

ORDINANCE NO. 2023-

AN ORDINANCE ORDERING A SPECIAL ELECTION FOR THE CITY OF LEAGUE CITY, TEXAS ON SATURDAY, JANUARY 13, 2024, TO ELECT PERSONS TO THE OFFICES OF COUNCIL POSITION 4 FOR THE REMAINDER OF THE UNEXPIRED TERM; ORDERING A RUNOFF ELECTION ON FEBRUARY 17, 2024, IF NECESSARY

WHEREAS, the City of League City, Texas (the “City”), pursuant to the laws of the State of Texas and Section 6 of Article III of the City Charter, as amended, may hold a special election in the City, fix the time and place of holding same, and provide all means for holding such special election provided that such special election be called and held as nearly as practicable according to the provisions governing general elections; and

WHEREAS, the Home Rule Charter for the City in Article II, Section 5, and Section 201.023 of the Texas Election Code provides that if a councilmember submits a resignation, whether it’s effective immediately or at a future date, a vacancy occurs on 1) the date the resignation is formally accepted by the City Council or 2) on the eighth day after the date of its receipt by the authority, whichever is earlier; and

WHEREAS, the Home Rule Charter for the City in Article II, Section 6 provides that if a seat on the City Council becomes vacant, it shall be filled for the remainder of the unexpired term at a special election called for such purpose, unless the next regular election is to be held within one hundred and twenty (120) days from the time of such vacancy; and

WHEREAS, the Texas Constitution, Article 11, Section 11(b) provides that any vacancy in a municipality with terms exceeding two (2) years but not exceeding four (4) years must be filled by majority vote of the qualified voters at a special election called for such purpose within 120 days after such vacancy occurs; and

WHEREAS, on October 31, 2023 Council Member Bowen formally announced his resignation effective November 10, 2023; and

WHEREAS, the date falling 120 days after the date of November 10, 2023 for which Council Member Bowen’s seat will become officially vacant falls on March 9, 2024; and

WHEREAS, the next uniform election date in May occurs later than the 120-day period under which the State Constitution requires the City to call a special election; and

WHEREAS, the City wishes to contract elections services from the County of Galveston who have determined a special election could be held on Saturday, January 13, 2024, which falls within the 120 day period required the City’s Home Rule Charter and State Constitution; 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, if necessary as hereinafter described; and

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

Position	Name	Date Elected	Term (years)	Date Term Expires
Mayor	Nick Long	November 2022	4	November 2026
Position #1	Andy Mann	November 2022	4	November 2026
Position #2	Tommy Cones	November 2022	4	November 2026
Position #3	Tom Crews	November 2022	4	November 2024
Position #4	John Bowen	November 2020	4	November 2024
Position #5	Justin Hicks	November 2020	4	November 2024
Position #6	Chad Tressler	November 2022	4	November 2026
Position #7	Sean Saunders	November 2022	4	November 2026

WHEREAS, the City Council wishes to proceed with the ordering of such special election for the purpose of electing persons to the position of Council Position Four on Saturday, January 13, 2024.

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 special election (the “Special Election”) be held in and throughout the City of League City on Saturday, January 13, 2024, and a Runoff Election be held on Saturday, February 17, 2024, if necessary, to elect a person to the City Council Position #4 for an unexpired term ending in November 2024.

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 _____, 2023

APPROVED second reading the ____ day of _____, 2023

PASSED and ADOPTED the ____ day of _____, 2023

NICK LONG,
Mayor

ATTEST:

DIANA M. STAPP,
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN,
City Attorney