

AN ORDINANCE OF THE CITY OF PALM VALLEY, TEXAS ORDERING A GENERAL ELECTION TO BE HELD IN THE CITY OF PALM VALLEY; CAMERON COUNTY, TEXAS TO ELECT ONE (1) MAYOR AND TWO (2) COUNCIL MEMBERS FOR SAID CITY; DESIGNATING THE DATE AND TIME OF THE ELECTION AND THE POLLING PLACE; APPOINTING ELECTION OFFICIALS; PROVIDING ALL DULY QUALIFIED RESIDENT ELECTORS SHALL BE QUALIFIED TO VOTE; PRESCRIBING THE FORM OF BALLOT; DESIGNATING THE PLACE FOR EARLY VOTING THEREFORE; PROVIDING FOR THE USE OF ACCESSIBLE VOTING MACHINES; AND CONTAINING OTHER PROVISIONS RELATING TO THE CONDUCT OF SAID ELECTION; AND PROVIDING FOR CONFLICTING PROVISIONS; SEVERABILITY; PROPER NOTICE AND OPEN MEETINGS; AND AN EFFECTIVE DATE.

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

Section 1: Call of Election: Date; Eligible Electors; and Hours. A general election shall be held within the City of Palm Valley on May 6, 2023 between the hours of 7:00 a.m. and 7:00 p.m. at City Hall, 1313 N. Stuart Place Road, Palm Valley, Texas 78552 at which one (1) Mayor and two (2) Council members will be elected. All resident, qualified electors of the City shall be entitled to vote in the election.

Section 2: Conduct of Election and Appointment of Election Officers. Voting in the election shall be by the use of optical scan ballots. The ballots used in the election shall be prepared in both English and Spanish and shall conform to the requirements of Chapter 52 of the Texas Election Code. The City Secretary is hereby authorized to perform and shall assist in the preparation and printing of the official ballots, as well as provide security for the ballots until they are delivered to the Presiding Judge. The City Secretary is hereby authorized to and shall be responsible for conducting the drawing for the order of candidates' names pursuant to Section 52.094 of the Texas Election Code and is additionally authorized to perform and shall assist in the ordering of all election supplies for this election.

Section 3: Voting System. Assistance shall be provided to eligible voters as provided in the Texas Election Code, Chapter 121. A Help America Vote Act compliant voting system from Elections Systems and Software called an AutoMark Voter Assist Terminal will be used for this election. The City of Palm Valley has entered into a separate lease agreement with Cameron County for the use of this voting system.

Section 4 – Voting Precinct and Appointment of Election Officers. The boundaries of the City, as they exist now, are hereby established as and shall constitute one election precinct—Precinct 80. The polling place shall be the lobby of the offices of the City of Palm Valley (City Hall) located at 1313 N. Stuart Place Road, Palm Valley, Texas. The

above designated polling place shall be open from 7:00 a.m. to 7:00 p.m. on May 6, 2023, the date of the election.

The Presiding Judge is _____ (PENDING). The Presiding Judge is authorized to appoint an Alternate Judge and two (2) clerks to serve and assist in conducting the election. The Presiding Election Judge and the Alternate Presiding Election Judge for the voting precinct shall be qualified voters of the City. The rate of compensation to be paid Judges for services rendered during the election is established at \$10.00 per hour and the rate of compensation to be paid to the Alternate Judge and clerks is \$8.00 per hour.

Section 5: Early Voting. Early voting by personal appearance in the Election shall be for the period permitted by law, which shall begin on the 12th day and continue through the 4th day preceding the date of said election. Early voting begins on April 24, 2023 and ends on May 2, 2023. The hours designated for early voting by personal appearance shall be from 8:00 a.m. to 5:00 p.m. on each day of early voting which is not a Saturday, Sunday or official State holiday. As required by law, early voting shall be conducted for 12-hours on two days during the early voting period. These dates will be on Wednesday, April 26, 2023, and on Monday, May 1, 2023 from 7:00 a.m. to 7:00 p.m.

The Early Voting Clerk for voting in the election shall be the City Secretary of the City of Palm Valley. The Early Voting Clerk is authorized to designate deputy clerks for the conduct of early voting as she deems necessary. Early voting by personal appearance shall be conducted at City Hall, 1313 N. Stuart Place Road, Palm Valley, Texas 78552. City Hall being a public place within the boundaries of the City which shall also be the place where early voting records shall be kept.

Applications from voters to vote early by mail in the election shall be addressed to the Early Voting Clerk, 1313 N. Stuart Place Road, Palm Valley, Texas 78552. The Early Voting Clerk shall collect and process all applications for ballots received at the above address during the periods allowed by the Texas Election Code.

An Early Voting Ballot Board is hereby designated to canvass the early votes cast by mail and by personal appearance. _____ PENDING _____ is hereby appointed as Presiding Judge of the Early Voting Ballot Board. The Presiding Judge shall meet all requirements and qualifications of such position as required by the Texas Election Code. In accordance with Section 87.001, et. seq. Texas Election Code, said Early Voting Ballot Board Judge shall appoint such other members to serve as part of the Board as provided in the Texas Election Code, Section 87.002(b).

Section 6: Canvassing of Returns: Declaring Results. The election shall be held and conducted and returns made to the City Council in accordance with the Texas Election Code and all other applicable laws.

Section 7: Notice of Election. Notice of the election shall be given in accordance with the provisions of the Texas Election Code and shall be posted not later than the 21st day before Election Day on the bulletin board used for posting notices on the meetings of

the City Council of the City of Palm Valley and shall remain posted continuously through Election Day. 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: Severability. If any provision of this Ordinance or the application thereof to any person or circumstances shall be held to be invalid, the remainder of this ordinance and the application of such provisions to other persons and circumstances shall nevertheless be valid and the City Council hereby declares that this ordinance would have been enacted without such invalid provisions.


Section 9: Proper Notice and Open Meeting. The City Council officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this ordinance is adopted was posted for at least 72 hours preceding the scheduled time of the meeting and at the location required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter thereof was discussed, considered and formally acted upon.

Section 10: Effective Date. This ordinance is effective immediately upon its passage and approval and publication, if required, by governing law.

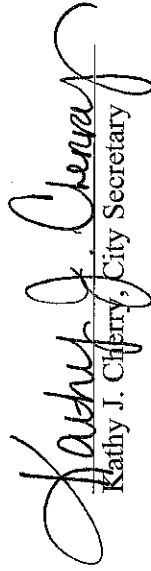
PASSED AND ADOPTED THIS 15TH DAY OF FEBRUARY 2023.

City of Palm Valley, Texas

By: _____


Gilberto Lucio, Mayor Pro Tem

Attest:


Kathy J. Cherry, City Secretary