ORDINANCE 2024-07

AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS ORDERING A GENERAL ELECTION FOR THE PURPOSE OF ELECTING A COUNCILPERSON FOR DISTRICT 3 AND A COUNCILPERSON FOR DISTRICT 4 TO BE HELD ON THE 4th DAY OF MAY 2024; AND PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; CONTAINING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE UPON ONE READING.

WHEREAS, the City of New Braunfels, Texas (“City”) is a home-rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City of New Braunfels Charter provides that city elections shall be held in accordance with laws of the State of Texas; and

WHEREAS, Section 41.001(a) of the Texas Election Code establishes the first Saturday in May as a uniform election date for the purposes of conducting a General Election; and

WHEREAS, Section 3.004(b) of the Texas Election Code provides that the governing body of a municipality shall be the authority to order a General Election for the purposes of electing members to the governing body; and

WHEREAS, Texas Government Code, Chapter 791, authorizes local governments to contract with one another and with agencies of the state for various governmental functions including those in which the contracting parties are mutually interested; and

WHEREAS, the City will enter into joint election agreements and contracts for election services with Comal County pursuant to Texas Election Code (“Code”) Sections 31.092 and 271.002;

WHEREAS, the City will enter into a contract for election services with Comal County pursuant to Texas Election Code (“Code”) Sections 31.092 and 271.002; and

WHEREAS, the City Council of the City of New Braunfels, Texas authorizes the Mayor to sign the order calling the Runoff Election and any subsequent orders adjusting the polling locations, dates and times that are subject to change due to agreements with Comal County Elections Department and other joint election agreements up until the final posting deadline of such notice pursuant Texas Election Code (“Code”) § 4.003(a)(b) and (c).

WHEREAS, THE LAWS OF THE State of Texas, provide that the next ensuing first Saturday in May, there shall be elected the following officials for this City.

A. One Councilmember from District Number 3 to be elected by a majority of those votes cast.
B. One Councilmember from District Number 4 to be elected by a majority of those votes cast.
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of New Braunfels, Texas:

SECTION I

CALL OF A REGULAR MUNICIPAL ELECTION

That a regular election be held on the 1st Saturday of May 2024, in the City of New Braunfels, Texas, for the purpose of electing regular City officers as listed below.

A. One Councilmember from District Number 3 to be elected by a majority of those votes cast.
B. One Councilmember from District Number 4 to be elected by a majority of those votes cast.

SECTION II

EARLY VOTING BY PERSONAL APPEARANCE

(Subject to Change)

THAT the main polling place for early voting by personal appearance for the election is:

Comal County Elections Office, 396 N. Seguin Avenue, New Braunfels, Texas 78130

DATES and HOURS: April 22-26, 2024 – 8 a.m. - 5 p.m.
(Fechas y Horas) (22-26 de abril de 2024 – 8 a.m. - 5 p.m.)
April 27, 2024 – 10 a.m. - 6 p.m.
(27 de abril de 2024 – 7 a.m. - 7 p.m.)
April 29-30, 2024 – 7 a.m. - 7 p.m.
(29-30 de abril de 2024 – 7 a.m. - 7 p.m.)

**Emergency and Limited ballots available at this location only. (Boletas limitadas y de emergencia solamente están disponibles en esta caseta.)

THAT the temporary branch polling places for early voting by personal appearance for the election are:

Mammen Family Public Library, Room A, 131 Bulverde Crossing, Bulverde, Texas 78163

Comal County Offices, Bulverde Annex, JP #2 Courtroom, 30470 Cougar Bend, Bulverde, Texas 78163

Comal County Offices, Goodwin Annex, Training Room, 1297 Church Hill Drive, New Braunfels, Texas 78130

St Francis by the Lake Episcopal Church, Large Room, 121 Spring Mountain Dr., Canyon Lake, Texas 78133

Garden Ridge City Hall, Municipal Court Room, 9400 Municipal Pkwy, Garden Ridge, Texas 78266
Early Voting Dates and Hours
(Fechas y Horarios de Votación Anticipada)

(SUBJECT TO CHANGE)

DATES and HOURS:  April 22-26, 2024 – 8 a.m. - 5 p.m.
(22-26 de abril de 2024 – 8 a.m. - 5 p.m.)
April 27, 2024 – 10 a.m. - 6 p.m.
(27 de abril de 2024 – 7 a.m. - 7 p.m.)
April 29 -30, 2024 – 7 a.m. - 7 p.m.
(29-30 de abril de 2024 – 7 a.m. - 7 p.m.)

SECTION III
EARLY VOTING BY MAIL

THAT early voting by mail ballot shall be conducted in accordance with applicable provisions of the Texas Election Code.

A. The address of the Comal County Elections Office, 396 North Seguin Avenue, New Braunfels, Texas 78130, shall be the early voting clerk’s mailing address to which ballot applications and ballots voted by mail may be sent for the City for Comal County residents.

SECTION IV
ELECTION DAY POLLING PLACES
(Subject to Change)

THAT the polling places listed below shall be open on Election Day from 7:00 a.m. to 7:00 p.m. on Saturday, May 4, 2024:

For Comal County, at such locations as determined and posted by the Comal County Elections Officers. Initial Polling Places have been designated below and are expected to be confirmed.
# General Elections

## May 4, 2024

(4 de mayo de 2024)

### Election Day Polling Locations

(Lugares de votación el día de las elecciones)

Polls Open from 7:00 a.m. to 7:00 p.m.

(Urnas Abiertas de 7:00 a.m. a 7:00 p.m.)

**Comal County will be using Vote Centers for the May 4, 2024, Elections**

(El condado de Comal utilizará centros de votación para las elecciones generales del 4 de mayo de 2024)

<table>
<thead>
<tr>
<th>PCT</th>
<th>Polling Location (Ubicación de Votación)</th>
<th>Address (Dirección)</th>
</tr>
</thead>
<tbody>
<tr>
<td>VC #1</td>
<td>Comal County Senior Citizens Center</td>
<td>710 Landa, New Braunfels 78130</td>
</tr>
<tr>
<td>VC #2</td>
<td>Mammen Family Public Library, Meeting Room A</td>
<td>131 Bulverde Crossing, Bulverde, Tx 78163</td>
</tr>
<tr>
<td>VC #3</td>
<td>Freedom Fellowship Church, Foyer</td>
<td>410 Oak Run Point, New Braunfels, Tx 78130</td>
</tr>
<tr>
<td>VC #4</td>
<td>Tye Preston Memorial Library</td>
<td>16311 South Access Rd., Canyon Lake, Tx 78133</td>
</tr>
<tr>
<td>VC #5</td>
<td>Canyon Springs Resort Clubhouse</td>
<td>691 Canyon Springs Dr., Canyon Lake, Tx 78133</td>
</tr>
<tr>
<td>VC #6</td>
<td>Emergency Services District No. 4 Fire Station No. 4</td>
<td>215 Rebecca Creek Road, Canyon Lake, TX 78133</td>
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<tr>
<td>VC #7</td>
<td>Vintage Oaks Amenity Center</td>
<td>1250 Via Principale, New Braunfels, Tx 78132</td>
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<tr>
<td>VC #8</td>
<td>Lakeside Golf Club</td>
<td>405 Watts Lane, Canyon Lake, Tx 78133</td>
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<tr>
<td>VC #9</td>
<td>Cibolo Creek Community Church</td>
<td>30355 Ralph Fair Rd., Boerne, Tx 78015</td>
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<tr>
<td>VC #10</td>
<td>Real Life Community Church</td>
<td>1615 FM 1044, New Braunfels, Tx 78130</td>
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<tr>
<td>VC #11</td>
<td>Christ Our King Anglican Church</td>
<td>115 Kings Way, New Braunfels, Tx 78132</td>
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<tr>
<td>VC #12</td>
<td>Comal County Offices, Bulverde Annex, JP 2 Courtroom</td>
<td>30470 Cougar Bend, Bulverde, Tx 78163</td>
</tr>
<tr>
<td>VC #13</td>
<td>Garden Ridge Community Center, Wildflower Room</td>
<td>9500 Municipal Parkway, Garden Ridge, Tx 78266</td>
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<td>VC #14</td>
<td>Bulverde/Spring Branch Fire &amp; EMS @ Johnson Ranch</td>
<td>30475 Johnson Way, Bulverde, Tx 78163</td>
</tr>
<tr>
<td>VC #15</td>
<td>Westside Public Library</td>
<td>2932 S. IH 35, New Braunfels, Tx 78130</td>
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<tr>
<td>VC #16</td>
<td>City of New Braunfels, Public Works Building Room A</td>
<td>424 S. Castell Ave., New Braunfels, Tx 78130</td>
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<tr>
<td>VC #17</td>
<td>New Braunfels Library, Large Meeting Room</td>
<td>700 E. Common, New Braunfels, Tx 78130</td>
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<tr>
<td>VC #18</td>
<td>Comal ISD Support Services Building</td>
<td>1404 IH 35 North, New Braunfels, Tx 78130</td>
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<tr>
<td>VC #19</td>
<td>Comal County Offices, Goodwin Annex, Training Room</td>
<td>1297 Church Hill Dr., New Braunfels, Tx 78130</td>
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<tr>
<td>VC #20</td>
<td>New Braunfels Christian Church, Fellowship Hall</td>
<td>734 N. Loop 337, New Braunfels, Tx 78130</td>
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<tr>
<td>VC #21</td>
<td>Eden Hill, Town Hall</td>
<td>631 Lakeway Blvd, New Braunfels, Tx 78130</td>
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<td>VC #22</td>
<td>St. Francis by the Lake Episcopal Church, Large Room</td>
<td>121 Spring Mountain Dr., Canyon Lake, Tx 78133</td>
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<td>VC #23</td>
<td>North Shore United Methodist Church</td>
<td>23880 N. Cranes Mill Rd, Canyon Lake, Tx 78133</td>
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<tr>
<td>VC #24</td>
<td>Gruene Methodist Church, Mission and Outreach Building</td>
<td>2629 E. Common St., New Braunfels, Tx 78130</td>
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<tr>
<td>VC #25</td>
<td>Rebecca Creek Baptist Church</td>
<td>11755 Hwy 281 N., Spring Branch, Tx 78070</td>
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<tr>
<td>VC #26</td>
<td>River Chase Clubhouse</td>
<td>436 River Chase Way, New Braunfels, Tx 78132</td>
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*Subject to Change*
SECTION V

METHOD OF VOTING

THAT use of Hart DRE Verity Duo version 2.5.1, and controller voting system, as the term is defined in the Texas Election Code, shall be utilized in connection with the election for Comal County residents. This system shall be utilized for early voting as well as for district voting conducted on Election Day. Cynthia Jaqua is appointed as programmer, and she shall prepare a program for the automatic tabulating equipment. Ample voting equipment shall be provided for early voting and in the specific districts on Election Day. The central counting station is established as the Comal County Elections Office.

SECTION VI

APPOINTMENT OF PRESIDING JUDGES

THAT the Comal County Elections Office will appoint the Early Voting Ballot Board, a Presiding Judge for the Early Voting Ballot Board, and a Presiding Judge for the Central Counting Station.

SECTION VII

GOVERNING LAW, POSTING AND PUBLICATION

THAT the election will be held in accordance with the provisions of the Charter of the City of New Braunfels and the laws of the State of Texas. Notice of the election, including a Spanish translation thereof, will be published at least once in the local newspaper in accordance with the Texas Election Code and will be posted on the bulletin board at City Hall at 550 Landa Street, New Braunfels, Texas.
SECTION VIII
TESTING OF AUTOMATIC TABULATING EQUIPMENT

THAT testing of the automatic tabulating equipment will be performed and notice thereof will be given in accordance with the Texas Election Code. Comal County shall designate the tabulating equipment and personnel required under the Election Code.

SECTION IX
COMPENSATION FOR ELECTION WORKERS

THAT the rate of compensation for all polling workers will be decided by the Comal County Elections Office.

SECTION X
SAVINGS CLAUSE

THAT if any part of this ordinance shall be held to be unconstitutional or invalid for any reason, such unconstitutionality or invalidity shall not affect the constitutionality or validity of the remaining parts of this Ordinance. The City Council hereby declares that it would have passed the remaining parts of this ordinance if it had known that such part or parts thereof would have been declared unconstitutional or invalid, and further declares that such remaining parts shall remain in full force and effect; and that the provisions hereof are severable.

SECTION XI
EFFECTIVE DATE

THAT it is further ordained that this ordinance shall become effective upon one (1) reading of the City Council as allowed by the City Charter, Section 3.10.
PASSED, ADOPTED, AND APPROVED this the 22nd day of January 2024.

CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS

[Signature]
NEAL LINNARTZ, MAYOR

ATTEST:

[Signature]
GAYLE WILKINSON, CITY SECRETARY

APPROVES AS TO FORM:

[Signature]
VALERIA M. ACEVEDO, CITY ATTORNEY