

AGENDA

CITY OF TAYLOR, TEXAS
CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS, 400 PORTER STREET

AUGUST 11, 2011, 6:00 P.M.

CALL TO ORDER AND DECLARE A QUORUM

INVOCATION

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

(The City Council welcomes public comments on items not listed on the agenda. However, the Council cannot respond until the item is posted on a future meeting agenda. Registration forms are available at the sign in table.)

CONSENT AGENDA

(The Consent Agenda includes non-controversial and routine items that the Council may act on with one single vote. The Mayor or any Council member may pull any item from the Consent Agenda to discuss and act upon individually on the Regular Agenda.)

1. [Minutes for July 28, and August 4, 2011.](#) (Susan Brock)

REGULAR AGENDA; REVIEW/DISCUSS AND CONSIDER ACTION

2. [Presentation of Public](#) Safety and Citizen Awards. (Pat Ekiss)
3. [Receive and consider status report](#) of Taylor Family YMCA. (Jim Dunaway)
4. [Consider accepting gift of Christmas](#) lights from the Taylor Area Business Women. (Deby Lannen)
5. [Consider receiving Quarterly Report](#) from Taylor Chamber of Commerce. (Thomas Martinez)
6. [Consider accepting public improvements](#) to property located at Mallard Lane and Carlos Parker Blvd. (Danny Thomas)
7. [Discuss possible amendments](#) to the City Charter. (Jim Dunaway)
8. [Consider MDUS CIP report](#) and possible prioritization of future MDUS projects. (Casey Sledge)
9. [Executive Session.](#) The Taylor City Council will conduct a closed executive meeting pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code, and the authority contained in Section 551.072 to conduct deliberations regarding the purchase, exchange, lease, or value of real property.
 - Taylor Volunteer Fire Department land located adjacent to City of Taylor Fire Station on Carlos Parker Blvd.
10. Consider action from Executive Session.

ADJOURN

The Council may vote and/or act upon each of the items listed in this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act. I certify that the notice of meeting was posted in the Taylor City Hall Lobby before 6:00 pm on August 8, 2011 and remained posted for at least 72 hours continuously before the scheduled time of said meeting. I further certify that the following news media was notified of this meeting: Taylor Daily Press.

In compliance with the ADA the City Hall and Council Chambers are wheelchair accessible. Reasonable accommodations will be provided for persons attending city council meetings in need of special assistance. Please contact Susan Brock, City Clerk, at least 24 hours prior to the meeting for special assistance.

Posted By: _____ Date/Time _____
Susan Brock, City Clerk



City Council Meeting August 11, 2011 Agenda Item Transmittal

Agenda Item #: 1
Agenda Title: Minutes for July 28, and August 4, 2011.
Council Action: Motion to approve or approve with corrections
Initiating Department: City Management/City Clerk
Staff Contact: Susan Brock, City Clerk

1. INTRODUCTION/PURPOSE

Pursuant to the Open Meetings Law, Chapter 551, Local Government Code and in accordance with the authority contained in Section 551.021 and the City Charter, the "Minutes" of each City Council must be recorded, compiled and approved by the City Council in subsequent meetings. The purpose of this item is to conform to these legal requirements.

2. DESCRIPTION/ JUSTIFICATION

N/A

3. FINANCIAL/BUDGET

N/A

4. RECOMMENDATION

Approve as submitted or amend with changes noted.

5. REFERENCE FILES

- 1a. [Minutes, July 28, 2011](#)
- 1b. [Minutes , August 4, 2011](#)

The City Council of the City of Taylor met on July 28, 2011, at City Hall, 400 Porter St., Taylor, Texas. Mayor Donald Hill declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Council Member Jesse Ancira
Council Member Chris Gonzales
Council Member John McDonald
Council Member Chris Osborn

Jim D. Dunaway, City Manager
Jeff Straub, Assistant City Manager
Mark Schroeder, Acting City Attorney
Susan Brock, City Clerk

INVOCATION

Reverend Newman led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

Mr. Jose Orta spoke on behalf of LULAC regarding their support of the Plan A1 redistricting plan. Several other citizens had signed up to speak regarding the Old City Hall but opted to come forward during the time their agenda item was presented.

CONSENT AGENDA

1. MINUTES FOR JULY 14, 2011.
2. APPROVE ORDINANCE 2011-16 FUTURE LAND USE AND ZONING FOR PROPERTIES ANNEXED IN 2010.

ORDINANCE 2011-16

AN ORDINANCE CHANGING THE ZONING AND FUTURE LAND USE TO ANNEXED AREAS AS SHOWN ON ORDINANCES 2010-30 AND 2010-45; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF TAYLOR, TEXAS, TO SHOW THE ZONING CHANGES ADOPTED HEREIN; PROVIDING A SAVINGS CLAUSE

3. APPROVE ORDINANCE 2011-19 REZONE PROPERTY LOCATED AT 1504 W. 2ND STREET.

ORDINANCE 2011-19

AN ORDINANCE CHANGING THE ZONING OF 0.5477 ACRES SITUATED IN THE DOAK ADDITION, BLOCK 57, LOTS 1-3, 4 (S/PT), CITY OF TAYLOR, WILLIAMSON COUNTY, TEXAS, MORE FULLY DESCRIBED HEREIN, FROM LOCAL BUSINESS (B-1) TO GENERAL BUSINESS (B-2); AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF TAYLOR, TEXAS, TO SHOW THE ZONING CHANGES ADOPTED HEREIN; PROVIDING A SAVINGS CLAUSE.

4. ACCEPT SEMI ANNUAL IMPACT REPORT.
5. CONCUR WITH PRELIMINARY FINANCIALS FOR JUNE, 2011.
Council Member McDonald moved to approve the consent agenda as presented and Council Member Gonzales seconded the motion. VOTE: Five voted AYE. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

6. PROCLAMATION: RECOGNIZING JULY 29, 2011 AS FRED SWITZER DAY.
Mayor Hill presented Mr. Fred Switzer with a proclamation declaring July 29, 2011 Fred Switzer Day in honor of his retirement from employment with the City of Taylor.
7. PROCLAMATION: NATIONAL NIGHT OUT, AUGUST 2, 2011.
Mayor Hill presented a proclamation recognizing August 2, 2011 as National Night Out. Ms. Beth Wilkes, Administrative Assistant, and Assistant Police Chief Dan Ramsey accepted the proclamation on behalf of the Taylor Police Department.
8. RECOGNIZE FINANCE DEPARTMENT FOR RECEIVING THE DISTINGUISHED BUDGE PRESENTATION AWARD FOR THE CURRENT BUDGET FORM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA).
Mr. Dunaway reported that the Finance Department has received the GFOA award for the fourth year in a row under the direction of Ms. Rosemarie Dennis. Ms. Dennis, Lillie Lawler, Teresa Carrizales, and Alice Benjiman were present to accept the award.
9. EXECUTIVE SESSION. The Taylor City Council will conduct a closed executive meeting under Section 551.071 of the Texas Government Code in order to meet with its City Attorney on a matter in which the duty of the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas authorize and allow such a closed meeting and which Rules conflict with the Texas Open Meetings Act.
 - Legal issues associated with the City's redistricting obligations.

Council Member Osborn made a request to Mayor Hill to waive the need for an Executive Session and asked to proceed in open session to facilitate public discussion regarding the matter of redistricting. Council agreed and did not elect to enter into Executive Session.

10. DISCUSSION AND POSSIBLE ACTION TO CONSIDER AND ADJUST PROPOSED REDISTRICTING PLAN(S).
Ms. Cindy Crosby, legal consultant with Bickerstaff, Heath, Delgado, Acosta, provided a brief overview of the process to date and opened a discussion on the possible adjustment of the illustrative plan council approved at the June 9th meeting and presented for public comment on June 30 and again on July 21. Ms. Crosby also presented a plan submitted at the June 30th hearing by Mr. Jose Orta on behalf of the League of United Latin American Citizens (LULAC) and two additional draft plans for consideration.

During the discussion Ms. Crosby provided an analysis of all the plans and how they relate to each other with respect to the guidelines and criteria previously adopted by Council. She responded to questions regarding each plan and expressed her appreciation to council, staff, and citizens for their participation in the process.

Council Member Gonzales moved to approve plan A1 as presented and Council Member Osborn seconded the motion. VOTE: Five voted AYE. Motion passed.

11. CONSIDER INTRODUCING ORDINANCE 2011-21 ADOPTING A REDISTRICTING PLAN FOR THE CITY AND TO AUTHORIZE REDISTRICTING LEGAL COUNSEL TO SEEK VOTING RIGHTS ACT SECTION 5 PRECLEARANCE OF ADOPTED PLAN.

As a result of action taken on the above agenda item Council proceeded to introduce the Ordinance authorizing legal counsel to move forward with the plan adoption and submission to the Department of Justice.

ORDINANCE NO. 2011-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS, APPROVING THE REDISTRICTING OF THE CITY'S SINGLE-MEMBER COUNCIL DISTRICTS AND ESTABLISHING NEW DISTRICT BOUNDARY LINES BASED ON 2010 CENSUS DATA FOR TAYLOR CITY COUNCIL ELECTIONS; DIRECTING THE CITY'S REDISTRICTING CONSULTANT TO SUBMIT THE ADOPTED PLAN FOR PRECLEARANCE UNDER SECTION 5 OF THE FEDERAL VOTING RIGHTS ACT; AND PROVIDING FOR AN EFFECTIVE DATE.

12. DISCUSS AND CONSIDER ISSUES RELATED TO THE OLD CITY HALL INCLUDING RESOLUTION R11-21 CALLING A BOND ELECTION FOR NOVEMBER 8, 2011; MAKING PROVISIONS FOR CONDUCTING THE ELECTION; AND RESOLVING OTHER MATTERS RELATED TO SUCH ELECTION.

Mr. Bart Fowler presented a draft resolution and possible ballot language regarding a bond election on the disposition of the old city hall. Staff provided historical information regarding funds spent for maintenance and previous grant awards to assist in the preservation of the building.

Citizens speaking on this item included Mr. David Wolbrueck, 1210 Melbourne Lane, Round Rock, who represented himself and the Taylor Conservation and Heritage Society, Mr. Joe Naizer, 701 Sloan Street, Ms. Mary Linda Hayes, 1117 Howard, and Ms. Jennifer Meixsell, 1606 McClain. Most were concerned about the ballot language, the need for an election, or the issuance of more debt.

Council asked legal counsel to bring back more specific language on the ballot propositions and encouraged those citizens seeking more options to do so and bring back any additional information to council for further consideration.

(Council Member Gonzales recused himself from the next item due to a conflict of interest.)

13. CONSIDER APPOINTMENTS TO COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE.

Mr. John Elsdon, City Planner, presented a request to consider appointments to the Comprehensive Plan Implementation Committee (CPIC). Three appointments were needed to complete the committee roster; one from Mayor Hill and two additional

appointments from the council. Mr. Elsdon reported that six applications were received.

Mayor Hill appointed Mr. Daniel Thomas and Council Member McDonald moved to approve the appointments of Mr. Thomas Martinez and Ms. Donna Frazier to the CPIC. Council Member Ancira seconded the motion. VOTE: Four voted AYE. Motion passed.

(Council Member Gonzales rejoined the meeting.)

14. CONSIDER AMENDING LEASE AGREEMENT WITH TAYLOR VOLUNTEER FIRE DEPARTMENT FOR VICTORIA STREET FACILITY.

Chief Ekiss presented an amended agreement with the Taylor Volunteer Fire Department (TVFD) to extend their lease for use of the Victoria Street facility. Council reviewed this agreement at the June 23rd meeting and requested that a termination clause be added to the document, which is now included in the agreement. Based on comparable properties Chief Ekiss asked Council to consider an increase in the lease amount from \$500 a month to \$650 a month.

Council Member McDonald asked about possible plans for adding a new pull through driveway access for safety reasons. Chief Ekiss said he had approached the TVFD for additional property to construct this driveway access but he has not been successful in reaching an agreement.

After much discussion no action was taken on the amendment to the lease agreement and Council requested this item be brought back to be discussed further in an executive session regarding the possible acquisition of property.

15. CONDUCT BUDGET WORKSHOP II FOR 2011/2012 FISCAL YEAR.

Mr. Dunaway and Ms. Rosemarie Dennis, Finance Director, continued to provide a review the proposed budget for the 2011/2012 fiscal year.

ADJOURN

With no further business or action Mayor Hill adjourned the meeting at 9:00 p.m.

Donald Hill, Mayor

ATTEST:

Susan Brock, City Clerk

The City Council of the City of Taylor met in a special meeting on August 4, 2011, at City Hall, 400 Porter St., Taylor, Texas. Mayor Hill declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Mayor Pro Tem Chris Gonzales
Council Member Jesse Ancira
Council Member John McDonald
Council Member Chris Osborn

City Manager, Jim D. Dunaway
Assistant City Manager, Jeff Straub
City Attorney, Ted Hejl

CONSENT AGENDA

1. APPROVE ORDINANCE 2011-21 ADOPTING A PLAN FOR REDISTRICTING.

ORDINANCE 2011-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS, APPROVING THE REDISTRICTING OF THE CITY'S SINGLE-MEMBER COUNCIL DISTRICTS AND ESTABLISHING NEW DISTRICT BOUNDARY LINES BASED ON 2010 CENSUS DATA FOR TAYLOR CITY COUNCIL ELECTIONS; DIRECTING THE CITY'S REDISTRICTING CONSULTANT TO SUBMIT THE ADOPTED PLAN FOR PRECLEARANCE UNDER SECTION 5 OF THE FEDERAL VOTING RIGHTS ACT; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Gonzales moved to approve the consent agenda as presented and Council Member Osborn seconded the motion. VOTE: Five voted AYE. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

2. DISCUSS AND CONSIDER ACTION RELATED TO THE 2011/2012 FY BUDGET WHICH INCLUDES THE EFFECTIVE RATE CALCULATIONS.

Mr. Dunaway and Ms. Rosemarie Dennis, Finance Director, provided a review of the process used to determine the effective tax rate. Staff provided a historical review of the tax rate and information on how the proposed budget revenue and expenses have been formulated to remain within the same tax rate as the current year. Mr. Dunaway noted that even with fewer dollars there has been little or no reduction in the level of services provided to the community. This item was only for discussion and no action was taken.

3. AD VALOREM TAX RATE AND 2011/2012 BUDGET.

Staff explained the difference between the effective tax rate and the roll back rate. The practice of setting the upper limit at the slightly higher effective tax rate does not mean this is the rate being recommended. This practice only provides an upper limit between now and the public hearing and allows council the ability to use that higher number if necessary.

Council Member McDonald moved to set the upper limit of the ad valorem tax rate 0.815340 at which time Council Member Osborn asked for additional clarification. Mayor Hill pointed out that there was a motion on the floor and no further discussion could take place until there was a second. Hearing no second, the motion died and

Council Member Osborn asked for more information regarding the tax rate. Staff responded to Council Member Osborn's concerns and Council Member McDonald repeated his motion with Council Member Osborn seconding the motion.

RECORD VOTE:

Mayor Hill	Aye
Mayor Pro Tem Gonzales	Aye
Council Member Osborn	Aye
Council Member Ancira	Aye
Council Member McDonald	Aye

VOTE: Five voted AYE. Motion passed.

ADJOURN

With no further business; Mayor Hill adjourned the meeting at 6:44 p.m.

Don Hill, Mayor

ATTEST:

Susan Brock, City Clerk



City Council Meeting August 11, 2011 Agenda Item Transmittal

Agenda Item #: 2

Agenda Title: Presentation of Public Safety and Citizen Award

Council Action to be taken: Mayor to assist Chief Ekiss with presentation of recognition awards to a citizen of Taylor, Taylor Police Officers and Sheriff's Department Deputy for life saving actions performed on July 15, 2011.

Initiating Department: Fire Department

Staff Contact: Pat Ekiss, Chief

1. INTRODUCTION/PURPOSE

To publicly recognize the initial actions of one of our citizens and then subsequent engagement and quick thinking of two City of Taylor police officers and a Williamson County Sheriff's Deputy that clearly saved the life of one of our citizens in the early morning hours of July 15, 2011.

2. DESCRIPTION/ JUSTIFICATION

During a brief presentation, Chief Ekiss will share the dramatic details of this event and highlight the "unique chain of events" that led to a very successful outcome. A letter of recognition has been prepared and will be presented to each of the four individuals.

3. FINANCIAL/BUDGET

There is no financial impact from this presentation.

4. TIMELINE CONSIDERATIONS

There are no time constraints.

5. RECOMMENDATION

Mayor and Council join us in the special recognition.

6. REFERENCE FILES

None



***City Council Meeting
August 11, 2011
Agenda Item Transmittal***

Agenda Item #: 3
Agenda Title: Receive and consider status report of Taylor Family YMCA.
Council Action to be taken: None
Initiating Department: City Manager's Office
Staff Contact: Jim Dunaway, City Manager

1. INTRODUCTION/PURPOSE

The YMCA will provide a status report on the current state of the YMCA in Taylor and its future in our community.

2. DESCRIPTION/ JUSTIFICATION

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

6. REFERENCE FILES

3a [Slide from report](#)

Ok...what's
the bottom
line?



•The only remaining option for the YMCA of Greater Williamson County to continue facility operation in Taylor will require a significant level of partnership from the City to construct and offset the annual subsidy required for a balanced operation...what does that mean?

Construction

City funds construction of the facility
YMCA funds equipment for the facility

Operation

YMCA operates facility

YMCA & City share operating loss through arrangements such as...

- ~Waived facility use lease fees for the YMCA in return for YMCA services and management for regional sports complex
- ~City underwrites utilities, daily & long-term maintenance, pool chemicals (similar to our current pool contracts)
- ~Other?

- Confirmation of this type of City support will need to occur prior to the opening of the Hutto Family YMCA in January 2013



***City Council Meeting
August 11, 2011
Agenda Item Transmittal***

Agenda Item #: 4
Agenda Title: City Acceptance of Christmas Light Decorations from Taylor Area Businesswomen (TAB)

Council Action to be taken:

Initiating Department: Main Street

Staff Contact: Deby Lannen, Main Street Manager

1. INTRODUCTION/PURPOSE

Taylor Area Businesswomen (TAB) would like to present the Christmas decorations designated for downtown Taylor and the entrances into Taylor as a gift to the citizens of Taylor with the City of Taylor to be caretaker of such. In doing so, the City will be able to maintain insurance on the decorations to cover any damages incurred.

2. DESCRIPTION/ JUSTIFICATION

3. FINANCIAL/BUDGET

The decorations should be added as a fixed asset to the City's insurance at a value of \$64,060.87

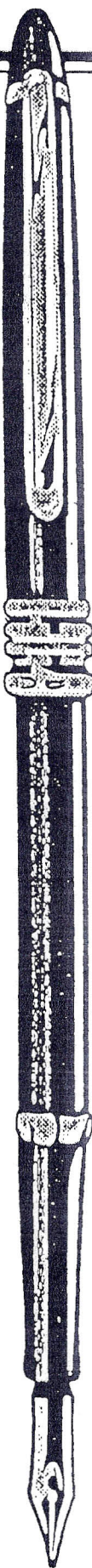
4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Staff recommends accepting the gift of the Christmas decorations for the citizens of Taylor from Taylor Area Businesswomen at a value of \$64,060.87.

6. REFERENCE FILES

4a [Letter from](#) Taylor Area Businesswomen attached.



August 8, 2011

Dear City Officials:

Through the hard work, determination, and passion of the members of Taylor Area Businesswomen, money has been raised to purchase lighted Christmas decorations to adorn our downtown area and entrances into Taylor. The Taylor Area Businesswomen have worked diligently at many fundraisers over the past several years to reach this goal and have been extremely successful in bringing lights back to Taylor. The value of the decorations currently in use is \$64,060.87.

At this time, the Taylor Area Businesswomen would like to gift the lighted decorations and their care to the City of Taylor and its citizens to provide hours of enjoyment to Taylor residents and holiday visitors. The City has been extremely cooperative in maintaining the lights and their installation in the past and TAB recognizes this generosity with gratitude.

Thank you City of Taylor for your willingness to accept this task for the future and keep traditions alive in Taylor, TX!

Respectfully submitted on behalf of Taylor Area Businesswomen,


Annette Maruska
President, Taylor Area Businesswomen

*Taylor Area Businesswomen
P. O. Box 1093
Taylor, Texas 76574*



City Council Meeting August 11, 2011 Agenda Item Transmittal

Agenda Item #: 5
Agenda Title: Consider accepting quarterly report from the Taylor Chamber of Commerce.

Council Action to be taken: Accept report as presented
Initiating Organization: Taylor Chamber of Commerce
Staff Contact: **Thomas Martinez, President
Chamber of Commerce**

1. INTRODUCTION/PURPOSE

The purpose of this agenda item is present to the City Council a Report of Activities and Budget for the Chamber of Commerce.

2. DESCRIPTION/ JUSTIFICATION

Section IV of the Agreement between the City of Taylor and the Taylor Chamber of Commerce states in part, "Chamber shall submit to the City each quarter during the term of this Agreement, "a written itemized statement of all expenditures made by the Chamber hereunder". The Report submitted herewith is meant to fulfill this requirement.

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

Last Report was presented April 28, 2011.

5. RECOMMENDATION

Accept report as presented.

6. REFERENCE FILES

5 a. [Taylor Chamber of Commerce Report](#)

Taylor Chamber of Commerce – Report to Taylor City Council

Presented Thur., August 11, 2011 - Report time span from 040111 to 063011

Prepared by Thomas E. Martinez, President Taylor Chamber of Commerce

Agenda items:

1. Deposits and Expenditures

- a. Report from April 01, 2011 to June 30, 2011 detailing deposits & expenditures (XL spreadsheet)
 - i. 97% - Advertizing
 - ii. 0% - Promoting at events
 - iii. 1% - “HOT” Funds Awards
 - iv. 2% - membership fees
 - v. 0% - building & furniture

2. Hotel/Motel Tax funds awards

- a. Report on 2011 Hotel/Motel funds requests (XL Spreadsheet).
 - i. 2010 – 9 of 10 applicants submitted requests
 - 1. \$29,353 total requested.
 - 2. \$19,640 total granted (67% of requested)
 - 3. \$18,677 total paid (95% of granted)
 - ii. 2011 – 7 of 12 applicants submitted requests
 - 1. \$24,951 total requested.
- b. 2011 – Applications status
 - i. Chamber Review Committee in process of reviewing requests.
 - ii. Will notify requestors by end of August.

3. Taylor Regional Park

- a. Taylor Lodging Report – impact of TRP (June 2011)
- b. TRP Impact on Local Businesses (June 2011)
- c. Tournament Bags created for early July’s “Everything Sports” Tournament
 - i. Included business coupons for - Mr. Gatti’, Pizza Hut, Sirloin Stockade, BBVA Compass Bank, Good Ol’ Fashioned Oil & Lube.
 - ii. Working with Mike DeVito to define process for tournament bag distribution and business coupon participation
 - iii. July tournament bags handed out at the gate.
 - 1. Advantage – in hand and on mind first day of tournament.
 - 2. Disadvantage – no time for visitors to plan in advance.
- d. Manoj Naik, owner of three of the local motels (Country Garden Inn, America’s Best Value Inn & Luxury Inn & Suites) is willing to track TRP attendance.
 - i. Will meet with him to discuss options for the form, collection of data and reporting.

4. Fourth of July Festival

- a. 2011 event not as successful as anticipated
 - i. Vendor participation low
 - ii. Festival attendance low
 - iii. Weather conditions and cancellation of fireworks had some impact but not overall major factors in participation and attendance.
- b. Recognize need to make changes to event for 2012. Possible changes for 2012 event include –
 - i. Reformat event to a 1 day only event (4th of July only).
 - ii. Expand 4th of July Committee to include broader span of ideas and organizations.
 - iii. Expand vendors to include both non-profit and for-profit vendors.
 - iv. Review event access into Murphy Park and adjust for most user friendly concept.

5. Additional Taylor Chamber reports & information

- a. Painting of Chamber Building –
 - i. Three bids have been received.
 - ii. Bid to be awarded in August for painting of building.
- b. Taylor Chamber Business Expo –
 - i. Scheduled for Sat., Sept. 24th at former THS.
 - ii. Format to remain similar to 2010 event.
 - 1. 70 businesses participated in 2010.
 - 2. Attendance was excellent for 1st year event.
 - iii. Goal is to increase both participation and attendance.
- c. Taylor area maps –
 - i. Printing new edition in Fall of 2011
 - ii. Taylor on one side & Williamson County on other side
 - iii. To be printed by Taylor Daily Press
- d. Promoting Taylor –
 - i. “Shop Taylor” campaign –
 - 1. Ongoing year-around campaign.
 - 2. Will utilizing extensively at the start of the Thanksgiving and Christmas holiday seasons
 - ii. Taylor Regional Park Brochure –
 - 1. Still have inventory of 2010 brochures available.
 - iii. 2011 Festivals of Central Texas –
 - 1. Expanded listing from 3 Taylor events to 8 Taylor events in 2011.
 - iv. Texas Events Calendar Magazine –
 - 1. Summer 2011 listed Taylor events for June, July & August of 2011
 - a. Tractor Pull
 - b. 4th of July Festival
 - c. Rodeo
 - d. Taylor International BBQ Cook-off
 - 2. Fall 2011 magazine will include –
 - a. SPJST BBQ Cook-off
 - b. Flying Vikings 2nd Annual Fly-Day
- v. Texas Hill Country Region Map –
 - 1. Partnership of 33 Hill Country Chambers & Visitors Bureaus

- vi. The Texas BBQ Trail (brochure & web site) –
 - 1. Latest edition of brochure to go to print this month.
 - 2. Partnership of Taylor, Elgin, Lockhart & Luling Chambers.
 - 3. Taylor BBQ restaurants include Louie Mueller, Taylor Café, Davis Grocery & BBQ and West End Café.
 - 4. Texas BBQ Trail website (www.texasbbqtrail.com) – also updated to incorporate latest brochure information.
 - 5. Brochure won 1st place in the brochure division in the state media awards at the Texas Chamber of Commerce Executives Convention (June, 2011).
- e. Taylor Chamber Web Site –
 - i. New web designer hired in March –
 - 1. Rick Davis & Austin Computer Labs.
 - ii. New look –
 - 1. More detailed information on festivals and events.
 - 2. Updated membership listing
 - 3. More timely updates and support.

Questions or comments

- Council questions or comments?

Thomas E. Martinez
President – Taylor Chamber of Commerce
1519 N. Main St.
Taylor, TX 76574
512.352.6364

Tourism Account - Deposits Expenditures, 040111-063011

April 01, 2011 to June 30, 2011	Date	Deposit	Comments	Expenditure	Check #	Comments	Total
End of March Balance							\$17,245.43
March bank posting (cashed in April)	3/21			\$527.95	1141	Yellow Pages - 3 year ad contract	\$16,717.48
	3/23			\$123.75	1142	HOT Funds for Taylor Artist Guild	\$16,593.73
	3/31			\$2,200.00	1143	Community Impact "4th of July" April ad	\$14,393.73
April - bank postings	4/27	\$2,073.50	70% check #117045				\$16,467.23
May - bank postings	5/13			\$2,200.00	1144	Community Impact "4th of July" May ad	\$14,267.23
	5/17	\$2,980.74	70% check #117073				\$17,247.97
	5/23			\$248.85	1145	4th of July ad in Elgin paper	\$16,999.12
June - bank postings	6/3			\$2,200.00	1146	Community Impact "4th of July" June ad	\$14,799.12
	6/14			\$3,400.00	1147	(qty 65) 4th of July radio ads - KASE-FM	\$11,399.12
	6/24			\$228.00	1148	Texas Hotel & Lodging Annual Membership	\$11,171.12
	6/28	\$2,913.40	70% check #117662 70% check #117663				\$14,084.52

Totals		\$7,967.64		\$11,128.55			\$14,084.52
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2010 Hotel Motel Awards and 2011 Requests (July 2011)

Organization	Event	2010				2011			
		Requested	Granted	Paid	% Paid	Requested	Granted	Paid	% Paid
Taylor SPJST #29	Annual BBQ Cook off	\$1,500.00	\$1,000.00	\$1,000.00	100%	\$1,500.00			
Taylor Jaycees	Rattlesnake Sacking	\$3,500.00	\$2,000.00	\$2,000.00	100%	\$3,500.00			
Taylor Jaycees	International BBQ Cook off	\$4,500.00	\$4,075.00	\$3,850.00	94%	\$4,500.00			
Taylor Rodeo Association	Tractor Pull	\$3,500.00	\$2,350.00	\$2,350.00	100%	\$3,500.00			
Taylor Rodeo Association	Taylor Rodeo	\$7,000.00	\$5,775.00	\$5,775.00	100%	\$7,500.00			
Taylor Artist Guild	several events	\$1,400.00	\$940.00	\$421.55	45%	\$1,500.00			
Friends of Moody Museum	Tours of the Museum	\$500.00	\$500.00	\$280.25	56%	Included but did not apply for funds in 2011			
Taylor Main Street	Zest Fest	\$6,953.25	\$2,500.00	\$2,500.00	100%	\$2,951.20			
Taylor Conservation & Heritage Society	on-going Taylor Downtown Business District efforts	\$500.00	\$500.00	\$500.00	100%	Included but did not apply for funds in 2011			
Lulac Council #4721		Included but did not apply for funds in 2010				Included but did not apply for funds in 2011			
Folkloric Dance Collaborative		Not included in 2010				Included but did not apply for funds in 2011			
Project Loop		Not included in 2010				Included but did not apply for funds in 2011			
TOTAL									
		\$29,353.25	\$19,640.00	\$18,676.80	95%	\$24,951.20	tbd	tbd	tbd

Taylor Lodging Report – Impact of TRP (June 2011)

Best Western – Taylor Inn 2600 W. 2nd St., 40 rooms total available

Oct. 2010 TRP impact:

- 8-10 rooms max. most ever booked due to TRP Tournaments.
- Other events compete for rooms including weddings, etc.
- Rooms for TRP are booked only 2-3 days in advance, when most rooms are already booked for other reasons.

March 2011 TRP impact:

- 10-18 rooms max. is most ever booked due to TRP Tournaments.

June 2011 TRP impact:

- 5-7 rooms on avg. (13-18% of capacity)
- 12-18 rooms max. booked (30-45% of capacity)

Country Garden Inn 2007 N. Main St., 25 rooms total available

Oct. 2010 TRP impact:

- Less than 5% impact by TRP.

March 2011 TRP impact:

- New management. No input available.

June 2011 TRP impact:

- 15-20% of weekend business is TRP.

America's Best Value Inn 1907 N. Main St., 41 rooms total available

Oct. 2010 TRP impact:

- Less than 5% impact by TRP.
- Family reunions, weddings and traveling workers make up most of the occupancy.

March 2011 TRP impact:

- No change in TRP impact, still less than 5%.

June 2011 TRP impact:

- April & May weekends – 10%
- June weekends – 40%

Luxury Inn & Suites 2005 W. 2nd St., 36 rooms total available

Oct. 2010 TRP impact:

- Less than 5%. 1-2 rooms occasionally but not consistent.
- Inquiries because of TRP tournaments are rare.

March 2011 TRP impact:

- No change in impact.
- Under new management since previous reporting period.

June 2011 TRP impact:

- Still less than 5%

Manoj Naik, owner of three of the local motels (Country Garden Inn, America's Best Value Inn & Luxury Inn & Suites) is willing to track TRP attendance via a simple monthly form with dates & headcounts. Will meet with him to discuss options for the form and collection of data.

TRP Impact on Local Businesses

Question - % increase in business seen because of TRP
on days of tournaments vs. non-tournament days.

Restaurants	Oct. 2010 % increase	March 2011 % increase	June 2011 % increase
Chicken Express	10-20%	15-25%	5-20%
Sirloin Stockade	5-10%	8-12%	10-12%
Mariachi's De Jalisco	5-10%	5-10%	10%
Subway Sandwiches	15-20%	20%	20-25%
McDonald's	20%+	25%	25-30%
Pizza Hut	<5%	10%	10%
Ricoco's	0-2%	0-2%	<2%
Louie Mueller BBQ	8-10%	15%	3%+ (no AC)
Whataburger	n/a	10-20%	10-20%
Mr. Gattis	n/a	0-10%	10-15%

Other Retail	% increase	% increase	% increase
HEB	3-5%	3-5%	3-5%
Bealls	<5%	25-30%	20-30%
Hibbett Sports	10-20%	20-25%	25%
Walgreens	<5%	10%	10%
Dreams To Treasures	5-10%	5%	5-10%
Frills	<5%	<5%	<5%
Taylor Sporting Goods	5-10%	5-10%	5-10%



City Council Meeting August 11, 2011 Agenda Item Transmittal

Agenda Item #: 6
Agenda Title: Consider accepting public improvements for the Mallard Corner Convenient Store Project.

Council Action to be taken: Approve, deny or table

Initiating Department: Public Works

Staff Contact: Danny Thomas, Director of Public Works

1. INTRODUCTION/PURPOSE

To consider accepting ownership of public improvements regarding the Mallard Corner Convenient Store Project located in Taylor Texas at 803 Carlos G. Parker Blvd.

2. DESCRIPTION/ JUSTIFICATION

Contractor Pruneda Construction was awarded the bid project for the Mallard Corner Convenient Store Project, which included City Services installation of Fire protection, Two (2) Fire Hydrants', one on Carlos G. Parker and one on Mallard Lane. With 432 L.F. (Leaner Feet) of Twelve inch (12") Water Main, 5 L.F. of 8" Water Main with 8" x 12"1/4 bend 6" Gate valve, 12" Gate Valve and 805 L.F. of Concrete Sidewalk, installed, meeting City of Taylor's Engineering Specification. With an effective date of July 25th, 2011 for the start of the Two (2) year Maintenance Bond for period \$56,758.70 from Pruneda Conctruction Company Post Office Box 413 Elgin, Texas 78621.

3. FINANCIAL/BUDGET

N/A

4. TIMELINE CONSIDERATIONS

2 Years

5. RECOMMENDATION

Staff recommends accepting ownership.

6. REFERENCE FILES

6a. [Cost Summary](#) Letter from Pruneda Construction

PRUNEDA CONSTRUCTION

PO BOX 413 ELGIN, TX 78621

PHONE: (512) 285-2509 FAX: (512) 233-2440

7/25/11

To: City of Taylor

Subject: Mallard Corner Convenient Store
803 Carlos G Parker Blvd.
Taylor, TX 76574

City of Taylor,

Please accept the following information as the final cost and quantity summary of all work conducted for all public improvements of the City of Taylor.

QTY	Description	Unit Price	Total
1432	Concrete driveway on Carlos G Parker Blvd	\$3.00	\$4,296.00
960	Concrete driveway on Mallard Lane	\$3.00	\$2,880.00
3805	Concrete sidewalk	\$3.00	\$11,415.00
6197	Sub-base for driveways and sidewalks	\$1.03	\$6,382.91
1	Domestic and Irrigation meter setup	\$2,339.33	\$2,339.33
1	Fire Hydrant on Carlos G Parker	\$6,834.15	\$6,834.15
1	Fire Hydrant on Mallard Lane	\$6,025.48	\$6,025.48
432	12" Water line	\$23.61	\$10,199.52
1	5ft of 8" water line, 8" x 12" ¼ bend, 6" Gate valve	\$3,626.66	\$3,626.66
1	12" Gate valve	\$2,759.65	\$2,759.65
		Total:	\$56,758.70

Enclosing, If you have any questions please don't hesitate to call my cell at 512-304-0033, or my office at 512-281-2509.

Cordially,

Rogelio Pruneda
General Contractor
Pruneda Construction



City Council Meeting August 11, 2011 Agenda Item Transmittal

Agenda Item #: 7
Agenda Title: Discuss Possible Amendments to the City Charter
Council Action to be taken:
Initiating Department: City Manager's Office
Staff Contact: Jim Dunaway, City Manager

1. INTRODUCTION/PURPOSE

At Council's direction, staff has researched and benchmarked how other cities address the following issues in their charters:

- 1) Can a councilmember be removed from office?
- 2) How does Council fill a vacancy in office (death, etc.)?
- 3) Do other charters provide for recall, referendum, initiative?
- 4) What are the qualifications to hold office or run for office?
- 5) Do other charters provide for term limits?
- 6) Is the mayor elected at-large?

Additionally, an informational report is attached on SB100's effect on municipal elections. This report includes options for Council to consider. One of these options would be to propose an additional Charter amendment.

2. DESCRIPTION/ JUSTIFICATION

The City of Taylor's Charter is silent on how a councilmember may be removed from office for cause. While our Charter does address the death of a councilmember or other vacancy (to be filled by a special election, the Charter is silent on how the city should proceed should a councilmember become incapacitated.

While Taylor's Charter does contain language providing for referendum and initiative, there is no recall provision.

Taylor's Charter possesses only the very basic requirement that a councilmember reside in the district from which they are elected (at the time of their election). Most charters contain some language requiring a minimum time of residency prior to holding office.

Staff was also requested to examine other charters to see if they contained term limits and whether their mayors are elected at-large.

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

For an election to be conducted in November to consider these items, it would have to be called by September 7th.

5. RECOMMENDATION

Provide feedback on which (if any) items Council would like to see placed on the ballot for a Charter election in the future.

6. REFERENCE FILES

7a. Charter Amendment Discussion Items (Because of the size of the document, provided as hard copy to council members.).

7b. [SB100 info](#)

7c. [SB100 TML flow chart](#)

7d. [SB100 bill](#)

DATE: August 8, 2011

FROM: Susan Brock, City Clerk

TO: City Council

RE: INFORMATION ONLY on SB 100 Effect on council elections

With the subject of Charter Amendments under consideration I thought you may also want to begin thinking about the effect the recent passage of SB100 will have on our council elections. A decision is not needed at this meeting. I am providing you this information in the event that a charter amendment election is called and you may wish to include some of these items depending on what option you choose for future elections.

Municipalities across the state have been evaluating how council elections will be effected. SB100 no longer ensures that the county will provide election services to those cities electing to hold elections in May of even numbered years.

The City of Taylor Charter Article 6, Sec 6.6 states that our elections “shall be held in May of every year or on such other date as the laws of the State of Texas may provide.” One option is to move the elections to November. While SB100 requires only a resolution to move our date from May to November, if we are holding a charter amendment election for other issues, this would be one issue we might want to also consider as a “housekeeping” item.

Another option is to change the terms from three to four years (by charter amendment) and stagger the terms to hold elections only in odd numbered years and let the county continue to provide election services in May. City Charter Article 4, Section 4.1 states that “The Council members shall be elected for terms of three (3) years...” “All elections for Council members will be by plurality vote.”

The issue of plurality vote for terms longer than two years was changed to majority vote and this would also be a housekeeping item and a charter amendment.

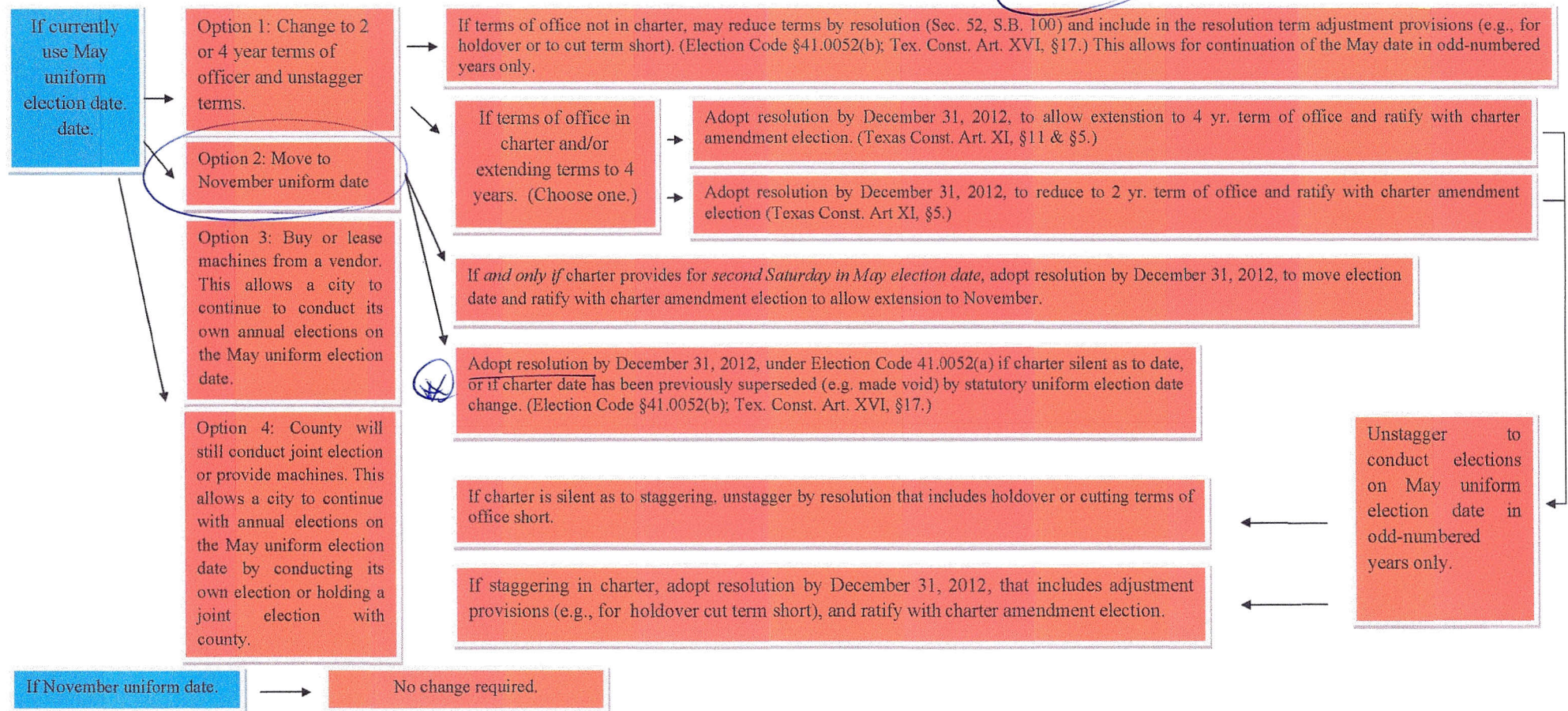
All cities in Williamson County have been invited to meet with Rick Barron of their Elections Division on Monday, May 15th to discuss these options in further detail. I will continue to provide you with information as it becomes available.

Senate Bill 100

Option	Council Action Needed	Results	County Services
Keep 3 yrs terms and keep elections in May of all years	None*	Would have to purchase electronic voting equipment and increase budget to cover costs of election services for even numbered years.	County would provide services in May of odd numbered years only
Keep 3 yr terms and move elections from May to November	Resolution by Council before December 2012.*	Keep three year terms and county will conduct elections.	County would provide services for November elections in all years.
Change terms from 3 to 4 yrs	Charter Amendment to change terms.*	Stagger terms to have elections only in odd numbered years; keep elections in May	County would provide services in May in odd numbered years only

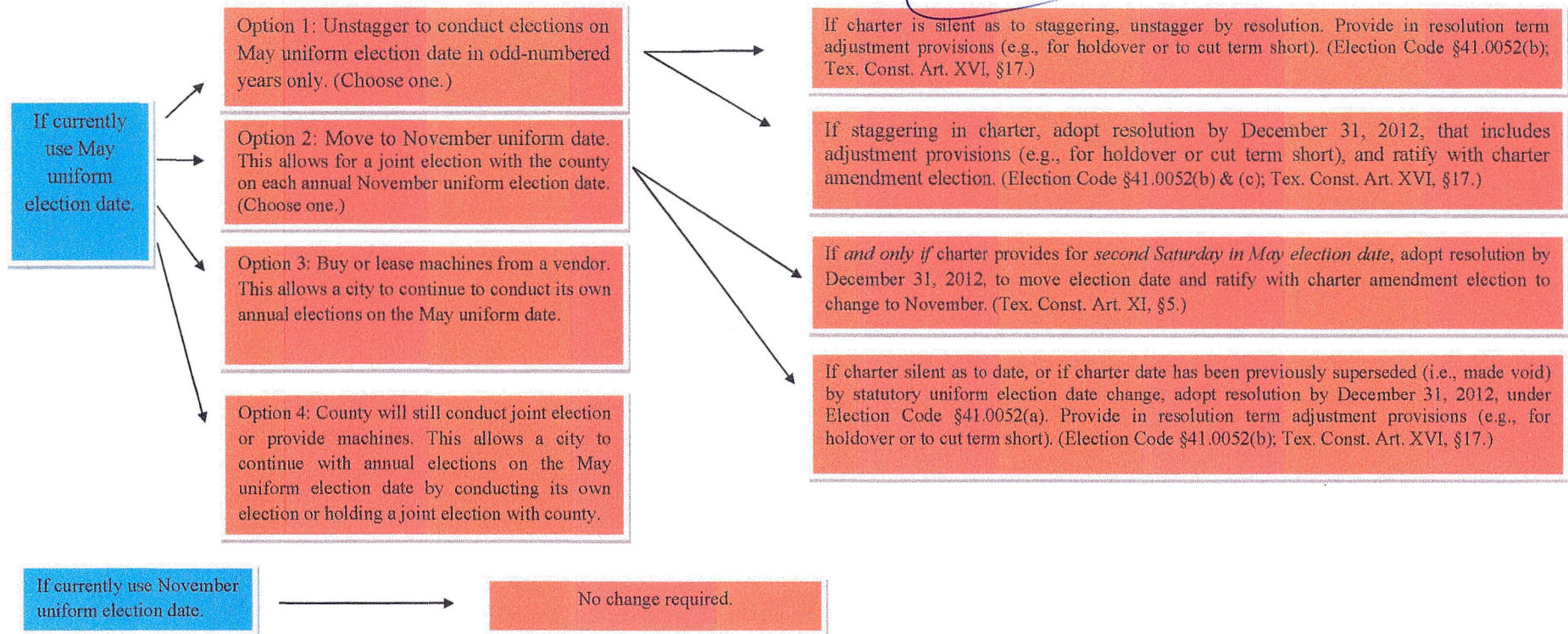
*In addition to any other action needed, a Charter Amendment should also be made to address a change from plurality to majority vote for terms longer than 2 yrs (Enacted Tx. Legis. 2001)

S.B. 100 Options for a City's General Election: Home Rule Cities with Three-Year Terms of Office



* If ratification election is required in any step, the election order and resolution should address the possibility of the term extension election not being approved by the voters. Should that happen, the current officers should holdover until legislation in 2013 can extend the December 31, 2012, deadline. Similarly, if any city is prohibited from having a charter amendment election because one has been held within the last two years, adjustment for holdover should be made.

S.B. 100 Options for a City's General Election: Home Rule Cities with Two- or Four-Year Staggered Terms of Office



* If ratification election is required in any step, the election order and resolution should address the possibility of the term extension election not being approved by the voters. Should that happen, the current officers should holdover until legislation in 2013 can extend the December 31, 2012, deadline. Similarly, if any city is prohibited from having a charter amendment election because one has been held within the last two years, adjustment for holdover should be made.

S.B. No. 100

AN ACT

relating to the adoption of certain voting procedures and to certain elections, including procedures necessary to implement the federal Military and Overseas Voter Empowerment Act, deadlines for declaration of candidacy and dates for certain elections, and to terms of certain elected officials.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 101, Election Code, is amended to read as follows:

CHAPTER 101. VOTING BY RESIDENT FEDERAL POSTCARD APPLICANT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 101.001. ELIGIBILITY. A person is eligible for early voting by mail as provided by this chapter if:

(1) the person is qualified to vote in this state or, if not registered to vote in this state, would be qualified if registered; and

(2) the person is:

(A) a member of the armed forces of the United States, or the spouse or a dependent of a member;

(B) a member of the merchant marine of the United States, or the spouse or a dependent of a member; or

(C) domiciled in this state but temporarily living outside the territorial limits of the United States and the District of Columbia.

Sec. 101.002. GENERAL CONDUCT OF VOTING. Voting under this chapter shall be conducted and the results shall be processed as provided by Subtitle A for early voting by mail, except as otherwise provided by this chapter.

Sec. 101.003. DEFINITIONS. ~~[FORM AND CONTENTS OF APPLICATION. (a) -- An application for a ballot to be voted under this chapter must.~~

~~[(1) -- be submitted on an official federal postcard application form, and~~

~~[(2) -- include the information necessary to indicate that the applicant is eligible to vote in the election for which the ballot is requested.~~

~~[(b)]~~ In this chapter:

(1) "Federal ~~[, "federal]~~ postcard application" means an application for a ballot to be voted under this chapter submitted on the official federal form prescribed under the federal Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. Section 1973ff et seq.).

(2) "FPCA registrant" means a person registered to vote under Section 101.055.

Sec. 101.004. NOTING FPCA REGISTRATION ON POLL LIST. For each FPCA registrant accepted to vote, a notation shall be made beside the voter's name on the early voting poll list indicating that the voter is an FPCA registrant.

Sec. 101.005. NOTING FPCA REGISTRATION AND E-MAIL ON EARLY VOTING ROSTER. The entry on the early voting roster pertaining to a voter under this chapter who is an FPCA registrant must include a notation indicating that the voter is an FPCA registrant. The early voting clerk shall note on the early voting by mail roster each e-mail of a ballot under Subchapter C.

Sec. 101.006. EXCLUDING FPCA REGISTRANT FROM PRECINCT EARLY

VOTING LIST. A person to whom a ballot is provided under this chapter is not required to be included on the precinct early voting list if the person is an FPCA registrant.

Sec. 101.007. DESIGNATION OF SECRETARY OF STATE. (a) The secretary of state is designated as the state office to provide information regarding voter registration procedures and absentee ballot procedures, including procedures related to the federal write-in absentee ballot, to be used by persons eligible to vote under the federal Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. Section 1973ff et seq.).

(b) The secretary of state is designated as the state coordinator between military and overseas voters and county election officials. A county election official shall:

(1) cooperate with the secretary of state to ensure that military and overseas voters timely receive accurate balloting materials that a voter is able to cast in time for the election; and

(2) otherwise comply with the federal Military and Overseas Voter Empowerment Act (Pub. L. No. 111-84, Div. A, Title V, Subt. H).

(c) The secretary of state may adopt rules as necessary to implement this section.

Sec. 101.008. STATUS OF APPLICATION OR BALLOT VOTED. The secretary of state, in coordination with local election officials, shall implement an electronic free-access system by which a person eligible for early voting by mail under this chapter or Chapter 114 may determine by telephone, by e-mail, or over the Internet whether:

(1) the person's federal postcard application or other registration or ballot application has been received and accepted; and

(2) the person's ballot has been received and the current status of the ballot.

SUBCHAPTER B. SUBMISSION OF FEDERAL POSTCARD APPLICATION

Sec. 101.051. FORM AND CONTENTS OF APPLICATION. An application for a ballot to be voted under this subchapter must:

(1) be submitted on an official federal postcard application form; and

(2) include the information necessary to indicate that the applicant is eligible to vote in the election for which the ballot is requested.

Sec. 101.052 [~~101.004~~]. SUBMITTING APPLICATION. (a) A federal postcard application must be submitted to the early voting clerk for the election who serves the election precinct of the applicant's residence.

(a-1) A federal postcard application must be submitted by:

(1) mail; or

(2) electronic transmission of an image of the application under procedures prescribed by the secretary of state.

(b) A federal postcard application may be submitted at any time during the calendar year in which the election for which a ballot is requested occurs, but not later than the deadline for submitting a regular application for a ballot to be voted by mail.

(c) A federal postcard application requesting a ballot for an election to be held in January or February may be submitted in the preceding calendar year but not earlier than the earliest date for submitting a regular application for a ballot to be voted by mail.

(d) A timely application that is addressed to the wrong early voting clerk shall be forwarded to the proper early voting clerk not later than the day after the date it is received by the wrong clerk.

(e) An applicant who otherwise complies with applicable requirements is entitled to receive a full ballot to be voted by mail under this chapter if:

(1) the applicant submits a federal postcard application to the early voting clerk on or before the 20th day before election day; and

(2) the application contains the information that is required for registration under Title 2.

(f) The applicant is entitled to receive only a federal ballot to be voted by mail under Chapter 114 if:

(1) the applicant submits the federal postcard application to the early voting clerk after the date provided by Subsection (e)(1) and before the sixth day before election day; and

(2) the application contains the information that is required for registration under Title 2.

(g) An applicant who submits a federal postcard application to the early voting clerk on or after the sixth day before election day is not entitled to receive a ballot by mail for that election.

(h) If the applicant submits the federal postcard application within the time prescribed by Subsection (f)(1) and is a registered voter at the address contained on the application, the applicant is entitled to receive a full ballot to be voted by mail under this chapter.

(i) Except as provided by Subsections (l) and (m), for purposes of determining the date a federal postcard application is submitted to the early voting clerk, an application is considered to be submitted on the date it is placed and properly addressed in the United States mail. An application mailed from an Army/Air Force Post Office (APO) or Fleet Post Office (FPO) is considered placed in the United States mail. The date indicated by the post office cancellation mark, including a United States military post office cancellation mark, is considered to be the date the application was placed in the mail unless proven otherwise. For purposes of an application made under Subsection (e):

(1) an application that does not contain a cancellation mark is considered to be timely if it is received by the early voting clerk on or before the 15th day before election day; and

(2) if the 20th day before the date of an election is a Saturday, Sunday, or legal state or national holiday, an application is considered to be timely if it is submitted to the early voting clerk on or before the next regular business day.

(j) If the early voting clerk determines that an application that is submitted before the time prescribed by Subsection (e)(1) does not contain the information that is required for registration under Title 2, the clerk shall notify the applicant of that fact. If the applicant has provided a telephone number or an address for receiving mail over the Internet, the clerk shall notify the applicant by that medium.

(k) If the applicant submits the missing information before the time prescribed by Subsection (e)(1), the applicant is entitled to receive a full ballot to be voted by mail under this chapter. If the applicant submits the missing information after the time prescribed by Subsection (e)(1), the applicant is entitled to receive a full ballot to be voted by mail for the next election that occurs:

(1) in the same calendar year; and

(2) after the 30th day after the date the information is submitted.

(l) For purposes of determining the end of the period that an application may be submitted under Subsection (f)(1), an

application is considered to be submitted at the time it is received by the early voting clerk.

(m) The secretary of state by rule shall establish the date on which a federal postcard application is considered to be electronically submitted to the early voting clerk.

Sec. 101.053 ~~[101.004]~~. ACTION BY EARLY VOTING CLERK ON CERTAIN APPLICATIONS. The early voting clerk shall notify the voter registrar of a federal postcard application submitted by an applicant that states a voting residence address located outside the registrar's county.

Sec. 101.054 ~~[101.005]~~. APPLYING FOR MORE THAN ONE ELECTION IN SAME APPLICATION. (a) A person may apply with a single federal postcard application for a ballot for any one or more elections in which the early voting clerk to whom the application is submitted conducts early voting.

(b) An application that does not identify the election for which a ballot is requested shall be treated as if it requests a ballot for:

(1) each general election in which the clerk conducts early voting; and

(2) the general primary election if the application indicates party preference and is submitted to the early voting clerk for the primary.

(c) An application shall be treated as if it requests a ballot for[-

~~[-]~~ a runoff election that results from an election for which a ballot is requested~~[- and~~

~~[-]~~ -- each election for a federal office, including a primary or runoff election, that occurs on or before the date of the second general election for state and county officers that occurs after the date the application is submitted].

(d) An application requesting a ballot for more than one election shall be preserved for the period for preserving the precinct election records for the last election for which the application is effective.

Sec. 101.055 ~~[101.006]~~. FPCA VOTER REGISTRATION. (a) The submission of a federal postcard application that complies with the applicable requirements by an unregistered applicant constitutes registration by the applicant:

(1) for the purpose of voting in the election for which a ballot is requested; and

(2) under Title 2 unless the person indicates on the application that the person is residing outside the United States indefinitely.

(b) For purposes of registering to vote under this chapter, a person shall provide the address of the last place of residence of the person in this state or the last place of residence in this state of the person's parent or legal guardian.

(c) The registrar shall register the person at the address provided under Subsection (b) unless that address no longer is recognized as a residential address, in which event the registrar shall assign the person to an address under procedures prescribed by the secretary of state [in this chapter, "FPCA registrant" means a person registered to vote under this section].

Sec. 101.056 ~~[101.007]~~. METHOD OF PROVIDING BALLOT; REQUIRED ADDRESS. (a) The balloting materials provided under this subchapter ~~[chapter]~~ shall be airmailed to the voter free of United States postage, as provided by the federal Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. Section 1973ff et seq.), in an envelope labeled "Official Election Balloting Material - via Airmail." The secretary of state shall provide early voting clerks

with instructions on compliance with this subsection.

(b) The address to which the balloting materials are sent to a voter must be:

(1) an address outside the county of the voter's residence; or

(2) an address in the United States for forwarding or delivery to the voter at a location outside the United States.

(c) If the address to which the balloting materials are to be sent is within the county served by the early voting clerk, the federal postcard application must indicate that the balloting materials will be forwarded or delivered to the voter at a location outside the United States.

Sec. 101.057 ~~[101.008]~~. RETURN OF VOTED BALLOT. A ballot voted under this subchapter ~~[chapter]~~ may be returned to the early voting clerk by mail, common or contract carrier, or courier.

~~[Sec. - 101.009. - - NOTING FPCA REGISTRATION ON POLL LIST. For each FPCA registrant accepted to vote, a notation shall be made beside the voter's name on the early voting poll list indicating that the voter is an FPCA registrant.]~~

~~[Sec. - 101.010. - - NOTING FPCA REGISTRATION ON EARLY VOTING ROSTER. The entry on the early voting roster pertaining to a voter under this chapter who is an FPCA registrant must include a notation indicating that the voter is an FPCA registrant.]~~

~~[Sec. - 101.011. - - EXCLUDING FPCA REGISTRANT FROM PRECINCT EARLY VOTING LIST. A person to whom a ballot is provided under this chapter is not required to be included on the precinct early voting list if the person is an FPCA registrant.]~~

Sec. 101.058 ~~[101.012]~~. OFFICIAL CARRIER ENVELOPE. The officially prescribed carrier envelope for voting under this subchapter ~~[chapter]~~ shall be prepared so that it can be mailed free of United States postage, as provided by the federal Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. Section 1973ff et seq.) ~~[Federal Voting Assistance Act of 1955]~~, and must contain the label prescribed by Section 101.056(a) ~~[101.007(a)]~~ for the envelope in which the balloting materials are sent to a voter. The secretary of state shall provide early voting clerks with instructions on compliance with this section.

SUBCHAPTER C. E-MAIL TRANSMISSION OF BALLOTING MATERIALS

Sec. 101.101. PURPOSE. The purpose of this subchapter is to implement the federal Military and Overseas Voter Empowerment Act (Pub. L. No. 111-84, Div. A, Title V, Subt. H).

Sec. 101.102. REQUEST FOR BALLOTING MATERIALS. (a) A person eligible to vote under this chapter may request from the appropriate early voting clerk e-mail transmission of balloting materials under this subchapter.

(b) The early voting clerk shall grant a request made under this section for the e-mail transmission of balloting materials if:

(1) the requestor has submitted a valid federal postcard application and:

(A) if the requestor is a person described by Section 101.001(2)(C), has provided a current mailing address that is located outside the United States; or

(B) if the requestor is a person described by Section 101.001(2)(A) or (B), has provided a current mailing address that is located outside the requestor's county of residence;

(2) the requestor provides an e-mail address:

(A) that corresponds to the address on file with the requestor's federal postcard application; or

(B) stated on a newly submitted federal postcard application;

(3) the request is submitted on or before the seventh day before the date of the election; and

(4) a marked ballot for the election from the requestor has not been received by the early voting clerk.

Sec. 101.103. CONFIDENTIALITY OF E-MAIL ADDRESS. An e-mail address used under this subchapter to request balloting materials is confidential and does not constitute public information for purposes of Chapter 552, Government Code. An early voting clerk shall ensure that a voter's e-mail address provided under this subchapter is excluded from public disclosure.

Sec. 101.104. ELECTIONS COVERED. The e-mail transmission of balloting materials under this subchapter is limited to:

(1) an election in which an office of the federal government appears on the ballot, including a primary election;

(2) an election to fill a vacancy in the legislature unless:

(A) the election is ordered as an emergency election under Section 41.0011; or

(B) the election is held as an expedited election under Section 203.013; or

(3) an election held jointly with an election described by Subdivision (1) or (2).

Sec. 101.105. BALLOTING MATERIALS TO BE SENT BY E-MAIL. Balloting materials to be sent by e-mail under this subchapter include:

(1) the appropriate ballot;

(2) ballot instructions, including instructions that inform a voter that the ballot must be returned by mail to be counted;

(3) instructions prescribed by the secretary of state on:

(A) how to print a return envelope from the federal Voting Assistance Program website; and

(B) how to create a carrier envelope or signature sheet for the ballot; and

(4) a list of certified write-in candidates, if applicable.

Sec. 101.106. METHODS OF TRANSMISSION TO VOTER. (a) The balloting materials may be provided by e-mail to the voter in PDF format, through a scanned format, or by any other method of electronic transmission authorized by the secretary of state in writing.

(b) The secretary of state shall prescribe procedures for the retransmission of balloting materials following an unsuccessful transmission of the materials to a voter.

Sec. 101.107. RETURN OF BALLOT. (a) A voter described by Section 101.001(2)(A) or (B) must be voting from outside the voter's county of residence. A voter described by Section 101.001(2)(C) must be voting from outside the United States.

(b) A voter who receives a ballot under this subchapter must return the ballot in the same manner as required under Section 101.057 and, except as provided by Chapter 105, may not return the ballot by electronic transmission.

(c) A ballot that is not returned as required by Subsection (b) is considered a ballot not timely returned and is not sent to the early voting ballot board for processing.

(d) The deadline for the return of a ballot under this section is the same deadline as provided in Section 86.007.

Sec. 101.108. TRACKING OF BALLOTING MATERIALS. The secretary of state by rule shall create a tracking system under which an FPCA registrant may determine whether a voted ballot has

been received by the early voting clerk. Each county that sends ballots to FPCA registrants shall provide information required by the secretary of state to implement the system.

Sec. 101.109. RULES. (a) The secretary of state may adopt rules as necessary to implement this subchapter.

(b) The secretary of state may provide for an alternate secure method of electronic ballot transmission under this subchapter instead of transmission by e-mail

~~[Sec. - 101.013. - - DESIGNATION OF SECRETARY OF STATE. The secretary of state is designated as the state office to provide information regarding voter registration procedures and absentee ballot procedures, including procedures related to the federal write in absentee ballot, to be used by persons eligible to vote under the federal Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. Section 1973ff et seq.), as amended].~~

SECTION 2. Section 2.025, Election Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Except as provided by Subsection (d) or as otherwise provided by this code, a runoff election shall be held not earlier than the 20th or later than the 45th day after the date the final canvass of the main election is completed.

(d) A runoff election for a special election to fill a vacancy in Congress or a special election to fill a vacancy in the legislature to which Section 101.104 applies shall be held not earlier than the 70th day or later than the 77th day after the date the final canvass of the main election is completed.

SECTION 3. Subsection (c), Section 3.005, Election Code, is amended to read as follows:

(c) For an election to be held on:

(1) the date of the general election for state and county officers, the election shall be ordered not later than the 78th [70th] day before election day; and

(2) a uniform election date other than the date of the general election for state and county officers, the election shall be ordered not later than the 71st day before election day.

SECTION 4. Section 41.001, Election Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Except as otherwise provided by this subchapter, each general or special election in this state shall be held on one of the following dates:

(1) the second Saturday in May in an odd-numbered year;

(2) the second Saturday in May in an even-numbered year, for an election held by a political subdivision other than a county; or

(3) [+2+] the first Tuesday after the first Monday in November.

(d) Notwithstanding Section 31.093, a county elections administrator is not required to enter into a contract to furnish election services for an election held on the date described by Subsection (a) (2).

SECTION 5. Section 41.0052, Election Code, is amended to read as follows:

Sec. 41.0052. CHANGING GENERAL ELECTION DATE. (a) ~~[The governing body of a political subdivision other than a county may, not later than December 31, 2005, change the date on which it holds its general election for officers to another authorized uniform election date.]~~

~~[+a-1+] The governing body of a political subdivision,~~

other than a county, that holds its general election for officers on a date other than the November uniform election date may, not later than December 31, 2012 ~~[2010]~~, change the date on which it holds its general election for officers to the November uniform election date.

(b) A governing body changing an election date under this section shall adjust the terms of office to conform to the new election date.

(c) A home-rule city may implement the change authorized by Subsection (a) or provide for the election of all members of the governing body at the same election through the adoption of a resolution. The change contained in the resolution supersedes a city charter provision that requires a different general election date or that requires the terms of members of the governing body to be staggered.

(d) The holdover of a member of a governing body of a city in accordance with Section 17, Article XVI, Texas Constitution, so that a term of office may be conformed to a new election date chosen under this section does not constitute a vacancy for purposes of Section 11(b), Article XI, Texas Constitution.

SECTION 6. Subsection (b), Section 41.007, Election Code, is amended to read as follows:

(b) The runoff primary election date is the fourth Tuesday in May ~~[second Tuesday in April]~~ following the general primary election.

SECTION 7. Section 65.051, Election Code, is amended by adding Subsection (c) to read as follows:

(c) Section 1.006 does not apply to this section.

SECTION 8. Subsection (b), Section 86.004, Election Code, is amended to read as follows:

(b) For an election to which Section 101.104 applies ~~[the general election for state and county officers]~~, the balloting materials for a voter who indicates on the application for a ballot to be voted by mail or the federal postcard application that the voter is eligible to vote early by mail as a consequence of the voter's being outside the United States shall be mailed on or before the later of the 45th day before election day or the seventh calendar day after the date the clerk receives the application. However, if it is not possible to mail the ballots by the deadline of the 45th day before election day, the clerk shall notify the secretary of state within 24 hours of knowing that the deadline will not be met. The secretary of state shall monitor the situation and advise the clerk, who shall mail the ballots as soon as possible in accordance with the secretary of state's guidelines.

SECTION 9. Subsection (b), Section 86.011, Election Code, is amended to read as follows:

(b) If the return is timely, the clerk shall enclose the carrier envelope and the voter's early voting ballot application in a jacket envelope. The clerk shall also include in the jacket envelope:

(1) a copy of the voter's federal postcard application if the ballot is voted under Chapter 101; and

(2) the signature cover sheet, if the ballot is voted under Chapter 105.

SECTION 10. Subchapter B, Chapter 87, Election Code, is amended by adding Section 87.0223 to read as follows:

Sec. 87.0223. TIME OF DELIVERY: BALLOTS SENT OUT BY REGULAR MAIL AND E-MAIL. (a) If the early voting clerk has provided a voter a ballot to be voted by mail by both regular mail and e-mail under Subchapter C, Chapter 101, the clerk may not deliver a jacket envelope containing the early voting ballot voted by mail by the

voter to the board until:

(1) both ballots are returned; or

(2) the deadline for returning marked ballots under Section 86.007 has passed.

(b) If both the ballot provided by regular mail and the ballot provided by e-mail are returned before the deadline, the early voting clerk shall deliver only the jacket envelope containing the ballot provided by e-mail to the board. The ballot provided by regular mail is considered to be a ballot not timely returned.

SECTION 11. Section 87.041, Election Code, is amended by adding Subsection (f) to read as follows:

(f) In making the determination under Subsection (b)(2) for a ballot cast under Chapter 101 or 105, the board shall compare the signature on the carrier envelope or signature cover sheet with the signature of the voter on the federal postcard application.

SECTION 12. Section 87.043, Election Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) The early voting ballot board shall place the carrier envelopes containing rejected ballots in an envelope and shall seal the envelope. More than one envelope may be used if necessary. The board shall keep a record of the number of rejected ballots in each envelope.

(d) A notation must be made on the carrier envelope of any ballot that was rejected after the carrier envelope was opened and include the reason the envelope was opened and the ballot was rejected.

SECTION 13. Section 87.0431, Election Code, is amended to read as follows:

Sec. 87.0431. NOTICE OF REJECTED BALLOT. Not later than the 10th day after election day, the presiding judge of the early voting ballot board shall deliver written notice of the reason for the rejection of a ballot to the voter at the residence address on the ballot application. If the ballot was transmitted to the voter by e-mail under Subchapter C, Chapter 101, the presiding judge shall also provide the notice to the e-mail address to which the ballot was sent.

SECTION 14. Subsection (a), Section 87.044, Election Code, is amended to read as follows:

(a) The early voting ballot board shall place each application for a ballot voted by mail in its corresponding jacket envelope. For a ballot voted under Chapter 101 or 105, the board shall also place the copy of the voter's federal postcard application or signature cover sheet in the same location as the carrier envelope. If the voter's ballot was accepted, the board shall also place the carrier envelope in the jacket envelope. However, if the jacket envelope is to be used in a subsequent election, the carrier envelope shall be retained elsewhere.

SECTION 15. Section 105.003, Election Code, is amended to read as follows:

Sec. 105.003. USE OF FEDERAL WRITE-IN ABSENTEE BALLOT FOR ELECTIONS FOR FEDERAL OFFICE. The secretary of state shall prescribe procedures to allow a voter who qualifies to vote by a federal write-in absentee ballot to vote through use of a federal write-in absentee ballot in:

(1) any general, special, primary, or runoff election for federal office; or

(2) an election for any office for which balloting materials may be sent under Section 101.104.

SECTION 16. Subsection (b), Section 142.010, Election Code,

is amended to read as follows:

(b) Not later than the 68th [~~55th~~] day before general election day, the certifying authority shall deliver the certification to the authority responsible for having the official ballot prepared in each county in which the candidate's name is to appear on the ballot.

SECTION 17. Subsection (c), Section 143.007, Election Code, is amended to read as follows:

(c) For an election to be held on:

(1) the date of the general election for state and county officers, the day of the filing deadline is the 78th [~~70th~~] day before election day; and

(2) a uniform election date other than the date of the general election for state and county officers, the day of the filing deadline is the 71st day before election day.

SECTION 18. Subsection (d), Section 144.005, Election Code, is amended to read as follows:

(d) For an election to be held on:

(1) the date of the general election for state and county officers, the day of the filing deadline is the 78th [~~70th~~] day before election day; and

(2) a uniform election date other than the date of the general election for state and county officers, the day of the filing deadline is the 71st day before election day.

SECTION 19. Subsection (b), Section 144.006, Election Code, is amended to read as follows:

(b) For an election to be held on:

(1) the date of the general election for state and county officers, the day of the filing deadline is the 78th [~~67th~~] day before election day; and

(2) a uniform election date other than the date of the general election for state and county officers, the day of the filing deadline is the 71st day before election day.

SECTION 20. Subsection (e), Section 145.037, Election Code, is amended to read as follows:

(e) The certification must be delivered not later than 5 p.m. of the 71st [~~70th~~] day before election day.

SECTION 21. Subsection (b), Section 145.038, Election Code, is amended to read as follows:

(b) The state chair must deliver the certification of the replacement nominee not later than 5 p.m. of the 69th [~~67th~~] day before election day.

SECTION 22. Subsection (f), Section 145.092, Election Code, is amended to read as follows:

(f) A candidate in an election for which the filing deadline for an application for a place on the ballot is not later than 5 p.m. of the 78th [~~70th~~] day before election day may not withdraw from the election after 5 p.m. of the 71st [~~67th~~] day before election day.

SECTION 23. Subsection (a), Section 145.094, Election Code, is amended to read as follows:

(a) The name of a candidate shall be omitted from the ballot if the candidate:

(1) dies before the second day before the date of the deadline for filing the candidate's application for a place on the ballot;

(2) withdraws or is declared ineligible before 5 p.m. of the second day before the beginning of early voting by personal appearance, in an election subject to Section 145.092(a);

(3) withdraws or is declared ineligible before 5 p.m. of the 53rd day before election day, in an election subject to Section 145.092(b); or

(4) withdraws or is declared ineligible before 5 p.m. of the 71st ~~[67th]~~ day before election day, in an election subject to Section 145.092(f).

SECTION 24. Subsection (a), Section 145.096, Election Code, is amended to read as follows:

(a) Except as provided by Subsection (b), a candidate's name shall be placed on the ballot if the candidate:

(1) dies on or after the second day before the deadline for filing the candidate's application for a place on the ballot;

(2) is declared ineligible after 5 p.m. of the second day before the beginning of early voting by personal appearance, in an election subject to Section 145.092(a);

(3) is declared ineligible after 5 p.m. of the 53rd day before election day, in an election subject to Section 145.092(b); or

(4) is declared ineligible after 5 p.m. of the 71st ~~[67th]~~ day before election day, in an election subject to Section 145.092(f).

SECTION 25. Subsections (a) and (b), Section 146.025, Election Code, are amended to read as follows:

(a) A declaration of write-in candidacy must be filed not later than 5 p.m. of the 78th ~~[70th]~~ day before general election day, except as otherwise provided by this code. A declaration may not be filed earlier than the 30th day before the date of the regular filing deadline.

(b) If a candidate whose name is to appear on the general election ballot dies or is declared ineligible after the third day before the date of the filing deadline prescribed by Subsection

(a), a declaration of write-in candidacy for the office sought by the deceased or ineligible candidate may be filed not later than 5 p.m. of the 75th ~~[67th]~~ day before election day.

SECTION 26. Subsection (c), Section 146.029, Election Code, is amended to read as follows:

(c) Not later than the 68th ~~[62nd]~~ day before election day, the certifying authority shall deliver the certification to the authority responsible for having the official ballot prepared in each county in which the office sought by the candidate is to be voted on.

SECTION 27. Subsection (b), Section 146.054, Election Code, is amended to read as follows:

(b) For an election to be held on:

(1) the date of the general election for state and county officers, the day of the filing deadline is the 74th ~~[67th]~~ day before election day; and

(2) a uniform election date other than the date of the general election for state and county officers, the day of the filing deadline is the 71st day before election day.

SECTION 28. Subsection (b), Section 161.008, Election Code, is amended to read as follows:

(b) Not later than the 68th ~~[62nd]~~ day before general election day, the secretary of state shall deliver the certification to the authority responsible for having the official general election ballot prepared in each county in which the candidate's name is to appear on the ballot.

SECTION 29. Subsection (a), Section 172.023, Election Code, is amended to read as follows:

(a) An application for a place on the general primary election ballot must be filed not later than 6 p.m. on the second Monday in December of an odd-numbered year ~~[January 2 in the primary election year]~~ unless the filing deadline is extended under Subchapter C.

SECTION 30. Subsection (d), Section 171.0231, Election Code, is amended to read as follows:

(d) A declaration of write-in candidacy must be filed not later than 6 [5] p.m. of the fifth [62nd] day after the date of the filing deadline for the [before] general primary election [day. However, if a candidate whose name is to appear on the ballot for the office of county chair or precinct chair dies or is declared ineligible after the third day before the date of the regular filing deadline prescribed by this subsection, a declaration of write-in candidacy for the office sought by the deceased or ineligible candidate may be filed not later than 5 p.m. of the 59th day before election day].

SECTION 31. Subsection (b), Section 172.028, Election Code, is amended to read as follows:

(b) Not later than the 81st [57th] day before general primary election day, the state chair shall deliver the certification to the county chair in each county in which the candidate's name is to appear on the ballot.

SECTION 32. Subsection (a), Section 172.052, Election Code, is amended to read as follows:

(a) A candidate for nomination may not withdraw from the general primary election after the 79th [62nd] day before general primary election day.

SECTION 33. Subsections (a) and (b), Section 172.054, Election Code, are amended to read as follows:

(a) The deadline for filing an application for a place on the general primary election ballot is extended as provided by this section if a candidate who has made an application that complies with the applicable requirements:

(1) dies on or after the fifth day before the date of the regular filing deadline and on or before the 79th [62nd] day before general primary election day;

(2) holds the office for which the application was made and withdraws or is declared ineligible on or after the date of the regular filing deadline and on or before the 79th [62nd] day before general primary election day; or

(3) withdraws or is declared ineligible during the period prescribed by Subdivision (2), and at the time of the withdrawal or declaration of ineligibility no other candidate has made an application that complies with the applicable requirements for the office sought by the withdrawn or ineligible candidate.

(b) An application for an office sought by a withdrawn, deceased, or ineligible candidate must be filed not later than 6 p.m. of the 81st [60th] day before general primary election day. An application filed by mail with the state chair is not timely if received later than 5 p.m. of the 81st [60th] day before general primary election day.

SECTION 34. Section 172.057, Election Code, is amended to read as follows:

Sec. 172.057. WITHDRAWN, DECEASED, OR INELIGIBLE CANDIDATE'S NAME OMITTED FROM GENERAL PRIMARY BALLOT. A candidate's name shall be omitted from the general primary election ballot if the candidate withdraws, dies, or is declared ineligible on or before the 79th [62nd] day before general primary election day.

SECTION 35. Subsection (a), Section 172.058, Election Code, is amended to read as follows:

(a) If a candidate who has made an application for a place on the general primary election ballot that complies with the applicable requirements dies or is declared ineligible after the 79th [62nd] day before general primary election day, the

candidate's name shall be placed on the ballot and the votes cast for the candidate shall be counted and entered on the official election returns in the same manner as for the other candidates.

SECTION 36. Subsection (a), Section 172.059, Election Code, is amended to read as follows:

(a) A candidate for nomination may not withdraw from the runoff primary election after 5 p.m. of the 8th ~~[10th]~~ day after general primary election day.

SECTION 37. Subsection (c), Section 172.082, Election Code, is amended to read as follows:

(c) The drawing shall be conducted at the county seat not later than the third Tuesday in December of an odd-numbered year ~~[53rd day before general primary election day]~~.

SECTION 38. Subsection (b), Section 192.033, Election Code, is amended to read as follows:

(b) The secretary of state shall deliver the certification to the authority responsible for having the official ballot prepared in each county before the later of the 68th ~~[62nd]~~ day before presidential election day or the second business day after the date of final adjournment of the party's national presidential nominating convention.

SECTION 39. Subsection (b), Section 201.051, Election Code, is amended to read as follows:

(b) For a vacancy to be filled by a special election to be held on the date of the general election for state and county officers, the election shall be ordered not later than the 78th ~~[70th]~~ day before election day.

SECTION 40. Subsection (f), Section 201.054, Election Code, is amended to read as follows:

(f) For a special election to be held on the date of the general election for state and county officers, the day of the filing deadline is the 75th ~~[67th]~~ day before election day.

SECTION 41. Section 501.109, Election Code, is amended to read as follows:

Sec. 501.109. ELECTION IN ~~[CERTAIN]~~ MUNICIPALITIES.

(a) This section applies only to an election to permit or prohibit the legal sale of alcoholic beverages of one or more of the various types and alcoholic contents in a municipality ~~[that is located in more than one county]~~.

(b) An election to which this section applies shall be conducted by the municipality instead of a county ~~[the counties]~~. For the purposes of an election conducted under this section, a reference in this chapter to:

(1) the county is considered to refer to the municipality;

(2) the commissioners court is considered to refer to the governing body of the municipality;

(3) the county clerk or voter registrar is considered to refer to the secretary of the municipality or, if the municipality does not have a secretary, to the person performing the functions of a secretary of the municipality; and

(4) the county judge is considered to refer to the mayor of the municipality or, if the municipality does not have a mayor, to the presiding officer of the governing body of the municipality.

(c) The municipality shall pay the expense of the election.

(d) An action to contest the election under Section 501.155 may be brought in the district court of any county in which the municipality is located.

SECTION 42. Subsections (a) and (c), Section 11.055, Education Code, are amended to read as follows:

(a) Except as provided by Subsection (c), an application of a candidate for a place on the ballot must be filed not later than 5 p.m. of the 71st ~~[62nd]~~ day before the date of the election. An application may not be filed earlier than the 30th day before the date of the filing deadline.

(c) For an election to be held on the date of the general election for state and county officers, the day of the filing deadline is the 78th ~~[70th]~~ day before election day.

SECTION 43. Subsection (b), Section 11.056, Education Code, is amended to read as follows:

(b) A [Except as provided by Subsection (c), a] declaration of write-in candidacy must be filed not later than the deadline prescribed by Section 146.054, Election Code, for a write-in candidate in a city election [5 p.m. of the fifth day after the date an application for a place on the ballot is required to be filed].

SECTION 44. Subsection (e), Section 11.059, Education Code, is amended to read as follows:

(e) Not later than December 31, 2011 ~~[2007]~~, the board of trustees may adopt a resolution changing the length of the terms of its trustees. The resolution must provide for staggered terms ~~[a term]~~ of either three or four years and specify the manner in which the transition from the length of the former term to the modified term is made. The transition must begin with the first regular election for trustees that occurs after January 1, 2012 ~~[2008]~~, and a trustee who serves on that date shall serve the remainder of that term. This subsection expires January 1, 2017 ~~[2013]~~.

SECTION 45. Subsection (b), Section 130.0825, Education Code, is amended to read as follows:

(b) A [Except as provided by Subsection (c), a] declaration of write-in candidacy must be filed not later than the deadline prescribed by Section 146.054, Election Code, for a write-in candidate in a city election [5 p.m. of the fifth day after the date an application for a place on the ballot is required to be filed].

SECTION 46. Subsection (d), Section 285.131, Health and Safety Code, is amended to read as follows:

(d) A [Except as provided by Subsection (g), a] declaration of write-in candidacy must be filed not later than the deadline prescribed by Section 146.054, Election Code, for a write-in candidate in a city election [5 p.m. of the fifth day after the date an application for a place on the ballot is required to be filed].

SECTION 47. Subchapter A, Chapter 21, Local Government Code, is amended by adding Section 21.004 to read as follows:

Sec. 21.004. CHANGE OF LENGTH OR STAGGERING OF TERMS IN GENERAL-LAW MUNICIPALITY. (a) This section applies only to a general-law municipality whose governing body is composed of members that serve:

- (1) a term of one or three years; or
- (2) staggered terms.

(b) Not later than December 31, 2012, the governing body of the general-law municipality may adopt a resolution:

- (1) changing the length of the terms of its members to two years; or
- (2) providing for the election of all members of the governing body at the same election.

(c) The resolution must specify the manner in which the transition in the length of terms is made. The transition must begin with the first regular election for members of the governing body that occurs after January 1, 2013, and a member who serves on that date shall serve the remainder of that term.

(d) This section expires January 1, 2016.

SECTION 48. Subsection (d), Section 63.0945, Water Code, is

amended to read as follows:

(d) ~~A [Except as provided by Subsection (f), a] declaration of write-in candidacy must be filed not later than the deadline prescribed by Section 146.054, Election Code, for a write-in candidate in a city election [5 p.m. of the fifth day after the date an application for a place on the ballot is required to be filed].~~

SECTION 49. To the extent of any conflict, this Act prevails over another Act of the 82nd Legislature, Regular Session, 2011, regardless of the relative dates of enactment.

SECTION 50. The secretary of state shall adopt rules as necessary to implement this Act, including the adjustment or modification of any affected date, deadline, or procedure.

SECTION 51. The following are repealed:

- (1) Section 41.0053, Election Code;
- (2) Subsection (e), Section 11.056, and Subsection (e), Section 130.0825, Education Code;
- (3) Subsection (g), Section 285.131, Health and Safety Code; and
- (4) Subsection (f), Section 63.0945, Water Code.

SECTION 52. (a) This section applies only to a political subdivision that elects the members of its governing body to a term that consists of an odd number of years.

(b) Not later than December 31, 2012, the governing body of the political subdivision may adopt a resolution changing the length of the terms of its members to an even number of years. The resolution must specify the manner in which the transition from the length of the former term to the modified term is made. The transition must begin with the first regular election for members of the governing body that occurs after January 1, 2013, and a member who serves on that date shall serve the remainder of that term.

(c) This section expires January 1, 2020.

SECTION 53. The changes in law made by this Act do not apply to an election held on November 8, 2011.

SECTION 54. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 100 passed the Senate on April 14, 2011, by the following vote: Yeas 29, Nays 1; May 27, 2011, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 2011, House granted request of the Senate; May 29, 2011, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 100 passed the House, with amendments, on May 25, 2011, by the following vote: Yeas 143, Nays 1, two present not voting; May 27, 2011, House granted request of the Senate for appointment of Conference Committee; May 29, 2011, House adopted Conference Committee Report by the

following vote: Yeas 147, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor



***City Council Meeting
August 11, 2011
Agenda Item Transmittal***

Agenda Item #: 8

Agenda Title: Consider MDUS CIP report and possible prioritization of future MDUS projects

Council Action to be taken: Provide Feedback

Initiating Department: Public Works - Engineering

Staff Contact: Casey Sledge, Consulting City Engineer

1. INTRODUCTION/PURPOSE

Casey Sledge, the city's contract engineer will present a capital improvement report regarding drainage projects that can be addressed by the utilization of funds from the Municipal Drainage Utility System. From this report, Council may provide feedback on the prioritization of these projects.

2. DESCRIPTION/ JUSTIFICATION

As the Mallard Drainage Project comes to a close, it is time for the planning and prioritization of future MDUS projects. Casey will present the information he has on identified projects, advise the status of design on these projects and make recommendations on the prioritization of these projects.

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Provide feedback on MDUS priorities.

6. REFERENCE FILES

8a. [City of Taylor 5 year MDUS CIP Report](#)



Sledge Engineering, LLC 8/4/2011 Page 1 of 2

Tammi Lane channel	21	MC Trib #1 to Kent St	channel and culverts	\$22,500	\$150,000	\$172,500
Mustang Creek Trib 1 Lake to Kent	22	channel		\$37,500	\$250,000	\$287,500
4th @ Victoria	27	channel	slope stabilization, rip-rap	\$2,250	\$15,000	\$17,250
Kimbro @ 6th	29	channel	regrade, line channel	\$7,500	\$50,000	\$57,500
Kimbro @ 7th	30	Runoff jumping curb	new storm drain and inlet	\$0		\$0
Monica @ Mallard	36	groundwater	french drain	\$3,000	\$20,000	\$23,000
Robinson at RR tracks	46	north side culvert	slope stabilization	\$3,750	\$25,000	\$28,750
Lorax Tributary	47	old culverts	new culverts & headwalls	\$18,000	\$120,000	\$138,000
Oaklawn @ Bull Br Trib	37	poor street drainage	new storm drain, inlets, grading to Bull Br	\$12,000	\$80,000	\$92,000
Rio Grande @ Mustang Cr	14	Low water crossing	New bridge	\$225,000	\$1,500,000	\$1,725,000
Drainage Study - Gravel Pit Draw	39	hydraulic anlysis to determine needed improvements		\$25,000	\$0	\$25,000
Drainage Study - Must Cr Trib #1	40	hydraulic anlysis to determine needed improvements		\$25,000	\$0	\$25,000
Drainage Study - Mustang Creek	41	hydraulic anlysis to determine needed improvements	to include City Lake	\$100,000	\$0	\$100,000
Drainage Study - Bull Branch Update	42	hydraulic anlysis to determine needed improvements		\$20,000	\$0	\$20,000
Drainage Study - Railroad Lake Draw	43	hydraulic anlysis to determine needed improvements		\$20,000	\$0	\$20,000
Drainage Study - Flood Hazard Mitigation	44	City wide to determine regional pond locations, flood mitigation		\$20,000	\$0	\$20,000
				\$1,569,250	\$8,395,000	\$9,964,250



***City Council Meeting
August 11, 2011
Agenda Item Transmittal***

Agenda Item #: 9

Agenda Title: **Executive Session.** The Taylor City Council will conduct a closed executive meeting under Section 551.072 of the Texas Government Code to deliberate regarding acquisition of real property.

Council Action to be taken: Deliberate on acquisition of real property.

Initiating Department: City Administration

Staff Contact: **Jim D. Dunaway, City Manager**
Ted Hejl, City Attorney

1. INTRODUCTION/PURPOSE

This Executive Session is called to deliberate on real property.

2. DESCRIPTION/ JUSTIFICATION

The Taylor City Council will conduct a closed meeting under Section 551.072 of the Texas Government Code in order to deliberate on real property and allow such a closed meeting and which Rules conflict with the Texas Open Meetings Act.

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

6. REFERENCE FILES

9a. [Consolidated Executive session form](#)

**TAYLOR CITY COUNCIL
CERTIFIED AGENDA - EXECUTIVE SESSION**

1. OPEN MEETING ANNOUNCEMENT

The City of Taylor City Council convened in Open Session, declared a quorum on August 11, 2011 and has posted an Official Agenda indicating the need for an Executive Session. The Council will now adjourn into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section:

- | | | |
|-------------------------------------|---------|--|
| ☐ | 551.071 | To consult with its attorney regarding a matter in which the duty of the attorney to the City conflicts with the Open Meetings Act. |
| ☒ | 551.072 | To conduct deliberations regarding the purchase, exchange, lease, or value of real property. |
| ☐ | 551.074 | Regarding personnel matters |
| ☐ | 551.087 | Regarding economic development negotiations and considering financial or other incentives to a business prospect that the City seeks to have locate in or near the City of Taylor. |

Any action resulting from the Executive Session will be taken in Open Session immediately following the Executive Session.

2. BACK TO OPEN SESSION

The time is now _____ and we will reconvene into Open Session. No action or vote was taken on any matter discussed in Executive Session.

CERTIFICATION

I, Don Hill, Mayor of the City of Taylor, do hereby certify that this Agenda of an Executive Session of the City Council is a true and correct record of the proceedings.

WITNESS my hand this the _____ day of _____, 2011

Don Hill, Mayor