

ORDINANCE NO. 15,470

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, ORDERING THE MUNICIPAL ELECTION TO BE HELD ON THE 7th DAY OF NOVEMBER, 2023, FOR THE PURPOSE OF ELECTING COUNCIL MEMBERS FOR COUNCIL DISTRICTS FOUR (4), FIVE (5) AND SIX (6) OF THE CITY OF BAYTOWN; DESIGNATING THE PLACES AND MANNER OF HOLDING SAID ELECTION; PRESCRIBING THE HOURS; ESTABLISHING THE CENTRAL COUNTING STATION; PROVIDING FOR AN EARLY VOTING BALLOT BOARD FOR EARLY BALLOTS; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, pursuant to Article II, Section 12 of the Charter of the City of Baytown, Texas, Ordinance No. 11,718, Resolution No. 2159, the Texas Election Code and the Order of the Court in *Campos, et al. v. City of Baytown, et al.*, providing for the manner of election and the term of office of the members of the City Council of the City of Baytown, the City Council herein calls its municipal election to be held on the 7th day of November, 2023; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That the regular municipal election of the City of Baytown, as prescribed in Article II, Section 12 of the Charter of the City of Baytown, Ordinance No. 11,718, Resolution No. 2159, and Sections 41.001 and 41.031 of the Texas Election Code, shall be held between the hours of seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m. on the 7th day of November, 2023, in the City of Baytown, Texas, for the purpose of electing the following members of the City Council:

Council Member from District No. Four (4),
Council Member from District No. Five (5), and
Council Member from District No. Six (6).

Section 2: That one Council Member shall be elected from each of the following single member election districts:

District No. Four (4),
District No. Five (5), and
District No. Six (6),

by a majority vote, that said districts are as established, defined and outlined in Ordinance No. 11,718, and subsequent ordinances adding newly annexed territories to the proper council districts. Each council member elected from a district shall be a bona fide resident of the district to be represented.

Section 3: That the qualifications of a council member shall be as follows:

- a citizen of the United States of America;
- a qualified voter of the City;
- have resided for at least six months next preceding the election within the district from which he/she was elected; and
- meet such other requirements as set forth in Chapter 141 of the Texas Election Code.



Section 4: That any eligible and qualified person may have his/her name printed upon the official ballot as an independent candidate for the office of Council Member from his/her respective district by filing a sworn application with the City of Baytown Mayor's designee, the City Clerk, no later than August 21, 2023. The form of the sworn application for the candidates for the office of Council Member shall be as set forth by Section 141.031 of the Texas Election Code.

Section 5: That the form of the ballot for said election shall be substantially as follows:

OFFICIAL BALLOT

FOR COUNCIL MEMBER DISTRICT NO.

(Appropriate District No. to be completed for each ballot)

Section 6: That any person eligible for the office of Council Member who has filed his/her own sworn application in accordance with the provisions of this ordinance shall have his/her name printed on the official ballot. Any such person may cause his/her name to be withdrawn by filing, in writing, with the City of Baytown Mayor's designee, the City Clerk, a request to that effect over his/her own signature, duly attested to by a Notary Public no later than 5:00 p.m., Monday, August 28, 2023. No names so withdrawn shall be printed on the ballot.

Section 7: That should a run-off election be necessary, the run-off election, pursuant to Sections 41.001 and 41.031 of the Texas Election Code, shall be held on (i) the same date and time that Harris and/or Chambers Counties hold their run-off elections or (ii) if Harris and/or Chambers Counties do not hold a run-off election, the run-off election will be held on a date to be determined by the Texas Secretary of State, between the hours of seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m., in the City of Baytown, Texas.

Section 8: That the election called in Section 1 hereof shall be held as a joint election with Harris County and Chambers County pursuant to the joint election agreement to be entered into with each such county.

Section 9: That the City shall use the polling places along with election officials for the municipal election ordered in Section 1 hereof as designated by Harris County and Chambers County.

Section 10: Direct recording electronic (DRE) equipment shall be used for voting at the designated election precincts, and electronic counting devices and equipment shall be used for counting the ballots at the election.

Section 11: Each qualified voter who desires to cast an early vote shall be entitled to an official ballot and the right to cast such ballot in accordance with the provisions of the Texas Election Code. Early voting will be conducted by the Early Voting Clerks at the places designated by Harris County and Chambers County. Direct recording electronic (DRE) equipment shall be used for early voting by personal appearance. Early voting by personal appearance shall commence on October 23, 2023, and end on November 3, 2023, in accordance with the schedules adopted by Harris and Chambers Counties.

Direct recording electronic (DRE) equipment shall be used for early voting by mail in Harris County and Chambers County. Applications for ballots to be voted by mail may be delivered as follows:

HARRIS COUNTY

Harris County Elections Administrator
Attention: Elections Division
P.O. Box 1148
Houston, TX 77251-1148

Common or Contract Carrier:
Harris County Elections Administrator
Attention: Elections Division
1001 Preston, 4th Floor
Houston, TX 77002

For Information
Call: (713) 755-6965
Email: ybm@harrisvotes.com
Webpage: harrisvotes.com

CHAMBERS COUNTY

Heather H. Hawthorne
Early Voting Clerk
P.O. Box 728
Anahuac, TX 77514

Common or Contract Carrier:
Chambers County Clerk
404 Washington Ave.
Anahuac, TX 77514

For Information:
Call: (409) 267-8405
Email: hhawthorne@chamberstx.gov
Webpage: co.chambers.tx.us/page/countyclerk

Note: Applications for Ballots by Mail (ABBM)s and Applications for Federal Post Card Applications (FPCAs) must be received no later than the close of business on Friday, October 27, 2023.

Section 12: The Central Counting Stations to receive and tabulate voted ballots shall be at the locations designated by Harris and Chambers Counties.

Section 13: That the general municipal election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. In the municipal election, the Mayor and the City Clerk of the City of Baytown shall do and perform each act as required to be done and performed respectively by the County Judge and the County Clerk of the Commissioners Court. The notice of this election shall be given by posting a substantial copy of this election ordinance at City Hall and at three other places in the City, not later than the 21st day prior to the date set for the election; and a substantial copy of this election ordinance also shall be published once in a newspaper of general circulation published in the City, the date of the first publication to be not more than 30 days and not less than 10 days prior to the date set for the election. Notice of the Election shall also be provided to the Harris County Clerk and Chambers County Clerk not later than the 60th day before the date of the election ordered herein.

Section 14: The City Clerk is further authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the Texas Election Code.

Section 15: In all matters relating to the ordering, giving notice, and holding the election, the City shall comply with the applicable parts of the Texas Election Code, including particularly Chapter 272 of the Texas Election Code pertaining to bilingual requirements, and the Federal Voting Rights Act of 1965, as amended.

Section 16: This ordinance shall take effect immediately from and after its passage by the City Council of the City of Baytown, Texas.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown on this the 8th day of June, 2023.

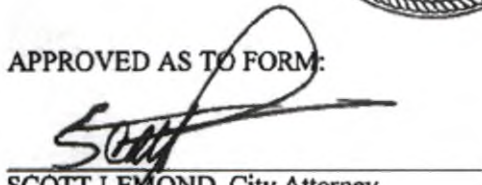

BRANDON CAPETILLO, Mayor

ATTEST:


ANGELA JACKSON, City Clerk



APPROVED AS TO FORM:


SCOTT LEMON, City Attorney

FILED FOR RECORD IN:
Chambers County
On: 7/14/2023 8:19:07 AM
Doc Number: 2023-6225
Number of Pages: 4
Amount: 0.00
Order#: 20230714000004
By: PR



Heather H. Hawthorne, County Clerk

Recorded: 