

**CITY OF SANTA FE
RESOLUTION NO. 2024-03**

On this the 8th day of February, 2024, the City Council of the City of Santa Fe, Texas, convened in regular session, open to the public, with the following members present, to wit:

Bill Pittman, MAYOR
Ronald "Bubba" Jannett, COUNCILMEMBER
John Dickerson, COUNCILMEMBER
Dana Marks, COUNCILMEMBER

And the following absent: MAYOR PRO TEM Brandon Noto, excused
 COUNCILMEMBER Jason O'Brien, excused

constituting a quorum, and among other proceedings had were the following:

In accordance with Sections 3.004 and 3.005 of the Election Code, the City Council issues the following Election Order:

WHEREAS, Councilmember Brandon Noto resigned from Council Position 1, tendered January 17, 2024, through filing to run for Mayor of Santa Fe; and

WHEREAS, the laws and Constitution of the State of Texas requires a vacancy for a City Council term exceeding 2 years but not exceeding 4 years to be filled by a special election within 120 days of the vacancy; and

WHEREAS, the next available uniform election date is May 4, 2024, necessitating that the special election be held on that date; and

WHEREAS, the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, an order should be passed establishing the procedures to be followed in said election, and designating the judges and clerks and the voting places for said election.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA FE, TEXAS, THAT:

Section 1. A special city officer election is hereby ordered to be held on May 4, 2024, for the purpose of electing a councilmember to Council Position 1, for an unexpired term to expire May 2025, to fill the vacancy created by the resignation of Councilmember Brandon Noto.

Section 2. Voting will be held at Santa Fe City Hall, 12002 Highway 6, Santa Fe, Texas, and at any other county-wide vote center polling location as may be established through an election agreement with Galveston County. The polls on election day shall be open from 7:00 a.m. to 7:00 p.m. Early voting will be conducted from 8:00 a.m. to 5:00 p.m. on weekdays beginning on April 22, 2024 and continuing through April 26, 2024. Extended hours for early voting will be conducted for at least 12 hours on two weekdays during the early voting period, in accordance with

least 12 hours on two weekdays during the early voting period, in accordance with Section 85.005(d) of the Election Code. These extended days are designated as April 29, 2024 and April 30, 2024, and voting will be conducted from 7:00 a.m. to 7:00 p.m. on those days.

Section 3. Applications for a ballot by mail may be sent to the Galveston County Chief Deputy Clerk for Elections, P. O. Box 17253, Galveston, Texas 77552-7253. Applications for an early voting ballot to be voted by mail must be received no later than April 23, 2024.

Section 4. In accordance with Section 83.005 of the Election Code, the City Secretary shall serve as the early voting clerk and may appoint one or more deputy early voting clerks in accordance with Section 83.032 and 83.034 of the Election Code. City employees appointed as deputy early voting clerks shall serve without additional compensation.

Section 5. The City intends to enter into a Contract for Election Services with Dwight D. Sullivan, Galveston County Clerk, and the County Election Officer for Galveston County to provide various services for this election, including without limitation, procuring and distributing election supplies, procuring and paying election judges and clerks for early voting polling places and for election day, procuring early voting and election day polling places, providing equipment, programming the ballot, providing overall supervision of the election, conducting early voting, and providing other related services. Galveston County Clerk Dwight Sullivan or his designee shall serve as the Presiding Judge of the central counting station.

Section 6. At least one accessible voting system will be made available in each polling place, in accordance with Section 61.012 of the Election Code. The system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot.

Section 7. All independent candidates at the election to be held on May 4, 2024, for the above-mentioned offices shall file their applications to become candidates with the City Secretary of the City of Santa Fe at 12002 Hwy. 6, P. O. Box 950, Santa Fe, Texas, 77510-0950 no sooner than January 17, 2024, and no later than February 16, 2024 at 5:00 p.m.

All of said applications shall be in compliance with Section 141.031 of the Election Code:

- (a) A candidate's application for a place on the ballot that is required by this code must:
 - (1) Be in writing;
 - (2) Be signed and sworn to by the candidate and indicate the date the candidate swears to the application;
 - (3) Be timely filed with the appropriate authority; and
 - (4) Include:
 - (a) the candidate's name;
 - (b) the candidate's occupation;

- (c) the office sought, including any place number or other distinguishing number;
 - (d) an indication of whether the office sought is to be filled for a full or unexpired term if the office sought and another office to be voted on have the same title but do not have place numbers or other distinguishing numbers;
 - (e) a statement that the candidate is a United States citizen;
 - (f) a statement that the candidate has not been determined by a final judgment of a court exercising probate jurisdiction to be:
 - (i) totally mentally incapacitated; or
 - (ii) partially mentally incapacitated without the right to vote;
 - (g) a statement that the candidate has not been finally convicted of a felony from which the candidate has not been pardoned or otherwise released from the resulting disabilities;
 - (h) the candidate's date of birth;
 - (i) the candidate's residence address or, if the residence has no address, the address at which the candidate receives mail and a concise description of the location of the candidate's residence;
 - (j) the candidate's length of continuous residence in the state and in the territory from which the office sought is elected as of the date the candidate swears to the application;
 - (k) the statement: "I, _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the constitution and laws of the United States and of the State of Texas";
 - (l) a statement that the candidate is aware of the nepotism law, Chapter 573, Government Code
 - (m) a public mailing address at which the candidate receives correspondence relating to the candidate's campaign, if available, and an electronic mail address at which the candidate receives correspondence relating to the candidate's campaign, if available.
- (a-1) a person who has been convicted of a felony shall include in the application proof that the person is eligible for public office under Section 141.001(a)(4).
- (b) Instead of the statement required by Subsection (a)(4)(f), a candidate eligible for office because of Section 1.020(a) shall include in the application a statement that the person's mental capacity has been completely restored by a final judgment of a court.
 - (c) Instead of the statement required by Subsection (a)(4)(f), a candidate eligible for office because of Section 1.020(b) shall include in the application a statement that the person's guardianship has been modified to include the right to vote or the person's mental capacity has been completely restored, as applicable, by a final judgment of a court.

- (d) The secretary of state may prescribe a different form for an application for a place on the ballot for each of the following:
- (1) an office of the federal government;
 - (2) an office of the state government; or
 - (3) an office of a political party.


Section 8. The City Secretary is hereby authorized and directed to publish and post, in the time and manner prescribed by law, all notices required to be published and posted in connection with the conduct of this election. 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 in Section 52.094 of the Election Code.

Section 9. The Mayor shall give notice of this election in accordance with the provisions of Chapter 4 of the Election Code. The returns of said election shall be made in accordance with Chapter 65 of the Election Code, and such returns shall be canvassed in accordance with Chapter 67 of the Election Code.

Section 10. Applications for a place on the May 4, 2024 special election ballot shall be received no later than 5:00 p.m. on February 16, 2024.

Section 11. It is further found and determined that in accordance with this order, the City Secretary posted written notice of the date, place, and subject of this meeting at Santa Fe City Hall, 12002 Hwy 6, Santa Fe, Texas, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting.

PASSED, APPROVED, AND ADOPTED this 8th day of February, 2024.


BILL PITTMAN, MAYOR

ATTEST:


Natalie N. Arnett, City Secretary