

**ORDINANCE NO. 2024-01**

**AN ORDINANCE OF THE CITY OF HILLCREST VILLAGE, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION ON MAY 4, 2024, FOR THE PURPOSE OF ELECTING MAYOR, TWO (3) ALDERMAN, ALL AT LARGE POSITIONS, AND TWO FOR TWO YEAR TERMS AND ONE UNEXPIRED TERM (ONE YEAR); DESIGNATING THE CITY AS ONE POLLING PLACE; PROVIDING FOR THE APPOINTING OF A PRESIDING ELECTION JUDGE AND ALTERNATE PRESIDING ELECTION JUDGE; ESTABLISHING OTHER PROCEDURES FOR CONDUCTING THE ELECTION PER JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH COUNTY CLERK OF BRAZORIA COUNTY, TEXAS; PROVIDING FOR THE INCORPORATION OF THE PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 41.001 of the Texas Election Code, as amended (the “Code”) specifies that Saturday, May 4, 2024, shall be the general election date for the State of Texas and that a general election of a city may be held on such date; and

**WHEREAS**, the City Council of the City of Hillcrest Village, Texas, (hereinafter referred to as the “City”) has determined that the City should conduct its general municipal election on Saturday, May 4, 2024, and that the following officials shall be elected for the City:

Mayor, 2-year Term

Aldersperson, Position at Large 2-year term

Aldersperson, Position at Large 2-year term

Aldersperson, Position at Large (Unexpired), 1-year term

**WHEREAS**, the election so ordered for the City of Hillcrest Village is being ordered not later than 62 days before the election day pursuant to §3.005(a), Texas Election Code; and,

**WHEREAS**, Section 32.005, Texas Election Code, provides for the manner of appointment of a presiding election judge and an alternate presiding judge for the election so designated and ordered; and,

**WHEREAS**, Section 87.001, Texas Election Code, provides for the appointment of the early voting ballot board and Section 87.002, Texas Election Code, provides for the composition of the Board; and,

**WHEREAS**, the City Council finds that it should: (i) call for said general election to be held on said date for the purpose of electing a Mayor, three (3) Alderspersons, all at large

positions; (ii) designate the entire City as one election precinct; (iii) designate one polling place for the election; (iv) provide for conducting the election; (v) appoint a presiding election judge and alternate presiding election judge; and (vi) establish and set forth procedures for conducting the election.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HILLCREST VILLAGE, TEXAS, THAT:**

Section 1. The facts and matters contained in the preamble are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Calling of Election. A general municipal election is hereby called and ordered for Saturday, May 4, 2024, at which election all qualified voters of the City may vote for the purpose of electing the following officials of the City to serve two year and one-year terms or until their successors are duly elected and qualified in conformity with the valid provisions of the laws of the City of Hillcrest Village and the laws of the State of Texas:

Mayor, (Two Year Term)

Aldersperson, Position at Large (Two Year Term)

Aldersperson, Position at Large (Two Year Term)

Aldersperson, Position at Large Unexpired, (One Year Term)

No person’s name shall be placed upon the official ballot as a candidate for any of the above-mentioned positions unless such person shall have filed his or her sworn application, as provided by Sections 141.031, 143.004 and 143.007 of the Texas Election Code, with the City Clerk of the City at the City Office, located at 106 West Blackstone, Alvin, Texas 77511, not later than 12:30 p.m. on February 17, 2024. The City Clerk shall note on the face of each such application the date and time of its filing. Such application shall include the number of the place the candidate is seeking. A declaration of write-in candidacy must be filed with the City Clerk, as provided by Section 146.054 of the Texas Election Code, not later than 5:00 p.m. on February 20, 2024, except as otherwise provided in the case of a deceased or ineligible candidate.

Section 3. Designation of precincts and polling places. The present boundaries of the City of Hillcrest Village, Texas shall constitute one (1) precinct for the election, and the polls shall be open for voting from 7:00 a.m. until 7:00 p.m. at the following polling places:

**POLLING PLACES AND PRECINCTS**

**Precinct 25**

Hillcrest Village Municipal Building  
200 W. Timberlane  
Alvin, Texas 77511

Section 4. The election shall be held in accordance with the Constitution of the State of Texas and the Texas Election Code, and all the resident qualified electors of the City shall be eligible to vote at the election. In addition, the election materials enumerated in the Texas Election Code shall be printed in both English and Spanish for use at the polling place and for early voting for the election.

Section 5. Early Voting. Early voting by personal appearance shall be conducted by Early Voting Clerks to be appointed by Brazoria County according to the Joint Election Agreement and Contract for Election Services entered into by and between the City of Hillcrest Village and Brazoria County, and, in accordance with Section 31.092(a) of the Texas Election Code, the Early Voting Clerk may appoint one or more deputy early voting clerks who shall serve without additional compensation. Said clerks shall not permit anyone to vote early by personal appearance on any day that is not a regular working day for the Early Voting Clerk's office, and, under no circumstances, shall they permit anyone to vote early by personal appearance at any time when such office is not open to the public.

Early voting shall occur at: Locations and times as set by the Brazoria County Elections Director, for the period Early Voting is permitted by law. Early voting shall be conducted in accordance with the requirements of the election code, and joint election agreement and contract for election services with County Clerk of Brazoria County, Texas.

The Early Voting Clerk's mailing address to which ballot applications and ballots voted by mail may be sent is:

Joyce Hudman, County Clerk  
111 E. Locust, Suite 200  
Angleton, TX 77515-4664

Applications for early voting by mail shall be delivered to the Early Voting Clerk at the same address not earlier nor later than dates as set forth in election codes for year of said election.

The Early Voting Clerk, in accordance with 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.

All ballots cast shall be counted by an Early Voting Ballot Board, and the Presiding Judge and her clerks are hereby appointed the Early Voting Ballot Board for said election.

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. Therefore, early voting by mail shall be by paper ballot and early voting by personal appearance shall be by either paper ballot or by eSlate DRE (Direct

Record Electronic Voting System). The eSlate DRE may be leased from the County of Galveston through a lease agreement or may be acquired as authorized by Sections 123.032 and 123.035 of the Election Code. All expenditures necessary for the conduct of the election, the purchase of materials, and the employment of all election officials are hereby authorized in accordance with the Texas Election Code.

The County Clerk is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

**Section 6. Placement of Candidates on Ballot.** 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 Clerk, as provided by Section 52.094 of the Texas Election Code. The City Clerk shall post a notice in her office, at least 72 hours prior to the date on which the drawing is to be held, of the time and place of the drawing, and shall also give personal notice to any candidate who makes written request for such notice and furnishes to the City Clerk a self-addressed, stamped envelope. Each candidate involved in the drawing, or a representative designated by him or her, shall have a right to be present and observe the drawing.

**Section 7. Notice of Election.** The City Clerk is hereby directed to provide notice of this election 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 election and returns of such election shall be made to the City Clerk immediately after the closing of the polls.

**Section 8. Election Judges.** The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed by Brazoria County pursuant to the Joint Election Agreement and Contract for Election Services entered into by and between the City and Brazoria County. The Presiding Judge shall have the authority to appoint no more than ten (10) clerks, in addition to the alternate judge, to assist with the proper conduct of the election, but in no event shall the Presiding Judge appoint less than two (2) clerks. The City Clerk 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.

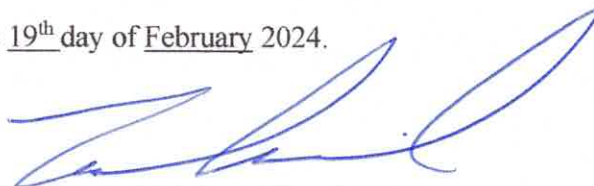
The Presiding Judge shall be compensated at a rate as prescribed by State, and the Alternate Judge and election clerks shall be compensated at a rate as prescribed by State, in accordance with Section 32.091 of the Texas Election Code. Further compensation shall be paid in accordance with Section 32.092 of the Texas Election Code.

**Section 9. Canvassing Returns.** The City Council shall convene to canvass the returns of the election in accordance with the provisions of Section 67.003 of the Texas Election Code.

**Section 10.** The City Clerk of the City of Hillcrest Village, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Section 11. This Ordinance shall be in full force and effect from and after its date of passage, in accordance with law.

PASSED AND APPROVED on first reading this 19<sup>th</sup> day of February 2024.



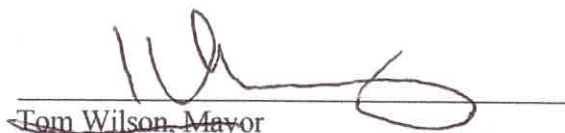
\_\_\_\_\_  
Tom Wilson, Mayor

ATTEST:



\_\_\_\_\_  
Amanda Blake, City Clerk


PASSED, APPROVED, AND ADOPTED on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_, 2024.



\_\_\_\_\_  
~~Tom Wilson, Mayor~~

Kendall McGilvray  
Mayor Pro-Tem

ATTEST:



\_\_\_\_\_  
Amanda Blake, City Clerk