

ORDINANCE 2024-01

AN ORDINANCE OF THE CITY OF SIMONTON, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION ON MAY 4, 2024, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) AT LARGE COUNCIL MEMBERS (ALDERMAN); DESIGNATING THE CITY AS ONE ELECTION PRECINCT; AND APPROVING TO CONTRACT WITH FORT BEND COUNTY FOR JOINT ELECTION RELATING TO THE MAY 4, 2024, ELECTION.

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

WHEREAS, the City Council of the City of Simonton, Texas, (the "City") has determined that the City should conduct its general municipal election on Saturday, May 4, 2024, and that the following officials shall be elected for the City:

Mayor
Council Member (alderman), at large
Council Member (alderman), at large

WHEREAS, the election so ordered for the City is being ordered not later than the 78th day before the election day pursuant to Sec. 3.005(c) of the Texas Election Code; and,

WHEREAS, the City Council finds that it should: (1) call for said general election to be held on the said date for the purpose of electing a mayor and two (2) at large Council Members, (2) designate the entire City as one election precinct; and (3) establish and set forth the procedures for conducting a joint election with Fort Bend County; and

WHEREAS, the City has approved and agreed to conduct the City's general election jointly with Fort Bend County, in accordance with Chapter 271 of the Texas Election Code.

NOW, THEREFORE,

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

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

Section 2. Calling of Election. A general municipal election is hereby called and ordered for Saturday, May 4, 2024, at which election all qualified voters of the City may vote for the purpose of electing the following officials of the City to serve two-year terms or until their successors are

duly elected and qualified in conformity with the valid provisions of the laws of the City of Simonton, Texas, and the laws of the State of Texas:

Mayor
Council Member (alderman), at large
Council Member (alderman), at large

No person's name shall be placed upon the official ballot as a candidate for any of the above-mentioned positions unless such person shall have filed his or her sworn application, as provided by Sections 141.031, 143.004 and 143.007 of the Texas Election Code with the City Secretary at the City Hall, located at 35011 FM 1093, Simonton, Texas 77476, or by mail to the City of Simonton, PO Box 7, Simonton, Texas 77476, no later than 5:00 p.m. on Friday, February 16, 2024. The City Secretary shall note on the face of each such application the date and time of its filing. A declaration of write-in candidacy must be filed with the City Secretary, as provided by Section 146.054 of the Texas Election Code, not later than 5:00 p.m. on February 16, 2024, except as otherwise provided in the case of a deceased or ineligible candidate.

Section 3. Designation of precinct and polling places. The present boundaries of the City of Simonton, Texas shall constitute one (1) precinct for the election.

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

Section 5. Early Voting. Early voting by personal appearance shall be conducted by John Oldham, Fort Bend County Elections Administrator, Fort Bend County Elections Department, who is hereby appointed Early Voting Clerk, and, in accordance with Sections 83.032 and 83.034 of the Texas Election Code, the Early Voting Clerk may appoint one or more deputy early voting clerks who shall serve under the contract with Fort Bend County. Said clerks shall not permit anyone to vote early by personal appearance on any day that is not a regular working day for the Early Voting Clerk's office, and under no circumstances, shall they permit anyone to vote early by personal appearance at any time when such office is not open to the public.

Early voting shall occur at the locations and dates shown on the "Fort Bend County Early Voting Schedule." Primary location for Early Voting shall be: Rosenberg Annex Building, 4520 Reading Road, Rosenberg, Texas, 77471.

Applications for ballot by mail should be mailed to Fort Bend County Elections, 301 Jackson Street, Richmond, TX 77469; faxed to 281-341-4418; or emailed to vote@fortbendcountytexas.gov. All applications for ballot by mail must be completed in compliance with Fort Bend County's processes and procedures.

Section 6. Placement of Candidates on Ballot. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary, as provided by Sec. 52.094 of the Texas Election Code. The City Secretary shall post a notice in the Secretary's

office at least 72 hours prior to the date on which the drawing is to be held, of the time and place of the drawing, and shall also give personal notice to any candidate who makes written request for such notice and furnishes to the City Secretary a self-addressed, stamped envelope. Each candidate involved in the drawing, or a representative designated by him or her, shall have the right to be present and observe the drawing.

Section 7. Notice of Election. The City Secretary is hereby directed to provide notice of this election in accordance with the provisions of the Texas Election Code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such election and returns of such election shall be made to the City Secretary immediately after the closing of the polls.

Section 8. Joint Election Agreement. The City and Fort Bend County will enter into a joint election contract, which will allow Fort Bend County to administer the City's election as well as use Fort Bend County's voting system.

Section 9. This Ordinance shall be in full force and effect from and after its date of passage, in accordance with law.

PASSED, APPROVED, and ADOPTED this 6th day of February 2024.

CITY OF SIMONTON


Laurie Boudreaux, Mayor

Attest:


Janie Willman, Interim City Secretary