

RESOLUTION NUMBER R62.24.01.25.F6

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, ORDERING AND CALLING THE CITY OF CEDAR PARK, TEXAS, GENERAL ELECTION FOR MAY 4, 2024; FOR THE PURPOSE OF ELECTING THE MAYOR, COUNCIL PLACE TWO, COUNCIL PLACE FOUR, AND COUNCIL PLACE SIX; MAKING PROVISIONS FOR CONDUCTING THE ELECTION; AND RESOLVING OTHER MATTERS RELATED TO SUCH ELECTION; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, pursuant to the provisions of the Cedar Park Charter, the Texas Election Code, as amended, and other related statutes, the City Council of the City of Cedar Park, Texas ("City") is authorized to call a General Election for the purpose of electing the following positions: Council Place One, Council Place Three, and Council Place Five, all of which are positions of the City of Cedar Park; and

WHEREAS, Section 41.001 of the Texas Election Code establishes Saturday, May 4, 2024, as a uniform election date for the purposes of conducting an election; and

WHEREAS, the City will conduct a joint election with the Williamson County and Travis County Election Administrators and Participating Entities; and

WHEREAS, pursuant to Section 31.092 (a), Texas Election Code, and Chapter 791, Texas Government Code, the City has made provisions with the Williamson County Elections Department and the Travis County Elections Department to perform and conduct election services in connection with said election with respect to registered City of Cedar Park voters in their respective counties; and

WHEREAS, that said election shall be held in accordance with the Texas Election Code and only resident, qualified voters of said City shall be eligible to vote at said election; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution is being adopted was open to the public, and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Government Code, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS THAT:

SECTION 1. General Election Ordered

It is hereby ordered, pursuant to the laws of the State of Texas and the Charter of the City of Cedar Park that a general election be held in the City of Cedar Park, Texas, on May 4, 2024 at which all resident qualified voters of the City of Cedar Park, shall be entitled to

vote for the purpose of electing the Mayor, Council Place Two, Council Place Four, And Council Place Six

SECTION 2. Applications For Place On Ballot

Candidates shall file an application for a place on the election ballot in accordance with Chapter 143 of the Texas Election Code commencing on January 17, 2024. Applications shall be filed with the City Secretary, located in City Hall, 450 Cypress Creek Road, Building One, Cedar Park, Texas, 78613. The last day for filing such applications shall be February 16, 2024, at 5:00 p.m.

SECTION 3. Official Ballot

The official ballot for the election shall be prepared in accordance with Texas Election Code, Chapter 52, with the order of offices on the ballot as follows:

a. General Election:

Mayor	Full Term
Council Place Two	Full Term
Council Place Four	Full Term
Council Place Six	Full Term

Where applicable, the ballot will include all participating entities and elections of which Cedar Park citizens are eligible to vote. The official ballot shall be printed both in English and Spanish languages and shall contain such provisions, markings, and language as required by law.

SECTION 4. Drawing For Places On The Ballot

In the event there are two (2) or more candidates for the office of the Council Place One, Council Place Three, and Council Place Five, the order in which the names of such candidates are to be printed on the ballot shall be determined by a drawing to be conducted by the City Secretary. Three (3) days prior to the date, on which the drawing is to be held, the City Secretary shall post a notice in the official posting place of the City for the time and place of the drawing. Each candidate involved in the drawing or a representative designated by said candidate shall have a right to be present and observe the drawing.

SECTION 5. Conduct Of Election

The City of Cedar Park is located in Williamson and Travis Counties. As authorized under Section 31.092 of the Texas Election Code, the City will make provisions with Williamson County and Travis County Elections Departments to perform and conduct election services in connection with said election. The Williamson County Elections Administrator and the Travis County Election Manager 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 for the entire City pursuant to the contracts for election services

between the City and Williamson and Travis County Elections. The election shall be held as a joint election pursuant to Chapter 271 of the Texas Election Code and in accordance with joint election agreements to be entered into between the City and the other participating entities. The election shall be held and conducted by the Williamson County Elections Administrator and the Travis County Elections Manager in compliance with all state laws and the Election Services Agreements.

SECTION 6. Election Officials

The appointment of the Presiding Election Judges, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board, and other election officials for the Election shall be made by the Elections Administrators in their respective County in accordance with the Election Contracts and the Texas Election Code. The Elections Administrators in their respective County may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary to prepare for the Election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station.

SECTION 7. Election Precincts And Polling Places

Election Day precincts for the election shall be the election precincts as established by Williamson and Travis Counties and shall contain and include geographic area within the City. The precincts and polling places within the City designated for holding the election are identified in Exhibit A and Exhibit B to this Resolution and these exhibits are incorporated by reference for all purposes. The exhibits may be revised as necessary to conform to final county polling locations as amended and finalized by Williamson County Elections and Travis County Elections.

SECTION 8. Early Voting

All Early Voting shall be conducted by Williamson County Elections and Travis County Elections and shall perform such duties in accordance with all laws in the Texas Elections Code.

Williamson County and Travis County shall designate the Main Early Voting Location for early voting for the election. Early voting shall be conducted at all polling places identified in Exhibit C and Exhibit D to this Resolution and this exhibit is incorporated by reference for all purposes. These offices or places shall remain open on the dates and at times set forth in Exhibit C and Exhibit D hereto as authorized by the Williamson County Elections Administrator and the Travis County Elections Manager. Early voting shall commence on the 12th day before the election and continue through the 4th day preceding the date of the election all as provided by the provisions of the Texas Election Code and attached hereto. The exhibits may be revised as necessary to conform to final county polling locations as amended and finalized by Williamson County Elections and Travis County Elections.

SECTION 9. Voting by Mail.

Applications for voting by mail for all resident, qualified electors of the City shall be submitted to the respective County by personal delivery not later than April 23, 2024, or shall be mailed to the address below and received (not postmarked) by April 23, 2024.

The Early Voting Clerks' mailing address to which ballot by mail applications may be sent to:

<u>WILLIAMSON COUNTY VOTERS</u>	<u>TRAVIS COUNTY VOTERS</u>
Bridgette Escobedo	Travis County Election Officer
Williamson County Elections	Travis County Elections
Postal Mailing Address:	Postal Mailing Address:
P.O. Box 209, Georgetown, TX 78627	P.O. Box 149325, Austin TX 78714
Commercial Carrier or Hand-Delivered, In Person:	Commercial Carrier or Hand-Delivered, In Person:
Inner Loop Annex, 301 SE Inner Loop, Suite 104, Georgetown, TX 78626	5501 Airport Blvd, Suite 100, Austin TX 78751
Email: BBM@wilco.org	Email: ebbm@traviscountytexas.gov
Fax: 512-943-1634	Fax: 512-854-3969
Phone: 512-943-1630 or 512-943-1633	Phone: 512-238-8683
Ballot By Mail Website: https://www.wilcotx.gov/450/Voting-By-Mail	Ballot By Mail Website: https://elections.traviscountytexas.gov/voter-information/ballot-by-mail/#AbsenteeBallotSearch
General Website: https://www.wilcotx.gov/Elections	General Website: https://elections.traviscountytexas.gov
<i>Subject to change</i>	<i>Subject to change</i>

SECTION 10. Early Voting Ballot Board

An Early Voting Ballot Board shall be created by each County to process early voting results of the Election and the Presiding Judge of an Early Voting Ballot Board shall be designated by the Elections Administrators in their respective County. The Presiding Judge of an Early Voting Ballot Board shall appoint two or more additional members to constitute the Early Voting Ballot Board members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots.

SECTION 11. Voters

All resident, qualified electors of the City shall be entitled to vote at the election.

SECTION 12. Notice

Pursuant to and in accordance with the Texas Election Code, the Mayor shall cause the notice of said election to be given, that the Mayor shall cause to have such notice posted and/or published; that the Mayor shall cause a copy of this resolution to be served on the Presiding Judge as notice of said election; and that immediately after said election is held, the officers holding the same shall make returns of the results thereof to the Mayor. The attached Exhibit E shall serve as order of said election.

Notice of the Election: shall include a Spanish translation thereof, shall be posted not later than the twenty-first (21st) day before the election on the bulletin board used for posting notices of meetings of the city council and shall be published at least once, not early than the thirtieth (30th) day nor later than the tenth (10th) day before the election in a newspaper published and or general circulation in the City of Cedar Park.

SECTION 13. Adoption Of Voting Systems

An electronic voting system, as defined by the Texas Election Code, may be used for voting at the polling places for said election and the tabulation of the results. The conduct of the election and the use of the electronic voting systems shall be in accordance with the Texas Election Code. In accordance with the Texas Election Code, Chapter 123, the City of Cedar Park hereby adopts the voting systems utilized by Williamson and Travis County Elections for Early Voting and Election Day, as certified by the Secretary of State.

SECTION 14. Voting Devices

The City of Cedar Park adopted the voting systems for City elections and the use of Direct Recording Electronic Voting Machines (“DRE’s”) by Resolution Number R069.20.03.12.F3 for Williamson County and Travis County. Electronic Optical scan voting devices may also be used in conducting the election. Williamson County and Travis County may also utilize a central counting station as provided by Section 127.000 *et. seq.*, as amended, of the Texas Election Code.

SECTION 15. Texas Election Code

In all respects the election shall be conducted in accordance with the Texas Election Code, and all other applicable statutes, and the City of Cedar Park Home Rule Charter.

SECTION 16. Results

The Williamson County Elections Administrator and the Travis County Elections Manager shall conduct an unofficial tabulation of results after the closing of the polls on May 4, 2024. The official canvass and tabulation of the results of the election shall be conducted

by the City Council at a Special or Regular Called Council Meeting in accordance with the Texas Election Code.

SECTION 17. Custodian Of Election Records

Pursuant to the Election Code and Election Services Contracts, the Williamson County Elections Administrator and the Travis County Elections Manager shall serve as the Custodian of Election Records for the conduct of the election and voted ballots in their respective counties, and the City Secretary shall serve as custodian of all other election records as maintained by the City.

SECTION 18. Other Action

The Mayor and/or the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to execute and/or issue, for and on behalf of the City, such orders, documents, forms as may, from time to time, be promulgated by the Secretary of the State of the State of Texas in conjunction with the election herein ordained. In addition, the Mayor and/or the City Secretary are authorized to take any and all action necessary to comply with provisions of the Texas Election Code or state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized therein.

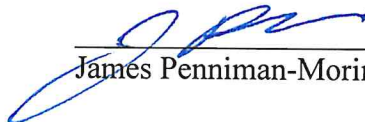
SECTION 19. Provisions

The provisions of this Resolution are severable; and in case any one or more the provisions of this Resolution of the application thereof to any person or circumstances should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, the remainder of this Resolution nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SECTION 20. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 25th day of January, 2024.

CITY OF CEDAR PARK, TEXAS



James Penniman-Morin, Mayor

ATTEST:



LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:



J.P. LeCompte, City Attorney



RESOLUTION NUMBER R62.24.01.25.F6

EXHIBITS

- A Williamson County Polling Locations – Election Day
To Be Finalized by Williamson County
- B Travis County Polling Locations – Election Day
To Be Finalized by Travis County
- C Williamson County Polling Locations – Early Voting
To Be Finalized by Williamson County
- D Travis County Polling Locations – Early Voting
To Be Finalized by Travis County
- E Order Of Election
Pending finalization of polling locations