

ORDINANCE NO. 24-008

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, ORDERING AND CALLING AN ELECTION TO BE HELD IN THE CITY OF GALVESTON ON THE 4th DAY OF MAY, 2024, FOR THE PURPOSE OF ELECTING A MAYOR AT-LARGE AND SIX (6) DISTRICT COUNCIL MEMBERS, EACH FOR A TWO-YEAR TERM; MAKING PROVISIONS FOR THE CONDUCT AND GIVING NOTICE OF THE ELECTION; DESIGNATING POLLING PLACES; DESIGNATING HOURS FOR VOTING; PROVIDING FOR PUBLICATION OF THE NOTICE OF THE ELECTION; PROVIDING BILINGUAL ELECTION REQUIREMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; PROVIDING A SAVINGS CLAUSE; DECLARING FINDINGS OF FACT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the terms of office of the Mayor and six (6) Council Members of the City of Galveston, Texas expire upon the election and qualification of their successors; and

WHEREAS, Article III of the Galveston City Charter and sections 3.005, 41.001(a), and 41.005 of the Texas Election Code require an election to be held, ordered, and called for on Saturday, May 4, 2024, that being a uniform election date under the Texas Election Code, to fill the seats of the Mayor and six (6) Council Members; and

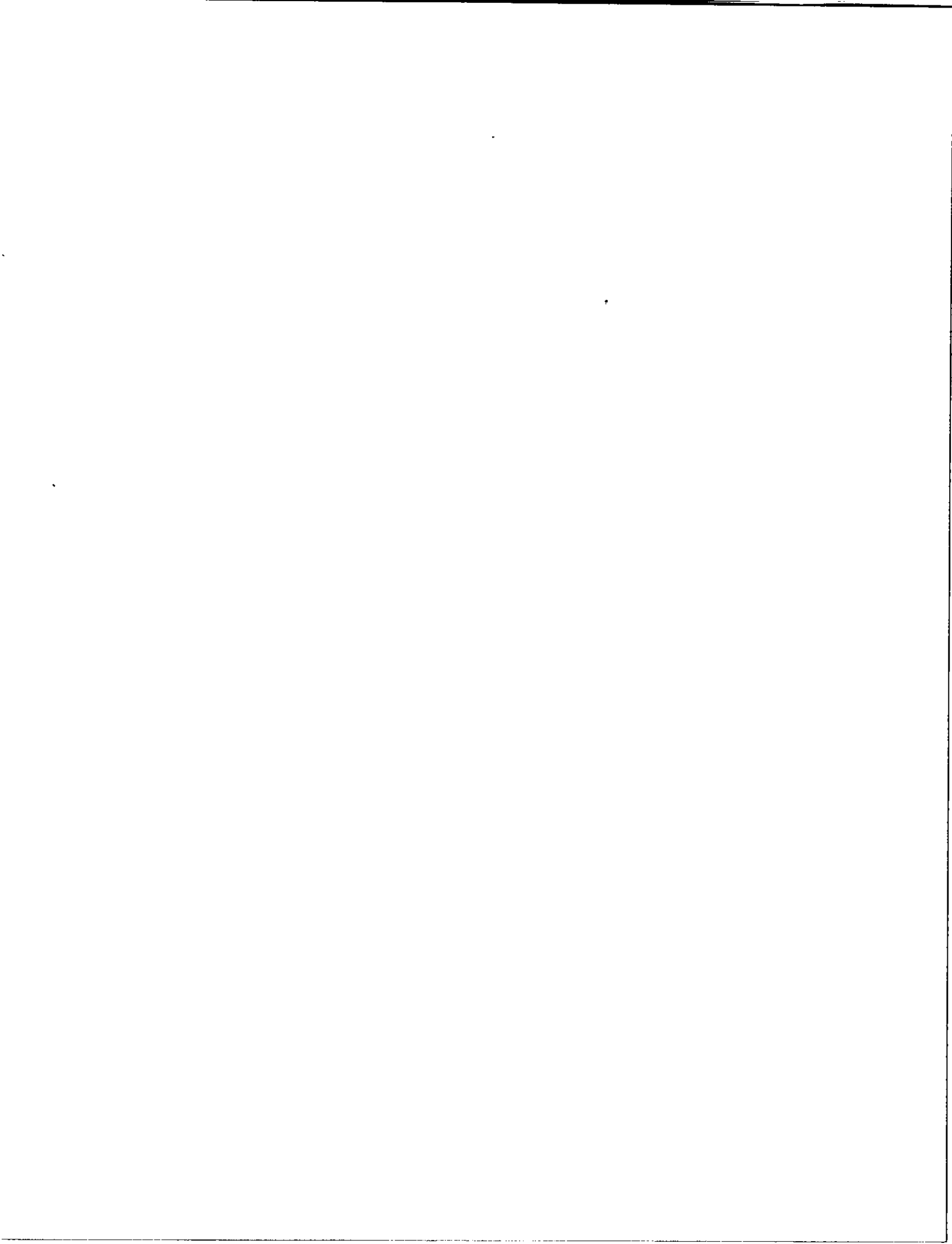
WHEREAS, on January 25, 2024, the Galveston City Council unanimously approved entering into a contract with the County of Galveston for the administration of election services pursuant to the applicable provisions of the Texas Election Code; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct, and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. Pursuant to the provisions of Article III of the Charter of the City of Galveston and section 3.005 of the Texas Election Code, the regular City election for the year 2024, is hereby called and ordered for the purpose of electing a Mayor at-large and six (6) District Council Members, each for a term of two (2) years, to be held in the City on Saturday, May 4, 2024, between the hours of 7 o'clock a.m. and 7 o'clock p.m., as provided in section 41.031 of the Texas Election Code, as well as, a period of early voting in accordance with the provisions of the Texas Election Code.

SECTION 3. The election hereby called and ordered shall be conducted in accordance with the provisions of this Ordinance, the requirements of the Charter of the City of Galveston, the Constitution and laws of the State of Texas regulating the holding of elections. The election called and ordered shall be conducted in accordance with the provisions of the Election Services Agreement by and between the City and Galveston County (approved by City Council on January 25, 2024).



SECTION 4. In accordance with Chapter 43 and other applicable provisions of the Texas Election Code, this election shall be conducted utilizing countywide polling places as designated by the County of Galveston. The City Council hereby designates the locations listed in **Exhibit 1** as countywide polling places to be utilized for this election.

SECTION 5. The ballots shall conform to all requirements of the laws of the State of Texas governing the same. Such ballots shall contain the names of all eligible candidates for the respective offices of the Mayor and City Council Members of the City of Galveston.

SECTION 6. All qualified voters of the City of Galveston shall be entitled to vote at the election so hereby called and ordered. The election shall be conducted in accordance with the applicable laws of the State of Texas between the hours of 7 o'clock a.m. and 7 o'clock p.m. on Saturday, May 4, 2024 ("Election Day").

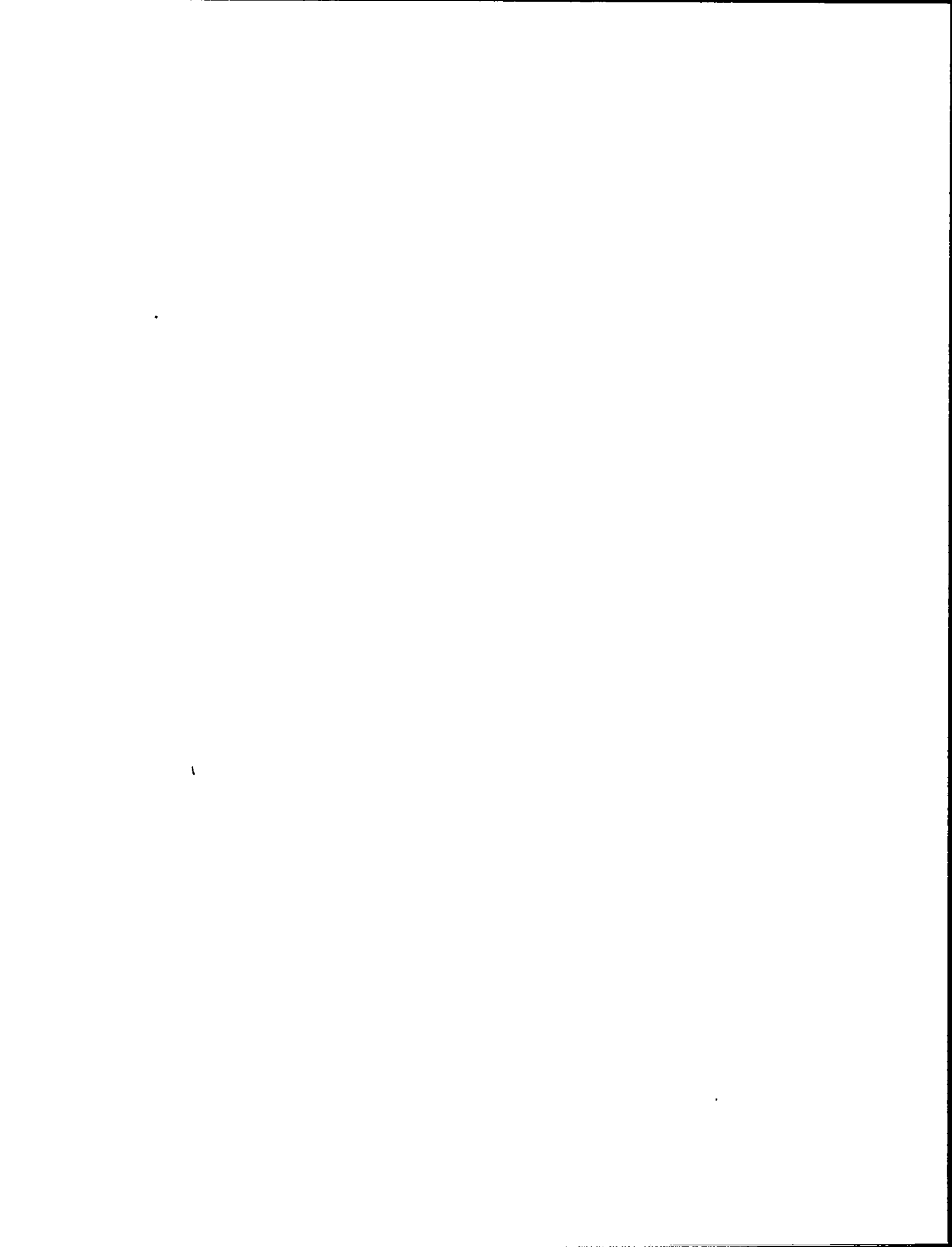
SECTION 7. Voting machines and/or ballot boxes shall be used in the election in accordance with the provisions of the laws of the State of Texas relating to the use of voting machines, ballot boxes, and elections. Pursuant to the Election Services Agreement with the City of Galveston, Hart Intercivic Verity Duo Voting Machines will be used during the conduct of the subject election being called by this Ordinance.

SECTION 8. (a) In compliance with Section 271.006 of the Texas Election Code, Dwight D. Sullivan, Galveston County Clerk, is appointed as the Early Voting Clerk. Other deputy early voting clerks shall be appointed as needed to process early voting mail and to conduct early voting by personal appearance. The main early voting polling place is designated as the Galveston County Justice Center, 600 – 59th Street, 2nd Floor Conference Room, Galveston, Texas 77551. Early voting by personal appearance is also available at the Galveston County Courthouse, 722 Moody (21st Street), 2nd Floor Mezzanine, Galveston, Texas 77550, and such other early voting polling places as designated by the Early Voting Clerk.

(b) Qualified electors voting early who are unable to vote in person shall vote by mail as prescribed by the laws of the State of Texas. Applications for ballots by mail may be sent to the Early Voting Clerk as follows:

- **By Mail:** Attn: Ballots by Mail, c/o Dwight D. Sullivan, Galveston County Clerk, P. O. Box 17253, Galveston, Texas 77552-7253;
- **By Fax:** 409.765.3249 (Please put "Attention Ballots By Mail" on the cover sheet); or
- **By Email:** absenteeballotapplications@co.galveston.tx.us (If this method is used, an application from the County Clerk's Elections Division website will need to be printed, filled out completely, signed, and scanned before submitting as an attachment to the email).

In accordance with Section 84.007 of the Texas Election Code, the first day to apply for a ballot by mail was January 1, 2024. The last day to apply for a ballot by mail is April 23, 2024 (received, not postmarked). The deadline for receipt of a Federal Post Card Application (FPCA) from a registered voter is April 23, 2024.



The Galveston County Clerk must physically receive marked ballots by the last mail delivery on Election Day which is Saturday, May 4, 2024, if carrier envelope is not postmarked, OR Monday, May 6, 2024 by 5:00 p.m. if carrier envelope is postmarked by 7:00 p.m. at the location of the election on election day. If a marked ballot is being mailed from outside of the United States, the ballot must be received by the last mail delivery on the fifth day after Election Day. In addition, marked ballots from individuals voting by mail may be hand delivered in person only while polls are open on Election Day. Only the person casting the marked ballot may surrender the ballot in person. Such ballots will be accepted between the hours of 7:00 a.m. and 7:00 p.m. at the Galveston County Clerk's Office, Elections Division, 600 – 59th Street, 3rd Floor, Galveston, Texas 77551.

(c) Early voting by personal appearance shall begin on Monday, April 22, 2024, and end on Tuesday, April 30, 2024, and shall be conducted during the following hours:

<i>Day</i>	<i>Date</i>	<i>Hours of Operation</i>
Monday	April 22, 2024	8:00 a.m. until 5:00 p.m.
Tuesday	April 23, 2024	8:00 a.m. until 5:00 p.m.
Wednesday	April 24, 2024	8:00 a.m. until 5:00 p.m.
Thursday	April 25, 2024	8:00 a.m. until 5:00 p.m.
Friday	April 26, 2024	8:00 a.m. until 5:00 p.m.
Monday	April 29, 2024	7:00 a.m. until 7:00 p.m.
Tuesday	April 30, 2024	7:00 a.m. until 7:00 p.m.

There will be no early voting by personal appearance on Saturday, April 27, 2024, and Sunday, April 28, 2024.

(d) The City Council hereby appoints Douglas Godinich to the Early Voting Ballot Board.

SECTION 9. (a) Notice of said election shall be given (1) by filing a copy of this election Ordinance with the City Secretary; and (2) by publication as required by state law. The notice shall be in accordance with state law.

(b) The Mayor is hereby authorized to sign an "Order of Election" and "Notice of General Election." Council directs the City Secretary to post the "Order of Election" and publish and post the "Notice of General Election," in both English and Spanish in accordance with state law.

SECTION 10. Officers of the election shall immediately at the close of the election return to the City Council the results of the election. The City Council shall canvass the returns and declare the results of the election as provided in the Agreement between the City and the County, and as permitted by law.

SECTION 11. The provisions of 42 U.S.C.A. § 1973aa-1a, 28 C.F.R. Part 55, and section 272.001 et seq. of the Texas Election Code, regarding members of a single-language minority, shall be observed with respect to printing, programming, and disseminating voting

notices, forms, balloting materials, instructions, assistance or other materials or information relating to the electoral process, including ballots, and all such election materials shall be printed, programmed, processed, and/or provided in the Spanish language as well as the English language, and at each Election precinct there shall be a Judge, Alternate Judge, or Clerk who is fluent in the Spanish language and who shall be instructed and required to provide assistance to any voter desiring same.

SECTION 12. The County of Galveston shall appoint eligible persons in the following capacities in accordance with the Texas Election Code, and those persons shall have the duties and responsibilities as prescribed by state law:

Central County Station Manager, Clerk, Tabulation Supervisor, Assistant to the Tabulation Supervisor, Judge of the Central County Station, and Clerks.

SECTION 13. The City Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election and to comply with federal, state, and local laws and in the conduct thereof. This will be provided through the Election Services of the County of Galveston.

SECTION 14. The City Council reserves the right to amend or modify this Ordinance, including, but not limited to, the Early Voting and Election Day polling locations.

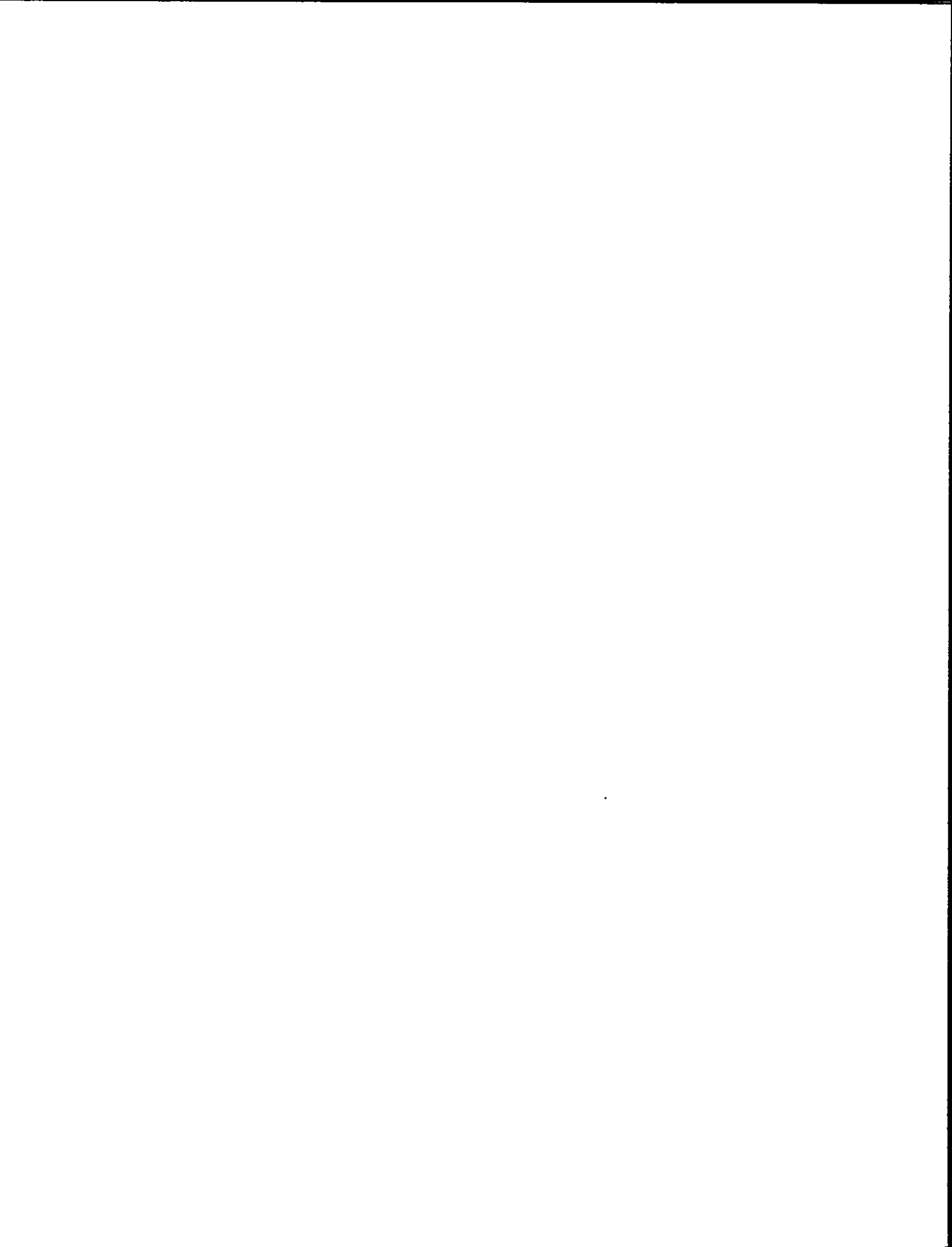
SECTION 15. In the event any provision of the Election Services Agreement with the County conflicts with any provision of this Ordinance, the provisions of this Ordinance shall control with respect to the City election.

SECTION 16. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, because the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid phrase, clause, sentence, paragraph or section.

SECTION 17. It is hereby officially found and determined that notice of the meeting at which this Ordinance is adopted was given as required by Chapter 551 of the Texas Government Code (the "Texas Open Meetings Act") and that such meeting has been open to the public at all times when this Ordinance was discussed and acted on.

SECTION 18. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 19. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter, this Ordinance has been publicly available in the Office of the City Secretary for not less than 72 hours prior to its adoption; and that this Ordinance may be read and published by descriptive caption only.



SECTION 20. This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

APPROVED AS TO FORM:

DocuSigned by:

Mehran Jadidi

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MEHRAN JADIDI
ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its Regular meeting held on the 25th day of January, 2024, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 26th day of January, 2024.

DS



DocuSigned by:

Janelle Williams

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City Secretary for the City Council
of the City of Galveston, Texas

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Proposed To Be Amended

EXHIBIT 1

**EARLY VOTING LOCATIONS
for
City of Galveston**

MAIN EARLY VOTING POLLING PLACE

Galveston County Justice Center
600 – 59th Street
2nd Floor Conference Room
Galveston, Texas

- #1: Galveston County Courthouse
722 Moody Street
Galveston, TX 77550
- #2: Moody Methodist Church
2803 53rd Street
Galveston, TX 77551
- #3: Seaside Baptist Church
16534 Termini-San Luis Pass Rd.
Galveston, TX 77554
- #4: COG Historic Pump Station
715 30th Street
Galveston, TX 77550
- #5: Galveston GISD Admin Bldg.
3904 Avenue T
Galveston, TX 77550

SECRET

CONFIDENTIAL

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ELECTION DAY VOTING LOCATIONS

**Saturday, May 4, 2024
7:00 a.m. to 7:00 p.m.
for
City of Galveston**

- #1: Galveston County Courthouse
722 Moody Street
Galveston, TX 77550
- #2: Moody Methodist Church
2803 53rd Street
Galveston, TX 77551
- #3: Seaside Baptist Church
16534 Termini-San Luis Pass Rd.
Galveston, TX 77554
- #4: COG Historic Pump Station
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