

ORDINANCE NO. 2023 - 01

AN ORDINANCE CALLING AN ELECTION FOR THE CITY OF BRAZOS COUNTRY, TEXAS, TO BE HELD ON SATURDAY, THE 6th DAY OF MAY, 2023, FOR THE PURPOSE OF ELECTING CITY OFFICIALS, APPOINTING ELECTION OFFICIALS, PROVIDING FOR EARLY VOTING, AND PROVIDING FOR NOTICE OF SAID ELECTION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRAZOS COUNTRY, TEXAS:

1. That the Mayor of the City of Brazos Country, with the concurrence of the City Council, pursuant to the *Texas Election Code*, Section 3.005, does hereby call an election for the City of Brazos Country, to be held on Saturday, the 6th day of May, 2023, for the purpose of electing City officials of the City of Brazos Country, to wit:

Mayor

Two Aldermen at Large

All applications for a place on the ballot must be filed with the City Secretary of the City of Brazos Country commencing on the 18th day of January, 2023, and no later than 5:00 p.m. on the 17th day of February, 2023, in compliance with the *Texas Election Code*, Section 143.007(a). The City Council finds that the election herein ordered has been ordered not later than the 78th day before the election in accordance with the *Texas Election Code*, Section 3.005.

2. That the Mayor and/or City Secretary of the City of Brazos Country are hereby authorized to execute and/or issue, for and on behalf of the City, such orders, documents and forms as may from time to time be promulgated by the Secretary of State of the State of Texas in conjunction with the election herein ordained.

3. That the following voting precinct is hereby established as the voting precinct in the City of Brazos Country, Texas, and the balloting place for such election for all qualified voters living therein shall be at the following place:

329 Pecan Grove

4. That the City Secretary of the City of Brazos Country is hereby appointed as the Presiding Officer of said election.

5. That early voting shall be conducted by mail or by personal appearance at Brazos Country City Office, 329 Pecan Grove, in the City of Sealy, Texas, subject to change, at such times and under the procedures as provided for in Title 7 of the *Texas Election Code*.

Applications for ballot by mail shall be mailed to:

Mary Lou Craig, City Secretary
Early Voting Clerk
329 Pecan Grove
Sealy, Texas 77474

6. That in full compliance with the *Texas Election Code*, Section 4.002, the Mayor of the City shall have authority and is required to give notice of this election; and notice may be properly given in one of the following ways:

- a. By publishing the notice at least once, not earlier than the 30th day or later than the 10th day before the election, in a newspaper of general circulation or the official newspaper of the City; or
- b. By posting, not later than 21 days before the election, a copy of the notice at a public place in each election precinct that is in the City of Brazos Country; or
- c. By mailing, not later than the 10th day

before the election, a copy of the notice to each registered voter of the City.

In addition to the notice as herein previously provided, not later than the 21st day before the election, the Mayor of the City shall post a copy of the notice of the election on the bulletin board used for posting notices of the meetings of the governing body of the City.

7. That the notice as herein required shall provide a statement as to the nature and date of the election, the location of each polling place and the hours the polls will be open, and shall be signed by the Mayor; and an appropriate record of the notice signed by the Mayor and an appropriate record of the notice requirements shall be maintained in accordance with the *Texas Election Code*, Section 4.005.

8. That voting at the election, including early voting, shall be by the use of paper ballots which shall be printed and arranged pursuant to the standards provided for in Title 7 and Title 8 of the *Texas Election Code* and the *ES&S AutoMARKtm voting system*.

9. That the City Council of the City of Brazos Country authorizes and directs appropriate officers of the City to take such appropriate action as shall be deemed necessary to ensure that all persons qualified to vote are afforded the opportunity to do so and that all Election Judges or Alternate Election Judges are assisted in any manner that they may request.

10. That pursuant to the provisions of Chapter 87 of the *Texas Election Code*, an Early Voting Ballot Board is created, which shall consist of the City Secretary as Presiding Judge and all Presiding and Alternate Judges appointed, which the City Council finds to be at least the minimum number necessary to meet the requirements of law. The

Early Voting Ballot Board shall perform such functions and shall have such duties as are provided for by the *Texas Election Code*. In addition, the counting station for all ballots cast in such election shall be operated by the Presiding and Alternate Judges of the precinct and such Clerks of the precinct as shall be necessary to count the ballots and to prepare the election returns in accordance with the provisions of Chapter 65 of the *Texas Election Code*.

11. That the City Council of the City, as the canvassing authority of this election, pursuant to the provisions of the *Texas Election Code*, Section 67.003, does hereby call a meeting to be held on the 8th day of May, 2023, at 7:00 p.m. at 329 Pecan Grove, Sealy, Texas, for the purpose of canvassing the returns of the election, said meeting to occur not earlier than the second day nor later than the sixth day after the election, at which time the City Secretary shall deliver the sealed returns to the City Council. In public session, the City Council shall open the returns and canvass the same by preparing a tabulation for each candidate, the total received; and a tabulation, as a separate document or as a part of the local election register, shall be made; and the returns shall be compared with the correspondent tally list, and in the event a discrepancy is discovered between the vote totals shown on the returns and those shown on the tally list, the Presiding Judge of the precinct shall examine the returns and the tally list and make necessary corrections on the returns. At the completion of the canvass, the Mayor shall deliver the precinct 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.

PASSED, APPROVED, and ADOPTED on this the 19th day of January, 2023.



Albert A. Sykes, Mayor

ATTEST:



Mary Lou Craig, City Secretary

