

**ORDINANCE 969**

**AN ORDINANCE OF THE CITY OF PINEY POINT VILLAGE, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION ON MAY 12, 2007, FOR THE PURPOSE OF ELECTING THREE (3) ALDERMEN; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.**

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**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS:**

**Section 1.** In accordance with the general laws and Constitution of the State of Texas, a General Municipal Election is hereby called and ordered for the second Saturday in May, 2007, the same being the 12<sup>th</sup> day of said month, at which general election all qualified voters of the City may vote for the purpose of electing the following officials of the City:

- Councilmember, Position No. 1, Mayor Pro-Tem
- Councilmember, Position No. 2
- Councilmember, Position No. 5

**Section 2.** No person's name shall be placed upon the official ballot as a candidate for any of the above-mentioned positions unless such person has filed his or her sworn application, as provided by Section 141.031 of the TEXAS ELECTION CODE, with the City Administrator of the City at the City Offices, located at 7721 San Felipe, Suite 100, Houston, Texas 77063, not later than five o'clock (5:00) p.m. on the sixty first (61<sup>st</sup>) day before the date of such election. The City Administrator shall note on the face of each such application the date and time of its filing. Such application shall include the office the candidate is seeking and, if applicable, the position number of such position.

**Section 3.** The present boundaries of the City constituting one election precinct, the polls shall be open for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling place, and the following are hereby appointed officers to conduct the above described election at said polling place:

**POLLING PLACE**

Memorial Drive Elementary School  
11202 Smithdale  
Houston, Texas, 77024

**ELECTION OFFICERS**

\_\_\_\_\_ Presiding Judge  
\_\_\_\_\_ Alternate Presiding Judge

The City Administrator is hereby authorized and directed to provide a copy of this Ordinance to each judge as written notice of the appointment as required by Section 32.009 of the TEXAS ELECTION CODE.

The Presiding Judge shall have the authority to appoint no more than five (5) clerks to assist in the holding of said election, but in no event shall the Presiding Judge appoint less than two (2) clerks.

**Section 4.** The City Administrator is hereby appointed clerk for early voting; the appointment of a deputy clerk or clerks for early voting by the City Administrator shall be in accordance with Section 83.031 *et seq.* of the TEXAS ELECTION CODE. The Assistant to the City Administrator is hereby appointed deputy clerk for early voting. The

City Hall  
City of Piney Point Village  
7721 San Felipe, Suite 100  
Houston, Texas 77063

is hereby designated as the place for early voting for said election. Said clerks shall keep said office open during the hours that the City Administrator's main office is regularly open for business, that is, from eight o'clock (8:00) a.m. to five o'clock (5:00) p.m., on each day for early voting which is not a Saturday, a Sunday, or an official state or federal holiday, beginning on the twelfth (12<sup>th</sup>) day and continuing through the fourth (4<sup>th</sup>) day preceding the date of said election. Early voting by personal appearance at the main early voting polling place shall be conducted for twelve (12) hours on May 7 and May 8, 2007, 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. The above-described place for early voting is also the clerk's mailing address to which ballot applications and

ballots voted by mail may be sent. The early voting clerk, in accordance with the provisions of the TEXAS ELECTION CODE, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State. This section is valid pending Pre-clearance by the Department of Justice for a supplement designating a possible change in the Early Voting Polling Place due to the eminent demolition of the Early Voting Polling Place.

**Section 5.** Lorena Briel is hereby appointed as Presiding Judge of the Early Ballot Board. In accordance with Section 87.001, *et seq.* TEXAS ELECTION CODE, said Presiding Judge shall appoint at least two (2) other members to said Board, and shall process early voting results in accordance with said TEXAS ELECTION CODE. Jennifer Rabbitt is hereby appointed Deputy Presiding Judge of the Early Election Board.

**Section 6.** All ballots shall be prepared in accordance with the TEXAS ELECTION CODE. Electronic balloting equipment, which shall be leased from the Harris County Election Division, shall be used for early voting by personal appearance and for voting on Election Day. Early voting by a method other than by personal appearance shall be by paper ballot. All expenditures necessary for the conduct of the election and the purchase of materials therefore are hereby authorized. Compensation of all election officials is hereby established at \$10.00 per hour for Election Judges and \$8.00 per hour for Election Clerks. This compensation is permitted under Section 32.091 *et seq.*, TEXAS ELECTION CODE.

**Section 7.** The City Administrator is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

**Section 8.** The candidate receiving the highest number of votes in each of the positions to be filled at such election shall be declared elected to such positions.

**Section 9.** The order in which the names of the candidates are to appear on the ballot for the general election, and the order in which the names of the candidates are to appear on the ballot for the special election, shall be determined by a drawing by the City Administrator, as provided by Section 42.094 of the TEXAS ELECTION CODE. The City Administrator shall post a notice in her office of the date, hour, and place of drawing. Such notice shall remain posted continuously for seventy-two (72) hours

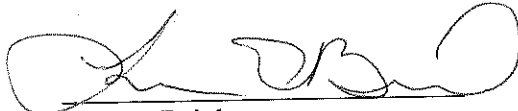
immediately preceding the scheduled time of the drawing, and personal notice shall also be given to any candidate who makes written request for such notice and furnishes to the City Administrator a self-addressed, stamped envelope. Each candidate involved in the drawing, or a representative designated by him or her, shall have a right to be present and observe the drawing.

**Section 10.** Notice of this election shall be given 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 Administrator immediately after the closing of the polls.

**Section 11.** Said election shall be held in accordance with the TEXAS ELECTION CODE and the Federal Voting Rights Act of 1965, as amended.

PASSED, APPROVED AND ADOPTED this 26<sup>th</sup> day of February, 2007.

ATTEST:



Lorena Briel  
City Administrator

SIGNED:



Carol Fox  
Mayor