

POSTED

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LONA ACKMAN
COUNTY CLERK, GONZALES COUNTY, TEXAS
BY ~~ACCEPTING THE~~ DEPUTY

ORDINANCE NO. 2021-21

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, RESIGNATION OF COUNCIL MEMBER DISTRICT 4, DECLARING THE VACANCY, AND ORDERING A SPECIAL ELECTION TO FILL SAID VACANCY FOR THE UNEXPIRED TERM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a vacancy currently exists in the office of City Council Member District 4 for the City of Gonzales, Texas; due to the resignation of Council Member Robert R. Brown Jr.; and

WHEREAS, Section 3.02 of the City of Gonzales Charter states the office of a Councilmember or office of the Mayor shall become vacant upon death, resignation, removal from office by recall, a declaration of vacancy by City Council; and

WHEREAS, in the event of a vacancy in the City Council, if there are 365 days or more remaining on the term of the vacated City Council office, the City Council shall call a special election to fill such vacancy; and

WHEREAS, the application period shall open immediately upon passage of this Ordinance and end on September 1, 2021 at 5:00 p.m.; and

WHEREAS, the City Council of the City of Gonzales finds that it is in the best interest of the public health, safety and interest to conduct a joint election with Gonzales County for the November 2, 2021 election requiring the use of polling locations and early voting hours as determined by Gonzales County.

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

- Section 1. The City Council of the City of Gonzales hereby accepts the resignation of Robert R. Brown Jr. effective July 26, 2021; and declares a vacancy in the office of City Council District 4 for the unexpired term ending May 2023.
- Section 2. The Special Election to fill the vacancy is hereby ordered for November 2, 2021. for the purpose of electing a Council Member for District 4, to fill the remainder of the three year term.
- Section 3. Candidates must file an application with the City Secretary of the City of Gonzales, and may do so beginning immediately upon passage of this Ordinance and continue through Wednesday, September 1, 2021 at 5:00 p.m.
- Section 4. The County Clerk for Gonzales County shall serve as early voting clerk; the appointment of a deputy clerk or clerks for early voting by the County Clerk shall be in accordance with the law.
- Section 5. On Election Day, November 2, 2021, the polls shall be open between the hours of 7:00 a.m. and 7:00 p.m., at the locations established by Gonzales County on the

dates and times as follows, or as may be amended by Gonzales County, per the contract.

Gonzales County Election Precinct

Pct. 1, 14, & 15

Voting Location

Randle-Rather Building
427 St. George,
Gonzales, Texas 78629

Pct. 2 & 11

Master Gardner's Building
623 N. Fair Street
Gonzales, Texas 78629

Pct. 3, 5, 7 & 8

Gonzales Municipal Building
820 St. Joseph
Gonzales, Texas 78629

Pct. 4, 6, 10, 13

Gonzales County Nixon Annex
603 E Central
Nixon, Texas 78140

Pct. 9

Waelder Community Center
311 Hwy 90W
Waelder, Texas 78959

Pct. 12

JB Wells JR Park Building
2301 CR 197
Gonzales, Texas 78629

Section 6. Early Voting by personal appearance shall commence on October 18, 2021 and continue through October 29, 2021, at the locations established by Gonzales County on the dates and times as follows, or as may be amended by Gonzales County, per the contract.

Main Early Voting Location:

Randle-Rather Building - EV Election Room
427 St. George, Gonzales, Texas 78629

October 18 th -19 th	Monday - Tuesday	8:00 a.m. - 4:45 p.m.
October 20 th - 21 st	Wednesday-Thursday	7:00 a.m. - 7:00 p.m.
October 22 nd	Friday	8:00 a.m. - 4:45 p.m.
October 25 th - 29 th	Wednesday - Friday	8:00 a.m. - 4:45 p.m.

Additionally, early voting locations will be identified in the contract executed with Gonzales County.

Section 7. Applications for ballot by mail shall be received by the Gonzales County Clerk at

427 St. George, Ste 200, Gonzales, Texas 78629 no later than close of business on October 22, 2021.

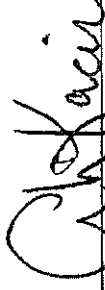
- Section 8. This election shall be held in accordance with the Constitution of the State of Texas and the Election Code, and all resident qualified voters of the City shall be eligible to vote in the election. The City Secretary and Mayor are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carry out and conducting the election, whether or not expressly authorized herein.
- Section 9. The Mayor and/or the City Secretary of the City of Gonzales are hereby authorized to execute and/or issue, for and on behalf of the City, such orders, documents, and forms as may, from time to time, be promulgated by the Secretary of State of the State of Texas in conjunction with the election herein ordained.
- Section 10. Said election shall be held in accordance with Texas Election Code and the Federal Voting Rights Act of 1965, as amended.
- Section 11. It is hereby declared to be the intention of the City Council of the City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.
- Section 12. It is hereby officially found and determined that the meeting at which this Ordinance was adopted 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, as amended.
- Section 13. This ordinance shall become effective immediately upon its passage.

PASSED AND ADOPTED this 12th day of August 2021.

ATTEST:



Kristina Vega, City Secretary



Mayor, Comité L. Kacir