
CITY OF PORT LAVACA

CC MEETING: January 09, 2023

DATE: 01-03-23

TO: Jody Weaver, Interim City Manager
cc: Honorable Mayor And City Council Members

FROM: Mandy Grant, City Secretary

SUBJECT: Resolution No. R-010923-1E for Establishing Provisions for conduct for the City of Port Lavaca General Officers Election held on the uniform date of May 06, 2023 and authorizing Mayor to issue Order of Election

BACKGROUND:

Saturday, May 06, 2023, is the uniform date scheduled for the general officer's election. The purpose is for electing the following officers of the City of Port Lavaca, Texas:

- One Council Member, Single District One (1), for a term of 3 years; and
- One Council Member, Single District Three (3), for a term of 3 years; and

Applications for a place on the ballot for these offices may be filed beginning 8:00 a.m. on Wednesday, January 18, 2023 and continuing through Friday, February 17, 2023 at 5:00 p.m.

The last day to register to be eligible to vote in this election is Thursday, April 06, 2023.

The Office of the City Secretary shall perform all duties necessary to conduct the general officer's election.

FINANCIAL IMPLICATIONS:

There are sufficient funds in this fiscal year budgeted for expenses incurred.

IMPACT ON COMMUNITY SUSTAINABILITY:

Elections determine the leadership of our City.

RECOMMENDATION:

Staff recommends approval of Resolution No. R-010923-1E.

ATTACHMENTS:

Resolution No. R-010923-1E.

RESOLUTION NO. R-010923-1E

RESOLUTION ESTABLISHING PROVISIONS FOR CONDUCT OF THE CITY OF PORT LAVACA, TEXAS, GENERAL OFFICERS ELECTION; QUALIFICATIONS FOR OFFICE; VOTES CAST TO BE ELECTED; OFFICE OF THE CITY SECRETARY, OBTAIN ELECTION SUPPLIES AND EQUIPMENT, DESIGNATE POLLING PLACES, DATE AND TIME SCHEDULE FOR EARLY VOTING AND ELECTION DAY; EXECUTE NOTICE OF ELECTION; PUBLICATION; AND ORDERING THE ELECTION

WHEREAS, in accordance with the City Charter of the City of Port Lavaca, the Texas Election Code and other applicable state and federal laws, the City Council of the City of Port Lavaca, Texas hereby finds that a general officers election should be held on Saturday, May 06, 2023.

WHEREAS, in addition to calling and ordering the general officers election, City Council finds it necessary and expedient to establish provisions for the conduct of such election:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:

SECTION 1. THAT, an election shall be held on Saturday, May 06, 2023, which is a uniform election date, in the City of Port Lavaca, Texas, which date is not less than forty-five (45) days from the date of the adoption of this resolution for the purpose of electing the following officers:

- One Council Member, Single District One (1), for a term of 3 years; and
- One Council Member, Single District Three (3), for a term of 3 years; and

SECTION 2. THAT, the Qualifications for Office, per City Charter Article 4.02, are as follows:

- a) In addition to the requirements of state law, at the time of election to office, the Mayor and each member of Council shall be at least twenty one (21) years of age, shall be a United States citizen and qualified voter of the State of Texas, shall have resided in the City for not less than one (1) year immediately preceding the election filing deadline and, if elected from a district, shall have resided in the district from which elected for not less than six (6) months immediately preceding the election filing deadline.
- b) Candidates for office shall make a sworn application for a place on the ballot within the times prescribed by the Texas Election Code, and pay any filing fee established by ordinance. Applications shall designate the position sought and applications for council member shall include the district number, if applicable. It shall be the duty of the Office of the City Secretary of the City of Port Lavaca to place the name of all qualified candidates making timely application on the official ballot. Legal proof of length of residency in the City and/or district must be presented to the Office of the City Secretary upon filing for office.

SECTION 3. THAT, per City Charter, Article 4.03, the candidate receiving a majority of the votes cast for the office sought shall be elected to that office. In the event no candidate receives a majority of the votes cast at the regular election, then and in that event, a run-off election shall be held in accordance with Texas Election Law following procedures therein.

SECTION 4. THAT, the Office of the City Secretary of the City of Port Lavaca shall consist of the City Secretary and/or the Assistant City Secretary and shall perform all duties necessary to conduct the general officer's election.

SECTION 5. THAT, the Office of the City Secretary, is expressly authorized to obtain election supplies and equipment required by law and necessary to conduct such election.

SECTION 6. THAT, such election shall be conducted by the City of Port Lavaca, with Early Voting Days and the Election Day voting to be at the following polling place designated for each City election district:

<u>DISTRICT NUMBER</u>	<u>POLLING PLACE</u>
District One	City of Port Lavaca City Hall – Main Lobby 202 N. Virginia Street
District Two	City of Port Lavaca City Hall – Main Lobby 202 N. Virginia Street
District Three	City of Port Lavaca City Hall - Main Lobby 202 N. Virginia Street
District Four	City of Port Lavaca City Hall - Main Lobby 202 N. Virginia Street
District Five	City of Port Lavaca City Hall - Main Lobby 202 N. Virginia Street
District Six	City of Port Lavaca City Hall -Main Lobby 202 N. Virginia Street

SECTION 7. THAT, Early Voting Days and extended hours to vote on a Saturday shall be conducted during the following schedule in 2023:

Monday	April	24	from	8:00	a.m.	to	5:00	p.m.
Tuesday	April	25	from	7:00	a.m.	to	7:00	p.m.
Wednesday	April	26	from	8:00	a.m.	to	5:00	p.m.
Thursday	April	27	from	7:00	a.m.	to	7:00	p.m.
Friday	April	28	from	8:00	a.m.	to	5:00	p.m.
Saturday	April	29	from	9:00	a.m.	to	2:00	p.m.
Monday	May	01	from	8:00	a.m.	to	5:00	p.m.
Tuesday	May	02	from	8:00	a.m.	to	5:00	p.m.

Early voting by personal appearance shall be conducted during the regular business hours of the Office of the City Secretary each week day from 8:00 a.m. until 5:00 p.m., except for the second and fourth days of the early voting period by personal appearance. On the second and fourth days of early voting by personal appearance, the Office of the City Secretary's regular business hours are hereby designated as 7:00 a.m. until 7:00 p.m. In addition, there will be extended hours of the early voting period by personal appearance held on a Saturday from 9:00 a.m. until 3:00 p.m.

SECTION 8. THAT, Election Day Voting shall be conducted during the following date and time:

Saturday	May	06	from	7:00	a.m.	to	7:00	p.m.
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SECTION 9. THAT, Notice of the election, including a Spanish translation thereof, shall be posted at City Hall and published in a local newspaper as provided by the Home Rule Charter of the City of Port Lavaca, the Texas Election Code and/or other state and federal law, and the Mayor, or his designee, is hereby authorized and directed to execute such Notice together with an Order calling such election.

SECTION 10. THAT, should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION 11. THAT, this resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED by the City Council of the City of Port Lavaca, this 9th day January, 2023.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

ORDER OF ELECTION FOR MUNICIPALITIES

An election is hereby ordered to be held on Saturday, May 06, 2023, for the purpose of electing the following officers of the City of Port Lavaca, Texas:

- One Council Member, Single District One (1), for a term of 3 years; and
- One Council Member, Single District Three (3), for a term of 3 years; and

Early voting by personal appearance shall be conducted at the:

City of Port Lavaca – City Hall – Main Lobby
202 N. Virginia Street
Port Lavaca, Texas 77979

The Early Voting Days and extended hours to vote on a Saturday shall be conducted during the following schedule in 2023:

Monday	April	24	from	8:00	a.m.	to	5:00	p.m.
Tuesday	April	25	from	7:00	a.m.	to	7:00	p.m.
Wednesday	April	26	from	8:00	a.m.	to	5:00	p.m.
Thursday	April	27	from	7:00	a.m.	to	7:00	p.m.
Friday	April	28	from	8:00	a.m.	to	5:00	p.m.
Saturday	April	29	from	9:00	a.m.	to	2:00	p.m.
Monday	May	01	from	8:00	a.m.	to	5:00	p.m.
Tuesday	May	02	from	8:00	a.m.	to	5:00	p.m.

Applications for ballot by mail shall be mailed to:

Mandy Grant, City Secretary
City of Port Lavaca
202 N. Virginia Street
Port Lavaca, Texas 77979

The last day to request applications for ballots by mail, MUST be received no later than the close of business, at 5:00 p.m., on Tuesday, April 25, 2023.

APPROVED AND ADOPTED by the City Council of the City of Port Lavaca,
this 9th day January, 2023.

Jack Whitlow, Mayor

Jerry Smith, Councilman Dist. #1

Tim Dent, Councilman Dist. #2

Allen Tippit, Councilman Dist. #3

Rosie Padron, Councilwoman Dist. #4

Jim Ward, Councilman Dist. #5

Kenneth Barr, Councilman Dist. #6

Note: A copy of this election order must be delivered to the County Clerk/Elections Administrator and Voter Registrar not later than sixty (60) days before Election Day.

ORDEN DE ELECCION PARA MUNICIPIOS

Por la presente se ordena que se llevará a cabo una elección el Sabado, 6 de Mayo de 2023, con el propósito de electar los siguientes oficiales de la Ciudad de Port Lavaca, Tejas:

- *Un Miembro del Consejo, único distrito # 1, por un plazo de 3 años*
- *Un Miembro del Consejo, único distrito # 3, por un plazo de 3 años*

La votación adelantada en persona se llevará a cabo de Lunes a Viernes en:

*Ciudad de Port Lavaca – en la Alcaldia
202 N. Virginia Street
Port Lavaca, Texas 77979*

Los días de votación adelantada en persona y las horas extendidas para votar durante un sábado se llevarán a cabo durante lo siguiente en 2023:

<i>Lunes</i>	<i>Abril</i>	<i>24</i>	<i>de las</i>	<i>8:00</i>	<i>a.m.</i>	<i>hasta</i>	<i>5:00</i>	<i>p.m.</i>
<i>Martes</i>	<i>Abril</i>	<i>25</i>	<i>de las</i>	<i>7:00</i>	<i>a.m.</i>	<i>hasta</i>	<i>7:00</i>	<i>p.m.</i>
<i>Miercoles</i>	<i>Abril</i>	<i>26</i>	<i>de las</i>	<i>8:00</i>	<i>a.m.</i>	<i>hasta</i>	<i>5:00</i>	<i>p.m.</i>
<i>Jueves</i>	<i>Abril</i>	<i>27</i>	<i>de las</i>	<i>7:00</i>	<i>a.m.</i>	<i>hasta</i>	<i>7:00</i>	<i>p.m.</i>
<i>Viernes</i>	<i>Abril</i>	<i>28</i>	<i>de las</i>	<i>8:00</i>	<i>a.m.</i>	<i>hasta</i>	<i>5:00</i>	<i>p.m.</i>
<i>Sabado</i>	<i>Abril</i>	<i>29</i>	<i>de las</i>	<i>9:00</i>	<i>a.m.</i>	<i>hasta</i>	<i>2:00</i>	<i>p.m.</i>
<i>Lunes</i>	<i>Mayo</i>	<i>01</i>	<i>de las</i>	<i>8:00</i>	<i>a.m.</i>	<i>hasta</i>	<i>5:00</i>	<i>p.m.</i>
<i>Martes</i>	<i>Mayo</i>	<i>02</i>	<i>de las</i>	<i>8:00</i>	<i>a.m.</i>	<i>hasta</i>	<i>5:00</i>	<i>p.m.</i>

Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:

*Mandy Grant, Secretaria de la Ciudad
Ciudad de Port Lavaca – en la Alcaldia
202 N. Virginia Street
Port Lavaca, Texas 77979*

El ultimo dia de las solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio, las 5:00 de la tarde, el Martes, 25 de Abril de 2023.

APROBADO y adoptado por el Consejo de la ciudad de Port Lavaca, Tejas, este día 9 de Enero de 2023.

Jack Whitlow, Alcalde

Jerry Smith, Consejo Distrito #1

Tim Dent, Consejo Distrito #2

Allen Tippit, Consejo Distrito #3

Rosie Padron, Consejo Distrito #4

Jim Ward, Consejo Distrito #5

Kenneth Barr, Consejo Distrito #6

Nota: Se deberá entregar una copia de esta orden de elección al/a la Secretario(a) del Condado/Administrador(a) de Elecciones y el/la Registrador(a) de Votantes a más tardar sesenta (60) días antes del día de elección.