

ORDINANCE NO. 2023-  
EXHIBIT "A"

ELECTION ORDER

WHEREAS, the Constitution of the State of Texas and Section 6 of Article II of the City Charter, as amended, require the City to hold a special election in the City to fill a vacancy within 120 days from the time of such vacancy; and

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

WHEREAS, the required 120 days after the date on which Council Member Bowen's seat becomes officially vacant falls on March 9, 2024, the proposed date to conduct a special election is the second Saturday in January of 2024, which date is 64 days from the date of vacancy of the City Council Position Four, and there is therefore required to be elected, on January 13, 2024, the following officials for the City:

Council Position 4, for an unexpired term ending November 2024

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, is necessary 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 Special 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 for the position of City Council Position 4.

Section 2. All independent candidates at the election to be held on January 13, 2024 (the "Special Election"), for Council Position Four 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 November 15, 2023 and not later than 5:00 p.m. on December 4, 2023; the City's normal business hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m., and Friday 7:30 a.m. to 12:00 p.m., 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 Fifty Dollars (\$50.00) shall be paid at the time of filing by each candidate for Council Position 4; 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

December 4, 2023. 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 shall receive a majority of all votes cast for such office at the Special 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 Saturday, February 17, 2024 (the "Runoff Election"), as permitted by the Code.

Section 5. The order in which the names of the candidates for Council Position #4 are to be printed on the ballot for the Special 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 Special 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. Election Day locations (if available) will be League City Civic Center, 400 W. Walker League City, TX 77573, Public Works 1701 W. League City Parkway League City, TX 77573; and Hometown Heroes Park 1001 E. League City Pkwy. (Hall) League City, TX 77573

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 for election services for the Special Election, and runoff election if necessary, for those voters residing within Galveston County and Harris County. Therefore officers and clerks for the elections shall be appointed by Galveston County.

Section 10. Tabulation of all votes cast within Galveston County will be done at the Central Counting Station located at Galveston County Clerk's Office at 10000 Emmett Lowry Expressway Texas City, Texas 77591.

Section 11. Dwight D. Sullivan, County Clerk is hereby appointed Counting Station Manager at the Galveston 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 for the Special Election shall be held at the League City Civic Center, 400 West Walker Street, League City, Texas 77573 and at Galveston County Clerk's Office at 10000 Emmett Lowry Expressway, Texas City, Texas 77591. Such place of voting shall remain open between the hours of 8:00 a.m. and 5:00 p.m., Wednesday through Friday, December 27, 2023 through December 29, 2023; and Tuesday through Friday, January 2, 2024 through January 5, 2024; and Monday through Tuesday, January 8, 2024 through January 9, 2024 for early voting.

Section 14. Early voting for a Runoff election will be held at the League City Civic Center, 400 West Walker Street, League City, Texas 77573 at Galveston County Clerk's Office at 10000 Emmett Lowry Expressway, Texas City, Texas 77591. Such place of voting shall remain open between the hours of 8:00 a.m. and 5:00 p.m.; Wednesday through Friday; January 31, 2024 through February 2, 2024; Monday through Friday; February 5, 2024 through February 9, 2024; Monday through Tuesday, February 12, 2024 through February 13, 2024.

Section 15. Pursuant to Section 9 above, the City will contract with Galveston County for the performance of election services on the City's behalf. Exact locations and times for voting 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 Election Day polling places designated by the election administrator of the County, and to conform to the election services agreements, the notices of the election shall be conformed to such final list provided to the City by the election administrator.

Section 16. Early voting by personal appearance shall comply with Section 61.012 of the Texas Election Code.

Section 17. 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, P.O. Box 17253, Galveston, Texas 77552-7253. Applications for ballots by mail must be received no later than 5:00 p.m. on January 2, 2024.

Section 18. 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 19. The City Attorney shall take such actions as required to have the City in compliance with the Federal Voting Rights Act.

Section 20. 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 \_\_\_\_\_, 2023.

---

NICK LONG,  
Mayor

ATTEST:

---

DIANA M. STAPP,  
City Secretary