



City of Hempstead

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ORDINANCE NO. 22- 101

AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 7, 2022, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) COUNCILMEMBERS; PROVIDING FOR A JOINT ELECTION PURSUANT TO AN AGREEMENT WITH WALLER COUNTY; PROVIDING FOR THE DESIGNATION OF POLLING PLACES AND APPOINTING ELECTION JUDGES AND OTHER ELECTION OFFICIALS FOR SUCH ELECTION; PROVIDING FOR EARLY VOTING; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

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

Section 1. In accordance with the General Laws and Constitution of the State of Texas, a Joint General Municipal Election is hereby called and ordered to be held for the first Saturday in May, 2022, same being the 7th day of said month, at which election all qualified voters of the City may vote for the purpose of electing a Mayor and two (2) Councilmembers:

Mayor

Councilmember, Position 1

Councilmember, Position 2

Section 2. The general election shall be conducted as a joint election by agreement between Waller County and the City pursuant to the agreement attached hereto as Exhibit "A" and incorporated herein for all purposes.

Section 3. No person's name shall be placed upon the official ballot as a candidate for any of the above mentioned positions 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 the City of Hempstead Municipal Building (City Hall), 1125 Austin Street, Hempstead, Texas 77445. 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 and the number of the position the candidate is seeking.

Section 4. The present boundaries of the City constitute 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 polling places to be determined by the Waller County Elections Administrator.

Section 5. The Presiding Judge for the conduct of the election shall be appointed by the Commissioners' Court of Waller County, Texas and is hereby authorized to appoint such alternates and clerks as may be necessary for the conduct of the election. The City Secretary is hereby authorized and directed to provide a copy of this Ordinance to each judge as written notice of their appointment as required by Section 32.009 of the TEXAS ELECTION CODE. The appointment shall be for the election scheduled to be held May 7, 2022 and shall commence as of the date of appointment by the Commissioners' Court of Waller County lasting for the duration of said election.

Section 6. The Presiding Judge shall have the authority to appoint no more than five (5) clerks to assist in the holding of such election, 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. Compensation for election judges and clerks shall be established by the Commissioners' Court of Waller County, Texas, as permitted under Section 32.091, *et seq.*, TEXAS ELECTION CODE. Additional compensation, as provided under Section 32.092, *et seq.*, TEXAS ELECTION CODE, is hereby established at the maximum amount permitted by said Section.

Section 7. Pursuant to Section 83.005, TEXAS ELECTION CODE, Christy Easton, Waller County Elections Administrator, is hereby appointed clerk for early voting; the appointment of a deputy clerk or clerks for early voting by the Waller County Elections Administrator shall be in accordance with Section 83.031 *et seq.* of the TEXAS ELECTION CODE. Early voting will be conducted on the dates, times and locations appointed by order of the Commissioners' Court of Waller County, Texas. Said clerks shall not permit anyone to vote early by 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 such office is not open to the public. The early voting clerk, in accordance with the provision of the TEXAS ELECTION CODE, shall maintain a roster listing of 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 8. The Presiding Judge of the Early Ballot Board shall be appointed by order of the Commissioners' Court of Waller County, Texas. In accordance with Section 87.001 *et seq.*, TEXAS ELECTION CODE, said Presiding Judge shall appoint at least two (2) other members to said Board, and shall process early voting results in accordance with said TEXAS ELECTION CODE.

Section 9. All ballots shall be prepared in accordance with the TEXAS ELECTION

CODE. All expenditures necessary for the conduct of the election and the purchase or rental of materials or equipment therefore is hereby authorized. The Waller County Elections Administrator is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 10. The candidates receiving the highest number of votes in each of the positions to be filled in the General Election shall be declared elected to such positions.

Section 11. The order in which the names of the candidates are to be printed on the ballot for the Special and 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 her office of the date, hour, and place of such 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 designated representative, shall have a right to be present and observe the drawing.

Section 12. Notice of this election 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 County Elections Officer shall issue all necessary orders and writs for such elections, and returns of such election shall be made to the City Secretary immediately after the closing of the polls.

Section 13. Such election 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 the 18th day of January, A.D., 2022.

APPROVED:



Dave Shelburne, Mayor

ATTEST:


Barbara Haffelfinger, City Secretary

EXHIBIT A
JOINT ELECTION AGREEMENT WITH WALLER COUNTY

NOT AVAILABLE AT
PRESENT TIME