
Bertram Library, 170 N. Gabriel St., Bertram, TX 78605
Granite Shoals Community Center, 1208 N. Phillips Ranch Rd, Granite Shoals, TX 78654
Burnet County AgriLife, 607 N. Vandever St., Burnet, TX 78611**

*Subject to change. To verify, please go to the Burnet County Election Administrator's website:

<https://burnetcountyelections.com>

** Main Polling Location.

The address for the Early Voting Clerk of Burnet County and the address for application for ballot by mail is:

Doug Ferguson
Burnet County – Elections Administrator
220 South Pierce
Burnet, Texas 78611

Telephone: 512-715-5288
Email: elections@burnetcountytexas.org



City of Horseshoe Bay Timetable for Issuance of General Obligation Bonds, Series 2023

- | | |
|-----------------------------|---|
| Tuesday, November 8, 2022 | <ul style="list-style-type: none">• Election Day. Canvass and 30-day contest period to follow. |
| Monday, December 5, 2022 | <ul style="list-style-type: none">• Preliminary Official Statement is circulated by Financial Advisor to working group for comments. |
| Week of December 18, 2022 | <ul style="list-style-type: none">• Rating agency call (Standard & Poor's) with City Administration. |
| Friday, January 6, 2023 | <ul style="list-style-type: none">• Ratings are received. |
| Monday, January 9, 2023 | <ul style="list-style-type: none">• Preliminary Official Statement is electronically distributed by Financial Advisor. |
| *Tuesday, January 17, 2023* | <ul style="list-style-type: none">• Bonds are priced by financial advisor.• Award. City Council adopts an ordinance authorizing the issuance of Bonds to underwriters. |
| Thursday, February 9, 2023 | <ul style="list-style-type: none">• Closing. Bonds are delivered and funds received by City. |

*Requires Official Council Meeting.



CITY OF HORSESHOE BAY

AUGUST 16, 2022

To: Mayor and City Council
Thru: Jeff Koska, City Manager
From: Kerri Craig, City Secretary
RE: Ordinance 2022-19: Ordering a General Election to be Held in the City of Horseshoe Bay on November 8, 2022 for the Purpose of Electing Three City Council Members; Making Provisions for the Conduct of the Election and Resolving Other Matters Incident and Related to Such Election and Providing for Inconsistent Provisions; Governing Law; Severability; Proper Notice and Meeting; and Effective Date

Ordinance 2022-19 calls for the order of a general election to be held on the uniform election date of November 8, 2022.

The three Council Member seats that are up for election in 2022 are currently held by Elsie Thurman, Elaine Waddill, and Jerry Gray. The first day to file for a place on the ballot was July 25th. The packets with the forms for filing are available on the city's website, from the Texas Secretary of State's website, and from the City Secretary's office at city hall. The last day to file for a place on the ballot is August 22nd. If only three people file for a place on the ballot by the August 22nd deadline, the election can be cancelled.

Staff recommends that the City Council adopt the Ordinance Ordering the General Election to be held on Tuesday, November 8, 2022 for the purpose of electing three Council Members.

Potential motion: "I move to approve Ordinance 2022-19 ordering a general election to be held on November 8, 2022."

Enclosures: Ordinance

CITY OF HORSESHOE BAY

ORDINANCE NO. 2022-19

ORDERING THE NOVEMBER 8, 2022 GENERAL ELECTION

AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD IN THE CITY OF HORSESHOE BAY ON NOVEMBER 8, 2022 FOR THE PURPOSE OF ELECTING THREE CITY COUNCIL MEMBERS; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION AND PROVIDING FOR INCONSISTENT PROVISIONS; GOVERNING LAW; SEVERABILITY; PROPER NOTICE AND OPEN MEETING AND EFFECTIVE DATE.

WHEREAS, the City finds it necessary, is authorized by state statute, and seeks to proceed with the ordering of a general municipal election on the next uniform election date, to wit, November 8, 2022 for the purpose of electing three City Council Members; and

WHEREAS, the City Council has authority pursuant to Chapter 31, Texas Election Code, to enter into an election services contract with the Llano County Elections Administrator to furnish certain election services to those citizens of the City residing in Llano County; and

WHEREAS, the City Council has authority pursuant to Chapter 31, Texas Election Code, to enter into an election services contract with the Burnet County Elections Administrator to furnish certain election services to those citizens of the City residing in Burnet County; and

WHEREAS, the City Council has authority pursuant to Chapter 271, Texas Election Code, to enter into joint election agreements with political subdivisions holding elections on the same day in all or part of the same territory.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

I. FINDINGS OF FACT

The statements contained in the preamble of this Ordinance are true and correct and are hereby adopted as findings of fact and as part of the operative provisions hereof.

II. CALL OF ELECTION; DATE; ELIGIBLE ELECTORS

A general municipal election (the "Election") shall be held for and within and throughout the City on Tuesday, November 8, 2022, ("Election Day"), a uniform election date established by Section 41.001(a), Texas Election Code, as amended (the "Code"), as required by Texas law, to elect three City Council Members to the City Council, at which all resident qualified electors of the City shall be entitled to vote.

III. VOTING PRECINCTS; POLLING PLACE; HOURS

Those portions of Llano County Election Precincts 102 and 109 within the territory of the City and that portion of Burnet County Election Precinct 19 within the territory of the City are hereby designated as the voting precincts of the City in compliance with Texas Election Code section 42.0621. The precinct numbers for the City's election precincts shall be the corresponding number for the Llano County and Burnet County Election Precincts located within the territorial boundaries of the City. The Polling Places of the City for the Election shall be the regular county polling places in the county election precincts that contain territory from the City, as required by Texas Election Code section 43.004. The poll at the designated polling place on Election Day shall be open from 7:00 a.m. until 7:00 p.m.

IV. CONTRACT FOR ELECTION SERVICES; JOINT ELECTION AGREEMENT

(a) Chapter 31 of the Texas Election Code authorizes county election officers to contract with the governing body of a political subdivision situated wholly or partly in the county served by the officer to perform certain election services. Pursuant to Chapter 31 of the Texas Election Code, the Election shall be conducted in accordance with the terms and conditions of the Contract for Election Services between the Elections Administrator of Llano County and the City of Horseshoe Bay ("Llano County Election Services Contract") and the Contract for Election Services between the Elections Administrator of Burnet County and the City of Horseshoe Bay ("Burnet County Election Services Contract"), which shall be approved by separate action of the City Council.

(b) Chapter 271 of the Texas Election Code provides that the authorities of two or more political subdivisions that have ordered elections for the same day in all or part of the same territory, may enter into an agreement to hold the elections jointly in election precincts that can be served by common polling places, and the City Council is expressly authorizing this action. Pursuant to Chapter 271 of the Texas Election Code, the Election shall be conducted jointly between (1) the City and Llano County and (2) the City and Burnet County. Such joint election agreements shall be approved by separate action of the City Council.

V. CONDUCT OF ELECTION; BALLOTS; APPOINTMENT OF ELECTION OFFICERS

(a) The Hart Verity v. 2.31 voting system shall be utilized for the Election in Llano County and the Hart InterCivic, Inc. voting system shall be utilized for the Election in Burnet County. The ballots shall be suitable for use with the eSlate voting system and shall otherwise conform to the requirements of the Election Code.

(b) The Election shall be conducted by election officers, in accordance with the Texas Election Code and the Constitution and laws of the State of Texas and United States of America. The Presiding Election Judge and the Alternate Presiding Election Judge for the voting precinct shall be qualified voters of such precinct or otherwise eligible to serve pursuant to Election Code, Chapter 271. The Presiding Election Judge may appoint the number of election clerks to assist the Judge in the conduct of the Election at the polling place as agreed upon in the Llano County Contract for Election Services and the Burnet County Contract for Election Services, respectively. The Alternate Presiding Judge may be appointed as a clerk. The Alternate Presiding Election Judge may serve as the Presiding Election Judge for the precinct in the absence of the Presiding Election Judge. The Presiding and Alternate Election Judge and election clerks shall be compensated at the hourly rate agreed upon in the Llano County Contract for Election Services and the Burnet County Contract for Election Services, respectively. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code and other applicable laws.

VI. EARLY VOTING BY MAIL

The City Council hereby appoints Andrea Wilson, the Elections Administrator of Llano County, Texas, and Doug Ferguson, the Elections Administrator of Burnet County, as joint Regular Early Voting Clerks. Ballot applications and ballots voted by mail shall be addressed to the Regular Early Voting Clerk of the county in which the resident resides at the addresses indicated immediately below:

Andrea Wilson
Elections Administrator
P.O. Box 787
Llano, TX 78643
elections@co.llano.tx.us

Doug Ferguson
Elections Administrator
220 S. Pierce
Burnet, TX 78611
elections@burnetcountytexas.org

Applications for ballot by mail must be received no later than 5:00 p.m. on October 28, 2022.

VII. EARLY VOTING BY PERSONAL APPEARANCE; EARLY VOTING BALLOT BOARD.

(a) Early voting by personal appearance for residents residing in *Llano County* shall be conducted at the following hours and locations **October 24, 2022 through November 4, 2022** (or as hereafter amended by Llano County).

MAIN EARLY VOTING LOCATION & HOURS	
Llano County Library 102 E. Haynie Llano, Texas 78643	Hours: 8:00am – 5:00pm Monday through Friday, with the following exceptions: October 24 th and October 31 st – 7:00 AM – 7:00 PM.
BRANCH LOCATIONS & HOURS	
Kingsland Public Library 125 W. Polk Kingsland, Texas 78639	Hours: 8:30am – 4:30pm Monday through Friday
Horseshoe Bay City Hall Council Chambers 1 Community Drive Horseshoe Bay, Texas 78657	Hours: 8:30am – 4:30pm Monday through Friday

(b) Early voting by personal appearance for residents residing in *Burnet County* shall be conducted at the following hours and locations **October 24, 2022 through November 4, 2022** (or as hereafter amended by Burnet County).

EARLY VOTING LOCATIONS & HOURS	(All Locations) Hours: Monday through Friday 8:00am to 5:00pm, with the following exceptions: October 27 th and November 3 rd - 7:00am to 7:00pm; Saturday, October 29 th – 8:00am to 5:00pm
(MAIN) AgriLife Auditorium 607 N. Vandever Street Burnet, Texas 78611 Texas Tech University at Highland Lakes 806 Steve Hawkins Pkwy. Marble Falls, Texas 78654	Joann Cole Mitte Memorial Library 170 N. Gabriel Street Bertram, Texas 78605 Granite Shoals Community Center 1208 N Phillips Ranch Rd Granite Shoals, Texas 78654

VIII. NOTICE OF ELECTION

Notice of Election shall be published one time in the English and Spanish languages, in a newspaper published in the territory that is covered by the Election and is in the jurisdiction of the City. The notice shall be published not earlier than the 30th day or later than the 10th day before the Election, as required by section 4.003 of the Election Code. Notice of the Election shall also be posted on the bulletin board on which the City Council posts notices of its meetings not later than the 21st day before the Election. The contents of the Notice of Election shall comply with the requirements of the Election Code. The Notice of Election shall be delivered to the Llano County Clerk and Burnet County Clerk, respectively, not later than the 60th day before the Election.

IX. INCONSISTENT PROVISIONS

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

X. GOVERNING LAW

This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

XI. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

XII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

XIII. EFFECTIVE DATE

This Ordinance is effective immediately upon its passage and approval.

ADOPTED AND APPROVED on this 16th day of August, 2022 by a vote of the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS

Cynthia Clinesmith, Mayor

ATTEST:

Kerri Craig, City Secretary