

**CITY OF SEABROOK
ORDINANCE NO. 2022-11**

**ORDERING RUN OFF ELECTION
TO BE HELD ON JUNE 11, 2022**

AN ORDINANCE CALLING AND ESTABLISHING PROCEDURES FOR THE RUN OFF CITY OFFICERS' ELECTION FOR COUNCIL POSITION 1 TO BE HELD ON JUNE 11, 2022; AND MAKING OTHER PROVISIONS RELATED TO THIS ELECTION.

WHEREAS, the Seabrook City Charter requires that a Runoff Election shall be held for any position for which no candidate running receives a majority of votes cast; and

WHEREAS, the laws of the State of Texas provide that on the 11th day of June 2022, there shall be held a Runoff Election to elected the following officials for the City of Seabrook to serve for four-year (4) terms to expire in May 2026:

Council Member Position 1

WHEREAS, the Texas Election Code and the Seabrook City Charter establish the procedures and time period for Runoff Elections; and

WHEREAS, the Seabrook City Council wishes to proceed with the ordering of the General Runoff Election and the City Council has determined that holding such runoff election is in the public interest; and

WHEREAS, the laws of the State of Texas further provide that the Election Code (“Code”) of the State of Texas is applicable to all municipal elections and, in order to comply with said Code, an ordinance should be passed establishing the procedures to be followed and in designating the voting place for the June 11, 2022 Runoff Election.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

SECTION 1. RUN-OFF ELECTION

No candidate for Position 1 received a majority of votes cast during the May 7, 2022 General City Election; therefore, a Runoff Election will be held on Saturday, June 11, 2022 at Seabrook City Hall. The polls shall be open from 7:00 a.m. until 7:00 p.m.

In the event the Mayor of the City (the “Mayor”) shall find that the Early Voting or Election Day polling place, hereby established and designated, shall become unavailable or unsuitable for use at the Runoff Election, the Mayor is hereby authorized to designate substitute polling places as he deems appropriate.

SECTION 2. BALLOTS AND PROPOSITIONS.

The City Secretary and Hart Intercivic are hereby authorized and directed to prepare the ballot for the Runoff Election in accordance with the provisions of the Texas Election Code.

SECTION 3. VOTING SYSTEM.

The City has purchased voting and tabulation equipment from Hart Intercivic, for the preparation of electronic and mail ballots, and for training. The City shall use the Hart Intercivic DRE voting system which has been adopted pursuant to Code Section 123.001 and it shall be used for early voting by personal appearance and regular voting on Election Day.

Paper ballots shall be used for voting by mail.

SECTION 4. EARLY VOTING.

The City Secretary is the Early Voting Clerk and shall conduct early voting in accordance with the Election Code of this State and the Charter and Ordinances of the City of Seabrook.

Early voting by personal appearance shall be conducted at Seabrook City Hall during regular office hours (Monday through Friday from 7:30 a.m. until 5:00 p.m.) beginning on Tuesday, May 31, 2022 and ending on Tuesday, June 7, 2022.

Applications for early ballots by mail shall be accepted by mail until 5:00 p.m. on Tuesday, May 31, 2022.

The City Council shall canvass the returns of the Runoff Election at its regularly scheduled meeting to be held on June 21, 2022 at 6:00 p.m.

All other aspects of the Runoff Election on June 11, 2022 shall be conducted in the same manner as the General Election held on May 7, 2022.

The City Secretary shall appoint a Deputy Early Voting Clerk, and may appoint up to four additional Deputy Early Voting Clerks if needed.

Early Voting Clerk, the City Secretary orders the hours for Saturday early voting in accordance with the Texas Election Code, Section 85.006 as indicated below.

Early voting by personal appearance shall be held in Seabrook City Hall, 1700 First Street, Seabrook, Texas on Saturday, June 4, 2022 from 9:00am – 11:00am.

Applications for ballots by mail shall be sent to the Early Voting Clerk, Seabrook City Hall, at 1700 First Street, Seabrook, Texas 77586. The last day for receiving applications for a ballot to be voted by mail shall be Tuesday, May 31, 2022 at 5:00 p.m. In addition, in-person delivery of a mail ballot to the early voting clerk shall be accepted on election day, pursuant to Texas Election Code, Section 86.006.

SECTION 5. ELECTION JUDGES AND CLERKS.

The City Council authorizes the City Secretary to appoint on its behalf the Election Judge and Alternate Judge. The Presiding Judge shall appoint the necessary clerks to assist which shall not exceed six (6) clerks. The rate of pay shall be \$14.00 per hour for Election Judges and \$12.00 per hour for Election Clerks.

SECTION 6. TABULATION OF BALLOTS.

The City Council appoints the City Secretary as Presiding Judge and Manager of the Counting Station.

The City Council authorizes the City Secretary to appoint on its behalf a Tabulation Supervisor and an Alternate Tabulation Supervisor, who shall be in charge of the operation of the electronic tabulation equipment.

Early votes shall be counted by an Early Balloting Board, in accordance with the Texas Election Code. The appointed Presiding Judge or Alternate Judge at the polling place shall serve as the Presiding Judge of the Early Balloting Board with two (2) clerks serving at the polling place making up the other members of the board.

SECTION 7. CANVASS OF THE RUNOFF ELECTION.

City Council, as the canvassing authority of the Runoff Election, shall canvass the returns at its scheduled meeting to be held on June 21, 2022 at 6:00 p.m. At the completion of the canvass, the Mayor shall deliver the returns and tally lists used in the canvass to the City Secretary; and the City Secretary shall preserve them for a period in accordance with law.

SECTION 8. NOTIFICATION OF ELECTION AND RETURNS.

The Mayor shall give notice of the Runoff Election in accordance with the terms and provisions of the Election Code and the Seabrook Charter and the Mayor shall issue all necessary orders and writs for said election and returns of said election. A copy of the Notice of Election is attached and made a part of this ordinance as shown in Exhibit A.

SECTION 9. NOTICE.

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.

AND IT IS SO ORDERED.

PASSED AND APPROVED with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on first and final reading, this **17th day of May, 2022.**

Thomas Kolupski, Mayor

ATTEST:

Robin Lenio, TRMC
City Secretary

APPROVED AS TO FORM:

Steve L. Weathered
City Attorney