

ORDINANCE NO. 2831

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF KATY, TEXAS, FOR THE 5TH DAY OF MAY, 2018, FOR THE PURPOSE OF ELECTING ONE COUNCILMEMBER AT LARGE, ONE COUNCILMEMBER FROM WARD A AND ONE COUNCILMEMBER FROM WARD B AND OTHER MATTERS RELATING TO SAID ELECTION.

WHEREAS, the City Charter of the City of Katy, Texas, provides for the holding of a regular election for city officers to be held annually, and

WHEREAS, the City Charter provides in odd numbered years there shall be elected one Councilmember At Large, one Councilmember from Ward A and one Councilmember from Ward B, and

WHEREAS, the terms of one Councilmember At Large, one Councilmember from Ward A and one Councilmember from Ward B, expire in 2020, NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KATY, TEXAS, THAT:

Section 1. The matters and facts recited in the preamble of this Ordinance are found to be correct and are incorporated herein; all acts and conditions required to be done precedent to the calling of the hereinafter mentioned regular election have been properly done.

Section 2. In accordance with the City's Charter, the general laws and the Constitution of the State of Texas, a Regular City Officers' Election is hereby called and ordered for the first Saturday in May, 2018, the same being the 5th day of said month, at which election all qualified voters of the City may vote for the purpose of electing one Councilmember At Large, one Councilmember from Ward A, and one Councilmember from Ward B. Said Councilmembers shall serve for two (2) year terms.

Section 3. No person's name shall be placed upon the official ballot as a candidate for Councilmember unless such person has filed his or her sworn application, as provided by Section 141.031 of the TEXAS ELECTION CODE, with the City Secretary of this City at Katy City Hall, located at 901 Avenue C, Katy, Texas 77493, not later than five o'clock (5:00) p.m. on the seventy-first (71st) day before the date of such election. The City Secretary shall note on the face of each such application the date and time of its filing.

Section 4. The present boundaries of the City shall constitute two election precincts of the City (being the two Wards of the City heretofore established and declared by natural or artificial boundaries or survey lines by order adopted by the City Council of the City and duly set out in its minutes). The polls shall be open on Saturday, May 5, 2018 for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling places and the following are hereby appointed officers to conduct the election at said polling places:

<u>Precinct/ Ward No.</u>	<u>Polling Place</u>	<u>Election Officials</u>
WARD A	Katy City Hall 901 Avenue C Katy, Texas 77493	Phillip Sommerfeld Presiding Judge 6107 T Street Katy, Texas 77493 Elda Suarez Alternate Judge 1901 Airline Drive Katy, Texas 77493
WARD B	Katy Municipal Court Bldg. 5432 Franz Road Katy, Texas	Debbie B. Ousley Presiding Judge 1606 Airline Katy, Texas 77493 Barbara L. Allen Alternate Judge 1409 Drexel Katy, Texas 77493

Each Presiding Judge shall appoint three qualified voters who are residents of their respective Ward to serve as clerks and shall appoint as many additional clerks as they deem necessary for proper conduct of the election in said ward, not to exceed the maximum number of six. Each Presiding Judge, Assistant Presiding Judge and Clerk shall receive the sum of \$10.00 per hour for up to 15 hours for serving as Presiding Judge, Assistant Presiding Judge or Clerk. Each Presiding Judge shall receive \$25.00 in addition to such hourly sum. Precinct/Ward total reports shall be delivered to a central counting station, by the Presiding Judge, hereby declared to be the Katy City Hall, 901 Avenue C, Katy, Texas.

Melissa A. Bunch is hereby appointed Programmer to supervise the operation of the direct recording electronic system including the tally system.

Melissa A. Bunch is hereby appointed Manager of the central counting station.

Otis M. Sadler, whose address is 2637 Carson, Katy, Texas 77493, is hereby appointed Tabulation Supervisor.

Jim Lipka, whose address is 2628 Hackberry, Katy, Texas 77493, is hereby appointed Presiding Judge for the central counting station. is hereby appointed as Alternate Presiding Judge for the central counting station.

The Manager of the central counting station and Presiding Judge for the central counting station shall each appoint as many additional clerks as they deem necessary for the proper conduct of their office, not to exceed two each. Each clerk so appointed shall be entitled to compensation at \$10.00 per hour and entitled to a minimum of three hours pay regardless of the number of hours worked. The Tabulation Supervisor for the central counting station shall be entitled to compensation of \$120.00.

The Presiding Judge for the central counting station shall be paid at the same rate and in the same manner as the other

presiding judges of this election, except that said Presiding Judge shall be entitled to a minimum of five (5) hours regardless of the number of hours worked.

Section 5. It is hereby determined by the City Council that voting in said election be by eSlate Direct Record Electronic Voting System, the use of which shall conform to the requirements of the Texas Election Code, as amended, and shall have printed upon the ballot the names of the candidates who shall seek the respective offices, as follows:

OFFICIAL BALLOT

Vote for the candidate of your choice in each race by turning the Select Wheel to highlight your choice and pressing "enter."

COUNCILMEMBER AT LARGE	[]	_____
	[]	_____
COUNCILMEMBER WARD "A"	[]	_____
	[]	_____
COUNCILMEMBER WARD "B"	[]	_____
	[]	_____

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary, as provided by Section 52.094 of the TEXAS ELECTION CODE. The City Secretary shall post a notice of the date, hour, and place of drawing. Such notice shall remain posted continuously for seventy-two (72) hours immediately preceding the scheduled time of the drawing, and personal notice shall also be given to any candidate who makes written request for such notice and furnishes to the City Secretary a self-addressed, stamped envelope. Each candidate involved in the drawing, or a

representative designated by him/her, shall have a right to be present and observe the drawing.

Section 6. Early voting shall be conducted by Melissa A. Bunch, City Secretary, who is hereby appointed Early Voting Clerk, and the place at which the early voting shall be conducted, which is hereby designated as the Main Early Voting Polling Place in the office of the City Secretary in Katy City Hall, 901 Avenue C, Katy, Texas 77493. Ballot applications and ballots voted by mail should be sent to P.O. Box 617, Katy, Texas 77492. Said Early Voting Clerk shall keep said office open for early voting during the hours the City Secretary's main business office is regularly open for business and on the weekdays of the early voting period. The period for early voting as prescribed in the Texas Election Code, Section 85.001 (e), is as follows:

EARLY VOTING POLLING PLACE

Katy City Hall
901 Avenue C
Katy, Texas 77493

The dates and times of early voting period at the early voting location are:

MONDAY ... APRIL 23, 2018. 8:00 A.M. - 5:00 P.M.
TUESDAY .. APRIL 24, 2018. 8:00 A.M. - 5:00 P.M.
WEDNESDAY APRIL 25, 2018. 8:00 A.M. - 5:00 P.M.
THURSDAY . APRIL 26, 2018. 8:00 A.M. - 5:00 P.M.
FRIDAY ... APRIL 27, 2018. 8:00 A.M. - 5:00 P.M.
MONDAY ... APRIL 30, 2018. 7:00 A.M. - 7:00 P.M.
TUESDAY .. MAY 1, 2018. 7:00 A.M. - 7:00 P.M.

In compliance with Texas Election Code Section 85.005(d), the Early Voting Place shall be opened at 7:00 o'clock a.m. and closed at 7:00 o'clock p.m., on each of the last two days of the early

voting period, to-wit: Monday, the 27th day of April, 2018 and Tuesday, the 2nd day of May, 2018.

The City Secretary may, by written order, appoint Temporary Early Voting Clerk Deputies from among those persons serving as Assistant City Secretary. Early voting in said election shall be by eSlate Direct Record Electronic Voting System, the use of which shall conform to the requirements of the Texas Election Code, as amended, and shall have upon the ballot the names of the candidates who shall seek the respective offices, as follows:

OFFICIAL BALLOT

Vote for the candidate of your choice in each race by turning the Select Wheel to highlight your choice and pressing "enter."

COUNCILMEMBER AT LARGE	[]	_____
	[]	_____
COUNCILMEMBER WARD "A"	[]	_____
	[]	_____
COUNCILMEMBER WARD "B"	[]	_____
	[]	_____

Section 7. There is hereby created an Early Voting Ballot Board to process early voting results as provided in Texas Election Code Section 87.001. David Minze, 2006 Legends Way, Katy, Texas 77493, is hereby appointed to serve as the Judge of the Early Voting Ballot Board and shall appoint from among the qualified voters two persons to serve as Early Voting Ballot Board Members. The Presiding Judge and members for the Early Voting Ballot Board shall be paid at the same rate and in the same manner as the presiding judges of this election, except that said Judge and members of the Early Voting Ballot Board shall be entitled to

a minimum of three (3) hours regardless of the number of hours worked.

Section 8. All election judges and clerks, early voting clerks and deputy early voting clerks shall be compensated for attending election training programs at an hourly rate equal to the hourly rate herein set out for the performance of their duties.

Section 9. (a) All of the duly qualified voters who reside within the corporate limits of the City of Katy, Texas, shall be qualified to vote in this election. (b) Candidates for the offices of Councilmember to be filled in the regular election hereby called may begin filing for a place on the ballot Wednesday, January 17, 2018. The deadline for filing is 5:00 o'clock p.m., Friday, February 16, 2018.

Section 10. Notice of said election shall be given by posting and publication as set out in the Texas Election Code and the Katy City Charter.

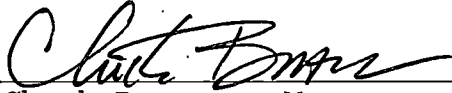
Section 11. Any candidate receiving a majority of all the votes for the office for which said person is a candidate shall be elected to such office. In the event of a tie or in the event no candidate receives a majority of all the votes cast for any one or more of the respective offices, the Council shall, immediately upon declaring the official results of the election, issue a call for a run-off election for every place to which no one was elected, to be held not earlier than the 20th day or later than the 45th day after the date the final canvass of the election is completed. In such run-off election the two candidates, who in the preceding election received the highest number of votes for each place to which no one was elected, shall be voted on again, and the candidate who receives the majority of the votes cast for each such place in the run-off election shall be elected to such place.

Section 12. The City Secretary shall publish and print election and voting notices, instructions and all other election materials and information, including ballots in the Spanish language as required by the Voting Rights Act. The City Secretary is authorized to employ the services of qualified persons as translators.

Section 13. The City Secretary is hereby authorized and directed to provide a copy of this Ordinance to each judge as written notice of the appointment as required by Section 32.009 of the TEXAS ELECTION CODE.

PASSED AND APPROVED this 22nd day of January, 2018.

CITY OF KATY, TEXAS

By: 
Chuck Brawner, Mayor

ATTEST:


Becky L. McGrew, Assistant City Secretary

APPROVED


Art Pertile, III, City Attorney