

ORDINANCE NO. 2024-471

AN ORDINANCE BY THE CITY COUNCIL OF PANORAMA VILLAGE, TEXAS CALLING A MAY 4, 2024 ELECTION FOR THE ELECTION OF CITY MAYOR, AND COUNCIL POSITIONS TWO AND FOUR; APPROVING AN ELECTION SERVICES CONTRACT WITH MONTGOMERY COUNTY, TEXAS, PROVIDING THAT THE COUNTY ELECTIONS ADMINISTRATOR SHALL CONDUCT EARLY VOTING AND ELECTION DAY VOTING FOR THE CITY; SETTING THE COUNTY POLLING PLACE FOR EARLY VOTING AND FOR THE CITY ELECTION; NAMING THE CITY SECRETARY AS THE CUSTODIAN OF THE VOTING RECORDS; AUTHORIZING THE MAYOR AND CITY SECRETARY TO DO ALL THINGS NECESSARY TO CONDUCT THE ELECTION; AND PROVIDING THE EFFECTIVE DATE UPON PASSAGE.

WHEREAS, the City Council ("the Council") of the City of Panorama Village, Texas (the "City") has previously called an election (the "Election") on May 4, 2024, for the election of City Mayor, and Council Positions Two and Four; and

WHEREAS, the Council pursuant to Chapter 31, Texas Election Code, anticipates that it will enter into a Contract for Election Services with Suzie Harvey, Elections Administrator ("Administrator") for Montgomery County, Texas, for purposes of providing election administration services on behalf of the City;

IT IS THEREFORE ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANORAMA VILLAGE, TEXAS THAT:

SECTION I

CALL OF ELECTION; DATE; ELIGIBLE ELECTORS; AND HOURS

An election (the "Election") shall be held on Saturday, May 4, 2024, which is forty-five (45) or more days from the date of the adoption of this ordinance (the "Ordinance") within the entire territory of the City for the election of the following positions:

City Mayor

Councilmember Position No. 2

Councilmember Position No. 4

Each of the members to be elected shall serve two-year terms. All resident, qualified electors of the City shall be entitled to vote in the Election for candidates for the council members' positions. The Council hereby finds that holding the Election on such date, which is a uniform election date, is in the public interest. The hours during which the polling places are to be open at the Election shall be from 7 a.m. to 7 p.m.

SECTION II **CONDUCT OF ELECTION**

The election shall be conducted by election officers, in accordance with the Texas Election Code and the Constitution and laws of the State of Texas and the United States of America.

Pursuant to Chapter 31 of the Texas Election Code, the Council anticipates that this election will be conducted under the terms and conditions of the Contract for Election Services. Chapter 31 of the Texas Election Code provides that the Administrator may contract with the governing body of a political subdivision situated wholly or partly within the County served by the Administrator to perform election services in an election ordered by the political subdivision

SECTION III **VOTING PRECINCTS**

The presently existing boundaries and territory of the Montgomery County Election Precinct 43 which is wholly or partially within the territorial boundaries of the City is hereby designated as the voting precinct of the City Election. The polling location for Precinct 43 is Panorama Village City Hall located at 99 Hiwon Drive, Panorama Village, Texas 77304.

SECTION IV **APPOINTMENT OF CUSTODIAN OF RECORDS**

To the extent not otherwise provided for in the Election Services Agreement, the Council appoints Angela Wallace, the City Secretary, as the Custodian of Records ("Custodian") and agent to the Council to perform the duties related to the conduct and maintenance of records of the Election as required under the Texas Election Code during the period ending not earlier than the sixtieth (60) day after the Election. In particular, the Custodian shall provide applications for candidates, accept applications from candidates for a place on the ballot, and determine the order in which names will appear on the ballot for the council member and mayor positions and accept and maintain records regarding campaign expenditures that may be filed with the City.

The Custodian shall maintain an office open for election duties for at least three hours each day, during regular office hours, on regular business days during the period required by law. The Custodian shall post notice of the location and hours of her office as required by the Texas Election Code. The Custodian shall maintain in her office, the documents, records and other items relating to the election and shall be the person designated to receive documents on behalf of the City that are required by the Texas Election Code.

SECTION V **CANDIDATE APPLICATIONS**

Pursuant to the provisions of the Election Code, all candidates for a position as Mayor or on the City Council in the Election shall file an application for a place on the ballot with the City Secretary at the City Hall at 99 Hiwon Drive, Panorama Village, Texas, beginning January 17, 2024 through February 16, 2024 on or before 5 p.m., a date which is sixty-two (62) days before election if elections is ordered on or before the 70th day – 45th day before election if ordered after the 70th. All candidates shall file with said application the loyalty affidavit required by Subsection B, Section 141.031 of the Election Code.

SECTION VI **EARLY VOTING**

Pursuant to Chapter 31 of the Texas Election Code and the Election Services Agreement, the Council appoints the Administrator as the City's Early Voting Clerk for the Election. Early voting shall be conducted at:

Central Library (Main Early Voting Polling Place (Sitio Principal Electoral de Votación Adelantada) 104 I-45 North, Conroe 77301, North Montgomery County Community Center 600 Gerald Street, Willis 77378, Lone Star Community Center 2500 Lone Star Parkway, Montgomery 77356, West Montgomery County Community Development Center 31355 Friendship Drive, Magnolia 77355, Magnolia Event Center 11659 FM 1488, Magnolia 77354, Shenandoah Municipal Complex 29955 I-45 North, Shenandoah 77381, Spring Creek Greenway Nature Center 1300 Riley Fuzzel Road, Spring 77386, 21675A McCleskey Road, New Caney 77357, East Montgomery County Community Development Center 16401 First Street Suite 100, Splendora 77372, Election Central (Special Forms of Early Voting and Ballot by Mail only) (*Formas Especiales de Votación Adelantada, y Boleta por Correo solamente*) 9159 Airport Road, Conroe 77303 from 8 a.m. until 5 p.m. each weekday/Saturday, that is not a county holiday, beginning April 22, 2024, and ending April 27, 2024 and from 7:00 am – 7:00 pm on April 29, 2024 through April 30, 2024. The Administrator's office shall also remain open on the day of the Election during the hours the polls are required to be open for voting by the Texas Election Code.

Early voting mailed in ballot applications shall be addressed to the attention of Election Central, 9159 Airport Road, Conroe, Texas 77303

SECTION VII
NOTICE OF ELECTION

Notice of the Election, stating in substance the contents of this Ordinance, shall be published one (1) time in the English and Spanish languages, in a newspaper circulated within the City's territory at least ten (10) days and no more than thirty (30) days before the Election and as otherwise may be required by the Texas Election Code. A joint Notice of Election may be published by the Administrator. Notice of the Election shall also be posted on the bulletin board used by the Board to post notices of the City's meetings no later than the 21st day before the Election, or if the 21st day before the Election falls on a weekend or holiday, on the first business day thereafter.

SECTION VIII
AUTHORIZATION TO EXECUTE

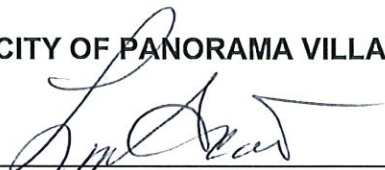
The Mayor of the City is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the City Council; and the Mayor of the City is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election. The Council finds that notice of the date, place, and subject of this meeting was posted in accordance with the terms and provisions of the Texas Open Meetings Act at least 72 hours proceeding the scheduled time of this meeting.

SECTION IX
EFFECTIVE DATE

This Ordinance is effective immediately upon its passage and approval.

PASSED AND APPROVED this the 6th day of February 2024.

CITY OF PANORAMA VILLAGE, TEXAS



Lynn Scott, Mayor

ATTEST:



Angela Wallace, City Secretary