



**SPECIAL CITY COUNCIL MEETING
CITY OF LEANDER, TEXAS**



Pat Bryson Municipal Hall
201 North Brushy Street ~ Leander, Texas

Thursday ~ February 28, 2013 at 6:00 p.m.

Mayor – Christopher Fielder

Place 1 – Andrea Navarrette

Place 4 – Michell Cantwell (Mayor Pro Tem)

Place 2 – Kirsten Lynch

Place 5 – Jason Dishongh

Place 3 – Simon Garcia

Place 6 – David Siebold

City Manager – Kent Cagle

1. Call to Order
2. Roll Call
3. Consideration of an Ordinance ordering and establishing procedures for the May 11, 2013 Special Election for possible adoption of the Fire Fighters' and Police Officers' Civil Service Law for the Leander Fire Department
4. Adjournment

CERTIFICATION

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting the Council reserves the right to adjourn into executive session on any of the above posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of interest in real property], 551.073 [contract for gift to city], 551.074 [certain personnel deliberations] or 551.076 [deployment/ implementation of security personnel or devices]. The City of Leander is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. **Please call the City Secretary at 512/ 528-2743 for information.** Hearing impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 512/ 528-2800. I certify that the above agenda for this Joint Work Session of City Council and the Charter Review Commission of the City of Leander, Texas, was posted on the bulletin board at City Hall, in Leander, Texas, on the 22nd day of February, 2013 by 5:00 pm pursuant to Chapter 551 of the Texas Government Code.

Debbie Haile, TRMC
City Secretary

ORDINANCE

AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD ON THE QUESTION OF THE ADOPTION OF THE FIRE FIGHTER'S AND POLICE OFFICERS' CIVIL SERVICE LAW; DESIGNATING MAY 11, 2013 AS THE DATE OF THE SPECIAL ELECTION; PRESCRIBING THE FORM OF THE BALLOT; DESIGNATING THE POLLING PLACE; PROVIDING FOR THE METHOD OF VOTING; PROVIDING FOR ABSENTEE VOTING; PROVIDING FOR NOTICE OF THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

Whereas, a petition was filed, pursuant to *Sec. 143.04, Tex. Loc. Gov't. Code*, to call an election to consider adoption of the fire fighters' and police officers' civil service law; and

Whereas, the petition and signatures appended thereto is sufficient to require a special election be called to consider the question of adopting civil service, as provided in *Chapter 143, Tex. Loc. Gov't. Code*, for the fire and police;

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

Section 1. A special election is ordered to be held in the city on Saturday, May 11, 2013, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of submitting to the qualified voters of the city a proposition on whether or not civil service for the fire fighters' and police officers' of the City shall be adopted pursuant to Chapter 143, Tex. Loc. Gov't. Code.

Section 2. Notice and Proposition. Notice of the election shall be given and the election shall be held in compliance with Section 4 of this Ordinance. The ballots for the special election shall comply with the *Texas Election Code* and be in the form provided by the City to the Williamson County Elections Administrator, pursuant to the Contract for Election Services, for use on the voting devices and ballots used by the City; provided that the official ballot shall be prepared in such a manner as will permit the voters to vote "Yes" or "No" on the proposition submitted, with the proposition to be expressed on the official ballot in a form substantially as follows:

PROPOSITION

Fire and Police Civil Service

Adoption of the fire fighters' and police officers' civil service law for the Leander Fire Department.

_____ YES _____ NO

Section 3. Election Procedures. The Williamson County Elections Administrator 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 city residents in both Williamson County and Travis County in the manner provided by the Joint Election Agreement and the Contract for Election Services, (hereafter jointly called the "Election Agreement") between the City and Williamson County and the law governing the holding of elections pursuant to Chapt. 143, Tex. Loc. Gov't. Code; and the official ballots, together with such other election materials as are required by the *Texas Election Code*, shall be prepared in both the English and Spanish languages and shall contain such provisions, markings and language as is required by law. The proposition to be voted on shall be as set out above in this Ordinance.

Section 4. Notice of Election. Notice of the election shall be given and the election shall be held in compliance with the provisions of the *Tex. Elec. Code*. The City Secretary is hereby authorized and directed to provide for and cause any such notice to be made and published if such notice is not given by the Williamson County Elections Administrator.

Section 5. Early Voting. Early voting, both by personal appearance and by mail, will be conducted by the Williamson County Election Administrator, who is designated and appointed as the Early Voting Clerk, in accordance with the *Tex. Elec. Code*. Early voting by personal appearance shall be conducted at places and locations in Williamson County and Travis County as authorized by state law and the Williamson County Election Administrator. Early voting shall commence on Monday, April 29, 2013, and continue through Tuesday, May 7, 2013, and early voting polls shall remain open for the time specified by the *Tex. Elec. Code*. Early voting shall also be held at any time and locations authorized by the Williamson County Election Administrator. Early voting by City residents may be conducted at any early voting location designated by the Williamson County Election Administrator in both Williamson County and Travis County.

Section 6. Election Precincts and Polling Places. The election precincts for the election shall be the election precincts established by the Williamson County Elections Administrator in both Williamson County and Travis County, provided that each shall contain and include geographic area that is within the City. The polling place for each such election precinct shall be the polling place established by the Williamson County Elections Administrator for such election precincts in Williamson County, and Travis County, for voting by City residents. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m. The returns for the election for the precincts in Williamson County and in Travis County will be provided by precinct and the Williamson County Elections Administrator shall tabulate and provide the election returns for the election.

Section 7. Joint Election. The City agrees to conduct a joint election with other political subdivisions within Williamson County, provided that such political subdivision holds an election on May 11, 2013, as provided in the Joint Election Agreement approved by the City Council on February 7, 2013. The Williamson County Elections Administrator shall conduct the election for residents of the City residing in Travis County in compliance with the Election Agreement, pursuant to an agreement between the Williamson County Elections Administrator and Travis County.

Section 8. Duties of the City Secretary and the Election Administrator. The City Secretary, or her designee, is instructed to aid the Williamson County Election Administrator in the acquisition

and furnishing of all election supplies and materials necessary to conduct the election as provided by the Election Agreement. The City Secretary is further authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Tex. Elec. Code*; provided that, pursuant to the Election Agreement the Williamson County Election Administrator shall have the duty and be responsible for organizing and conducting the election in compliance with the *Tex. Elec. Code*; and for providing all services specified to be provided in the Election Agreement. The Williamson County Election Administrator shall give the notices required by the *Tex. Elec. Code* to be given for the election that are not required to be given by the City under the Election Agreement.

Section 9. Official Newspaper. It is hereby found and determined that THE LEANDER CEDAR PARK STATESMEN is a newspaper published within the City of Leander, Texas, is a newspaper of general circulation within the City, and is the official newspaper of the City of Leander.

Section 10. General. The election shall be held and conducted by the Williamson County Election Administrator in compliance with the *Texas Election Code* and the Election Agreement.

Section 11. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and passage on the date shown below.

Section 12. Open Meetings Act. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapter 551, Tex. Gov't. Code*.

PASSED AND APPROVED on this the 28th day of February 2013.

City of Leander

ATTEST:

Debbie Haile, City Secretary

Christopher Fielder, Mayor

STATE OF TEXAS §
COUNTIES OF WILLIAMSON AND TRAVIS §

RECEIVED
FEB 15 2013

BY: *Rebecca Kille*

PETITION

TO: Mayor and City Council, City of Leander, Texas.

We, the undersigned duly qualified voters of the City of Leander, Williamson and Travis Counties, State of Texas, present this petition to the Mayor and the City Council of Leander, Texas, and respectfully request the following proposition be submitted forthwith to a vote of the people of the City of Leander, at a special election to be held in accordance with Texas Local Government Code Chapter 143, the Texas Election Code, and the Leander City Charter.

The proposition to read as follows:

FOR Adoption of the fire fighters' and police officers' civil service law for the Leander Fire Department.

AGAINST Adoption of the fire fighters' and police officers' civil service law for the Leander Fire Department.

Each of the undersigned states that he/she personally signed this petition; that he/she has not signed any other petition of the same measure; that he/she is a qualified voter of the City of Leander, Texas; that his/her place of residence in said City and State including street and number is correctly written after his/her name; that he/she has read the said petition and understands the same, which petition is part hereof.

THE STATE OF TEXAS

COUNTY OF Williamson

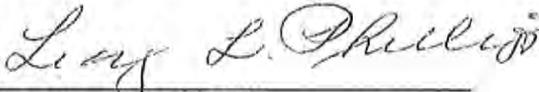
Affidavit of Circulator

I, Eric Petty, being first duly sworn, on oath depose and say that I and I only personally circulated the attached pages of this petition; that each signature hereon is the genuine signature of the person as is written, and that the signatures were written on the dates listed hereon.



Signature

Sworn and subscribed to before me on this 15 day of February 2013.



Signature of Notary Public

Leay L. Phillips

Printed Name



July 3, 2015

My Commission Expires