

RESOLUTION NO. 2016-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ORDERING A SPECIAL LOCAL OPTION ELECTION FOR “THE LEGAL SALE OF ALCOHOLIC BEVERAGES INCLUDING MIXED BEVRAGES” TO BE HELD IN THE CITY OF COPPERAS COVE ON THE 8TH DAY OF NOVEMBER 2016; DESIGNATING POLLING PLACES; ORDERING NOTICES OF ELECTION TO BE GIVEN; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A Petition for Local Option Election was presented to the City Secretary on May 31, 2016 and the City Secretary has verified that the petition bears the actual signatures of a number of qualified voters of the political subdivision equal to at least 35 percent of the registered voters in the City of Copperas Cove who voted in the most recent gubernatorial election for the ballot issue that permits voting for or against “The Legal Sale of all Alcoholic Beverages including Mixed Beverages” ; and

WHEREAS, The Petitions for Local Option Election is presented to the City Council of the City of Copperas Cove, Texas to order a special election For/Against “The Legal Sale of Alcoholic Beverages Including Mixed Beverages”; and

WHEREAS, the next regular session of City Council, on or after the 30th day after the date the petition is filed, falls on July 7, 2016; and

WHEREAS, Texas Election Code, Section 501.032, requires City Council, at its next regular session, on or after the 30th day after the date the petition is filed, to order a local option election; and

WHEREAS, the next regular session of City Council, on or after the 30th day after the date the petition is filed, falls on July 7, 2016; and

WHEREAS, pursuant to Texas Election Code, Section 501.032, City Council shall by this Resolution order a Special City Election to be held on a uniform election day in and throughout the CITY OF COPPERAS COVE, TEXAS, said date being the 8th day of November 2016,

WHEREAS, it is the City Council’s intent that the election shall be held as a Joint Election administered by the Coryell County Elections Administrator and Lampasas Elections Administrators in accordance with the provisions of the Texas Election Code, the Charter of the City of Copperas Cove, and a Joint Election Contract with the County of Coryell and Lampasas; and

WHEREAS, it is City Council’s intent that the City accept Coryell and Lampasas County Election Administration’s use of the direct recording electronic voting system, which have been certified by the Secretary of State in accordance with the Texas Election Code and approved by the United States Department of Justice.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COPPERAS COVE, TEXAS, THAT:

SECTION 1. SPECIAL ELECTION ORDERED. It is hereby ordered that a Special City Election be held in and throughout the CITY OF COPPERAS COVE, TEXAS, on the 8th day of November 2016, to determine whether “The Legal Sale of all alcoholic beverages including mixed beverages” shall be prohibited or legalized in the City of Copperas Cove, Texas;

SECTION 2: BALLOT. The official ballot to be used in the Election shall be prepared in accordance with Sections 501.035 and 501.109 of the Texas Election Code, as amended. The ballots shall permit the voter to vote “For” or “Against” the aforementioned proposition and shall be set forth in substantially the following form:

Proposition No. 1

The legal sale of all alcoholic beverages including mixed beverages.

- For**
- Against**

Proposición Nro. 1

La venta legal de todas bebidas alcohólicas incluyendo bebidas mixtas.

- A favor**
- En contra**

SECTION 3: EARLY VOTING CORYELL COUNTY. Early voting by personal appearance will be conducted for Coryell County residents of Copperas Cove on October 24, 25, 26, 27, 28, 31 and November 1, 2, 3, 4, 2016, at the location as follows:

Coryell County Annex – Gatesville
801 E. Leon St.
Gatesville, TX 76528

Coryell County Annex
201 S 2nd St.
Copperas Cove, TX 76522

SECTION 4: EARLY VOTING LAMPASAS COUNTY Early voting by personal appearance will be conducted for Lampasas County residents of Copperas Cove on October 24, 25, 26, 27, 28, 31 and November 1, 2, 3, 4 2016, at the location as follows:

Elections Administrator Office
407 South Pecan St. Lampasas, TX 76550

SECTION 5: ELECTION DAY VOTING. Election Day voting will be conducted on November 8, 2016 from 7:00 a.m. to 7:00 p.m. at the locations listed below. Coryell and Lampasas Counties will conduct the election under the county wide polling place program. Voters may vote at any vote center listed in their county of residence.

(a) Coryell County residents of Copperas Cove (vote at any location below) –

Copperas Cove Civic Center	1206 West Avenue B	Copperas Cove
Holy Family Catholic Church	1201 Veterans Avenue	Copperas Cove
Eastside Baptist Church	1202 M.L. King Jr. Blvd.	Copperas Cove
City Copperas Cove Annex	201 South 2nd Street	Copperas Cove
Gatesville Civic Center	303 Veterans Memorial Loop	Gatesville
Evant City Hall	598 East Highway 84	Evant
Flat Community Center	159 CR 334	Flat
Oglesby Community Center	118 Main Street	Oglesby
Turnersville Community Center	8115 FM 182	Gatesville

(b) Lampasas County residents of Copperas Cove (vote at any location below) –

Clear Creek Baptist Church	3350 FM 2657	Copperas Cove
New Covenant Church	1604 Central Texas	Lampasas
Adamsville Community Center	174 CR 3750	Lampasas
JP 2 Office	104 N 4th St	Lometa
Kempner Fire Department	315 South Pecan	Kempner

SECTION 6: That the City Secretary is hereby directed to cause notice of said election to be published at least once, not earlier than the 30th day nor later than the 10th day, before election day as provided in Section 4.003(a) (1) of the Texas Election Code; and shall be posted on the bulletin board used for posting notices of the City Commission meetings not later than the 21st day before election day. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and the person posting the notice shall make a record at the time of posting stating the date and place of posting in accordance with Texas Election Code Section 4.005.

SECTION 7: That applications for ballot by mail for Coryell residents shall be mailed to: Justin Carothers Coryell County Tax Office, P.O. Box 6, Gatesville, Texas 76528. Applications

for early voting ballot by mail must be received no later than the close of business on October 28, 2016

SECTION 8. That applications for ballot by mail for Lampasas residents shall be mailed to: Mark Bishop Lampasas County Elections Administrator, P.O. Box 571, Lampasas, Texas 76550. Applications for early voting ballot by mail must be received no later than close of business on October 28, 2016.

SECTION 9: That in accordance with Section 123.001 of the Texas Election Code, the Direct Recording Electronic Voting Systems approved by the Secretary of State are hereby adopted for the election on November 8, 2016.

SECTION 10: That the City Secretary is hereby authorized to execute a Joint Election Contract for the conduct of a joint election to be held on November 8, 2016, and to approve any amendments thereto.

SECTION 11: The City Secretary is hereby authorized and instructed to provide and furnish all necessary election notices, preparation of ballot wording and candidate order to the County Election Officer, and necessary submissions to the U.S. Department of Justice under the Federal Voting Rights Act of 1965.

SECTION 12. Section 61.012 of the Code requires that the City must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. The City shall use, in Early Voting and Election Day Voting, a voter assist terminal as approved by the Secretary of State, and shall contract with the Coryell and Lampasas County Elections Administrations, respectfully, for the use of said voter assist equipment that Coryell and Lampasas County uses for their elections, as same may be necessary.

SECTION 13. The preparation of the voting equipment to be used in connection with the special election ordered herein shall conform to the Code so as to permit the electors to vote for the Local Option, Said ballots shall have printed thereon such provisions, markings, and language as may be required by law. The City shall contract with the Coryell and Lampasas County Elections Administrators for the use of said voting equipment and ballots for the election ordered by this Resolution, as same may be necessary.

SECTION 14. The City shall contract with the Coryell and Lampasas County Elections Administrators to perform all duties normally performed by the City Secretary in special elections with respect to early voting, election day voting, and preparing the official ballots.

SECTION 15. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said resolution, which shall remain in full force and effect.

PASSED, APPROVED, AND ADOPTED on this 7th day of July 2016, at a regular meeting of the City Council of the City of Copperas Cove, Texas which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't. Code, §551.001, et.seq.* at which meeting a quorum was present and voting.

CITY OF COPPERAS COVE, TEXAS



Frank Seffrood, Mayor

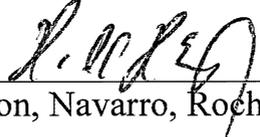
ATTEST:



Mariela Altott, City Secretary



APPROVED AS TO FORM:



Denton, Navarro, Rocha, Bernal, Hyde & Zech