

Ordinance 2009-O-3A

AN ORDINANCE AMENDING ORDINANCE 2009-O-2A OF THE CITY OF ANGLETON, TEXAS TO CHANGE THE EARLY VOTING LOCATION SITE; PROVIDING FOR A GENERAL ELECTION TO BE HELD ON THE 9TH DAY OF MAY, 2009, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO COUNCIL MEMBERS; FOR DESIGNATING POLLING PLACES; PROVIDING THAT ALL PERSONS DESIRING TO HAVE THEIR NAME PLACED ON THE OFFICIAL BALLOT AS A CANDIDATE FILE AN APPLICATION NOT LATER THAN 5:00 P.M. ON MARCH 9, 2009 WITH THE CITY SECRETARY; PROVIDING FOR A JOINT ELECTION WITH BRAZORIA COUNTY; PROVIDING FOR THE PLACE OF SUCH ELECTION TO BE HELD; PROVIDING FOR EARLY VOTING; PROVIDING A SEVERANCE CLAUSE AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1. That the Regular City Election for the purpose of electing a mayor and two (2) Council persons shall be conducted on Saturday, May 9th, 2009, pursuant to the Home Rule Charter of the City of Angleton and the laws of the State of Texas, at the Brazoria County Courthouse East Annex, 1524 E. Mulberry, Room 144, Angleton, Texas, from 7:00 a.m. until 7:00 p.m.

SECTION 2. That the City of Angleton has contracted with Brazoria County to conduct the regular election and early voting as set out in the contract agreement attached hereto as Exhibit A and incorporated herein by reference.

SECTION 3. Absentee/early voting will be conducted by the County Clerk for Brazoria County, Joyce Hudman at the Brazoria County Courthouse East Annex, 1524 E. Mulberry, Room 144, Angleton, Texas. Early voting by personal appearance for the election shall commence on April 27, 2009 daily opening at 8:00 a.m. and closing at 5:00 p.m. and ending on May 1, 2009; and from 7 a.m. to 7 p.m. on May 2nd, 4th and 5th, 2009.

SECTION 4. Providing for the designation of the Central Counting Station being located at the Brazoria County Courthouse, Angleton, Texas.

SECTION 5. That any person having the qualifications set out in the Charter of the City of Angleton for the positions of Mayor and City Council may file an application to have his or her name placed on the official ballot as a candidate. Said application shall be accompanied by a loyalty affidavit of the candidate as prescribed by Section 141.031 of the Texas Election Code of the State of Texas and said application shall be filed with the City Secretary as prescribed by Section 143.006 of the Election Code not earlier than Saturday, February 7, 2009, which date is ninety-one (91) days prior to the date of said election. The filing period is thirty (30) days, from February 7 through March 9, 2009, ending at 5:00 p.m.

SECTION 6. The Mayor is hereby authorized to order and give notice of such election in accordance with the Order for Election and Notice of Election attached hereto and made a part hereof by reference. Said Order and Notice will be printed in English and Spanish to comply with bilingual requirements as stipulated in the Voting Rights Act of 1965 as amended. Said Order and Notice shall be posted in accordance with law.

SECTION 7. The City Council has found and determined that the meeting at which this Ordinance is considered is open to the public and that notice thereof was given in accordance with provisions of the Texas Open Meetings Act, Tex. Gov't Code-Chapt. 551, as amended, and that a quorum of the City Council was present.

SECTION 8. If any part or portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of this ordinance.

SECTION 9. This Ordinance shall become effective immediately upon its passage and approval.

PRESENTED, PASSED AND APPROVED on the 12th day of March, 2009 at the regular meeting of the City Council of the City of Angleton, Texas, by a vote of _____ ayes and _____nos at the regular meeting of the City Council of the City of Angleton, Texas.

J. Patrick Henry, Mayor

ATTEST

Shelly Deisher
City Secretary

APPROVED AS TO FORM:

Herbert L. Prouty
Interim City Attorney