



NOTICE OF THE  
Regular MEETING

The City Council for the City of Simonton, Texas, will hold its Regular Meeting on February 21, 2023 at 6:30 p.m. in Simonton City Hall, 35011 FM 1093, for the purpose of considering the following:

1. Call to Order.
2. Invocation and Pledge.
3. Public Comments (*In accordance with Texas Open Meetings Act and Texas Government Code 551.007, City Council may not discuss or take action on any item NOT listed on the Agenda. Each member of the public wishing to speak must sign in prior to the meeting and is limited to 3 minutes.*)
4. Consider and take action on the Consent Agenda.  
*Items listed under the Consent Agenda are considered routine and are generally enacted in one motion. The exception to this rule occurs when a Council Member requests one or more items removed from the Consent Agenda for separate discussion and action.*
  - a. approve minutes from January 17, 2023 Regular Council Meeting
  - b. approve Joint Election Agreement with Fort Bend County for Election Services
5. New Business
  - a. Consider and take action to adopt resolution for the adoption of rules and procedures related to City Council deliberations and public comment during City Council Meetings.
  - b. Consider and take action to order May 6, 2023 General Election for 3 Council Member At Large positions.
  - c. Consider and take action to order special election May 6, 2023 for the reauthorization of the local sales and use tax in the City of Simonton at the rate of 1/4% to continue providing revenue for maintenance and repair of municipal streets.
  - d. Consider and take action to accept the resignation of council member James Bialas.

6. Reports
  - a. Mayor
  - b. City Staff
  - c. City Council

Adjournment.

CERTIFICATE: I, the undersigned, City Secretary of the City of Simonton, do hereby certify that on the February 17, 2023, 3:00 PM I posted a true and correct copy of the above and following notice of the Regular Meeting of the City of Simonton Council to be held on February 21, 2023, at 6:30 PM at the Simonton City Hall, which posting was done not less than three (3) full days prior to the date fixed for said meeting.



\_\_\_\_\_  
City Secretary

**The City Council may hold an Open or Closed meeting by telephone conference call if an emergency or public necessity exists within the meaning of Section 551.045 of the Open Meetings Act, and the convening at one location of a quorum of the City Council is difficult or impossible.**

**The City Council may convene into executive session on any matter related to any of the above agenda items for a purpose, such a closed session is allowed under Chapter 551, Texas Government Code.**

*Reasonable accommodation for persons with disabilities attending this meeting will be available. Persons with disabilities in need of special assistance at the meeting should please contact the City Secretary at 281-533-9809 Agendas are posted on the City Website at <http://simontontexas.gov>.*

**Minutes**

Regular City Council Meeting

CITY OF SIMONTON

January 17, 2023

This is a true and correct copy of the Minutes of the Regular Meeting of the Simonton City Council held on January 17, 2023 at 6:30 PM.

- 1. Call to Order. **Mayor Boudreaux called the meeting to order at 6:30 PM. A quorum was present:**

**Laurie Boudreaux, Cody Turner, Stacey Gootee, Kelli Matula**

**Council Members absent: James Bialas Thomas McLemore**

**City Staff present: Erica Molina Jennifer Ward**

**Public Present: See Sign In Sheet**

- 2. Invocation and Pledge led by **Laurie Boudreaux**
- 3. Public Comments **Courtney Cox, Dan McJunkin, Ray Williams, Faith Haley, Sarah Dvorak, Kristi Smith**
- 4. Consider and take action on the Consent Agenda:

- a. approve minutes from the November 1, 2022 Regular Council Meeting
- b. approve quarterly financials **Motion by stacey Gootee to approve the Consent Agenda. Cody Turner seconded.**

**Ayes: All**

**Noes: None**

**Motion Passed**

- 5. New Business
  - a. Presentation of new Simonton GIS Map by LJA Engineering
    - Motion by to No action necessary. seconded.**
    - Ayes: All**
    - Noes: None**
    - Motion Passed**
  - b. Consider and take action to approve advertising for request for qualifications for City of Simonton comprehensive plan.
    - Motion by Stacey Gootee to to approve advertising for request for q qualifications for City of Simonton Comprehensive Plan. Codty Turner seconded.**
    - Ayes: All**

**Noes: None**

**Motion Passed**

c. Consider and take action to appoint Cody Turner, Stacey Gootee, James Bialas, Thomas McLemore and Kelli Matula to fill 5 board positions for the Economic Development Corporation A (EDC A).

**Motion by Stacey Gootee to to appoint Cody Turner, Stacey Gootee, Kelli Matula, James Bialas and Thomas McLemore to fill 5 board positions for the Economic Development Corporation A (EDC A). Kelli Matula seconded.**

**Ayes: All**

**Noes: None**

**Motion Passed**

d. Discuss and review waste collection services contract with Texas Pride .

**No action necessary**

**6. Reports**

- a. Mayor
- b. City Staff
- c. City Council

Adjournment.

**8:45 PM.**

**Respectfully submitted,**

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**Mayor**

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**City Secretary**

THE STATE OF TEXAS  
COUNTY OF FORT BEND

JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES

THIS CONTRACT made by and between Fort Bend County, a body corporate and politic under the laws of the State of Texas, acting herein by and through the Fort Bend County Elections Administrator pursuant to Texas Election Code Section 31.092, hereinafter referred to as the "County", and the City of Simonton hereinafter referred to as "Political Subdivision," for a joint May 6, 2023 election pursuant to Texas Election Code Section 271.002 .

RECITAL

The City of Simonton is holding a General Election on May 6, 2023 (at the expense of the Political Subdivision) for the purpose of electing Municipal Officers, and a Special Election for the purpose of approving, or disapproving a road tax.

The County owns the Election Systems & Software EVS 6020 Voting System consisting of the ExpressVote Ballot Marking Device, the ExpressTouch electronic tabulation device, the DS-200 Precinct Tabulator, and the DS-450 Central Scanner and tabulator, which have been duly approved by the Secretary of State pursuant to Texas Election Code Chapter 122 as amended, and is compliant with the accessibility requirements set forth by Texas Election Code Section 61.012. Political Subdivision desires to use the County's electronic voting system and to compensate the County for such use and to share in certain other expenses connected with joint elections in accordance with the applicable provisions of Chapters 31 and 271 of the Texas Election Code, as amended.

NOW THEREFORE, in consideration of the mutual covenants, agreements, and benefits to the parties, IT IS AGREED as follows:

I. ADMINISTRATION

The parties agree to hold a "Joint Election" in accordance with Chapter 271 of the Texas Election Code and this agreement. The Fort Bend County Elections Administrator, hereinafter referred to as "Elections Administrator", shall coordinate, supervise, and handle all aspects of administering the Joint Election as provided in this agreement. Political Subdivision agrees to pay the County for equipment, supplies, services, and administrative costs as provided in this agreement. The Elections Administrator shall serve as the administrator for the Joint Election; however, the Political Subdivision shall remain responsible for the lawful conduct of its election. The Elections Administrator shall provide advisory services in connection with decisions to be made and actions to be taken by the officers of the Political Subdivision.

It is understood that other political subdivisions may wish to participate in the use of the County's electronic voting system and polling places, and it is agreed that the County may enter into other joint election agreements and contracts for election services for those purposes on terms and conditions generally similar to those set forth in this contract. Political Subdivision agrees that the County may enter into joint election agreements with other political subdivisions that may have territory located partially or wholly within the boundaries of Political Subdivision, and in such case all parties sharing common territory shall share a joint ballot on the County's electronic voting system at the applicable polling places. In such cases, costs shall be pro-rated among the participants according to Section X of this contract.

At each polling location, joint participants shall share voting equipment and supplies to the extent possible. The participating parties shall share a mutual ballot in those precincts where jurisdictions overlap. However, in no instance shall a voter be permitted to receive a ballot containing an office or proposition stating a measure on which the voter is ineligible to vote. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap.

## II. LEGAL DOCUMENTS

Political Subdivision shall be responsible for the preparation, adoption, and publication of all required election orders, resolutions, notices, and any other pertinent documents required by the Texas Election Code and/or Political Subdivision's governing body, charter, or ordinances.

**Preparation of the necessary materials for notices and the official ballot shall be the responsibility of Political Subdivision, including translation to languages other than English.** Political Subdivision shall provide a copy of their respective election orders and notices to the Elections Administrator.

## III. VOTING LOCATIONS

The County has adopted a countywide polling place program. Voters who reside in Fort Bend County who wish to participate in this Joint Election may cast a ballot at any polling place open for this election. Voters who do not reside in Fort Bend County but within the boundaries of Political Subdivision and wish to participate in this Joint Election shall be assigned to one Early Voting and one Election Day polling location. The Elections Administrator shall select and arrange for the use of and payment for all Election Day voting locations. The proposed voting locations are listed in Attachment A of this agreement. In the event a voting location is not available, the Elections Administrator will arrange for use of an alternate location with the approval of the Political Subdivision. The Elections Administrator shall notify the Political Subdivision of any changes from the locations listed in Attachment A.

If polling places for the May 6, 2023 joint election are different from the polling place(s) used by Political Subdivision in its most recent election, the County agrees to post a notice no later than May 6, 2023 at the entrance to any previous polling places in the jurisdiction stating that the polling location has changed and stating the polling place names and addresses in effect for the May 6, 2023 election.

## IV. ELECTION JUDGES, CLERKS, AND OTHER ELECTION PERSONNEL

The County shall be responsible for the appointment of the presiding judge and alternate judge for each polling location in accordance with Chapter 32 of the Texas Election Code. The Elections Administrator shall make emergency appointments of election officials if necessary.

Upon request by the Elections Administrator, Political Subdivision agrees to assist in recruiting polling place officials who are bilingual (fluent in both English and Spanish).

The Elections Administrator shall notify all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code, and will take the necessary steps to ensure that all election judges appointed for the Joint Election are eligible to serve.

The Elections Administrator shall arrange for the training and compensation of all election judges and clerks. The Elections Administrator shall arrange for the date, time, and place for presiding election judges to pick up their election supplies. Each presiding election judge will be sent a letter from the Elections Administrator notifying the person of the appointment, the time and location of training and distribution of election supplies, and the number of election clerks that the presiding judge may appoint.

Each election judge and clerk will receive compensation at an hourly rate established by the County pursuant to Texas Election Code Section 32.091. Judges and Clerks will be compensated for actual time working at a polling place, time spent preparing the polling location prior to Election Day, and time spent attending any training classes required to successfully conduct the election. The election judge will receive an additional sum of \$25.00 for picking up the election supplies prior to Election Day and for returning the supplies and equipment to the central counting station after the polls close.

The Elections Administrator may employ other personnel necessary for the proper administration of the election, including such part-time help as is necessary to prepare for the election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station. Part-time personnel working in support of the Early Voting Ballot Board and/or central counting station on election night will be compensated at the rate set by the County.

It is agreed by all parties that at all times and for all purposes hereunder, all election judges, clerks, and all other personnel involved in this election are independent contractors and are not employees or agents of the County. No statement contained in this Agreement shall be construed so as to find any judge, clerk, or any other election personnel an employee or agent of the County, and no election personnel shall be entitled to the rights, privileges, or benefits of County employees except as otherwise stated herein, nor shall any election personnel hold himself out as an employee or agent of the County, unless considered a county employee as determined by the Fort Bend County Human Resources Department. It is further agreed by all parties that at all times and for all purposes hereunder, all election judges, clerks, and all other personnel involved in this election are independent contractors and are not employees or agents of Political Subdivision. No statement contained in this Agreement shall be construed so as to find any judge, clerk, or any other election personnel an employee or agent of Political Subdivision, and no election personnel shall be entitled to the rights, privileges, or benefits of Political Subdivision employees except as otherwise stated herein, nor shall any election personnel hold himself out as an employee or agent of Political Subdivision, unless considered an employee of the City of Simonton as determined by the Human Resources Department of the City of Simonton.

#### V. PREPARATION OF SUPPLIES AND VOTING EQUIPMENT

The Elections Administrator shall arrange for all election supplies and voting equipment including, but not limited to official ballots, sample ballots, voter registration lists, and all forms, signs, maps and other materials used by the election judges at the voting locations. At each polling location, joint participants shall share voting equipment and supplies to the extent possible. The participating parties shall share a mutual ballot in those precincts where jurisdictions overlap. However, in no instance shall a voter be permitted to receive a ballot containing an office or proposition stating a measure on which the voter is ineligible to vote. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap. The Elections Administrator shall provide the necessary voter registration information, maps, instructions, and other information needed to enable the election judges in the voting locations that have more than one ballot style to conduct a proper election.

Political Subdivision shall furnish the Elections Administrator a list of candidates and/or propositions showing the order and the exact manner in which the candidate names and/or proposition(s) are to appear on the official ballot (including titles and text in each language in which Political Subdivision's ballot is to be printed). This list shall be delivered to the Elections Administrator prior to the deadlines as described in section XVI. Political Subdivision shall be responsible for proofreading and approving the ballot insofar as it pertains to Political Subdivision's candidates and/or propositions.

If the boundaries of the political subdivision extend into another county, it shall be the responsibility of the political subdivision to request a poll book from the voter registrar of those counties and provide to the Elections Administrator within five calendar days before the start of Early Voting. It shall also be the responsibility of the Political Subdivision to request copies of Ballot by Mail applications from the Early Voting Clerk of those counties. Applications for ballot should be provided the latter of 45 days prior to Election Day, or 5 days after the calling of the election by the governing body of the political subdivision.

#### VI. EARLY VOTING

The participating authorities agree to conduct joint early voting and to appoint the Election Administrator as the Early Voting Clerk in accordance with Sections 31.097 and 271.006 of the Texas Election Code. The participating authorities agree to appoint the Elections Administrator's permanent county employees as deputy early voting clerks. The participating authorities further agree that the Elections Administrator may appoint other deputy early voting clerks to assist in the conduct of early voting as necessary, and that these additional deputy early voting clerks shall be compensated at an hourly rate set by the County pursuant to Section 83.052 of the Texas Election Code.

Early Voting by personal appearance will be held at the locations, dates, and times listed in Attachment "B" of this document. Any qualified voter of the Joint Election may vote early by personal appearance at any one of the joint early voting locations.

As Early Voting Clerk, the Elections Administrator shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. Any requests for early voting ballots to be voted by mail received by Political Subdivision shall be forwarded immediately by fax or courier to the Elections Administrator for processing. Political Subdivision shall provide to the Elections Administrator copies of all ballot by mail applications submitted by voters who do not reside in Fort Bend County but within the boundaries of Political Subdivision.

Upon request, the Elections Administrator shall provide Political Subdivision a copy of the early voting report on a daily basis and a cumulative final early voting report following the election.

## VII. EARLY VOTING BALLOT BOARD

The County shall appoint an Early Voting Ballot Board (EVBB) to process early voting results from the Joint Election. The Presiding Judge of Central Count, with the assistance of the Elections Administrator, shall appoint two or more additional members to constitute the EVBB. The Elections Administrator shall determine the number of EVBB members required to efficiently process the early voting ballots.

## VIII. CENTRAL COUNTING STATION AND ELECTION RETURNS

The Elections Administrator shall be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this agreement.

The participating authorities hereby, in accordance with Section 127.002, 127.003, and 127.005 of the Texas Election Code, appoint the following central counting station officials:

Counting Station Manager:	John Oldham, Elections Administrator
Tabulation Supervisor:	Chase Wilson, Assistant Elections Administrator
Presiding Judge:	Maria Rose Gonzalez, Elections Coordinator

The counting station manager or his representative shall deliver timely cumulative reports of the election results as precincts report to the central counting station and are tabulated. The manager shall be responsible for releasing cumulative totals and precinct returns from the election to the joint participants, candidates, press, and general public by distribution of hard copies or electronic transmittals by facsimile (when so requested) and by posting to the Elections Administrator's web page located at "[www.fortbendvotes.org](http://www.fortbendvotes.org)".

The Elections Administrator will prepare the unofficial canvass reports after all precincts have been counted, and will deliver a copy of the unofficial canvass to the Political Subdivision as soon as possible after all returns have been tabulated. All participating authorities shall be responsible for the official canvass of their respective elections.

The Elections Administrator shall be responsible for conducting the post-election manual recount required by Section 127.201 of the Texas Election Code unless a waiver is granted by the Secretary of State. Notification and copies of the recount, if waiver is denied, will be provided to each participating authority and the Secretary of State's Office.



## IX. RUNOFF ELECTION

Political Subdivision shall have the option of extending the terms of this agreement through its runoff election, if applicable. In the event of such runoff election, the terms of this agreement shall automatically extend unless the Political Subdivision notifies the Elections Administrator in writing within 10 days of the original election.

Political Subdivision and the elections Administrator shall reserve the right to reduce the number of early voting locations and/or Election Day voting locations in any runoff election.

## X. ELECTION EXPENSES AND ALLOCATION OF COSTS

Political Subdivision agrees to share the costs of administering the Joint Election. Allocation of costs, unless specifically stated otherwise, is mutually agreed to be shared among the total number of political subdivisions. Costs for polling places shared by the County, Political Subdivision, and other political subdivisions shall be pro-rated among the participants to this agreement.

Any expenses incurred in the rental of polling place facilities shall be pro-rated among the participants to this agreement.

It is agreed that the normal rental rate charged for the County's voting equipment used on Election Day shall be pro-rated among the participants to this agreement.

Costs for Early Voting by Personal Appearance shall be allocated as shown in Attachment C of this document.

Political Subdivision agrees to pay the County an administrative fee equal to ten percent (10%) of its total billable costs in accordance with Section 31.100(d) of the Texas Election Code.

## XI. WITHDRAWAL FROM CONTRACT DUE TO CANCELLATION OF ELECTION

Political Subdivision may withdraw from this agreement and the Joint Election should it cancel its election in accordance with Sections 2.051 - 2.053 of the Texas Election Code. Political Subdivision is fully liable for any expenses incurred by the County on behalf of Political Subdivision plus an administrative fee of ten percent (10%) of such expenses. Any monies deposited with the county by Political Subdivision shall be refunded, minus the aforementioned expenses and administrative fee if applicable.

## XII. RECORDS OF THE ELECTION

The Elections Administrator is hereby appointed general custodian of the voted ballots and all records of the Joint Election as authorized by Section 271.010 of the Texas Election Code.

Access to the election records shall be available to each participating authority as well as to the public in accordance with applicable provisions of the Texas Election Code and the Texas Public Information Act. The election records shall be stored at the offices of the Elections Administrator or at an alternate facility used for storage of county records. The Elections Administrator shall ensure that the records are maintained in an orderly manner so that the records are clearly identifiable and retrievable.

Records of the election shall be retained and disposed of in accordance with the provisions of Section 66.058 of the Texas Election Code. If records of the election are involved in any pending election contest, investigation, litigation, or open records request, the Elections Administrator shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of Political Subdivision to bring to the attention of the Elections Administrator any notice of pending election contest, investigation, litigation or open records request that may be filed with Political Subdivision.

### XIII. RECOUNTS

A recount may be obtained as provided by Title 13 of the Texas Election Code. Political Subdivision agrees that any recount shall take place at the offices of the Elections Administrator, and that the Elections Administrator shall serve as Recount Supervisor and Political Subdivision's official or employee who performs the duties of a secretary under the Texas Election Code shall serve as Recount Coordinator.

### XIV. MISCELLANEOUS PROVISIONS

1. It is understood that to the extent space is available, that other districts and political subdivisions may wish to participate in the use of the County's election equipment and voting places, and it is agreed that the Elections Administrator may contract with such other districts or political subdivisions for such purposes and that in such event there may be an adjustment of the pro-rata share to be paid to the County by the participating authorities.
2. The Elections Administrator shall file copies of this document with the Fort Bend County Treasurer and the Fort Bend County Auditor in accordance with Section 31.099 of the Texas Election Code.
3. In the event that legal action is filed contesting Political Subdivision's election under Title 14 of the Texas Election Code, Political Subdivision shall choose and provide, at its own expense, legal counsel for the County, the Elections Administrator, and additional election personnel as necessary.
4. Nothing in this contract prevents any party from taking appropriate legal action against any other party and/or other election personnel for a breach of this contract or a violation of the Texas Election Code.
5. The parties agree that under the Constitution and laws of the State of Texas, neither the County nor Political Subdivision can enter into an agreement whereby either party agrees to indemnify or hold harmless another party; therefore, all references of any kind, if any, to indemnifying or holding or saving harmless for any reason are hereby deleted.
6. This agreement shall be construed under and in accord with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Fort Bend or Harris Counties, Texas.
7. In the event of one of more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
8. All parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.
9. The waiver by any party of a breach of any provision of this agreement shall not operate as or be construed as a waiver of any subsequent breach.

Any amendments of this agreement shall be of no effect unless in writing and signed by all parties hereto.

XV. COST ESTIMATES AND DEPOSIT OF FUNDS

It is estimated that Political Subdivision's obligation under the terms of this agreement shall be \$6,979.00. The Political Subdivision agrees to pay to the County a deposit of \$4,180.00 which is approximately sixty (60) percent of the total estimated obligation of Political Subdivision to the County under this agreement. This deposit shall be paid to the County within ten (10) days of the City's receipt of this agreement, authorized by the governing bodies of both parties and fully executed by both parties. The exact amount of the Political Subdivision's obligation under the terms of this agreement shall be calculated after the May 6, 2023 election (or runoff election, if applicable), and if the amount of the Political Subdivision's obligation exceeds the amount deposited, the Political Subdivision shall pay to the County the balance due within thirty (30) days after receipt of the final invoice from the Elections Administrator. However, if the amount of the Political Subdivision's obligation is less than the amount deposited, the County shall refund to the Political Subdivision the excess amount paid within thirty (30) days after final costs are calculated.

XVI. RESULT OF NON-COMPLIANCE OF DEADLINES

The Political Subdivision agrees that it shall provide ballot details to the Elections Office not later than the 68th day (February 27, 2023) before the election. It is understood that if the ballot details are not provided to the Elections Office by the 64th day before the election (March 03, 2023) that the Elections Office may impose a penalty fee of \$1000.00 assessed to the total cost. It is also understood that if the ballot details are not provided to the Elections Office by the 60th day before Election Day (March 7, 2023), this contract will be declared null and void and it will be the responsibility of the political entity to conduct a separate election.

IN TESTIMONY HEREOF, this agreement, its multiple originals all of equal force, has been executed on behalf of the parties hereto as follows, to-wit:

- (1) It has on the \_\_\_\_\_ day of \_\_\_\_\_, 2023 been executed on behalf of Fort Bend County by the Elections Administrator pursuant to the Texas Election Code Section 31.092 so authorizing;
- (2) It has on the \_\_\_\_\_ day of \_\_\_\_\_, 2023 been executed on behalf of the City of Simonton by its Presiding Officer or authorized representative, pursuant to an action by the Governing Body of the City of Simonton.

FORT BEND COUNTY

By \_\_\_\_\_  
John Oldham  
Elections Administrator

CITY OF SIMONTON:

By \_\_\_\_\_



Election Day Voting Centers

Centros de votación el día de las elecciones

COUNTYWIDE POLLING PLACE	Voting Location	ADDRESS	CITY	ZIP
Beasley City Hall	CITY HALL BACK BOARDROOM	319 S. Third Street	BEASLEY, TX	77417
Bowie Middle	Main Hallway by Gym	700 Plantation Dr	RICHMOND, TX	77406
Brazos Bend Baptist Church	Education Building	22311 FM 762 Rd	NEEDVILLE, TX	77461
Briarchase Missionary Bapt Ch.	Fellowship hall	16000 Blueridge Rd	MISSOURI CITY, TX	77489
Chasewood Clubhouse	Level 1 (Clubhouse Facility)	7622 Chasewood Dr	MISSOURI CITY, TX	77489
Cinco Ranch Branch Library	Meeting Room	2620 Commercial Center Blvd.	KATY, TX	77494
Clayton Oaks Assisted Living	Activity Room "Big"	21175 Southwest Freeway	RICHMOND, TX	77469
Clements HS	ROPEB Building	4200 Elkins Rd	SUGAR LAND, TX	77479
Commonwealth Clubhouse	Clubhouse	4330 Knightsbridge Blvd	SUGAR LAND, TX	77479
Crockett Middle	Girls Gym	19001 Beechnut St	RICHMOND, TX	77407
Elkins HS	Front lobby	7007 Knights Ct	MISSOURI CITY, TX	77459
Fairgrounds Bldg D	Main Building	4310 Highway 36 S	ROSENBERG, TX	77471
Fort Bend ISD Admin. Bldg.	Lobby	16431 Lexington Blvd	SUGAR LAND, TX	77479
Four Corners Community Center	"Sprint Room"	15700 Old Richmond Road	SUGAR LAND, TX	77498
Fulshear HS	Front of Auditorium	9302 Charger Way	FULSHEAR, TX	77441
Garcia Middle	Gym Area Hallway	18550 Old Richmond Rd	SUGAR LAND, TX	77478
George Bush HS	Gym Foyer	6707 FM 1464 RD	RICHMOND, TX	77407
Great Oaks Baptist Church	Parish Hall	7101 FM 2759 Rd	RICHMOND, TX	77469
Hightower HS	Front Lobby	3333 Hurricane Ln	MISSOURI CITY, TX	77459
Hunters Glen Elem	Gym	695 Independence Blvd	MISSOURI CITY, TX	77459
Imperial Park Recreation Center	Meeting Room	234 Matlage Way	SUGAR LAND, TX	77478
Jacks Conference Center	Main Room	3232 Austin Pkwy	SUGAR LAND, TX	77479
Jones Creek Ranch Park	Main Room	7714 FM 359 Rd	RICHMOND, TX	77406
Jordan HS	Performing Arts Center Lobby	27500 Fulshear Bend Dr	FULSHEAR, TX	77441
Kempner HS	Side hallway thru student park	14777 Voss Rd	SUGAR LAND, TX	77498
Kendleton Church of God	ED Building	619 FM 2919 Rd	KENDLETON, TX	77417
Lake Olympia Club House	Ballroom	180 Island Blvd	MISSOURI CITY, TX	77459
Lantern Lane Elem.	cafeteria	3323 Mission Valley Dr	MISSOURI CITY, TX	77459
Lexington Creek Elem	Gymnasium	2335 Dulles Ave	MISSOURI CITY, TX	77459
Lindsey Elem	TBD	2431 Joan Collier Trace	KATY, TX	77494
Living Word Lutheran Church	Life Center - Courtyard Side	3700 South Mason Road	KATY, TX	77450
Lost Creek Conference Center	Main Room	3703 Lost Creek Blvd	SUGAR LAND, TX	77478
M.R. Massey Admin. Bldg.	Event Space	1570 W. Sycamore Rd	FRESNO, TX	77545
Maryam Islamic Center	Multi-purpose Area/Room	504 Sartartia Rd	SUGAR LAND, TX	77479
Meadows Place City Hall	Council Chambers	1 Troyan Dr	MEADOWS PLACE, TX	77477
Mission Bend Library	Meeting Room	8421 Addicks Clodine Rd	HOUSTON, TX	77083
Missouri City Baptist Church	Multipurpose Building	16816 Quail Park Dr	MISSOURI CITY, TX	77489
Missouri City Visitors Center	Main Room	1522 Texas Parkway	MISSOURI CITY, TX	77489
Mustang Community Center	Classroom	4521 FM 521 Rd	FRESNO, TX	77545
Pinnacle Senior Center	Multi-purpose Room	5525 Hobby St	HOUSTON, TX	77053
Quail Valley Elem	Main Room	3500 Quail Village Dr	MISSOURI CITY, TX	77459
Quail Valley Fund Office	Board Room	3603 Glenn Lakes Ln	MISSOURI CITY, TX	77459
Reese Tech Ctr	B116 - Physical Therapy Room	12300 University Blvd	SUGAR LAND, TX	77479
Richmond Water Mt. Facility	1st room to the right	110 N 8th St	RICHMOND, TX	77469
Ridge Point HS	Gym Foyer	500 Waters Lake Blvd.	MISSOURI CITY, TX	77459
Ridgegate Community Ass'n	Main Room	5855 West Ridgecreek Dr	HOUSTON, TX	77489
Ridgemont Early Childhood Ctr	Extended Day Room	5353 Ridgecreek Circle	HOUSTON, TX	77053
River Park Recreation Ctr.	Rec Center	5875 Summit Crk Drive	SUGAR LAND, TX	77479
Road and Bridge (Needville)	Meeting Room	3743 School St	NEEDVILLE, TX	77461
Rosenberg Annex Building	varies	4520 Reading Rd	ROSENBERG, TX	77471
Sartartia Middle	Front Area	8125 Homeward Way	SUGAR LAND, TX	77479
Sienna Annex	Community Room	5855 Sienna Springs Way	MISSOURI CITY, TX	77459
Simonton City Hall	Meeting Room	35011 FM 1093	SIMONTON, TX	77476
Stafford City Hall	Large Conference Room	2610 S Main St	STAFFORD, TX	77477
Sugar Lakes Clubhouse	Clubhouse	930 Sugar Lakes Dr	SUGAR LAND, TX	77478
Sugar Land Branch Library	Meeting Room	550 Eldridge Rd	SUGAR LAND, TX	77478
Sugar Land Church of God	Fellowship Hall	1715 Eldridge Rd	SUGAR LAND, TX	77478
Thompsons City Hall	Community Center	520 Thompson Oil Field Road	THOMPSONS, TX	77481
Townwest Towne Hall	Main Room	10322 Old Towne Ln	SUGAR LAND, TX	77498
University Branch Library	Meeting Room 1	14010 University Blvd	SUGAR LAND, TX	77479
Westlake Preparatory Academy	Back Classroom	23300 Bellaire Blvd	RICHMOND, TX	77406

**Fort Bend County Early Voting Schedule**  
**May 6, 2023 General Election**  
*Calendario de votación anticipada del condado*  
*de Fort Bend Elecciones generales del 6 de mayo de 2023*

<b>Early Voting Location</b>	<b>Hours(Horas)</b>			
	Monday – Friday April 24 – 28, 2023 <i>(lunes – viernes)</i> <i>(24-28 de abril, 2023)</i>	Saturday April 29, 2023 <i>(sábado)</i> <i>(29 de abril, 2023)</i>	Sunday April 30, 2023 <i>(domingo)</i> <i>(30 de abril, 2023)</i>	Monday – Friday May 1 – May 2, 2023 <i>(lunes – martes)</i> <i>(1 – 2 de mayo, 2023)</i>
<b>Beasley City Hall</b> 319 S 3 <sup>rd</sup> Street, Beasley <b>Cinco Ranch Branch Library</b> 2620 Commercial Center Blvd, Katy <b>Stafford City Hall</b> 2610 South Main Street, Stafford	<b>All Sites are open</b> <b>8:00 A.M.</b> <b>To</b> <b>5:00 P.M.</b>	<b>All Sites are open</b> <b>8:00 A.M.</b> <b>To</b> <b>5:00 P.M.</b>	<b>All Sites are CLOSED</b> <i>(Todos los sitios están cerrados)</i>	<b>All Sites are open</b> <b>7:00 A.M.</b> <b>To</b> <b>7:00 P.M.</b>
<b>Commonwealth Clubhouse</b> 4330 Knightsbridge Blvd, Sugar Land <b>Four Corners Community Center</b> 15700 Old Richmond Rd, Sugar Land <b>Fulshear High School</b> 9302 Charger Way, Fulshear <b>Jacks Conference Center</b> 3232 Austin Pkwy, Sugar Land <b>Jones Creek Ranch Park</b> 7714 FM Rd 359, Richmond <b>Meadows Place City Hall</b> 1 Troyan Dr, Meadows Place <b>Missouri City Visitors Center</b> 1522 Texas Pkwy, Missouri City <b>Quail Valley Fund Office</b> 3603 Glenn Lakes Ln, Missouri City <b>Road and Bridge (Needville)</b> 3743 School St, Needville <b>Rosenberg Annex Building</b> 4520 Reading Rd, Rosenberg <b>Sienna Annex</b> 5855 Sienna Springs Way	<b>All Sites are open</b> <b>7:00 A.M.</b> <b>To</b> <b>7:00 P.M.</b>	<b>All Sites are open</b> <b>8:00 A.M.</b> <b>To</b> <b>5:00 P.M.</b>	<b>All Sites are open</b> <b>12:00 Noon</b> <b>To</b> <b>6:00 P.M.</b>	<b>All Sites are open</b> <b>7:00 A.M.</b> <b>To</b> <b>7:00 P.M.</b>
<b>Bowie Middle</b> 700 Plantation Dr, Richmond <b>Chasewood Clubhouse</b> 7622 Chasewood Dr, Missouri City <b>Clements High School</b> 7622 Chasewood Dr, Missouri City <b>Great Oaks Baptist Church</b> 7101 FM 2759, Richmond <b>Fort Bend ISD Administration Building</b> 16431 Lexington Blvd, Sugar Land <b>Hightower High School</b> 3333 Hurricane Ln, Missouri City <b>Lost Creek Conference Center</b> 3703 Lost Creek Blvd, Sugar Land <b>Reese Technical Center</b> 12300 University Dr, Sugar Land <b>Richmond Water Maintenance Facility</b> 110 N 8 <sup>th</sup> Street, Richmond <b>Ridge Point High School</b> 500 Waters Lake, Missouri City, Richmond <b>Sugar Land Branch Library</b> 550 Eldridge Rd, Sugar Land	<b>All Sites are open</b> <b>7:00 A.M.</b> <b>To</b> <b>7:00 P.M.</b>	<b>All Sites are open</b> <b>8:00 A.M.</b> <b>To</b> <b>5:00 P.M.</b>	<b>All Sites are CLOSED</b> <i>(Todos los sitios están cerrados)</i>	<b>All Sites are open</b> <b>7:00 A.M.</b> <b>To</b> <b>7:00 P.M.</b>

**City of Simonton proposed Election Services Contract  
Estimate for the conduct of the May 6, 2023 Election**

**A. Statistical Information**

1. Number of Registered Voters	<u>506</u>
2. Number of Precincts	<u>1</u>
3. Number of election day polling places (excluding early voting)	<u>60</u>
4. Number of polling places shared with another entity	<u>60</u>
5. Number of public buildings used as polling places	<u>45</u>
6. Number of early voting stations	<u>25</u>
7. Voting system:	<u>Hybrid</u>

**B. Cost of Election**

	Estimate	Actual
1. Early Voting and Election Day personnel <i>(TEC § 32.091, 32.092, 32.114, 83.052, 271.013)</i>		
a. Early voting clerks Clerks x Rate x Hours / Entities <u>4 x \$20 x 110 / 3</u>	<u>\$2,933</u>	<u>\$0.00</u>
b. Election day judges / clerks <u>1</u> Location(s) x Clerks x Rate x Hours / Entities <u>1 x \$20 x 14 / 2</u> Election day judges / clerks <u>2 x \$17 x 14 / 2</u>	<u>\$140</u> <u>\$230</u>	<u>\$0.00</u> <u>\$0.00</u>
2. Early Voting Ballot Board & central counting station personnel <i>(TEC § 87.005, 127.006)</i>		
a. Clerks and Judges	<u>\$35</u>	<u>\$0.00</u>
3. Election Day Field Techs and Other Temp workers	<u>\$75</u>	<u>\$0.00</u>
4. Elections Administration Dept. Staff overtime <i>(TEC § 31.100(e))</i>	<u>\$75</u>	<u>\$0.00</u>
	Subtotal of Labor Cost	
	\$3,488	
5. FICA & Workers Comp	11.45% x \$3,488 = <u>\$399</u>	
6. Election supplies & equipment		
<b>Early Voting</b>		
a. Early Voting supply kits <u>1 x \$35 / 3</u>	<u>\$12</u>	<u>0.00</u>
b. Early Voting ExpressVotes <u>4 x \$175 / 3</u>	<u>\$233</u>	<u>0.00</u>
c. Early Voting ExpressTouch <u>1 x \$150 / 3</u>	<u>\$75</u>	<u>0.00</u>
d. Early Voting DS-200 <u>1 \$250 / 3</u>	<u>\$83</u>	<u>0.00</u>
e. Wireless Communication (phone & hot <u>1 x \$75 / 3</u>	<u>\$37</u>	<u>0.00</u>
f. Ballot Stock <u>100 0.12 / 3</u>	<u>\$4</u>	<u>\$0.00</u>
7. <b>Election Day</b>		
g. Election Day supply kits <u>1 x \$35 / 2</u>	<u>\$18</u>	<u>\$0.00</u>
h. Election Day ExpressVotes <u>4 x \$175 / 2</u>	<u>\$350</u>	<u>\$0.00</u>
i. Election Day ExpressTouch <u>1 x \$150 / 2</u>	<u>\$75</u>	<u>\$0.00</u>
j. Election Day DS-200 <u>1 \$250 / 2</u>	<u>\$125</u>	<u>\$0.00</u>
k. Wireless Communication (phones & hot <u>1 x \$75 / 2</u>	<u>\$38</u>	<u>\$0.00</u>
l. Ballot Stock <u>200 x 0.12 / 2</u>	<u>\$12</u>	<u>\$0.00</u>
8. Delivery of Voting Equipment & Supplies		
a. Early Voting & Election Day	<u>\$900</u>	<u>\$0.00</u>
9. Polling Place Rental		





**RESOLUTION NO. 2023-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIMONTON, TEXAS, ADOPTING RULES AND PROCEDURES RELATED TO CITY COUNCIL DELIBERATIONS AND PUBLIC COMMENT DURING CITY COUNCIL MEETINGS.**

\* \* \* \* \*

**WHEREAS**, Pursuant to Chapter 22 of the Texas Local Government Code and Chapter 551 of the Texas Government Code, the City Council (the "Council") of the City of Simonton (the "City") may adopt rules related to the procedures by which the Council may conduct its meetings and rules guiding the interaction of the public during meetings of the Council (the "Rules"); and

**WHEREAS**, the Council has reviewed the Rules attached to this Resolution as Exhibit "A", and finds that the Rules are reasonable and serve the public purpose of allowing the Council to conduct its business in an efficient manner during its meetings; and, **NOW THEREFORE:**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIMONTON, TEXAS:**

**SECTION 1. THAT** the recitals to this Resolution are true and correct and are incorporated herein for all purposes.

**SECTION 2. THAT** the Rules, attached to and made a part of this Resolution as Exhibit "A", are hereby adopted and made effective immediately upon passage by the Council.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**FOR THE CITY:**

\_\_\_\_\_  
**LAURIE BOUDREAUX, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Erica Molina, City Secretary**

**EXHIBIT A**

**City of Simonton Council Rules:  
Council Deliberations & Public Comment During City Meetings**

## CITY OF SIMONTON CITY COUNCIL RULES AND PROCEDURES

### **CITY COUNCIL DELIBERATIONS & PUBLIC COMMENTS AT CITY MEETINGS**

These rules and procedures (the "Rules") are intended for the City Council (the "Council") of the City of Simonton (the "City"), the citizens of the City, and any attendees of any meeting of the Council. Texas Local Government Code Chapter 22 and Texas Government Code Chapter 551 (together the "Meetings Laws"), authorize the Mayor, Mayor Pro Tempore, or a Council Member to preside over a meeting of the Council. The Meetings Laws also authorize the Council to adopt reasonable rules regarding the public's right to address the Council at a meeting of the Council, including rules that limit the total amount of time that a member of the public may address the Council on a given item at a meeting of the Council. In order to provide the framework for the execution of the authorizations of the Meetings Laws, these Rules shall be in effect upon their adoption by the Council and until such time as they are amended or new rules adopted in the manner provided for by these Rules.

- 1. Presiding Officer.** The Mayor shall preside at all meetings of the Council and, except in elections, may vote only if there is a tie. At the first meeting of a new Council, or as soon as practicable thereafter, the Council shall elect one (1) Council member to serve as Mayor Pro Tempore for a term of one (1) year. If the Mayor fails, is unable, or refuses to act, the Mayor Pro Tempore shall perform the Mayor's duties as the presiding officer of any Council meeting. If the Mayor and the Mayor Pro Tempore are absent, any Council member may be appointed as the presiding officer for the Council meeting by a majority vote of the Council.
- 2.** The presiding officer shall preside over any meeting of the Council and enforce these rules and procedures. The presiding officer shall make decisions on questions of procedure, subject to review by the Council as a whole. Following a decision of the presiding officer on a question of procedure, any two (2) Council members may appeal the decision to the Council as a whole by the making and seconding of an appeal.
- 3. Substitution for Mayor.** In the case of a conflict or abstention, the Mayor may call the Mayor Pro Tempore, or in the Mayor Pro Tempore's absence, any other Council member to take the Mayor's place as the meeting chair. Such substitutions shall not continue beyond the item or items related to the conflict or abstention, and in no case shall extend beyond the adjournment of the meeting at issue.
- 4. Oral Presentations by City Staff.** Matters requiring the Council's attention or action which may have developed since the deadline for delivery of the Council's agenda packets may, upon approval of the Council, and after satisfying the requirements of the Texas Open Meetings Act, be presented orally by the City Administrator, or designated staff.
- 5.** Citizens and other visitors are welcomed to attend all meetings of the Council and will be admitted to the Council chambers or other room in which the Council is meeting up to the fire safety capacity of the room.
- 6.** Everyone attending the meeting will refrain from private conversations while the Council is in session.

7. Presentations by citizens must be confined to any City related issue. Extended discussion or debates will not be allowed. Generally, the Council will listen but will not usually comment on the issue. Citizens wishing to speak shall be allowed to speak, provided prior to the consideration of the item said person completes and delivers to the City Secretary an applicable form providing the citizen's name and address and the topic that the citizen will discuss. All applicable citizen comment or presentation forms shall be turned to the City Secretary prior the commencement of the Council meeting. Persons wishing to express their position on an agenda item but who do not wish to speak may complete an applicable form and indicate their support or opposition for a particular item or items on the agenda. The name and respective position of such person(s) shall be read into the record. Presentation by citizens shall be limited to a time period of not more than three (3) minutes for each speaker. Speakers will have a maximum of three (3) minutes to speak regardless of the number of items they wished to address. Any time spent by the Council will not be counted against the citizen's time allotment. No person shall speak more than the time limits provided herein on any subject unless there is an exception supported by a majority of City Council. The presiding officer shall not be obligated to recognize a speaker for a second comment on a subject.
8. Following a request by a Council member, the presiding officer may request that the Council re-open a public hearing after a public hearing has been closed. Such public hearing may be re-opened only if it is listed on the agenda that is the subject of the meeting of the Council, and upon the approval of a majority vote of the Council to re-open such public hearing.
9. As a general rule, citizens may not participate in discussions of the Council except when recognized by the presiding officer and during citizen presentations, public hearings, and as otherwise provided for in these Rules.
10. Once public input is closed, the matter shall be returned to the Council for discussion, questions, deliberation, and action. Any Council member is entitled to ask questions of any person in attendance at the meeting.
11. When a measure is presented for consideration to the Council, the presiding officer shall recognize the appropriate staff or Council member to present the case, as needed.
12. A Council member desiring to speak shall address the presiding officer and, upon recognition by the presiding officer, shall confine discussion to the agenda item under discussion. When two (2) or more Councilmembers wish to speak, the presiding officer shall name the Council member who is to speak first. No member of the Council shall interrupt another while speaking unless the speaker chooses to yield to questions from another Council member. As a point of courtesy, no Council member should leave the remainder of an incomplete Council meeting while in session with the intent of not returning without advising the presiding officer.
13. The Council is committed to conducting its business in a courteous, reasonable, and respectful manner. In that spirit, the Council acknowledges that each Council member shall be entitled to speak and ask questions on any item and that in doing so, each Council member shall be mindful and respectful of each other's time and perspective. The presiding officer shall not be obligated to recognize any Council member for a second comment on the subject or amendment until every Council member wishing to speak has been allowed a first comment.

A complaint that a Council member's questions or comments have become excessive, redundant, repetitive, or otherwise may be made as a point of order as provided by the presiding officer.

14. Questions from speakers to the Council with request for an immediate answer, except the applicants and persons representing applicants on platting or zoning cases, shall be prohibited. A Council member's questions to speakers should be to specific individuals and the presiding officer should explain to those individuals beforehand that they may come to the podium and answer if they choose to; but they cannot offer additional unsolicited input or engage in question and answer sessions with Council members.
15. No Council member shall be permitted to indulge in profanity or use language personally offensive, impugn the motives of Council members, charge deliberate misrepresentation, or use language tending to hold a member of the Council, the public, or City staff up for contempt.
16. Citizens shall observe the same rules of propriety, decorum, and good conduct as the Council. The presiding officer shall not permit unrecognized speaker's comments or allow a member of the audience to indulge in profanities or use language tending to hold the Council, the public, or City staff up for contempt.
17. A speaker shall not present an argument on a matter previously considered by the Council at the same session.
18. No person shall make personal, impertinent, or slanderous remarks. Any person who becomes boisterous while addressing the Council or while attending the Council meeting shall be removed from the room if the security officer is so directed by the presiding officer, and such person shall be barred from further audience before the Council during that session of the Council.
19. Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the presiding officer.
20. No signs, posters, or placards will be allowed at Council meetings. Any such signage shall be removed by the security officer.
21. The presiding officer shall exercise control over persons who disrupt the meeting, violate these Rules, or disregard the presiding officer in the following ascending order of action:
  - a. Call the person to order, advising that person of the infraction.
  - b. Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting.
  - c. Order the person to leave the meeting. If the offending person is a member of Council, the presiding officer shall call for a vote on the expulsion of that Council member from the meeting, and such vote requires a majority for adoption.
22. Citizens or other visitors attending Council meetings shall not bring food or drink into the city council chamber or into any other room in which the Council is meeting.

23. A police officer may remove an individual or individuals for disrupting a meeting as authorized by Texas Penal Code Section 42.05. When the presiding officer fails to maintain order and decorum, the Council may compel the presiding officer to enforce this provision following a majority vote of the Council.
24. Any provision of these rules not governed by City or State law may be temporarily suspended by a two-thirds (2/3) vote of the Council members present. The vote on any suspension shall be taken verbally via "Aye and "No" votes and entered into the minutes of the meeting.

**CALLING MUNICIPAL ELECTION**

**ORDINANCE NO. 2023-01**

**AN ORDINANCE OF THE CITY OF SIMONTON, TEXAS, ORDERING AN ELECTION FOR THE PURPOSE OF ELECTING THREE (3) AT LARGE CITY COUNCIL MEMBERS, AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A JOINT ELECTION ON MAY 6, 2023, WITH FORT BEND COUNTY, LAMAR CONSOLIDATED ISD, AND ANY OTHER CONTRACTING ENTITY FOR THIS JOINT ELECTION; PROVIDING FOR ELECTION PRECINCTS AND POLLING PLACES; PROVING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

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

**SECTION 1.**

An election shall be held on the 6<sup>th</sup> of May 2023, the next uniform election date, in the City of Simonton, Texas, which date is not less than 45 days from the date of the adoption of this ordinance for the purpose of submitting the following measures to the qualified voters of the City.

**MEASURES**

Elect three (3) candidates, three (3) City Council Members-at-Large positions, for the City Council of the City of Simonton, Texas.

**SECTION 2.**

The Fort Bend County Elections Administrator shall act as Contracting Officer for this election. The election officials for the City of Simonton precinct in Fort Bend County shall

be designated by the Elections Administrator of Fort Bend County and such election officials shall conduct the City's election in accordance with a "Joint Election Agreement and Contract" to be approved and entered into. The Elections Administrator of Fort Bend County is hereby authorized and instructed to provide and furnish all necessary election supplies for the City of Simonton precincts. The official mailing address of the Elections Administrator is 301 Jackson St., Richmond, Texas, 77469, and the physical address is 4520 Reading Road, Suite A, -400 Rosenberg, Texas 77471. Voting at such election shall be in the manner by which the Elections Administrator deems appropriate.

### SECTION 3.

That the polling place on Election Day May 6, 2023, for the voting precinct in the City of Simonton shall be at Simonton City Hall, 35011 FM 1093, Simonton, Texas, 77476.

### SECTION 4.

That the polls of the polling place on election day shall be open from 7 a.m. to 7 p.m.

### SECTION 5.

Early voting shall be conducted by the Fort Bend County Elections Administrator beginning on April 24, and ending on May 2, 2022. The Fort Bend County Elections Administrator shall receive applications for a ballot to be voted by mail until the close of business on April 1, 2022. Request for applications should be mailed to John Oldham, Fort Bend County Elections Administrator, 4520 Reading Road, Rosenberg, Texas, 77471 or 301 Jackson st. Richmond, Texas, 77469.

### SECTION 6.

That said elections shall be held in accordance with the Constitution and the laws of the State of Texas, and all duly qualified resident electors of the City of Simonton, Texas, shall be entitled to vote.

### SECTION 7.

All resident qualified electors of the City shall be permitted to vote at the election and on the day of the election. Such electors shall vote at the designated polling place. The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and the provisions of the Local Government Code, as amended, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish.



\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

Attest:

\_\_\_\_\_  
City Secretary

**ORDINANCE NO. 2023-02**

**AN ORDINANCE OF THE CITY OF SIMONTON, TEXAS, ORDERING A SPECIAL ELECTION FOR THE PURPOSE OF REAUTHORIZATION OF A LOCAL SALES AND USE TAX IN THE CITY OF SIMONTON, TEXAS, AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; PROVIDING FOR A JOINT ELECTION ON MAY 06, 2023, WITH FORT BEND COUNTY, FORT BEND INDEPENDENT SCHOOL DISTRICT, AND ANY OTHER CONTRACTING ENTITY FOR THIS JOINT ELECTION; PROVIDING FOR ELECTION PRECINCTS AND POLLING PLACES; PROVING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

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

**SECTION 1.**

An election shall be held on the 6<sup>th</sup> of May 2023, the next uniform election date, in the City of Simonton, Texas, which date is not less than 45 days from the date of the adoption of this ordinance for the purpose of submitting the following measures to the qualified voters of the City.

**MEASURES**

Reauthorization of a local sales and use tax in the City of Simonton, Texas, at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets.

**SECTION 2.**

The Fort Bend County Elections Administrator shall act as Contracting Officer for this election that will take place in conjunction with the City of Simonton Regular Election. The election

officials for the City of Simonton precinct in Fort Bend County shall be designated by the Elections Administrator of Fort Bend County and such election officials shall conduct the City's election in accordance with a "Joint Election Agreement and Contract" to be approved and entered into. The Elections Administrator of Fort Bend County is hereby authorized and instructed to provided and furnish all necessary election supplies for the City of Simonton precincts. The official mailing address of the Elections Administrator is 301 Jackson, Richmond, Texas, 77469, and the physical address is 4520 Reading Road, Suite A, -400 Rosenberg, Texas 77471. Voting at such election shall be in the manner by which the Elections Administrator deems appropriate.

### SECTION 3.

That the polling place on Election Day May 6, 2023, for the voting precinct in the City of Simonton shall be at Simonton City Hall, 35011 FM 1093, Simonton, Texas, 77476.

### SECTION 4.

That the polls of the polling place on election day shall be open from 7 a.m. to 7 p.m.

### SECTION 5.

That early voting by personal appearance shall be at the Fulshear High School 9302 Charger Way, Fulshear, Texas, 77441 :

### SECTION 6.

Early voting shall be conducted by the Fort Bend County Elections Administrator beginning on April , and ending on April , 2023. The Fort Bend County Elections Administrator shall receive applications for a ballot to be voted by mail until the close of business on April , 2023. Request for applications should be mailed to John Oldham, Fort Bend County Elections Administrator, 4520 Reading Road, Rosenberg, Texas, 77471 or 301 Jackson St., Richmond, Texas 77469.

SECTION 7.

That said elections shall be held in accordance with the Constitution and the laws of the State of Texas, and all duly qualified resident electors of the City of Simonton, Texas, shall be entitled to vote.

SECTION 8.

All resident qualified electors of the City shall be permitted to vote at the election and on the day of the election. Such electors shall vote at the designated polling place. The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and the provisions of the Local Government Code, as amended, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish.

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

Attest:

\_\_\_\_\_  
City Secretary

# MUNICIPAL SALES AND USE TAX FOR STREET MAINTENANCE



**Glenn Hegar**  
Texas Comptroller of Public Accounts

Many Texas cities do not have the funds necessary to repair existing streets and sidewalks. The Tax Code authorizes cities to impose a special sales tax to fund maintenance of this important mobility infrastructure.

## WHO IS ELIGIBLE?

Cities may impose the tax if the new combined local sales tax rate will not exceed 2 percent.

[Refer to Tax Code, Sect. 327.003(b).]

## ELECTION IS REQUIRED

A city's voters must approve the additional sales tax. The city's governing body must adopt an ordinance calling for an election to be held on one of the two uniform election dates:

- the first Saturday in May; or
- the first Tuesday after the first Monday in November.

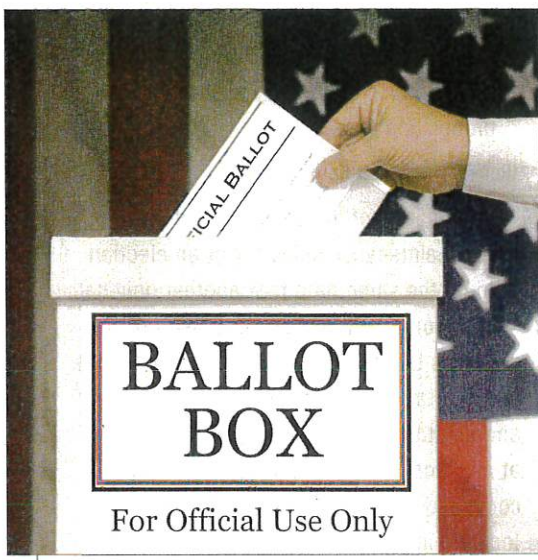
For guidance on the timing of elections, please contact the Secretary of State at 512-463-5650 or toll free at 800-252-8683. Additional information is available on the **Secretary of State's website**.

## BALLOT LANGUAGE

At the election to adopt the additional tax, a ballot must allow voters the choice of voting for or against the proposition. Following is the required ballot language:

"The adoption of a local sales and use tax in (name of municipality) at the rate of (insert appropriate rate) to provide revenue for maintenance and repair of municipal streets."

[Refer to Tax Code, Sect. 327.006(b).]



For sales tax elections called by the governing body, a municipality may combine measures to lower or repeal any dedicated or special purpose municipal sales tax into a single ballot proposition, and at the same time raise or adopt any other dedicated special purpose municipal sales tax. A combined sales tax proposition would have to contain substantially the same language as that required for lowering, repealing, raising or adopting each tax as appropriate. If a combined sales tax proposition were defeated, there would be no effect on existing sales taxes.

[Refer to Tax Code, Sect. 321.109.]

The tax may be used to **repair existing streets**, but **not build new streets**.

FOR MORE INFORMATION, VISIT OUR WEBSITE [Comptroller.Texas.Gov](http://Comptroller.Texas.Gov)

RECEIVE ECONOMIC DEVELOPMENT TAX HELP BY EMAIL AT [econ.dev@cpa.texas.gov](mailto:econ.dev@cpa.texas.gov)

This publication is intended as a general guide and not as a comprehensive resource on the subjects covered. It is not a substitute for legal advice.

# MUNICIPAL SALES AND USE TAX FOR STREET MAINTENANCE

**Street maintenance tax funds** may be spent on municipal streets including sidewalks.

## ELECTION RESULTS

If the election is successful, within 10 days of the election the city must declare the results of the election by resolution or an ordinance entered in its minutes of proceedings. The resolution or ordinance must include statements showing:

- the date the election was held;
- the wording of the proposition;
- the total number of votes cast for and against the proposition; and
- the number of votes by which the proposition passed.

[Refer to **Tax Code, Sect. 321.405.**]

If the voters of a municipality adopt the street maintenance sales tax at an election held on the same date that another political subdivision adopts a sales and use tax or approves the increase in the rate of its sales and use tax, the combined rate of all sales and use taxes must not exceed 2 percent at any location in the municipality. If the combined rate exceeds 2 percent at any location in the municipality, the election to adopt a street maintenance sales tax will have no effect.

[Refer to **Tax Code, Sect. 327.003(c).**]

## EFFECTIVE DATE

The tax will become effective on the first day of the first calendar quarter after one complete calendar quarter passes from the date the Comptroller receives the city's notice that voters have approved the tax.

[Refer to **Tax Code, Sect. 327.005.**]

For example, if voters approve the tax in an election held in May and the city sends the election results to the Revenue Accounting, Tax Allocation Section of the Comptroller's office by the end of June, the tax would take

effect on Oct. 1. The city would begin receiving revenue from the Comptroller beginning with the December sales tax allocation.

## ADMINISTRATION OF THE TAX

The city should account for street maintenance sales tax funds separately from other revenues.

## USE OF THE STREET MAINTENANCE SALES TAX

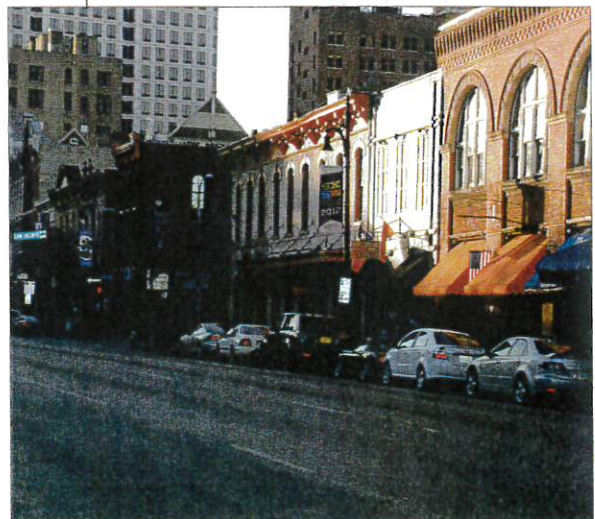
Funds may be used only to maintain and repair municipal streets and sidewalks that existed on the date of the election to adopt the tax. It may not be used to build new streets.

[Refer to **Tax Code, Sect. 327.008.**]

## WHAT ARE "MUNICIPAL" STREETS?

A "municipal street" includes the entire width of a way (including sidewalks) held by a municipality in fee or by easement or dedication that has a part open for public use for vehicular travel. The term does not include a designated state or federal highway or road or a designated county road.

[Refer to **Tax Code, Sect. 327.001.**]



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## EXPIRATION AND REAUTHORIZATION OF THE TAX

For most cities, the street maintenance sales tax expires four years after it takes effect unless the city's voters authorize it to continue in an election held for that purpose. The election to reauthorize the tax must be held on one of the two uniform election dates noted previously. The ballot proposition language should permit voting for or against the following proposition:

"The reauthorization of the local sales and use tax in (name of municipality) at the rate of (insert appropriate rate) to continue providing revenue for maintenance and repair of municipal streets."

The municipality must notify the Comptroller of the scheduled expiration not later than the 10th day after the municipality determines that the tax will expire.

[Refer to Tax Code, Sect. 327.007.]



If an election to reauthorize the tax is not held before the tax expires or if votes cast in an election to reauthorize the tax do not favor reauthorization, the municipality may not call an election to authorize a new tax under this chapter before the first anniversary of the date on which the tax expired.

[Refer to Tax Code, Sect. 327.007.]

## NEED MORE INFORMATION?

For more information about the street maintenance sales tax, call the Comptroller's Data Analysis and Transparency Division at 844-519-5672.

The **tax expires four years after it takes effect** unless voters authorize its extension.

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## Glenn Hegar

Texas Comptroller of Public Accounts

This publication is intended as a general guide and not as a comprehensive resource on the subjects covered. It is not a substitute for legal advice.

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Interest Rate





February 17, 2023

James Bialas  
5428 Blacksmith Road  
Simonton, TX 77476

City of Simonton  
35011 FM 1093  
Simonton, TX 77476

RE: Resignation of James Bialas, Councilmember, City of Simonton, Texas

Dear Mayor Laurie Boudreaux and Councilmembers:

I am by this letter informing Mayor Laurie Boudreaux and Councilmembers that effective immediately, I am resigning my position as Councilmember of the city council of the City of Simonton, Texas.

Sincerely,

James Bialas  
City of Simonton, Councilmember