



Dr. Christopher Harvey, Mayor
Emily Hill, Mayor Pro Tem, Place 1
Anne Weir, Place 2
Maria Amezcua, Place 3
Sonia Wallace, Place 4
Aaron Moreno, Place 5
Vacant, Place 6

City Council Called Special Session

Monday, May 23, 2022 at 5:00 PM

Manor City Hall, Council Chambers, 105 E. Eggleston St.

AGENDA

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

*Comments will be taken from the audience on non-agenda related topics for a length of time, not to exceed three (3) minutes per person. Comments on specific agenda items must be made when the item comes before the Council. To address the City Council, please complete the white card and present it to the City Secretary prior to the meeting. **No Action May be Taken by the City Council During Public Comments.***

REGULAR AGENDA

- 1. Consideration, discussion, and possible action on an ordinance ordering a Runoff Election to be held on June 11, 2022 for the Election of City Council Place Six to Serve an Unexpired Term Ending November 2022; and Authorization for the Mayor to execute the Notice of Runoff Election.**

Submitted by: Lluvia T. Almaraz, City Secretary

ADJOURNMENT

In addition to any executive session already listed above, the City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section §551.071 (Consultation with Attorney), §551.072 (Deliberations regarding Real Property), §551.073 (Deliberations regarding Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations regarding Security Devices) and §551.087 (Deliberations regarding Economic Development Negotiations).

CONFLICT OF INTEREST

In accordance with Section 12.04 (Conflict of Interest) of the City Charter, “No elected or appointed officer or employee of the city shall participate in the deliberation or decision on any issue, subject or matter before the council or any board or commission, if the officer or employee has a personal financial or property interest, direct or indirect, in the issue, subject or matter that is different from that of the public at large. An interest arising from job duties, compensation or benefits payable by the city shall not constitute a personal financial interest.”

Further, in accordance with Chapter 171, Texas Local Government Code (Chapter 171), no City Council member and no City officer may vote or participate in discussion of a matter involving a business entity or real property in which the City Council member or City officer has a substantial interest (as defined by Chapter 171) and action on the matter will have a special economic effect on the business entity or real property that is distinguishable from the effect on the general public. An affidavit disclosing the conflict of interest must be filled out and filed with the City Secretary before the matter is discussed.

POSTING CERTIFICATION

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Manor, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: Friday, May 20, 2022, by 1:00 PM and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

/s/ Lluvia T. Almaraz, TRMC
City Secretary for the City of Manor, Texas

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:

The City of Manor is committed to compliance with the Americans with Disabilities Act. Manor City Hall and the Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary at 512.272.5555 or e-mail lalmaraz@cityofmanor.org .



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 23, 2022
PREPARED BY: Lluvia T. Almaraz, City Secretary
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an ordinance ordering a Runoff Election to be held on June 11, 2022 for the Election of City Council Place Six to Serve an Unexpired Term Ending November 2022; and Authorization for the Mayor to execute the Notice of Runoff Election.

BACKGROUND/SUMMARY:

LEGAL REVIEW: Not Applicable
FISCAL IMPACT: Not Applicable
PRESENTATION: No
ATTACHMENTS: Yes

- Ordinance No. 650

STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve Ordinance No. 650 ordering a Runoff Election to be held on June 11, 2022 for the Election of City Council Place Six to Serve an Unexpired Term Ending November 2022; and Authorization for the Mayor to execute the Notice of Runoff Election.

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
--	---------------------------	--------------------	-------------

ORDINANCE NO. 650

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, ORDERING, ESTABLISHING PROCEDURES, AND SETTING THE DATE FOR A RUNOFF ELECTION FOR THE ELECTION OF CITY COUNCIL PLACE SIX TO SERVE AN UNEXPIRED TERM ENDING NOVEMBER 2022; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; PROVIDING FOR OTHER MATTERS RELATING TO THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 7, 2022, a special election was held for the election of City Council Place Six to Serve an Unexpired Term Ending November 2022.

WHEREAS, no candidate for the special election received a majority vote in the election, which is required by the City Charter for a candidate to be elected to office;

WHEREAS, if no candidate receives a majority vote, a runoff election for that office is required;

WHEREAS, the *Tex. Elec. Code* is applicable to said election and this Ordinance establishes procedures consistent with the Code, and designates the date and voting place for the runoff election;

WHEREAS, the City has contracted with the Travis County Elections Administrator to conduct the City's runoff election, pursuant to *Chapter 31, Tex. Elec. Code*, and *Chapter 791, Tex. Gov't Code* (the "Election Services Agreement);

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

Section 1. Runoff Election. A runoff election of the city shall be held on June 11, 2022, for the Election of City Council Place Six to serve an unexpired term ending November 2022. The candidates' names appearing on the ballot for the runoff election shall be the names of the two candidates receiving the highest and second highest number of votes cast at the special election for the office of place six.

Section 2. Conformance with Special Election. The general processes and procedures, and the procedures for approving election judges, early voting clerks, etc. shall be and remain as approved for the special election, except as required by the *Tex. Elec. Code*. In addition, the runoff election shall be held in accordance with this ordinance:

Section 3. Notice of Election. Notice of the election shall be given in the manner as provided in the *Tex. Elec. Code* and the *City Charter* for runoff elections. A notice compliant with Chapter 4 of the Election Code and the City Charter shall be posted on the bulletin board used for posting notice of meetings of the governing body at the City Hall not later than the twenty-first (21st) day before the election, and by publishing a notice of election compliant with Chapter 4 of the Election

ORDINANCE NO. 650

Page 2

Code and the City Charter at least one time not earlier than thirty (30) days no later than ten (10) days prior to said election.

Section 4. Conduct of Election. The Travis County Election Officer and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in the manner provided by the Contract for Election Services, the City Charter, and the law governing the holding of special elections; and the official ballots, together with such other election materials as are required by the Tex. Elec. Code, shall be prepared in both the English and Spanish languages and shall contain such provisions, markings and language as is required by law..

Section 5. Joint Election. The City agrees to conduct a joint runoff election with other political subdivisions within Travis County, provided that such political subdivisions held an election on June 11, 2022, in all or part of the same territory as the City (the "Political Subdivisions"). The joint election for Political Subdivisions will be conducted in accordance with state law, this ordinance, and the respective Election Services Contracts.

Section 6. Election Precincts and Election Day Polling Places. The election precincts for the election shall be the election precincts established by the Travis County Election Officer in accordance with applicable law and the City Charter. The polling places for Election Day shall be at such locations designated by the Travis County Election Officer and authorized by state law. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m. The returns will be provided by precinct and the Travis County Election Officer shall tabulate and provide the election returns for the election.

Section 7. Early Voting.

(a) Early voting shall commence on Tuesday, May 31, 2022, and continue through Tuesday, June 7, 2022 and early voting polls shall remain open for the time specified by the *Texas Election Code*.

(b) Early Voting Conducted by the Travis County Elections Administrator:

1) Early voting, both by personal appearance and by mail will be conducted by the Travis County Elections Administrator in accordance with the *Texas Election Code*. Rebecca Guerrero, Interim County Clerk, is hereby designated and appointed as an Early Voting Clerk for the special election.

2) Applications for ballot by mail for qualified voters of the City shall be mailed to:

By mail:

Rebecca Guerrero, Interim County Clerk

Travis County Early Voting Clerk

PO Box 149325

Austin, Texas 78714-9325

By Contract Carriers/ Fedex:

Section 10. General. The runoff election shall be held and conducted by the Travis County Elections Administrators in compliance with the *Tex. Elec. Code* and, to the extent not inconsistent therewith, the *City Charter*, and only resident qualified voters of the City shall be eligible to vote at the election. The Elections Administrator is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Returns of the election shall be made known as soon as possible after the closing of the polls; and the election returns shall be canvassed by the City Council not earlier than June 14, 2022, nor later than June 22, 2022.

Section 11. Effective Date; Election Code. This ordinance 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 Ordinance conflicts with, or is inconsistent with, the Texas Elections Code, the Texas Election Code shall govern and control and the Travis County Elections Administrator shall comply with the Texas Elections Code.

Section 12. Open Meetings. It is officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required *Chapt. 551, Tex. Gov't. Code*.

PASSED, ADOPTED AND APPROVED on this the 23rd day of May 2022.

CITY OF MANOR, TEXAS

Emily Hill, Mayor Pro Tem

ATTEST

Lluvia Almaraz, City Secretary