

ORDINANCE NO. 2023-07

AN ORDINANCE OF THE CITY OF LA JOYA, TEXAS, CALLING A SPECIAL ELECTION FOR NOVEMBER 7, 2023, TO BE PARTICIPATED IN BY THE QUALIFIED VOTERS OF THE CITY OF LA JOYA, TEXAS, FOR THE PURPOSE OF FILLING THE VACANT SEAT OF CITY COUNCIL MEMBER PLACE ONE (1) FOR A TERM TO EXPIRE NOVEMBER 2025; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE iVOTRONIC VOTING SYSTEM; PROVIDING FOR EARLY VOTING; ESTABLISHING REGULAR BUSINESS HOURS OF THE CITY SECRETARY'S OFFICE ON THE FINAL TWO DAYS OF EARLY VOTING BY PERSONAL APPEARANCE; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Councilmembers in their capacity as City Officials and in compliance with the Texas Election Code, may call an election; and

WHEREAS, Esequiel Garza, Councilman, Place 1, publicly announced his candidacy for Mayor on July 30, 2023; and

WHEREAS, Home Rule Charter, Section 6.04(C) requires that such announcement constitutes an immediate resignation from said position, creating a vacancy; and

WHEREAS, a vacancy for the office of City Council Member Place 1 currently exists; and

WHEREAS, the Home Rule Charter of the City of La Joya section 3.07(C) prescribes that in order to fill the unexpired term, a special election shall be held no later than one hundred twenty (120) days after a vacancy occurs,

NOW THEREFORE, be it ordained by the City Council of the City of La Joya, Texas that;

Section 1. In accordance with the Texas Election Code, the Texas Local Government Code, Constitution of the State of Texas, general State laws, and Home Rule Charter of the City of La Joya, a Special Election is hereby called and ordered for the first Tuesday in November 2023; and

Section 2 That a Special Municipal Election is hereby ordered to be held on the 7th day of November 2023, for the purpose of electing the following city officers:

City Councilmember Place One (1)

Section 3. The hours during which the polling places for each voting precinct are to be open on Election Day shall be from 7 :00 a.m. to 7:00 p.m.

Section 4. The City Secretary is expressly authorized to obtain election supplies and equipment required by law and necessary to conduct said election.

Section 5. iVotronic Voting System (Direct Recording Electronic {DRE}) equipment shall be used for voting at the foregoing election precincts and electronic counting devices and equipment shall be used for counting the ballots at said election.

Section 6. Polling Places; Voting Precincts. The boundaries of each voting precinct and the polling place for each voting precinct for the Election are as follows:

Polling Place 1 -

Boundaries: City Limits of La Joya

Polling Place: For Precinct No 11, 131, 197, 198, 257

Section 7: Early Voting Day, dates, hours and polling places: Early Voting shall commence on Monday, October 23, 2023 and terminate on Friday, November 3, 2023. The main polling place for early voting by personal appearance shall be at:

La Joya Youth Center- Back Room 604 Salomon Chapa Drive La Joya, TX 78560

If the Deputy Early Voting Clerk or any clerk appointed hereby to assist the Early Voting Clerk is an employee of the City of La Joya, Texas, then such person shall serve as clerk without additional compensation unless the clerk is required to work on a day which is not a regular city workday or during hours which are not regular city workday hours. In this latter case, the clerk shall be compensated at the person's regular hourly rate for the hours worked that are not part of a regular city work day, properly adjusted for overtime or holiday pay, if applicable.

<u>Day and Date</u>	<u>Hours</u>
Monday, October 23, 2023	7:00 a.m. to 7:00 p.m.
Tuesday, October 24, 2023	7:00 a.m. to 7:00 p.m.
Wednesday, October 25, 2023	7:00 a.m. to 7:00 p.m.
Thursday, October 26, 2023	7:00 a.m. to 7:00 p.m.
Friday, October 27, 2023	7:00 a.m. to 7:00 p.m.
Saturday, October 28, 2023	7:00 a.m. to 7:00 p.m.
Sunday, October 29, 2023	10:00 a.m. to 4:00 p.m.
Monday, October 30, 2023	7:00 a.m. to 7:00 p.m.
Tuesday, October 31, 2023	7:00 a.m. to 7:00 p.m.
Wednesday, November 1, 2023	7:00 a.m. to 7:00 p.m.
Thursday, November 2, 2023	7:00 a.m. to 7:00 p.m.
Friday, November 3, 2023	7:00 a.m. to 7:00 p.m.

Section 8: Early Voting Clerk; Application for Ballot Voted by Mail.

The mailing and physical address of the Early Voting Clerk for the Election where an application for a ballot to be voted by mail is to be submitted shall be as follows:

<p>Mailing Address: Early Voting Clerk Hidalgo County Elections P.O Box 659 Edinburg, Texas 78540</p>	<p>Physical Address: Early Voting Clerk Hidalgo County Elections 213 S. Closner Blvd. Edinburg, Texas 78539</p>
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Section 9: Notice of Election: Notice of the Election shall be given in the manner prescribed by the Texas Election Code.

Section 10: The election materials as outlined in Section 272.005, Texas Election Code, shall be printed in both English and Spanish for use at the polling places and for early voting for said election.

Section 11: Authorized to Execute: The Mayor is authorized to execute, and the City Clerk is authorized to attest this Election Order on behalf of the City Councilmembers. And the Mayor is authorized to perform all other functions legal and necessary in connection with the holding and consummation of the Election.

Section 12: This Ordinance shall be effective on the 8th day of August 2023, in accordance with applicable law.

CONSIDERED, PASSED AND APPROVED by the City Council of the City of La Joya, Texas, at a regular meeting held on this 8th day of August 2023 in the City Hall Council Chambers, held in accordance with the provisions of Chapter 552, Government Code.

ATTEST:



Vanessa Treviño, City Secretary

Approved as to form:



Isaac Sulemana, City Attorney

CITY OF LA JOYA



Mayor Isidro Casanova
