

ORDINANCE NO. 38-07-23A

ORDINANCE OF THE CITY OF ALAMO, TEXAS, CALLING FOR A CITY ELECTION FOR TUESDAY, NOVEMBER 7, 2023, TO BE PARTICIPATED IN BY THE QUALIFIED VOTERS OF THE CITY OF ALAMO, TEXAS, FOR THE PURPOSE OF ELECTING A MAYOR, COMMISSIONER PLACE 2, COMMISSIONER PLACE 3 AND COMMISSIONER PLACE 4; APPOINTING THE EARLY VOTING CLERK; DESIGNATING ELECTION PRECINCTS; DESIGNATING POLLING PLACE(S), METHOD OF VOTING; AND PROVIDING FOR EARLY VOTING AND ELECTION NOTICE.

RECITALS

WHEREAS, the Mayor and the City Commission in their capacity as City Officials and in compliance with the City’s Charter and the Texas Election Code, may call an election; and

WHEREAS, the term of office of the present a Mayor, Commissioner Place 2 and Commissioner Place will expire on the first Tuesday in November 2023; and

WHEREAS, the office of the current Commissioner Place 3 is deemed vacant pursuant to an automatic resignation and requires an election to replace such position for the unexpired term.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS, THAT;

SECTION I. The City Commission finds that the statements set forth in the Recitals of this Ordinance are true and correct and the City Commission hereby incorporates such Recitals as part of this Ordinance.

SECTION II. Pursuant to the provisions of the City’s Charter, the Texas Election Code, and the laws of the State of Texas, a City Election is ordered to be held in the City of Alamo, Texas, on the first Tuesday in November 2023, such date being November 8, 2023.

SECTION III. Said City Election will be for the purpose of electing the following:

- | | |
|------------------------|-------------------------------|
| A Mayor | for a (4) year term |
| A Commissioner Place 2 | for a (4) year term |
| A Commissioner Place 4 | for a (4) year term |
| A commissioner Place 3 | for a (2) year unexpired term |

SECTION IV. Early Voting and Election Day for said election shall be held at the polling place(s) for the respective Precincts in Alamo, Texas, for such election as follows:

See Exhibit A attached hereto and made a part hereof for all purposes.

SECTION V. The preceding Alamo Precincts are made up of all or parts of applicable County

Precincts as such County Precincts are coterminous with Alamo city limit lines in the City of Alamo election Precincts.

SECTION VI. The designated polling places shall on said Election Day remain open from 7:00 o'clock a.m. to 7:00 o'clock p.m. on Tuesday, November 7, 2023.

SECTION VII. Said election shall be conducted by the use of the ES&S iVotronic, including ballots cast early by personal appearance and the precincts listed on Exhibit A are hereby designated as Voting Precincts for the purpose of said election all in accordance with the provision of the Election Code of the State of Texas.

SECTION VIII. In the event that no candidate for a place or position receives a majority of the votes cast for such place or position, or in the event of a tie vote, there shall be a run-off election to be held not earlier than the 20th or later than the 45th day after the date the final canvass of the main election is completed.

SECTION IX. Early voting for said election shall be conducted by **Ms. Hilda Salinas, County of Hidalgo Election Administrator**, the Early Voting Clerk, and her deputies who shall be appointed by the Early Voting Clerk by written order, respectively; and such early voting will be conducted at the **Sgt. De La Rosa Memorial Library, 416 N. Tower Road, Alamo, Texas** and said place for early voting by personal appearance shall remain open as specified on Exhibit A for early voting beginning on Monday, October 23, 2023 and continuing through Friday, November 3, 2023.

The address of the Early Voting Clerk to which ballot application and ballots voted by mail may be sent to **County of Hidalgo, Election Department, 101 S. 10th Ave., Edinburg, Texas, 78516**. Applications for a ballot by mail may be requested beginning January 1st and must be received no later than the close of business on Friday, October 27, 2023. The Early Voting Ballot Board Presiding Judge (Pending), is hereby appointed to canvass the early ballots in accordance with Chapter 87, as amended, Texas Election Code. The Early Ballot Board Presiding Judge shall appoint at least two (2) other members to such Board. The Judge and members shall be compensated at the same rate as for the judges and clerks heretofore appointed for Election Day.

The Election Administrator, Yvonne Ramon, shall serve as clerk of said Board. Said Early Voting Ballot Board shall canvass, record and tabulate early ballots and make returns thereof in the manner prescribed by the Texas Election Code. The Clerk shall deliver all early ballots and ballot envelopes to said Early Ballot Board during the time the polls are open on Election Day at the time specified by the Presiding Judge of the Board.

SECTION X. Notice of this election shall be posted in the City Hall Building upon the official bulletin board not later than the twenty-one (21) days before said election. Notice of this election shall also be published at least one time in The Advance News Journal, Pharr, Texas not earlier than thirty (30) days nor later than ten (10) days before said election. The postings and publication provided for in this Section shall constitute notice of said election, in accordance with applicable law.

SECTION XI. All notices, official publications, ballots, sample ballots, voter instructions used in connection with this election shall be printed in both the English and Spanish language.

SECTION XII. This Ordinance shall not be published in the Code of Ordinance of the City of Alamo as it is not a mandatory thereof.

SECTION XIII. The City Secretary is hereby authorized and directed to publish the caption of this ordinance in accordance with the provisions of the Code of Ordinance of the City of Alamo.

SECTION XIV. This Ordinance shall be effective immediately upon its passage and execution in accordance with the law.

CONSIDERED, PASSED AND APPROVED by the Board of Commissioners of the City of Alamo, Texas, at a regular meeting called and held in the Alamo Municipal Building on this the 18th day of July 2023, held in accordance with the provisions of Chapter 552 of the Texas Government Code.

Executed this the 18th day of July 2023

CITY OF ALAMO, TEXAS

By: 
Diana Martinez, Mayor

ATTEST:

BY: 
Alexandra Rangel, Assistant City Manager

APPROVED AS TO FORM ONLY:

PALACIOS GARZA & THOMPSON, P.C.

BY: 
Attorney City

EXHIBIT A

CITY OF ALAMO/CITY ELECTION NOVEMBER 7, 2023

EARLY VOTING POLLING PLACE

Precincts 044, 077, 097, 123, 126, 127, 130, 175,
176, 177, 181, 192, 242, 251, 253, 255

Stg. De La Rosa Memorial Library
416 North Tower Road
Alamo, Hidalgo County, Texas 78516

EARLY VOTING DATES/TIME

Monday, October 23, 2023	7:00 a.m. - 7:00 p.m.
Tuesday, October 22, 2023	7:00 a.m. - 7:00 p.m.
Wednesday, October 25, 2023	7:00 a.m. - 7:00 p.m.
Thursday, October 26, 2023	7:00 a.m. - 7:00 p.m.
Friday, October 27, 2023	7:00 a.m. - 7:00 p.m.
Saturday, October 28, 2023	7:00 a.m. - 7:00 p.m.
Sunday, October 29, 2023	10:00am - 4:00 p.m.
Monday, October 30, 2023	7:00 a.m. - 7:00 p.m.
Tuesday, October 31, 2023	7:00 a.m. - 7:00 p.m.
Wednesday, November 01, 2023	7:00 a.m. - 7:00 p.m.
Thursday, November 02, 2023	7:00 a.m. - 7:00 p.m.
Friday, November 03, 2023	7:00 a.m. - 7:00 p.m.

ELECTION DAY POLLING PLACES

Precincts 044, 077, 091, 123, 126, 127, 130, 175,
176, 177, 181, 192, 242, 251, 253, 255

Stg. De La Rosa Memorial Library
416 North Tower Road
Alamo, Hidalgo County, Texas 78516

ELECTION DAY- DATE/TIME

Tuesday, November 7, 2023 7:00 a.m. - 7:00 p.m.