

ORDINANCE NO. O-20-29

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, PROVIDING FOR A GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO AT-LARGE COUNCILMEMBERS; PROVIDING FOR A SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF MISSOURI CITY A PROPOSITION PROVIDING FOR OR AGAINST THE ADOPTION OF THE FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE LAW; PROVIDING FOR JOINT ELECTIONS ON NOVEMBER 3, 2020, WITH OTHER ENTITIES CONTRACTING WITH FORT BEND COUNTY AND HARRIS COUNTY, RESPECTIVELY, FOR SUCH JOINT ELECTIONS; PROVIDING FOR ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, the City Council of the City of Missouri City, Texas (the "City") has determined that a general election should be held in the City for the purpose of electing a Mayor, a Councilmember-At-Large, Position 1, and a Councilmember-At-Large, Position 2; and

WHEREAS, the City Council desires to proceed with the ordering of such election and has determined that holding such election is in the public interest; and

WHEREAS, Section 143.004 of the Texas Local Government Code requires the governing body of a municipality to order an election submitting to the voters the question of whether Chapter 143 of the Texas Local Government Code, the firefighter' and police officers' civil service law ("Chapter 143"), should be adopted if the governing body of the municipality receives a petition on said matter that is signed by at least 10 percent of the qualified voters who voted in the most recent municipal election; and

WHEREAS, on or about January 21, 2020, the City Secretary of the City of Missouri City ("City Secretary") received a petition requesting the adoption of Chapter 143 (the "Petition"); and

WHEREAS, on or about January 28, 2020, the City Secretary notified the petitioner as to the sufficiency of the Petition in accordance with Section 277.0023 of the Texas Election Code; and

WHEREAS, pursuant to Chapter 143, the Petition has been signed by at least 10 percent of the qualified voters who voted in the most recent municipal election; and

WHEREAS, pursuant to Chapter 143, the City Council of the City of Missouri City, Texas (the "City") is required to hold an election in the City for the purpose of submitting to the qualified voters of the City a proposition providing for or against the adoption of Chapter 143; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:

Section 1. *Election order.* A general municipal election is hereby called and ordered for the 3rd day of November, 2020 ("Election Day"), at which election all qualified voters residing within the corporate limits of the City of Missouri City, Texas, may vote for the purpose of electing a Mayor, a Councilmember-At-Large, Position 1, and a Councilmember-At-Large, Position 2, for full two-year terms. A special municipal election is also hereby called and ordered for Election Day", at which election shall be submitted to the qualified voters of the City of Missouri City, Texas, for their action thereon, a proposition for or against the adoption of the fire fighters' and police officers' civil service law. Said elections shall be held in accordance with the Texas Election Code.

Section 2. *Ballot language.* That the ballot of said election shall conform to the requirements of the Texas Local Government Code, as such code may be amended, and the Texas Election Code, as such code may be amended, with the provision on such ballot allowing voters to vote "FOR" or "AGAINST" the proposition. Such proposition, lettered, in accordance with Section 52.095 of the Texas Election Code, shall provide as follows:

CITY OF MISSOURI CITY, TEXAS, PROPOSITION A

Adoption of the fire fighters' and police officers' civil service law.

Section 3. *Election administrators.* For the portions of the City within Fort Bend County, for the general election called and ordered for the purpose of electing a Mayor, a Councilmember-At-Large, Position 1, and a Councilmember-At-Large, Position 2, and for the special election called and ordered for the purpose of submitting to the qualified voters of the City of Missouri City, Texas, a proposition for or against the adoption of the fire fighters' and police officers' civil service law, the Fort Bend County Elections Administrator shall act as Contracting Officer. The election officials for each City of Missouri City 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 general election in accordance with the "Fort Bend County 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 all City of Missouri City precincts in Fort Bend County. The official mailing address of the Elections Administrator is Fort Bend County Elections, 301 Jackson Street, Richmond, Texas 77469; and the physical address is 4520 Reading Road, Suite A-400, Rosenberg, Texas 77471. For the portions of the City within Harris

County, for the general election called and ordered for the purpose of electing a Mayor, a Councilmember-At-Large, Position 1, and a Councilmember-At-Large, Position 2, and for the special election called and ordered for the purpose of submitting to the qualified voters of the City of Missouri City, Texas, a proposition for or against the adoption of the fire fighters' and police officers' civil service law, the Harris County Elections Administrator shall act as Contracting Officer. The election officials for each City of Missouri City precinct in Harris County shall be designated by the Elections Administrator of Harris County; and such election officials shall conduct the City's general election in accordance with the "Harris County Joint Election Agreement and Contract" to be approved and entered into. The Elections Administrator of Harris County is hereby authorized and instructed to provide and furnish all necessary election supplies for all City of Missouri City precincts in Harris County. The official mailing address of the Elections Administrator is P.O. Box 1148, Houston, Texas 77251-1148; and the physical address is 1001 Preston, 4th Floor, Room 440, Houston, Texas 77002.

Section 4. *Election Day polling places and precincts.* The polling places for voting on Election Day for each City election precinct located in Fort Bend County shall be at the locations designated by Fort Bend County as countywide polling places and as set forth in Exhibit A, attached hereto and made a part hereof. Exhibit A may be modified to include additional or different locations designated by the Fort Bend County Elections Administrator and to conform to the Fort Bend County Joint Election Agreement and Contract. The polling place for voting on Election Day for each City election precinct located in Harris County shall be at the locations designated by Harris County as the polling place or the polling places set forth in Exhibit B, attached hereto and made a part hereof. Exhibit B may be modified to include additional or different locations designated by the Harris County Elections Administrator and to conform to the Harris County Joint Election Agreement and Contract.

Section 5. *Election Day schedule.* Each polling place on Election Day shall be open from 7:00 a.m. to 7:00 p.m.

Section 6. *Early voting polling places and schedule.* Early voting by personal appearance for each City election precinct located in Fort Bend County shall be at the locations, dates, and times as set forth in Exhibit C, attached hereto and made a part hereof. Exhibit C may be modified to include additional or different early voting locations, dates, and times designated by the Fort Bend County Elections Administrator and to conform to the Fort Bend County Joint Election Agreement and Contract. Early voting by personal appearance for each City election precinct located in Harris County shall be at the locations, dates, and times as set forth in Exhibit D, attached hereto and made a part hereof. Exhibit D may be modified to include additional or different early voting locations, dates, and times designated by the Harris County Elections Administrator and to conform to the Harris County Joint Election Agreement and Contract.

Section 7. *Method of voting.* Voting at the election, including early voting by personal appearance, shall be by use of the electronic voting system designated by the contracting entity and approved by the Texas Secretary of State. Early voting by mail shall be by paper ballot processed by an Early Voting Ballot Board through an electronic voting system designated by the contracting entity and approved by the Texas Secretary of State.

Section 8. *Early voting.* The Fort Bend County Elections Administrator is hereby designated as the Early Voting Clerk for each City election precinct located in Fort Bend County. An application for a voting ballot to be voted by mail for each City election precinct located in Fort Bend County shall be mailed to: Fort Bend County Elections Administrator, 301 Jackson Street, Richmond, Texas 77469; personally delivered to: 4520 Reading Road, Suite A-400, Rosenberg, Texas 77471; faxed to: 281-341-4418 or emailed to: vote@fortbendcountytexas.gov. The Harris County Elections Administrator is hereby designated as the Early Voting Clerk for each City election precinct located in Harris County. An application for a voting ballot to be voted by mail for each City election precinct located in Harris County shall be mailed by regular mail to: Chris Hollins, Harris County Clerk, Attn: Elections Division, P.O. Box 1148, Houston, Texas 77251-1148; sent by common or contract carrier (personal delivery) to: Chris Collins, Harris County Clerk, 1001 Preston, 4th Floor, Room 440, Houston, Texas 77002; faxed to: 713-755-4983 or 713-437-8683; or emailed to: BBM@cco.hctx.net. An application for a voting ballot to be voted by mail, must be received no later than Friday, October 23, 2020.

Section 9. *Notice of changes.* The City Secretary shall provide notice of the election in accordance with state law and shall provide notice of any modifications to Exhibits A, B, C, and D on the City's internet website.

Section 10. *Canvassing.* The results of the election shall be canvassed and the returns shall be declared in accordance with state law.

Section 11. *Open meeting.* It is further found and determined that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 12. *Repeal.* Any ordinance or any part of an ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

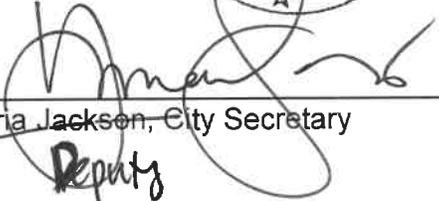
Section 13. *Severability.* That if any section, subsection, sentence, clause, or phrase of this ordinance, or the application of same to a particular set of persons or

circumstances, should for any reason be held to be invalid or adjudged unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of this ordinance, and to such end the various portions and provisions of this ordinance are declared to be severable; and the City Council of the City of Missouri City, Texas, declares it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED on first and final reading this 3rd day of August, 2020.



ATTEST:

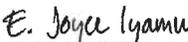


Maria Jackson, City Secretary
Deputy



Yolanda Ford, Mayor

Approved as to form:

DocuSigned by:


E. Joyce Iyamu, City Attorney

City of Missouri City
Precinct 1

Exhibit A

**Fort Bend County
Election Day Vote Centers
November 3, 2020 Joint Election**

Eligible Missouri City voters residing in Fort Bend County:

Missouri City Precinct No. 1: Those portions of Fort Bend County election Precinct Nos. 1109, 2033, 2050, 2059, 2061, 2075, 2077, 2078, 2081, 2089, 2090, 2091, 2092, 2093, 2108, 2112, 2115, 2136, 2151, 2157, 4028, 4030, 4049, 4062, 4065, and 4127 located within the City.

Precinct 1 polling places shall be the polling places set forth in the agreement to be entered into between the City of Missouri City and Fort Bend County for election services.

Those portions of Fort Bend County Precincts Nos. 1097, 1118, 2088, and 4044 falling within the boundaries of the City of Missouri City but having no Missouri City residents will have no Missouri City election day polling places.

City of Missouri City
Precinct 2

Exhibit B

**Harris County
Election Day Polling Locations
November 3, 2020 Joint Election**

Eligible Missouri City voters residing in Harris County:

**Missouri City Precinct No. 2: That portion of Harris County election Precinct No. 506
located within the City**

Precinct 2 polling places shall be the polling places set forth in the agreement to be entered into between the City of Missouri City and Harris County for election services.

City of Missouri City
Precinct 1

Exhibit C

**Fort Bend County
Early Voting Schedule
November 3, 2020 Joint Election**

Eligible Missouri City voters residing in Fort Bend County:

Missouri City Precinct No. 1: Those portions of Fort Bend County election Precinct Nos. 1109, 2033, 2050, 2059, 2061, 2075, 2077, 2078, 2081, 2089, 2090, 2091, 2092, 2093, 2108, 2112, 2115, 2136, 2151, 2157, 4028, 4030, 4049, 4062, 4065, and 4127 located within the City.

Precinct 1 polling places shall be the polling places set forth in the agreement to be entered into between the City of Missouri City and Fort Bend County for election services.

Those portions of Fort Bend County Precincts Nos. 1097, 1118, 2088, and 4044 falling within the boundaries of the City of Missouri City but having no Missouri City residents will have no Missouri City election day polling places.

City of Missouri City
Precinct 2

Exhibit D

**Harris County
Early Voting Schedule
November 3, 2020 Joint Election**

Eligible Missouri City voters residing in Harris County:

Missouri City Precinct No. 2: That portion of Harris County election Precinct No. 506 located within the City.

Precinct 2 polling places shall be the polling places set forth in the agreement to be entered into between the City of Missouri City and Harris County for election services.