



City of Hempstead

1125 Austin Street • Hempstead, Texas 77445 • Tel: 979-826-2486 • Fax: 979-826-6703

ORDINANCE NO. 24-102

AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS, PROVIDING FOR THE HOLDING OF A SPECIAL ELECTION TO BE HELD MAY 4, 2024, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY CERTAIN PROPOSED AMENDMENTS TO THE EXISTING CITY CHARTER OF THE CITY; STATING THE PROPOSED AMENDMENTS TO THE CITY CHARTER TO BE VOTED UPON AT SAID ELECTION; PROVIDING A FORM OF THE BALLOT AT SUCH ELECTION; AND MAKING PROVISIONS FOR THE HOLDING OF SUCH ELECTION.

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

Section 1. In accordance with the City Charter, the Laws and Constitution of the State of Texas, a Special Municipal Election is hereby called and ordered for the second Saturday in May, 2024, the same being the 4th day of said month, at which election all qualified voters of the City may vote for the purpose of adopting certain proposed amendments to the City's Charter. Such proposed amendments are as follows:

PROPOSED AMENDMENT NO. 1.

Section 1 of Article III of the Charter of the City of Hempstead, Texas, shall hereafter read as follows:

Section 1. OFFICE CREATED: QUALIFICATIONS: TERM

There is hereby established the Office of Mayor of the City, the incumbent of which shall be a citizen of the United States, at least eighteen (18) years of age, a qualified voter,

residing within the City for at least twelve (12) months prior to his election. The Mayor shall be elected by a majority vote of the qualified voters in the City; he/she shall hold his office for four (4) years and/or until his/her successor is elected and qualified, unless sooner removed as provided by this Article. The Mayor shall be elected in even numbered years. The City, as referred to herein, shall be deemed to include the City and any and all territory at any time annexed to the City of Hempstead.

- a. Head of City Government - The Mayor shall be the Chief Administrative and Executive Officer of the City. The Mayor shall devote his/her best efforts to and shall be responsible for the proper administration of its affairs. The Mayor shall preside at all meetings of the Council and shall be recognized as the head of the City Government for all ceremonial purposes, for the purpose of receiving civil process, for emergency purposes, and for military purposes.
- b. Disability of the Mayor - If for any reason the Mayor fails, is unable or refuses to perform the duties of his office; the Mayor Pro Tern shall act as Mayor during such absence or disability shall possess all of the powers and perform all of the duties of the Mayor and is entitled to receive the fees and compensation prescribed for the Mayor.
- c. Section 2 of Article VI, and all other sections or parts of sections of the existing charter of the City of Hempstead in conflict with this Section shall be and are hereby repealed.

PROPOSED AMENDMENT NO. 2.

Sections 1 and 2 of Article IV of the Charter of the City of Hempstead, Texas, shall hereafter read as follows:

THE COUNCIL

Section 1. OFFICE CREATED: QUALIFICATIONS

There is hereby established a Council of the City. The City, as referred to herein, shall be deemed to include the City, and any and all territory at any time annexed to the City. This Council shall consist of five (5) Councilmembers elected from the City At Large. A candidate for Councilmember shall reside within the City. The candidate for Councilmember must be a citizen of the United States, at least eighteen (18) years of age,

a qualified voter residing within the City for at least twelve (12) months prior to his/her election.

Section 2. TERM

a. The Councilmembers shall hereafter be elected to the following terms of office:

Councilmember, Position 1 shall be elected to this position at the general election beginning with the election in 2024 and shall serve for a term of three years. The Candidate receiving the majority of votes cast for this position, and that is otherwise qualified, is elected.

Councilmember, Position 2 shall be elected to this position at the general election beginning with the election in 2024 and shall serve for a term of three years. The Candidate receiving the majority of votes cast for this position, and that is otherwise qualified, is elected.

Councilmember, Position 3 shall be elected to this position at the general election beginning with the election in 2026 and shall serve for a term of three years. The Candidate receiving the majority of votes cast for this position, and that is otherwise qualified, is elected.

Councilmember, Position 4 shall be elected to this position at the general election beginning with the election in 2026 and shall serve for a term of three years. The Candidate receiving the majority of votes cast for this position, and that is otherwise qualified, is elected.

Councilmember, Position 5 shall be elected to this position at the general election beginning with the election in 2026 and shall serve for a term of three years. The Candidate receiving the majority of votes cast for this position, and that is otherwise qualified, is elected.

Councilmembers holding office in Positions 3, 4 and 5, at the time of the adoption of this amendment to Section 2, Article IV of the Charter shall hold office until the expiration of their current term of office in 2025.

b. Section 2 of Article VI, and all other sections or parts of sections of the existing charter of the City of Hempstead in conflict with this Section shall be and are hereby repealed

Section 2. The ballot for the Special Election on said amendments to the Charter shall conform to the provisions of the TEXAS ELECTION CODE, as amended, and on such ballot shall appear propositions corresponding to the proposed Charter amendments set forth above in Section 1, with the provision on such ballot permitting voters to vote "For" or "Against" on each proposition. Each proposition shall provide as follows:

Proposition No. 1

Shall Section 1 of Article III of the Charter of the City of Hempstead, which establishes the Office of the Mayor be amended to provide for a four year term of office for the Mayor of the City of Hempstead, Texas, and repealing any conflicting section of the existing charter of the City of Hempstead.

Proposition No. 2

Shall Section 1 of Article IV of the Charter of the City of Hempstead, which establishes the City Council be amended to provide for a three year term of office for a Councilmember of the City of Hempstead, Texas, and repealing any conflicting section of the existing charter of the City of Hempstead.

Section 3. The present boundaries of the City of Hempstead shall constitute one election precinct. The polls shall be open Saturday, May 4 for voting from seven o'clock (7:00) A.M. until seven o'clock (7:00) P.M. at the polling place(s) as set forth pursuant to the Joint Election Agreement and Contract for Election Services to be entered into with Waller County, Texas.

Section 4. Election Officers. The presiding judge and alternate judges will be appointed pursuant to the agreement to conduct elections between Waller County and the City which is approved and attached hereto for all purposes Exhibit A. An Early Voting Board will be approved by and in accordance with such Agreement. A Central Counting Station shall be established in accordance with the conduct of elections agreement.

Section 5. A direct recording electronic voting machine shall be used for early voting and voting on Election Day, in accordance with the TEXAS ELECTION CODE, as amended. All expenditures necessary for the conduct of the election, the purchase of materials and the employment of election officials is hereby authorized.

Section 6. This special Charter election is being ordered and held concurrently with the City of Hempstead, Texas General Election, and the election may also be a joint election with other entities pursuant to the Agreement with Waller County authorized in Section 5 hereof.

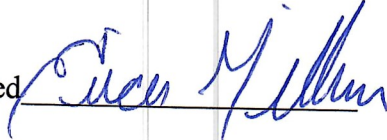
Section 7. Notice of this election shall be given in accordance with the provisions of the TEXAS ELECTION CODE, as amended, and the Federal Voting Rights Act of 1965, as amended.

Section 8. The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 9. The City Secretary is hereby authorized and directed to provide a copy of this Ordinance to each Judge as written appointment as required by Section 32.009 of the TEXAS ELECTION CODE, as amended.

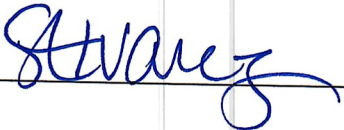
PASSED, APPROVED AND ADOPTED this the 5th day of February, 2024.

Approved



Erica Gillum
Mayor
City of Hempstead, Texas

Attest



Sabrina Alvarez
City Secretary
City of Hempstead, Texas