

ORDINANCE NO. 827-2022

AN ORDINANCE OF THE CITY OF HILSHIRE VILLAGE, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION ON MAY 6, 2023, FOR THE PURPOSE OF ELECTING THREE (3) COUNCILMEMBERS, PLACE THREE, FOUR, AND FIVE FOR A FULL TERM OF TWO (2) YEARS AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HILSHIRE VILLAGE, TEXAS:

Section 1. In accordance with the general laws and Constitution of the State of Texas, a General Municipal Election is hereby called and ordered for the first Saturday in May, 2023, the same being the 6th day of said month, at which general election all qualified voters of the City may vote for the purpose of electing three (3) Council Members, place three, four and five for a full term of two (2) years. The City Secretary is hereby directed to post on the City bulletin Board notice of the dates of the filing for the general election by December 19, 2022 (Form AW 1-15). The City Secretary is further directed to post the date and location of the election for officers and the requirements and deadline for filing for candidacy for each elected office of the City continuously on the City’s internet website.

Section 2. No person’s name shall be placed upon the official ballot as a candidate for any of the above-mentioned positions under the General Municipal Election unless such person has filed a sworn application, as provided by Section 141.031 of the Texas Election Code, with the City Secretary of the City at the City Office, located at 8301 Westview, Houston, Texas 77055, not later than five o’clock (5:00) p.m. on Friday, February 17, 2023. The City Secretary shall note on the face of each such application the date and time of its filing. Such application shall include the office the candidate is seeking.

Section 3. The present boundaries of the City constituting one election precinct, the polls shall be open for voting from seven o’clock (7:00) a.m. until seven o’clock (7:00) p.m. at the following polling place, and the following are hereby appointed officers to conduct the above-described election at said polling place:

ELECTION DAY POLLING PLACE

City Hall

City of Hilshire Village

8301 Westview

Houston, Texas 77055

ELECTION OFFICER

Presiding Judge to be appointed at a later date

The City Secretary is hereby authorized and directed to provide a copy of this Ordinance and the other written information required by Section 32.009 of the Texas Election Code to each judge as required by said Section.

The presiding Judge shall have the authority to appoint one (1) alternate Presiding Judge and the necessary clerks to assist in the holding of said elections, but in no event, shall the Presiding Judge appoint less than two (2) clerks. Unless otherwise required to act in the capacity of Presiding Judge, the Alternate Presiding Judge shall also serve as clerk of the election. The Presiding Judge and the Alternate Presiding Judge shall also serve as the early voting ballot board for such election; the Presiding Judge of the election precinct shall also serve as the presiding officer of such board.

Section 4. The City Secretary is hereby appointed clerk for early voting and the appointment of a deputy clerk or clerks for early voting by the City Secretary shall be in accordance with Section 83.031 *et seq.* of the Texas Election Code at the following early voting polling place:

EARLY VOTING POLLING PLACE

City Hall

City of Hilshire Village

8301 Westview

Houston, Texas 77055

Cassie.Stephens@HilshireVillageTexas.com

Said clerks shall keep said office open during the hours that the City Secretary's main office is regularly open for business, that is, from nine o'clock (9:00) a.m. until five o'clock (5:00) p.m. on each day for early voting by personal appearance which is not a Saturday, a Sunday, or an official state or federal holiday, beginning on Monday, April 24, 2023, and continuing through Tuesday, May 2, 2023. In addition, said clerks shall keep said office open from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. on Monday, May 1, 2023, and Tuesday, May 2, 2023. Said clerks shall not permit anyone to vote early by a personal appearance on any day that is not a regular working day for the clerk's office and, under no circumstance, shall they permit anyone to vote early by personal appearance at any time when the such office is not open to the public. The above-described place for early voting is also the clerk's mailing address to which ballot applications and ballots voted by mail may be sent. The early voting clerk, in accordance with the provision of the Texas Election Code, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

Section 5. Paper ballots and the "Express Vote BMD Terminal" voting system shall be used for early voting by personal appearance and for voting on Election Day. Early voting by a method other than by personal appearance shall be by paper ballot. All expenditures necessary for the conduct of the elections and the purchase of materials, therefore, are hereby authorized. Compensation for all election officials is hereby established at no more than the maximum amounts permitted under Section 32.091 *et seq.*, Texas Election Code.

Section 6. The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such elections.

Section 7. The candidate receiving the highest number of votes shall be declared elected to such office or position.

Section 8. The order, in which the names of the candidates are to be printed on the ballot for the general election, 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 in their office of the date, hour, and place of drawing. Such notice shall remain posted continuously for seventy-two (72) hours immediately proceeding the scheduled time of the drawing, and personal notice shall also be given to any candidate who makes a 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, shall have a right to be present and observe the drawing.

Section 9. Notice of these elections shall be given in accordance with the provisions of the Texas Election Code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such elections, and returns of such elections shall be made to the City Secretary immediately after the closing of the polls.

Section 10. Said elections shall be held in accordance with the Texas Election Code and the Federal Voting Rights Act of 1965, as amended.

PASSED, APPROVED, AND ADOPTED this 20th day of December 2022.

Robert Buesinger, Mayor

ATTEST:

Cassie Stephens, City Secretary