

ORDINANCE No. 23-01

AN ORDINANCE OF THE CITY OF KENEDY, TEXAS ORDERING THE MAY 6, 2023, GENERAL ELECTION FOR THE OFFICE OF COUNCIL MEMBER FOR DISTRICTS 1, 3, AND 5; PROVIDING FOR EARLY VOTING; PROVIDING FOR OTHER MATTERS RELATING TO THE ELECTION; PROVIDING A REPEALING CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kenedy, Texas' ("City") next regular municipal election will be held on May 6, 2023 for the purpose of electing Councilmembers for Districts 1, 3, and 5 in accordance with the Texas Election Code; and

WHEREAS, the City finds and determines that holding such an election for the office of City Council for Districts 1, 3, and 5 is in the public interest.; and

WHEREAS, the City will contract with the Karnes County Election Administrator to conduct the City's General Election.

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

SECTION 1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as finding of fact, as if expressly set forth herein.

SECTION 2. ELECTION ORDERED

That a May 6, 2023, regular election for the purpose of electing individuals to the office of City Council Member District 1, District 3, and District 5 is hereby ordered, and this Order of Election is to be posted at the Kenedy Municipal Building on the Bulletin Board used for posting notices of the meetings of the City Council.

Furthermore, the City is divided into 5 Districts that elect a candidate from their respective district. The residents of District 1, 3, and 5 may vote for those candidates in their District at the City of Kenedy City Hall in the Auditorium located at 303 W. Main Street, Kenedy, Texas on Election Day, and the polls shall be open for voting from 7 a.m. until 7 p.m.

SECTION 3. EARLY VOTING CLERK AND BALLOTS BY MAIL

The Elections Administrator of Karnes County shall serve as early voting clerk; the appointment of a deputy clerk or clerks for early voting shall be in accordance with the law.

Applications for ballot by mail shall be mailed to Elections Administrator (Early Voting Clerk) Karnes County Elections, at 210 West Calvert Suite 140, Karnes City, Texas 78118.

Applications for ballots by mail must be received by the Early Voting Clerk no later than the close of business on April 26, 2022.

Voters may contact the Elections Administer (Early voting Clerk) by mail at Elections Administrator (Early Voting Clerk), Karnes County Elections, 210 West Calvert Ave, Suite 140, Karnes City, Texas 78118; by phone at 830-780-2246; by email at elections@co.karnes.tx.us; or by visiting www.co.karnes.tx.us to request an application for ballot by mail, or, for any other election related questions.

An application for ballot by mail by also be obtained by visiting <https://www.votetexas.gov/voting-by-mail/application-for-ballot-by-mail.html>.

SECTION 4. AUTHORITY OF THE CITY MANAGER

The Council authorizes the City Manager, or his/her designee, to negotiate and enter into Joint Election and/or other contract(s) with the Karnes County Elections Administrator to conduct the election in accordance with the provisions of the Texas Election Code in such form as shall be approved by the City Manager, or his/her designee.

SECTION 5. APPOINTMENT OF ELECTION JUDGES

The Election Judges appointed to conduct the May 6, 2023 General Election of the City of Kenedy are determined by Karnes County Elections Office as detailed in the Joint Election contract agreement between the City and Karnes County.

SECTION 6. NOTICE OF ELECTION

A copy of this Ordinance shall serve as proper notice of the election. This notice, including a Spanish translation thereof shall be published at least one time in a newspaper of general circulation in the City, and the publication of this notice shall occur in such newspaper not more than thirty (30) days and not less than ten (10) days before the day of the election. Additionally, this notice shall be posted on the bulletin board used for posting notices of the City Council meetings and at the designated polling place not later than twenty-one (21) days prior to Election Day.

SECTION 7. EARLY VOTING AND ELECTION DAY VOTING

The polling place designated for the City of Kenedy for Early Voting and Election Day Voting for the May 6, 2023 General Election shall be the City of Kenedy Municipal Building Auditorium, 303 W. Main Street, Kenedy, Texas. Early Voting will be conducted from April 24 through May 2, 2023 and include the two required 12-hour voting days; voting dates and times are as follows:

Early Voting

Monday: April 24th	8am-5pm
Tuesday: April 25th	8am-5pm
Wednesday: April 26th	8am-5pm
Thursday: April 27th	8am-5pm
Friday: April 28th	8am-5pm
Monday: May 1st	7am-7pm
Tuesday: May 2nd	7am-7pm

Election Day

Saturday: May 6th	7am-7pm
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The office of the City Secretary for purposes of early voting shall be open from 7 a.m. until 7 p.m. on May 1st and May 2nd the two twelve (12) hour days of early voting by personal appearance. Polling locations are subject to change as may be required for compliance with the Texas Election Code.

SECTION 8. ELECTION TO COMPLY WITH APPLICABLE LAWS

Said election shall be held in accordance with Texas Election Code and the Federal Voting Rights Act of 1965, as amended.

SECTION 9. REPEALER

All ordinances, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein for the period of time stated.

SECTION 10. SEVERABILITY

It is hereby declared to be the intention of the City Council of the City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Resolution, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 11. OPEN MEETING CERTIFICATION

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, as amended.

SECTION 12. EFFECTIVE DATE

This ordinance shall become effective immediately upon its passage.

ADOPTED AND EFFECTIVE THE 10th DAY of JANUARY, 2023



Brandon Briones, Mayor

ATTEST:



Judy Murphy, City Secretary