

RESOLUTION NO. _____

RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS
ORDERING A MUNICIPAL SPECIAL ELECTION
TO CONSIDER CHARTER AMENDMENTS

WHEREAS, the City Council of the City of Pflugerville wishes to order a November 8, 2011, special election to consider amendments to the City of Pflugerville's Home Rule Charter; and

WHEREAS, the Home Rule Charter for the City of Pflugerville, Texas, requires that the City Council appoint a Charter Review Commission every five years composed of not fewer than 13 nor more than 20 members to inquire into the operations of city government, review the charter, propose recommendations for compliance with charter provisions, propose charter amendments and make a written report of its finding; and

WHEREAS, the members of the Charter Review Commission were appointed on November 9, 2010, and met once each month between December 2010 and May 2011 to complete their duties; and

WHEREAS, the Charter Review Commission presented a report, together with proposed changes to the City's Charter to the City Council on June 14, 2011; and

WHEREAS, in accordance with Section 9.004 of the Texas Local Government Code and Section 11.11 of the Home Rule Charter for the City of Pflugerville, the City Council is required to order an election regarding the proposed amendments to the Charter; and

WHEREAS, the City of Pflugerville has entered into agreements with Travis County and Williamson County respectively to conduct the City's elections, pursuant to *Chapter 31, Tex. Elec. Code, and Chapter 791, Tex. Gov't Code* and such agreements provide for political subdivisions that hold elections on the same day in all or part of the same territory to hold joint elections as authorized in *Chapter 271, Tex. Elec. Code*; and

WHEREAS, the Travis County Clerk is designated as the Travis County Election Officer and the City of Pflugerville has appointed the Travis County Election Officer to serve as the City of Pflugerville's Election Officer and Early Voting Clerk to conduct the City's elections through its election agreement with Travis County; and

WHEREAS, the Williamson County Elections Administrator is designated as the Williamson County Election Officer and the City of Pflugerville has appointed the Williamson County Election Officer to serve as the City of Pflugerville's Election Officer and Early Voting Clerk to conduct the City's elections through its election agreement with Williamson County; NOW THEREFORE,

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, THAT:

1. The matters and facts set out in the preamble of this order are hereby found and declared to be true and complete.
2. A special election shall be held for the City of Pflugerville, Texas (the "City") on the 8th day of November, 2011, between the hours of 7:00 a.m. and 7:00 p.m. to consider amendments to the City of Pflugerville's Home Rule Charter.
3. Notice of the election shall be given and the election shall be held in compliance with the provisions of the *Tex. Elec. Code* in all respects. The ballots for the election shall comply with the *Tex. Elec. Code* and be in the form provided by the City to the Travis County and Williamson County Election Officers for use on the voting devices and ballots used by the Travis County and the Williamson County Election Officers.
4. The Travis County Election Officer and his/her employees and appointees, the Williamson 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 agreement with the City and the law governing the holding of general elections by home rule cities of the State of Texas; 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.
5. The election precincts for the election shall be the election precincts established by Travis County and Williamson County respectively, provided that each shall contain and include geographic area that is within the City. Polling places for the election shall be at the locations established by the City in consultation with Travis County and Williamson County. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m. The returns for precincts in Travis County will be provided by precinct and the Travis County Election Officer shall tabulate and provide the election returns for the election. The returns for precincts in Williamson County will be provided by precinct and the Williamson County Election Officer shall tabulate and provide the election returns for the election.
6. The presiding judges, alternate presiding judges and clerks for the election shall be selected and appointed by Travis County and Williamson County and their appointees in compliance with the requirements of state law, and such judges and clerks so selected by Travis County and Williamson County and their appointees are hereby designated and appointed by the City Council as the election officers, judges and clerks, respectively, for the holding of said general election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law.
7. Early voting, both by personal appearance and by mail, will be conducted by the Travis County Election Officer, and the Williamson County Election Officer who are

designated and appointed as Early Voting Clerk for voters in their respective counties, in accordance with the *Texas Election Code*. Early voting by personal appearance shall be conducted at places and locations authorized by state law, the City, and the Travis and Williamson County Election Officers. Early voting shall commence on October 24, 2011 and continue through November 4, 2011. A complete list of early voting and Election Day voting locations is attached as Exhibit A and is subject to change.

The permanent main early voting place for early voting by personal appearance for residents of Travis County is:

Travis County Airport Boulevard Offices
5501 Airport Boulevard
Austin, TX 78751-1410

The permanent main early voting place for early voting by personal appearance for residents of Williamson County is:

Williamson County Inner Loop Annex
301 SE Inner Loop
Georgetown, Texas

Applications for early voting ballot by mail for residents of Travis County shall be mailed to:

Travis County Clerk Elections Division
P. O. Box 149325, Austin, TX 78714

Applications for early voting ballot by mail for residents of Williamson County shall be mailed to:

Williamson County Early Voting Clerk
P. O. Box 209, Georgetown, TX 78627

Applications for early voting ballots by mail must be received by the close of business on November 1, 2011. Marked early voting ballots by mail must be received no later than 7:00 p.m. on November 8, 2011.

8. All qualified resident electors of the City shall be entitled to vote in the election.
9. At the election, the PROPOSITIONS listed on Exhibit "B" shall be submitted to the voters in accordance with the law.
10. The official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "YES" or "NO" on the PROPOSITIONS with the ballots to contain such provisions, markings and language as required by law and with such PROPOSITIONS to be expressed substantially as shown on Exhibit "B".

11. The City Secretary is authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Tex. Elec. Code* and *City Charter*; provided that, pursuant to the Election Agreements between Travis County and the City, and Williamson County and the City; the County Election Officers shall have the duty and be responsible for organizing and conducting the election in compliance with the *Tex. Elec. Code*; and for providing all services specified to be provided in the Election Agreements. The County Election Officers shall give the notices required by the *Tex. Elec. Code* to be given for the election not required to be given by the City under the Election Agreement.

APPROVED this 9th day of August, 2011.

CITY OF PFLUGERVILLE, TEXAS

ATTEST:

By: _____
Jeff Coleman, Mayor

Karen Thompson, City Secretary