

ORDINANCE NO. 2014-

AN ORDINANCE ORDERING A GENERAL ELECTION FOR THE CITY OF LEAGUE CITY, TEXAS ON TUESDAY, NOVEMBER 4, 2014, TO ELECT PERSONS TO THE MAYOR'S POSITION, COUNCIL POSITIONS 1, 2, 6 AND 7; ORDERING A RUNOFF ELECTION ON DECEMBER 16, 2014, IF NECESSARY

WHEREAS, the City of League City, Texas (the "City"), pursuant to the laws of the State of Texas and Article III, Section 2 of the Charter of League City, which provides that all elections shall be held in accordance with the laws of the State of Texas regulating the holding of municipal elections in accordance with the ordinances adopted by the City Council for the conduct of such elections; and

WHEREAS, by state law, Section 41.001 of the Texas Election Code, the uniform election date for the month of November 2014 falls on November 4, 2014, (the first Tuesday after the first Monday in November) and there is therefore required to be elected, on November 4, 2014, the following officials for the City:

Mayor, currently for a four-year term ending November 2018; and  
Council Position 1, currently for a four-year term ending November 2018; and  
Council Position 2, currently for a four-year term ending November 2018; and  
Council Position 6, currently for a four-year term ending November 2018; and  
Council Position 7, currently for a four-year term ending November 2018; and

WHEREAS, the laws of the State of Texas and Section 4 of Article II of the City Charter, as amended, provide for a Runoff Election as hereinafter described; and

WHEREAS, the present composition of the City Council is as follows:

<u>Position</u>	<u>Name</u>	<u>Date Elected</u>	<u>Term (years)</u>	<u>Date Term Expires</u>
Mayor	Tim Paulissen	May 2011	3	May 2014
Position #1	Dan Becker	May 2011	3	May 2014
Position #2	Dennis O'Keeffe	May 2011	3	May 2014
Position #3	Heidi Thiess	November 2012	3	November 2015
Position #4	Todd Kinsey	November 2012	3	November 2015
Position #5	Geri Bentley	November 2012	3	November 2015

Position #6	Andy Mann	May 2011	3	May 2013
Position #7	Joanna Sharp Dawson	May 2010	3	May 2013

WHEREAS, the City Council has determined to proceed with the ordering of such general election for the purpose of electing persons to the Mayor's Position, Council Position 1, Council Position 2, Council Position 6 and Council Position 7 on Tuesday, November 4, 2014, which is a uniform election date.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The facts and opinions in the preamble to this Ordinance are true and correct.

Section 2. The attached Election Order (Exhibit "A") is herein adopted, which declares and orders that a general election (the "Election") be held in and throughout the City of League City on Tuesday, November 4, 2014, and a Runoff Election be held on December 16, 2014, if necessary, to elect persons to the Mayor's Position, Council Position 1, Council Position 2, Council Position 6 and Council Position 7, for a four-year term for each such position.

Section 3. All ordinances and parts of ordinances in conflict herewith are herein repealed to the extent of the conflict only.

APPROVED first reading the \_\_\_\_ day of \_\_\_\_, 2014.

APPROVED second reading the \_\_\_\_ day of \_\_\_\_, 2014.

PASSED and ADOPTED the \_\_\_\_ day of \_\_\_\_, 2014.

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TIMOTHY PAULISSEN,  
Mayor

ATTEST:

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DIANA M. STAPP,  
City Secretary

ORDINANCE NO. 2014-  
EXHIBIT "A"

ELECTION ORDER

WHEREAS, the laws of the State of Texas and Sections 1 and 6 of Article III of the City Charter, as amended, require the City to hold a general election in the City on the uniform election date for the month of November 2014 for Councilpersons whose terms are expiring and; and

WHEREAS, the uniform election date for the month of November 2014 falls on November 4, 2014, and there is therefore required to be elected, on November 4, 2014, the following officials for the City:

Mayor, currently for a four-year term ending November 2016; and  
Council Position 1, currently for a four-year term ending November 2018; and  
Council Position 2, currently for a four-year term ending November 2018; and  
Council Position 6, currently for a three-year term ending November 2018; and  
Council Position 7, currently for a three-year term ending November 2018;

WHEREAS, the laws of the State of Texas and Section 4 of Article II of the City Charter, as amended, provide for a Runoff Election as hereinafter described; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The City Secretary is hereby authorized and directed to prepare the election ballots to conduct the General Election and, if necessary, the Runoff Election, in accordance with the provisions of the City Charter, the Texas Constitution and Texas Election Code. On such election ballot, the voters shall select from properly filed candidates, Mayor, Council Position 1, Council Position 2, Council Position 6 and Council Position 7.

Section 2. All independent candidates at the election to be held on November 4, 2014 (the "General Election"), for Mayor, Council Position 1, Council Position 2, Council Position 6 and Council Position 7 shall file their applications to become candidates with the City Secretary at City Hall, 300 West Walker Street, League City, Texas 77573, not earlier than July 19, 2014 and not later than 5:00 p.m. on August 18, 2014; however, because July 19, 2014 falls on a Saturday and the City's normal business hours are Monday through Thursday, 8:00 a.m. to 6:00 p.m., and Friday 8:00 a.m. to 12:00 p.m., the earliest date to file applications to become candidates is Monday, July 21, 2014. All such applications shall be on a form as prescribed by Section 141.031 of the Texas Election Code (the "Code"). All candidates shall file with such application the loyalty affidavit required by Section 141.031 of the Code. A filing fee of One Hundred Dollars (\$100.00) shall be paid at the time of filing by each candidate for Mayor, and a

filing fee of Fifty Dollars (\$50.00) shall be paid at the time of filing by each candidate for Council Position 1, Council Position 2, Council Position 6 and Council Position 7; however, in lieu of the filing fee, any candidate may present a petition signed by twenty-five (25) registered voters of the City requesting that his or her name be placed on the ballot.

Section 3. Persons wishing to run as write-in candidates shall declare their intent with the City Secretary in order to be entitled to have their votes counted, not later than 5:00 p.m. on the 74th day before the General Election, as denoted in Section 146.054 of the Code, to-wit: August 22, 2014. Only the votes for those write-in candidates that appear on the City Secretary's certified list of write-in candidates shall be counted. Gag votes and/or protest votes shall not be tallied on election night, as stipulated in Sections 146.051 through 146.055 of the Code.

Section 4. If no candidate for any office shall receive a majority of all votes cast for such office at the General Election as required by the City's home-rule Charter, a runoff election between the two (2) highest vote-getters for such office shall be held on Tuesday, December 16, 2014 (the "Runoff Election"), as permitted by the Code.

Section 5. The order in which the names of the candidates for Mayor, Council Positions 1, 2, 6 and 7 are to be printed on the ballot for the General Election or for the Runoff Election, if required, shall be determined by drawings by the City Secretary as provided by Section 52.094 of the Code. The City Secretary shall provide notice of such drawings as provided by Section 52.094 of the Code.

Section 6. The General Election and the Runoff Election, if required (collectively, the "Elections"), shall be held under the provisions of the Charter of the City, the Texas Constitution and the laws of the State of Texas, and of this Ordinance. All qualified and registered voters residing in the City shall be allowed to vote at the Elections.

Section 7. The County of Galveston has been approved to conduct Vote Center elections on Election Day. This process allows voters to cast their votes at any Vote Center location within the County. Listed below are the locations within the City that the County of Galveston has used in the past:

Creekside Intermediate, 4320 W. Main, FM518, League City; and

Dominion Church, 401 Landing Blvd, League City; and

Bauerschlag Elementary, 2051 Brittany Bay, League City; and

North County Annex, 174 Calder Road, League City; and

League City Civic Center, 400 West Walker Street; and

CCISD Admin Building, 2425 E. Main, League City

Section 8. All voting locations shall be open from 7:00 a.m. to 7:00 p.m. on Election Day.

Section 9. The City will contract with the County of Galveston to conduct a joint election, and runoff election if necessary, for those voters residing within Galveston County. The City will contract with Harris County to conduct a joint election for those voters residing within Harris County. Therefore officers and clerks for the Elections shall be appointed by the appropriate County.

Section 10. Direct Recording Electronic (DRE) voting machines shall be used for voting in all polling places. Tabulation of all votes cast within Galveston County will be done at the Central Counting Station located at the Galveston County Clerk's Office at 600 59th Street, Galveston, Texas. Tabulation of all votes cast with Harris County will be done at the Central Counting Station located at the Harris County Clerk's Office at 1001 Preston, 4<sup>th</sup> Floor, Houston, Texas.

Section 11. Dwight D. Sullivan, County Clerk is hereby appointed Counting Station Manager at the Galveston County Clerk's Office. Stan Stanart, County Clerk is hereby appointed Counting Station Manager at the Harris County Clerk's Office. Diana M. Stapp is hereby appointed as general custodian of election records for the City of League City. Such officers and their designees shall have all the authority, duties and responsibilities as denoted in the Code.

Section 12. The City, in accordance with Section 32.002 of the Texas Election Code, may appoint one member of the Signature Verification Committee, the Early Voting Ballot Board, and the Ballot Resolution Board (BRB). The BRB is a non-statutory board that assists the Central Counting Station with the duplication of damaged ballots and email ballots submitted by members of the U.S. armed forces overseas and, where necessary, assists the Presiding Judge of the Central Counting Station in determining the intent of the voter in cases of over votes on mail ballots.

Section 13. The early voting location within the City for the General Election shall be at the North Galveston County Building, 174 Calder Road, League City, Texas 77573, and any additional locations as may be determined by the County of Galveston. Such place of voting shall remain open between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, October 20, 2014 through October 24, 2014, between the hours of 7:00 a.m. and 7:00 p.m. on Saturday, October 25, 2014, between the hours of 1:00 p.m. and 6:00 p.m. on Sunday, October 26, 2014, between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, October 27, 2014 through October 31, 2014 for early voting.

Section 14. The early voting location for the General election for those voters who reside in Harris County shall be determined by Harris County. Such place of voting shall remain open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, October 20, 2014 through October 24, 2014, between the hours of 7:00 a.m. and 7:00 p.m. on Saturday, October 25, 2014, between the hours of 1:00 p.m. and 6:00 p.m. on Sunday, October 26, 2014, and between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, October 27, 2014 through October 31, 2014 for early voting.

Section 15. Early voting for a Runoff election will be held at the League City Civic Center, 400 West Walker Street, League City, Texas 77573. Such place of voting shall remain open between the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturday, December 1, 2014 through December 6, 2014, between the hours of 7:00 a.m. and 7:00 p.m. on Monday and Tuesday, December 8, 2014 and December 9, 2014.

Section 16. Pursuant to Section 9 above, the City has contracted with Galveston County and Harris County for the performance of election services on the City's behalf. Exact locations and times for voting each in each county shall be established pursuant to such contracts. Such times and locations shall be automatically amended without further action of the City Council to include additional or different early voting polling places and times designated by the respective election administrator of the Counties, and to conform to the respective election services agreements, the notices of the election shall be conformed to such final lists provided to the City by the respective election administrator.

Section 17. Early voting by personal appearance shall be by Direct Recording Electronic voting machines in accordance with Section 61.012 of the Texas Election Code.

Section 18. The early voting clerk's address to which ballot applications and ballots voted by mail for Galveston County residents may be sent is Dwight D. Sullivan, County Clerk, Galveston County Justice Center, 600 59<sup>th</sup> Street, 2<sup>nd</sup> Floor, Galveston, Texas 77551. Applications for ballots by mail must be received no later than 5:00 p.m. on October 24, 2014.

Section 19. The early voting clerk's address to which ballot applications and ballots voted by mail for Harris County residents may be sent is Stan Stanart, Harris County Clerk, P.O. Box 1148, Houston, Texas 77251-1148. Applications for ballots by mail must be received no later than 5:00 p.m. on October 24, 2012.

Section 20. The Mayor shall give notices of the Elections in accordance with the terms and provisions of Section 4.002, et seq., of the Code. Such notices shall state the nature and the date of the Elections, the location of the polling places for each precinct, the hours that the polls will be open and other information required by law. The Mayor shall issue all necessary orders and writs for such Elections, and returns of such Elections shall be made to the City Council and City Secretary immediately after the closing of the polls.

Section 21. The City Attorney shall take such actions as required to have the City in compliance with the Federal Voting Rights Act.

Section 22. It is further found and determined that in accordance with the order of this governing body, the City Secretary posted written notice of the date, place, and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and such notice having been so posted and remaining posted, continuously for at least seventy-two (72) hours preceding the scheduled time of such meeting. A copy of the return of such posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

SIGNED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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TIMOTHY PAULISSEN,  
Mayor

ATTEST:

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DIANA M. STAPP,  
City Secretary