

**CITY OF SEABROOK
ORDINANCE NO. 2021-05**

**ORDERING THE GENERAL CITY ELECTION
TO BE HELD ON MAY 1, 2021 AND A
JUNE 19, 2021 RUN OFF ELECTION, IF NECESSARY**

AN ORDINANCE CALLING AND ESTABLISHING PROCEDURES FOR THE GENERAL CITY OFFICERS' ELECTION FOR MAYOR AND COUNCIL POSITIONS 2, 4 AND 6 TO BE HELD ON MAY 1, 2021; AND FOR A RUN OFF ELECTION ON JUNE 19, 2021, IF REQUIRED, AND MAKING OTHER PROVISIONS RELATED TO THESE ELECTIONS.

WHEREAS, the laws of the State of Texas provide that on the 1st day of May 2021, there shall be elected the following officials for the City of Seabrook to serve for four-year (4) terms to expire in May 2025:

Mayor	
Council Member	Position 2
Council Member	Position 4; and
Council Member	Position 6.

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

WHEREAS, the Seabrook City Council wishes to proceed with the ordering of the General Election and Runoff Election (if required) and the City Council has determined that holding such election(s) 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 May 1, 2021 General and the June 19, 2021 Runoff Election, if needed;

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

SECTION 1. DATE, TIME AND PLACE OF ELECTIONS ESTABLISHED.

The General Election shall be held on the first floor of Seabrook City Hall, 1700 First Street, Seabrook, Texas on May 1, 2021 from 7:00 a.m. until 7:00 p.m. and the entire City shall constitute one election precinct for said election. The City Council finds that the election herein ordered has been ordered not later than the 78th day before the elections in accordance with the Texas Election Code Section 3.005(c).

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 General and/or Runoff Elections, 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 General Election in accordance with the provisions of the Texas Election Code.

SECTION 3. FILING PERIOD FOR CANDIDATES

All independent candidates at the General Election to be held on May 1, 2021, for Mayor and Council Positions 2, 4 and 6 shall file their applications to become candidates with the City Secretary, or her designee, at 1700 First Street, Seabrook, Texas, beginning Wednesday, January 13, 2021 and ending on Friday, February 12, 2021 at 5:00 p.m. Such applications shall be in accordance with State Law and City Charter.

SECTION 4. 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 5. 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. As 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.

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 by personal appearance shall be held in Seabrook City Hall, 1700 First Street, Seabrook, Texas and shall begin on Monday, April 19 and end on Tuesday, April 27, 2021 as follows:

Monday, April 19 – Tuesday, April 20	7:30 a.m. until 5:00 p.m.
Wednesday, April 21-Thursday, April 22	7:00 a.m. until 7:00 p.m.
Friday, April 23	8:00 a.m. until 5:00 p.m.
Saturday, April 24	9:00 a.m. until 11:00 a.m.
Sunday, April 25	NO EARLY VOTING
Monday, April 26 – Tuesday, April 27	7:30 a.m. until 5:00 p.m.

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 from a voter in person for a ballot to be voted by mail shall be Friday, April 16, 2021 at 5:00 p.m. Applications for early ballots by mail shall be accepted by mail until 5:00 p.m. on Tuesday, April 20, 2021. 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 6. 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 \$16.00 per hour for Election Judges and \$14.00 per hour for Election Clerks.

SECTION 7. 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 8. CANVASS OF THE GENERAL ELECTION.

City Council, as the canvassing authority of the General Election, shall canvass the returns at its scheduled meeting to be held on May 11, 2021 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 9. RUN-OFF ELECTION (IF REQUIRED).

If no candidate receives a majority of votes cast for any position on the ballot, a Runoff Election will be held on Saturday, June 19, 2021 at Seabrook City Hall. The polls shall be open from 7:00 a.m. until 7:00 p.m.

Early voting by personal appearance shall be conducted at Seabrook City Hall during regular office hours (Monday through Thursday from 7:30 a.m. until 5:00 p.m. and on Friday from 8:00 a.m. until 5:00 p.m.) beginning on Monday, June 7, 2021 and ending on Tuesday, June 15, 2021.

Except that early voting by personal appearance shall be held in the Seabrook City Hall, on Monday, June 7, 2021 from 7:00 a.m. until 7:00 p.m. and on Tuesday, June 8, 2021 from 7:00 a.m. until 7:00 p.m.

Applications for early ballots by mail shall be accepted by mail until 5:00 p.m. on Tuesday, June 8, 2021.

The City Council shall canvass the returns of the Runoff Election at a special scheduled meeting to be held on June 29, 2021 at 6:00 p.m.

All other aspects of the Runoff Election on June 19, 2021 shall be conducted in the same manner as the General Election to be held on May 1, 2021.

SECTION 10. NOTIFICATION OF ELECTION AND RETURNS.

The Mayor shall give notice of the General 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 on Exhibit A.

SECTION 11. 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 **2nd day of February, 2021.**

Thomas G. Kolupski
Mayor

ATTEST:

Robin Lenio, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney