

**CITY OF PINEY POINT VILLAGE
CITY COUNCIL**

Mark Kobelan, Mayor
Michael Herminghaus, Council Position 1
Dale Dodds, Council Position 2
Joel Bender, Council Position 3, Mayor Pro Tem
Aliza Dutt, Council Position 4
Brian Thompson, Council Position 5



**COUNCIL CHAMBERS
7676 WOODWAY, SUITE 300
HOUSTON, TEXAS 77063**

Robert Pennington, City Administrator
David Olson, City Attorney

Phone (713) 782-0271
www.cityofpineypoint.com

**THE CITY OF PINEY POINT VILLAGE
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 19, 2022
6:00 PM
AMENDED AGENDA**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE WILL HOLD A REGULAR COUNCIL MEETING ON MONDAY, MONDAY, DECEMBER 19, 2022, AT 6:00 P.M. AT CITY HALL, 7676 WOODWAY DR., SUITE 300, HOUSTON, TEXAS TO DISCUSS THE AGENDA ITEMS LISTED BELOW.

DECLARATION OF QUORUM AND CALL TO ORDER

PLEDGE OF ALLEGIANCE

CITIZENS WISHING TO ADDRESS COUNCIL - *At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, if a member of the public comments or inquiries about a subject that is not specifically identified on the agenda, a member of Council or a Staff Member may only respond by giving a statement of specific factual information or by reciting existing policy. The City Council may not deliberate or vote on the non-agenda matter.*

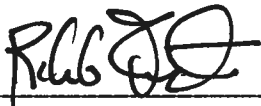
AGENDA

1. Discuss and take possible action on the Memorial Villages Police Department Monthly Report.
2. Discuss and take possible action on the Village Fire Department Monthly Report.
3. Discuss and take possible action on approving the Interlocal Agreement with Harris County to house, support, maintain, and confine or detain city prisoners in Harris County Jails.
4. Discuss and consider possible action on Ordinance 2022.12.19 establishing City Council Regular Meetings for 2023.

5. Discuss and take possible action on Resolution No. 2022.12.19A Calling a General Municipal Election and establishing a joint election with Spring Branch Independent School District for May 6, 2023.
6. Discuss and take possible action on Resolution No. 2022.12.19B appointing members to the Board of Adjustment.
7. Discuss and possible action on the interlocal agreement between the City of Bunker Hill Village and the City of Piney Point Village for animal control services.
8. Discuss and consider possible action on the Mayor's Monthly Report.
 - Blalock / Quail Hollow Landscape Project
9. Discuss and consider possible action on the City Administrator's Monthly Report, including but not limited to:
 - Financial (Preliminary) Report for November.
 - Drainage Cost Share – 11321 Greenvale.
 - Residential Building Setbacks and Side Yards.
 - Update on Specific Use Permit Projects.
10. Discuss and take possible action to ratify the emergency costs associated with the 96-inch Corrugated Metal Pipe of South Piney Point Road Drainage Outfall.
11. Discuss and take possible action on the Engineer's Report.
12. Discuss and consider approval of the Minutes for the Regular Session Meeting held on November 21, 2023.
13. Discuss and consider approval of the Minutes for the Special Session Meeting held on November 28, 2023.
14. Discuss and consider possible action on any future agenda items, meeting dates, and similar matters.
15. EXECUTIVE SESSION: The City Council will adjourn into closed executive session pursuant to Section 551.071 of the Texas Government Code (Consultation with Attorney), and pursuant to Section 551.074 of the Texas Government Code (Personnel), specifically to deliberate employee salary.
16. Discuss and consider possible action on items discussed in Executive Session.
17. New Business: Discuss and take possible action on a request to publicly advertise and bid the South Piney Point Road 96-inch CMP Storm Sewer Replacement Project.
18. Adjourn.

CERTIFICATION

I certify that a copy of the December 19, 2022, agenda of items to be considered by the Piney Point Village City Council was posted in a place convenient to the general public in compliance with Chapter 551 of the Texas Government Code on December 16, 2022. *Amended agenda posted at 3:20 p.m.*



Robert Pennington
City Administrator / City Secretary



In compliance with the Americans with Disabilities Act, the City of Piney Point Village will provide for reasonable accommodations for persons attending City Council meetings. This facility is wheelchair accessible and accessible parking spaces are available. To better serve you, your requests should be received 48 hours prior to the meeting. Please contact Robert Pennington, at 713-230-8703. The City Council reserves the right to adjourn into a Closed Executive Session at any time under the Texas Government Code, Section 551.071 to consult with an attorney.



Memorial Villages Police Department
11981 Memorial Drive
Houston, Texas 77024
Tel. (713) 365-3701

Raymond Schultz
Chief of Police

December 12, 2022

TO: MVPD Police Commissioners

FROM: R. Schultz, Chief of Police

REF: November Monthly Report

During the month of November MVPD responded/handled a total of 4,600 calls/incidents. 3,336 House Watch checks were conducted. 537 traffic stops were initiated with 978 citations being issued for 988 violations. (Note: 15 Assists in Hedwig, 103 in Houston, 2 in Spring Valley and 0 in Hillshire)

Calls/Events by Village were:

Village	Calls/YTD	House Watches/YTD	Accidents	Citations	Response Time
Bunker Hill:	1619/20132	1283/16329	2	221/107/328	9@3:58
Piney Point:	1266/16967	885/13055	3	227/145/373	2@4:10
Hunters Creek:	1570/25751	1159/20919	6	156/131/287	12@4:01
				Cites/Warn/Total	23@4:01

Type and frequency of calls for service/citations include:

Call Type	#	Call Type	#	Citations	#
False Alarms:	119	Ord. Violations:	7	Speeding:	174
Animal Calls:	13	Information:	11	Exp. Registration:	146
ALPR Hits:	127	Suspicious Situations	89	No Ins:	105
Assist Fire:	47	Loud Party	15	License	109
Assist EMS:	41	Welfare Checks:	10	Stop Sign	38
				Fake Plate	39

*This month the department generated a total of 63 police reports.
 BH-12, PP-22, HC-22, HOU-6, HED-1, SV-0*

Crimes Against of Persons (1)

Assault 1

Crimes Against Property (10)

Burglary of a Motor Vehicle 2

UUMV 1 Fraud/ID 7

Petty/Quality of Life Crimes/Events (52)

ALPR Hits (valid) 11 Warrants 4

Accidents 11 DWI 3

Information Reports 17 Possession of DW 2

Possession of CS 2 Extortion 2

Arrest Summary: Individuals Arrested (16)

Warrants 4 Felony 2

Class 3 Arrests 7 DWI 3

<u>Budget YTD:</u>	<u>Expense</u>	<u>Budget</u>	<u>%</u>
• Personnel Expense:	4,545,730	5,222,098	87.0%
• Operating Expense:	869,627	959,152	90.6%
• Total M&O Expenditures:	5,415,357	6,181,250	87.6%
• Capital Expenses:	167,914	178,000	94.3%
• Net Expenses:	5,583,270	6,359,250	88.0%

Follow-up on Previous Month Items/Requests from Commission

- Finance sub-committee continued work with TMRS Staff.

Personnel Changes/Issues/Updates

- TCO Nancy Hubertus submitted notice of intent to resign due to family issues after the holidays. MVPD dispatch has a waiting list of applicants. The number one applicant was moved to the background phase and will start training shortly after the beginning of the year.

Major/Significant Events

- Personnel participated in a regional active shooter training exercise on November 17, 2022. The FBI sponsored event was held at the Chinese Baptist Church on Brogden Road. Over 40 LE and 30 Fire/EMS personnel participated in the event that included Incident Command.
- On 11/11/22, the ALPR system notified officers of a suspect involved in the stalking of an area resident. The suspect had just entered the area in a vehicle. Officers responded to the victims address where they intersected the suspect driving near the victim's home. The suspect who had previously been issued a criminal trespass order was arrested as he was found to be DWI.
- MVPD officers were able to locate and assist 2 missing persons who were identified by the ALPR system. Both individuals were assisted in establishing contact with concerned relatives.
- Officers Boggus and Vasquez were busy during the month assisting at numerous school events and activities throughout the villages. Events included career days, appreciation events and assemblies.
- MVPD assisted in sending out both emergency V-Linc communications and SMS messaging to area residents after an emergency boil water notice was issued by the city of Houston.

Status Update on Major Projects

- New Servers were moved from the I.T. workspace to the server room in dispatch. Multiple old pieces of electronic equipment were disabled and moved out of the computer room in preparation of the upcoming radio equipment upgrade.
- The radio equipment for the radio system upgrade was ordered and a PO issued.
- Final bids were received on the dispatch furniture equipment for the 2023 upgrade project. The consoles were ordered. The second of 3 bids for flooring was received along with a second bid for electrical work. A third bid is still outstanding and once received will allow for the project to move to the scheduling phase.

V-LINC new registrations in November +46

BH – 1531(+21)
PP – 1090 (+8)

HC – 1539 (+14)
Out of Area – 547 (+3)

November VFD Assists

Calls received directly by MVPD via 911/3700

<u>Priority Events</u>	<u>Average Response Times</u>
------------------------	-------------------------------

Total –13	4:19
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Fire – 1	5:08
----------	------

EMS – 12	4:15
----------	------

By Village

BH Fire – 0	0:00
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BH EMS – 6	4:45
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PP Fire – 0	0:00
-------------	------

PP EMS – 0	0:00
------------	------

HC Fire -1	5:08
------------	------

HC EMS -6	3:55
-----------	------

Combined VFD Events (Priority + Radio)

Total – 53	3:50
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Fire – 31	3:55
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EMS – 22	3:46
----------	------

Radio Call Events

Total – 40	3:41
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Fire- 30	3:53
----------	------

EMS- 10	3:16
---------	------

Radio Call Events by Village

BH – 8	3:12
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PP – 21	3:59
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HC – 11	3:32
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2022 Officer Committed Time to Service Report

Employee Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Reports	Cites	
ALSALMANI, ALI											4:33:30		5	1	
BAKER, BRIAN C	*	1:12:06	0:25:57	0:41:47	3:39:42	2:14:53	1:17:03	1:36:45	0:01:36	7:02:02	0:56:24	0:04:51			
BALDWIN, BRIAN								13:29:27	26:57:13	10:18:17	24:30:34	12:19:02	1	23	
BIEHUNKO, JOHN		18:43:22	2:22:28	16:34:24	16:11:16	0:05:01	30:06:58	20:24:31	13:02:30	26:25:28	15:54:27	26:09:10		9	
BOGGUS, LARRY	*	15:04:47	5:53:12	4:40:34	3:14:42	4:18:58	8:49:03	4:15:44	2:34:08	7:02:51	0:34:11	5:34:31			
BURLESON, Jason		12:07:07	8:50:51	10:28:24	15:39:39	20:46:39	12:37:07	12:19:19	19:23:50	20:56:06	30:33:41	18:23:01	5	16	
CANALES, RALPH EDWARD		15:47:48	12:59:21	20:33:16	7:12:09	18:07:20	18:57:15	24:50:11	20:27:50	13:12:30	16:46:23	12:22:11	1	8	
CERNY, BLAIR C.	*	10:28:34	4:46:23	5:09:00	13:16:49	3:28:16	2:39:05	17:08:31	9:42:12	5:44:02	3:11:10	4:44:37			
ECKERFIELD, Dillion		14:43:31	50:20:55	41:45:59	20:58:59	46:51:13	46:09:14	33:39:36	36:56:10	29:13:14	27:10:50	6:33:41	5	33	
HARWOOD, NICHOLAS		8:52:50	12:08:28	17:02:07	32:38:36	14:55:59	19:34:36	15:51:00	5:12:47	22:22:46	22:04:36	22:24:58	4	3	
JARVIS, RICHARD		15:27:18	13:08:35	11:48:58	17:43:16	17:42:14	20:08:16	25:38:04	16:09:36	18:06:55	11:21:40	5:27:12	1	26	
JOHNSON, JOHN								1:48:02	40:05:58	47:59:17	22:28:35	4:03:55	1	30	
JONES, ERIC	*	0:00:00	0:00:00	0:00:00	2:26:49	0:58:54	0:00:00	0:00:00	0:00:00	0:00:00	0:10:53	0:00:00			
KELSO JR, RONALD K		18:23:38	18:34:45	18:24:13	16:24:02	21:26:07	16:59:04	21:18:40	6:26:15						
KING, JEREMY											2:29:51	2:38:13	3		
KUKOWSKI, Andy		8:41:08	29:17:18	19:38:51	10:43:16	14:27:45	35:09:03	23:03:25	22:42:16	31:17:43	35:09:17	16:52:40		42	
LOWRIE, Andy		22:19:30	25:03:32	25:44:26	30:50:09	37:16:39	47:52:05	49:29:44	35:25:22	16:12:44	40:02:02	15:10:52	3	91	
MCELVANY, ROBERT		15:57:19	16:56:24	11:49:41	15:02:12	15:14:52	14:52:41	14:09:33	19:15:01	9:12:08	9:07:59	4:01:34	3	21	
MILLER, OSCAR	*	2:11:11	0:26:31	2:26:05	9:03:28	4:23:24									
NASH, CHRISTOPHER		5:48:17	8:01:05	12:25:46	18:40:35	14:35:51	11:49:00	16:46:51	7:04:50						
ORTEGA, Yesenia		13:37:44	13:06:03	27:04:16	21:00:00	22:35:33	31:13:22	32:38:16	21:42:57	16:57:08	20:22:36	9:45:18		21	
OWENS, LANE	*	1:19:54	0:00:00	0:01:20	0:00:00	1:17:38	0:00:00	3:05:43	2:39:36	0:00:00	0:00:00	0:04:57			
PAVLOCK, JAMES ADAM		7:53:53	12:46:08	21:56:20	18:00:52	19:42:42	22:02:06	24:04:31	21:29:20	19:54:17	18:39:43	10:33:53	4	9	
RODRIGUEZ, CHRISTOPHER	*	3:33:25	1:10:27	2:30:35	3:18:59	9:12:09	2:37:41	3:30:42	4:17:13	1:57:38	0:32:23	3:45:02			
SALAZAR, Efrain								12:39:26	9:48:42	24:15:54	28:52:18	10:50:16	3	23	
SCHANMEIR, CHRISTIAN		13:46:24	13:54:19	22:55:54	19:04:49	24:31:16	0:00:00	0:00:00	2:55:01	25:56:02	28:18:09	21:02:00	7	22	
SCHULTZ, RAYMOND	*	0:08:10	0:19:11	0:00:00	3:09:04	0:58:56	0:14:11	1:23:01	0:05:17	1:29:27	0:00:00	0:00:00			
SILLIMAN, ERIC		18:28:11	21:46:57	18:28:05	20:43:02	30:52:29	16:55:33	6:26:49	12:22:51	26:01:43	19:02:16	5:52:28	6	43	
SPRINKLE, MICHAEL		2:24:25	3:42:07	7:30:26	10:26:51	8:13:27	12:57:33	8:18:24	10:55:32	7:22:49	7:06:11	3:28:27	1	5	
TAYLOR, CRAIG		14:23:05	8:57:33	15:22:47	8:22:56	15:25:16	29:26:49	24:23:06	23:14:45	13:53:38	25:04:22	7:48:44	1	27	
TORRES, PATRICK		17:51:27	15:18:21	12:19:55	18:43:20	15:41:19	10:59:51	0:00:00	0:30:06	2:53:18	2:19:03	15:30:53	2	69	
VALDEZ, JUAN		12:53:25	15:40:46	23:53:53	17:10:21	27:45:20	24:50:03	32:46:12	33:34:32	19:22:24	23:41:24	19:00:05	1	5	
VASQUEZ, MONICA		17:21:21	13:46:27	13:46:55	29:48:40	27:25:02	17:57:16	20:04:56	18:56:47	20:16:49	1:14:39	5:33:27			
WHITE, TERRY		19:20:30	25:56:34	40:33:51	25:47:31	15:35:11	40:24:45	24:39:05	42:18:21	26:02:12	21:37:13	27:38:01	5	15	
WILLIFORD, Adam		2:52:41	16:38:20	42:14:42	22:19:22	24:49:13	14:17:33	29:33:12	23:51:32	13:46:42	18:32:00	10:37:37	1	12	
* = Admin													Total	63	554

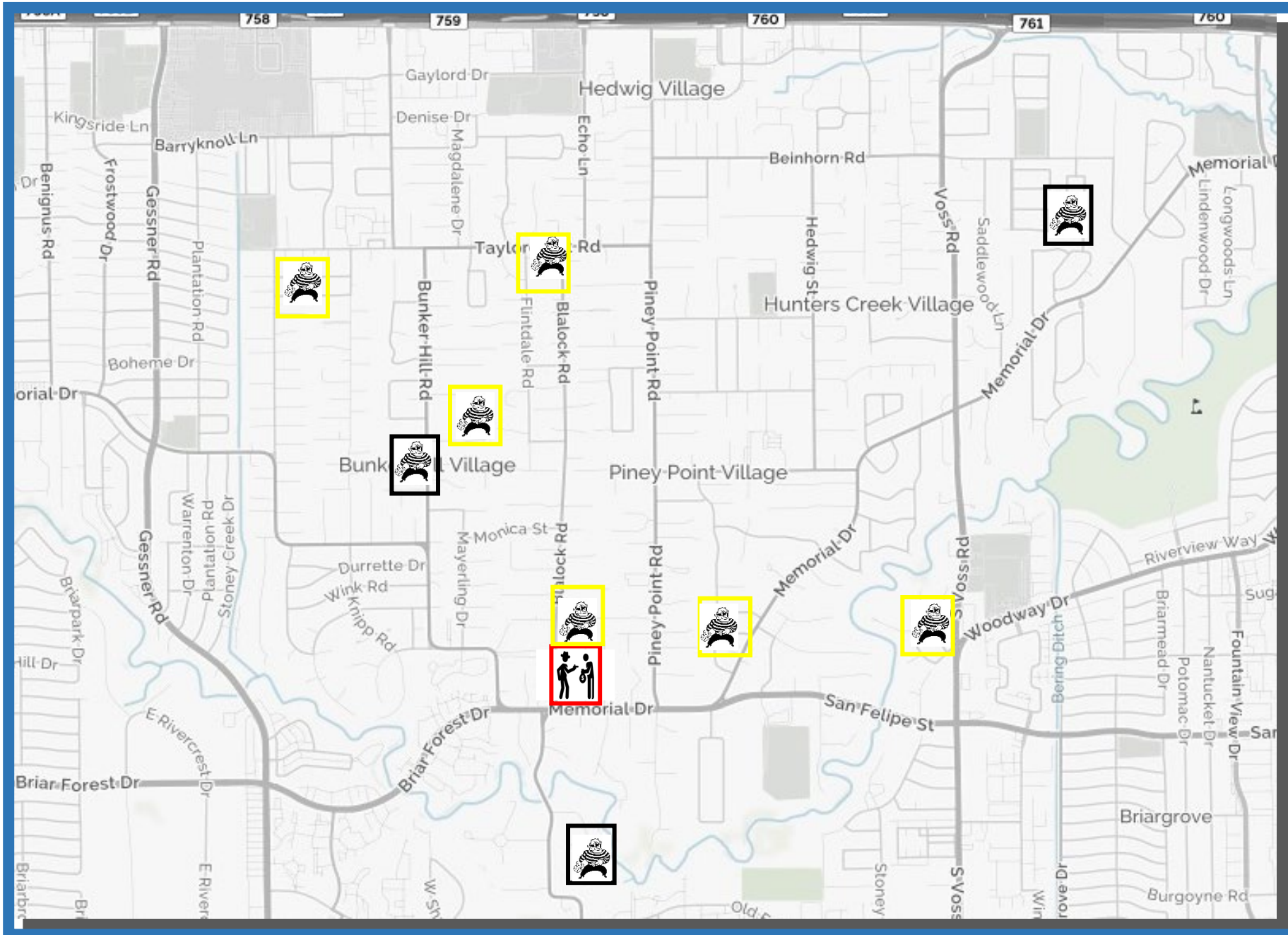
Dispatch Committed Time	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
911 Phone Calls	256	313	376	313	395	311	333	326	326	413	374		3736
3700 Phone Calls	2431	1978	2504	2412	2739	2561	2537	2566	2231	2355	2139		26453
DP General Phone Calls*	55:52:24	43:36:37	62:07:20	60:05:05	63:55:16	62:08:35	61:19:42	60:29:22	54:09:10	54:57:09	50:09:41		

* This is the minimal time as all internal calls route through the 3700 number.

2022 Total Incidents

2022	Crimes Against Persons	Crimes Against Property	Quality of Life Incidents	Total	Arrests	Incidents	House Checks	YTD BH INC	YTD BH HC	YTD PP INC	YTD PP HC	YTD HC INC	YTD HC HC
January	2	20	54	76	14	3781	2849	1191	950	1312	1043	1214	854
February	0	12	62	74	23	3588	2510	984	748	1011	714	1476	1048
March	0	16	67	83	21	6164	4904	1883	1549	1588	1241	2562	2104
April	3	16	64	83	18	4641	3459	1231	908	1393	1055	1907	1495
May	0	15	60	75	18	5737	4292	1762	1333	1617	1223	2217	1736
June	1	15	63	79	18	7901	6595	2735	2357	1724	1375	3285	2855
July	0	19	65	84	30	10,781	9439	3554	3189	2612	2228	4454	4017
August	2	13	79	94	24	7,036	5634	2108	1735	1789	1413	2967	2494
September	0	11	57	68	18	5,576	4165	1724	1307	1377	1020	2276	1863
October	2	8	69	79	19	4,627	3125	1341	970	1278	858	1823	1294
November	1	10	52	63	16	4,600	3336	1619	1283	1266	885	1570	1159
December													
Total	11	155	692	858	219	64432	50308	20132	16329	16967	13055	25751	20919

2021 Totals	21	251	712	984	153	96885	83432	34182	30460	25843	22003	35623	30831
Difference													
% Change													



2022 Burglary Map

Address	Alarm	POE
233 Merrie Way	No	Walk-in UNL Door
706 Country Lane	No	Garage UNL Door
11903 Broken Bough	No	Door Kick
24 Greyton Ln	No	Side Door Wind
321 Bunker Hill Rd	No	Const Site
214 Blalock	No	Open Door
26 Windemere	No	Rear Door
7618 River Pt.	No	Rear Door
691 Flintdale	No*	Rear Window

2022 Robberies

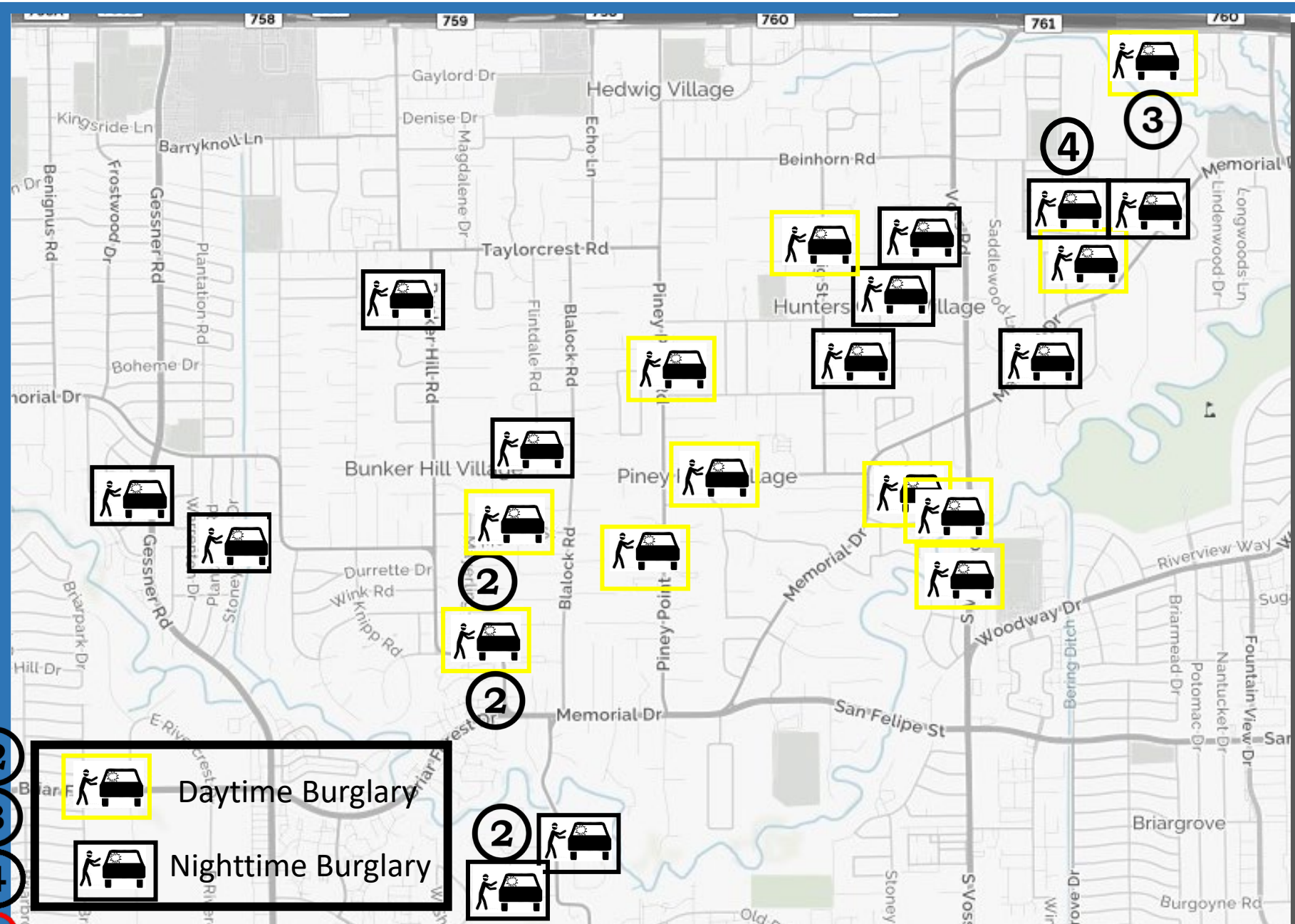
Address	MO
201 Kensington	Driveway Robbery

 Daytime Burglary

 Nighttime Burglary

 Robbery  

2022 Auto Burglary Map



Address	POE
243 Gessner 22-0042	UNL Vehicle
<u>614 Hunters Grove 22-0046</u>	<u>UNL Vehicle</u>
215 Voss	UNL Vehicle
634 Saddlewood	UNL Vehicle
626 Saddlewood	UNL Vehicle
10710 Bridlewood	UNL Vehicle
718 Camelot	UNL Vehicle
708 Country	UNL Vehicle
1 Windemere	UNL Vehicle
410 Pine Needle	UNL Vehicle
8427 Hunters Creek Drive	UNL Vehicle
8447 Hunters Creek Drive	UNL Vehicle
<u>11024 Greenbay</u>	<u>Side Window</u>
<u>362 Piney Point</u>	<u>UNL Vehicle</u>
11614 Arrowood Cir	UNL Vehicle
251 Plantation	UNL Vehicle
8435 Katy Fwy	UNL Vehicle
11607 Arrowood Cir	UNL Vehicle
708 Country Lane	UNL Vehicle
<u>10917 Roaring Brook</u>	<u>UNL Vehicle</u>
11750 Memorial	UNL Vehicle
11750 Memorial	UNL vehicle
10403 Memorial	UNL Vehicle
90 Williamsburg	UNL Vehicle
<u>10911 Walwick</u>	<u>UNL Vehicle</u>
<u>11625 Monica</u>	<u>UNL Vehicle</u>
<u>11618 Green Oaks</u>	<u>UNL Vehicle</u>
215 Hedwig	UNL Vehicle
<u>1003 Riverview Way</u>	<u>UNL Vehicle</u>
11702 Memorial Dr	UNL Vehicle
2 Hunters Ridge Ct	UNL Vehicle
11634 Green Oaks	UNL Vehicle



November 2022 ALPR REPORT



Total Plate Reads, Incl's multiple reads of same plate
Number of Unique Plates Read – Total without repeats
Number of Hits/Alerts - All 14 possible categories
Number of Hits/Alerts of the 6 monitored categories
Number of Sex Offender Hits (not monitored live)
Total Hits-Reads/total vehicles passed by each camera

2022 ALPR Data Report

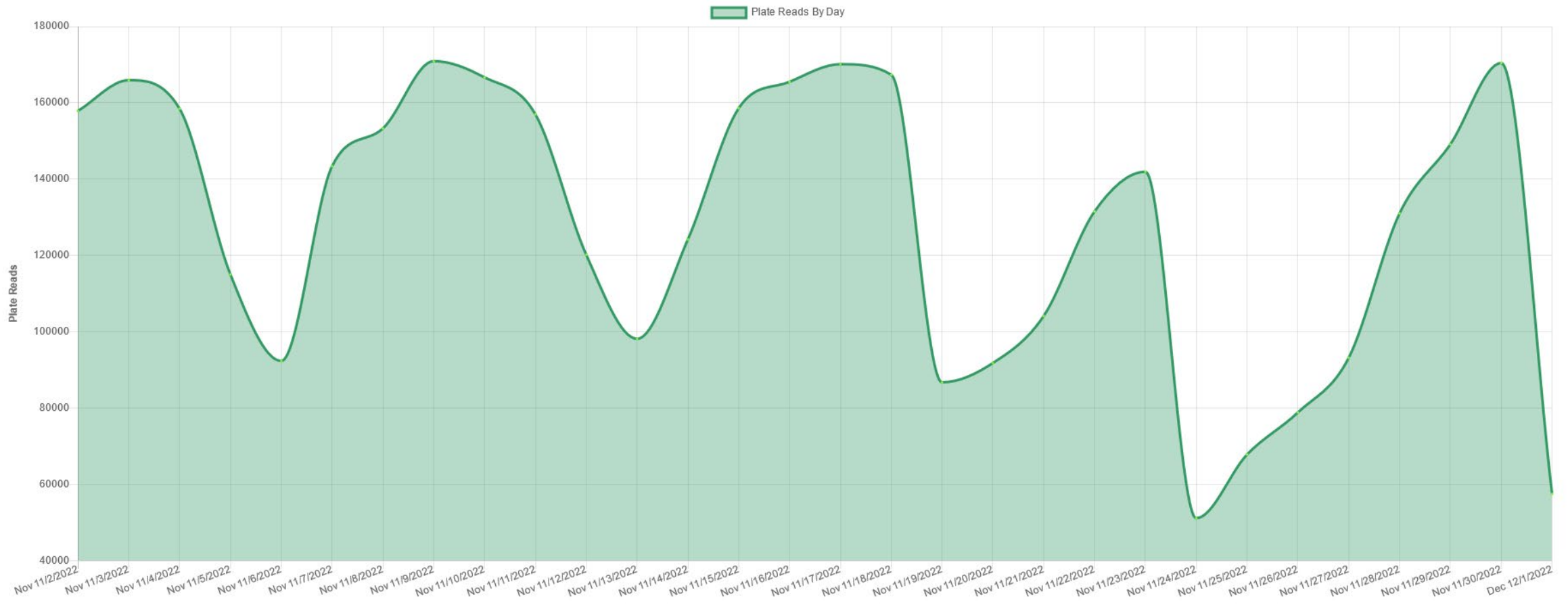
Plate Reads Summary

Total Plate Reads:
3,839,439

[DOWNLOAD CSV](#)

Nov 2 - Dec 1

Devices (33) ▾



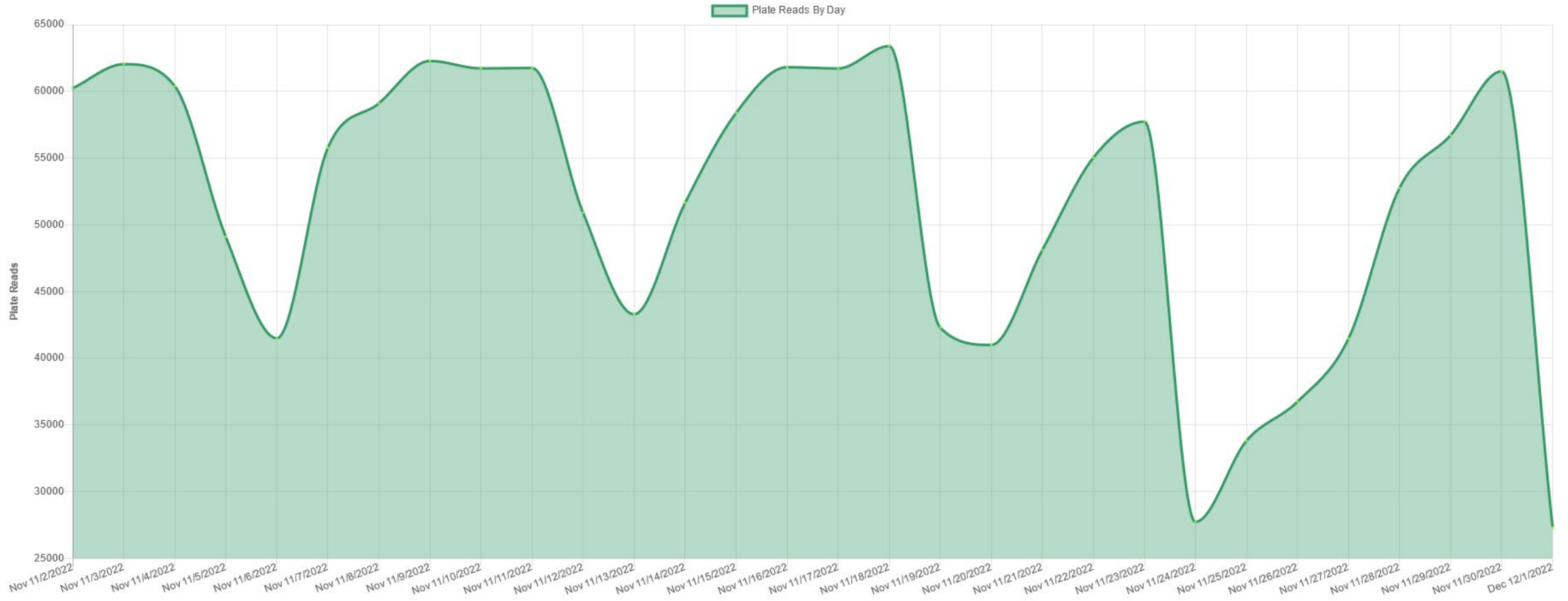
Unique Plate Reads Summary

Total Unique Plate Reads:
488,227

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Nov 2 - Dec 1

Devices (33) ▾



All Categories

Hits Report

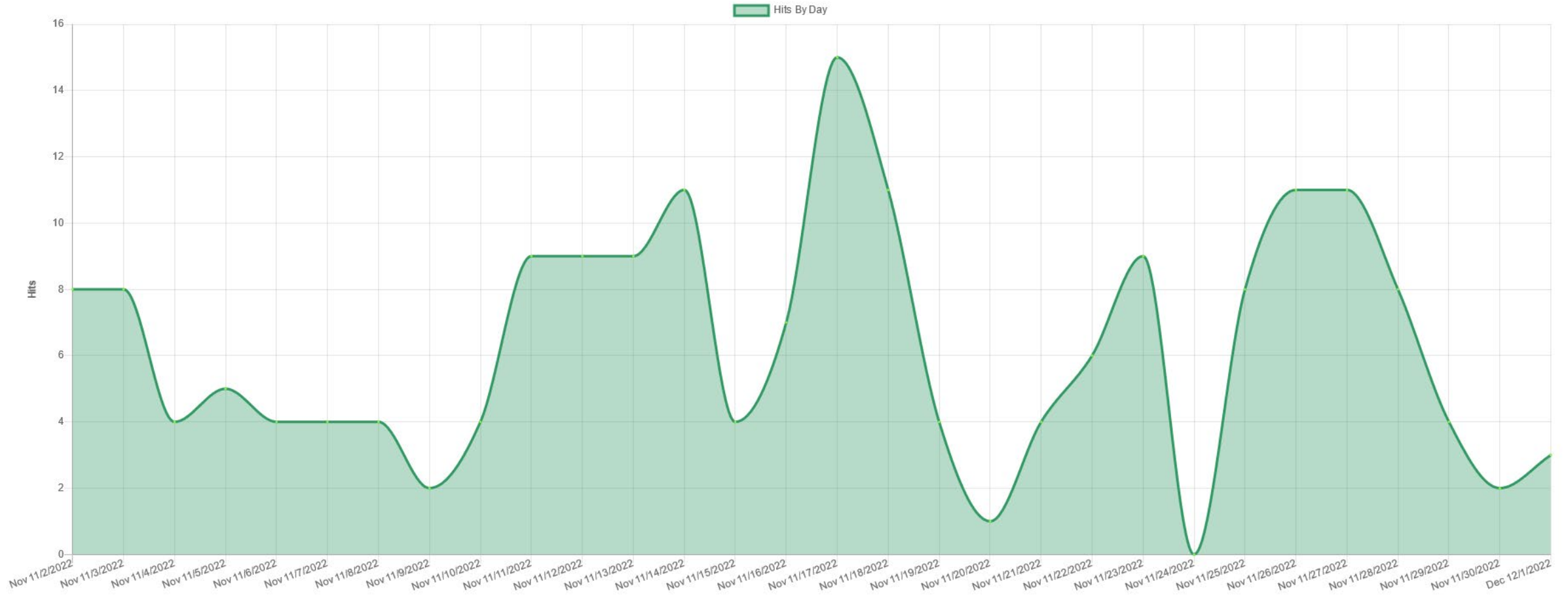
Total Hits:
189

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Nov 2 - Dec 1

Topics (14) ▾

Devices (33) ▾



Top 6 Categories

Hits Report

Total Hits:
127

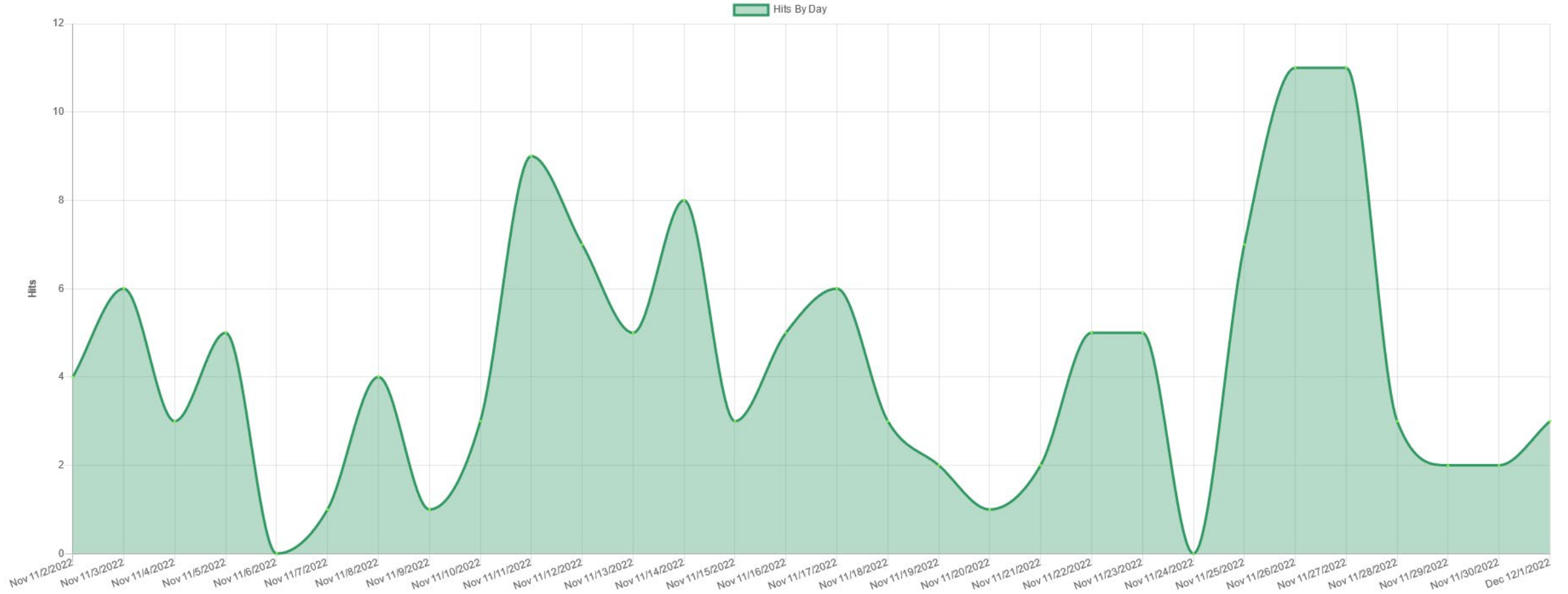
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Nov 2 - Dec 1

Topics (6) ▾

Devices (33) ▾

[Search](#)



Sex Offenders Only Hits

Hits Report

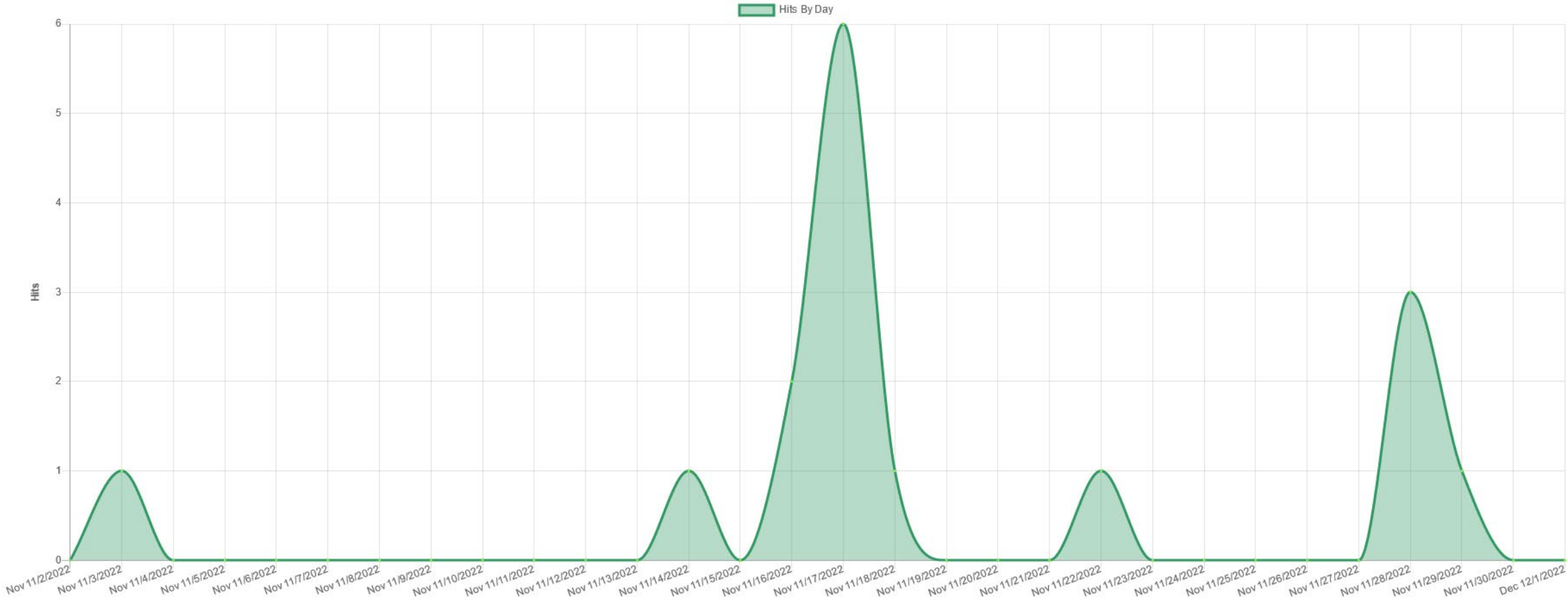
Total Hits:
16

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Nov 2 - Dec 1

Topics (1) ▾

Devices (33) ▾



#1 Gessner S/B at Frostwood
 #2 Memorial E/B at Memorial
#3 NO ALPR - Future Location
 #4 Memorial N/B at Briar Forrest
 #5 Bunker Hill S/B at Taylorcrest
 #6 Taylorcrest W/B at Flintdale
 #7 Memorial E/B at Briar Forrest
 #8 2200 S. Piney Point N/B
 #9 N. Piney Point N/B at Memorial
 #10 Memorial E/B at San Felipe
 #11 Greenbay E/B Piney Point
 #12 Piney Point S/B at Gaylord
 #13 Gessner N/B at Bayou
 #14 Beinhorn W/B at Pipher

#15 Hunters Creek Drive S/B at I-10
 #16 Memorial W/B at Creekside
 #17 Memorial W/B at Voss
 #18 Memorial E/B at Voss
 #19 S/B Voss at Old Voss Ln 1
 #20 S/B Voss at Old Voss Ln 2
 #21 N/B Voss at Magnolia Bend Ln 1
 #22 N/B Voss at Magnolia Bend Ln 2
 #23 W/B San Felipe at Buffalo Bayou
 #24 N/B Blalock at Memorial
 #25 N/B Bunker Hill at Memorial
 #26 S/B Hedwig at Beinhorn
 #27 Mobile Unit #181
 #28 Mobile Speed Trailer

#29 Riverbend Main Entrance
 #30 Beinhorn E/B at Voss
#31 Memorial E/B at Tealwood (new)
 #32 Greenbay W/B at Memorial
 #33 Strey N/B at Memorial
Private Systems monitored by MVPD
 US COINS - I-10 Frontage Road
 Memorial Manor NA Lindenwood/Memorial
 Greyton Lane NA
 Calico NA
 Windemere NA
 Mott Lane
 Kensington NA
 Stillforest NA
 Farnham Park
 Riverbend NA
 Pinewood NA
 Hampton Court
 Bridlewood West NA
 N Kuhlman NA
 Longwoods NA
 Memorial City Mall - 22



Yellow = Bunker Hill
 Green = Piney Point
 Red = Hunters Creek
 Blue = MVPD Mobile
 Purple = Privately Owned Systems

Hits/Reads By Camera

1	11/209,163	17	0/7,431
2	3/166,929	18	2/100,100
3	See #31	19	7/148,000
4	7/152,992	20	4/171,059
5	0/0	21	10/371,473
6	1/62,611	22	8/377,622
7	12/145,749	23	11/304,143
8	10/242,474	24	7/174,052
9	3/105,116	25	1/17,052
10	3/88,124	26	1/48,909
11	0/45,274	27	2/126,444
12	2/155,937	28	0/1,352
13	14/261,542	29	0/1,370
14	1/99,080	30	0/17,015
15	0/6,363	31	4/143,647
16	0/19,143	32	3/39,853
		33	0/31,324

Total Reads – 3,839,439

Unique Reads – 488,227

Hits- 189

6 Top Hit List- 127

- Hotlist - 3
- Stolen Vehicle
- Stolen Plate
- Gang Member
- Missing
- Amber

Recoveries - 3

ALPR Recoveries						
Num	Plate	Vehicle	Loc	Val	Links	Date
1	PYW1930	Jeep Pat		6 \$ 18,000.00	Missing Peson	5-Jan
2	NSZ6202	Chev SPK		19 \$ 14,000.00	Fugitive	9-Jan
3	LBH7413	Toy Cam		8 \$ 18,000.00	Burg/Warr	13-Jan
4	362686G	Niss Sent		24 \$ 14,500.00		14-Jan
5	PSS6946	CheVmpal		22 \$ 21,000.00		20-Jan
6	2751781	BlkLexus		21 \$ 34,000.00	FelWarrant	30-Jan
7	JMH0296	Ford Must		17 \$ 23,500.00		1-Feb
8	AL32592	U-HAUL	Station	\$ 70,000.00	Poss Meth	24-Feb
9	NPS2672	Ford F150		20 \$ 45,000.00	Carjacking	25-Feb
10	KPH5017	LexG43		17 \$ 18,500.00	Warr	3-Mar
11	NVT0203	Chev Mal		103 \$ 16,000.00	Warr	8-Mar
12	C337283	Chev1500	Coins	\$ 21,000.00	Fugitive	13-Mar
13	NKM9110	Toy SUV		19 \$ 30,000.00	Fugitive	19-Mar
14	LTR0879	Honda ACC		21 \$ 18,000.00		20-Mar
15	94A02Q	ToyCam		2 \$ -	Hotlist Mail Thief	25-Mar
16	MKP5490	Toy Rav4		7 \$ 26,000.00	Fugitive	22-Mar
17	PRF3098	Niss Con		19 \$ 18,750.00	Armed Rob	31-Mar
18	GFB5552	Toy Cor		19 \$ 16,000.00	car Jacking	1-Apr
19	AG89893	Uhaul		1 \$ 41,000.00		23-Apr
20	HTV3407	Ford Esc		1 \$ 20,000.00	Missing Peson	26-Apr
21	MCD4078	HynEln		4 \$ 23,500.00		2-May
22	LBL4381	Ram1500		8 \$ 41,000.00		4-May
23	RRB3406	NissXTR		23 \$ 27,000.00		5-May
24	PMJ5213	NissSen		21 \$ 18,500.00		5-May
25	RPZ7921	Ford Foc	RB 23	\$ 12,000.00		6-May
26	48055C8	HumH3		19 \$ 46,000.00	Fugitive	6-May
27	MZZ3102	ChevSub		23 \$ 27,000.00		8-May
28	0252W43	F150		27 \$ 30,000.00		26-May
29	RFK9077	NissMur		8 \$ 23,000.00		26-May
30	RGR4290	Kia		8 \$ 22,500.00	Poss of Narcotics	27-May
31	PBJ4056	Niss		8 \$ 25,000.00	Stolen Firearm	27-May
32	AH01898	UHaul		7 \$ 42,500.00	Stolen misc items	1-Jun
33	KKM3831	ToyCam		8 \$ 20,000.00	Fugitive	11-Jun
34	LFS4848	Honda Civ		20 \$ 15,000.00		14-Jun
35	PXD7306	FordEsc		19 \$ 18,750.00	Fugitive	17-Jun
36	CZY9487	FordF250		24 \$ 37,000.00	Hotwire	18-Jun
37	57BYIV	Kia		24 \$ 24,000.00	hertz Rental	20-Jun
38	RMX4945	Acura		21 \$ 32,000.00	Carjacking	7-Jul
39	0698V50	Toy Cam	Hed	\$ 23,000.00	Fraud	12-Jul
40	4T28195	Trailer		21 \$ 6,000.00	Fraud	18-Jul
41	CQE6383	MerBenz		21 \$ 65,000.00	Fraud	21-Jul
42	RNV3718	Ford Van		21 \$ 17,000.00	Fraud	24-Jul
43	NHV2432	HynEln		1 \$ 18,000.00	Fraud	30-Jul
44	KXR5488	DodJour		6 \$ 9,000.00		2-Aug
45	RSL6806	HYNVelos		1 \$ 17,000.00	Fraud	4-Aug
46	DPZ3402	HONCiv		1 \$ 15,000.00	Fugitive	5-Aug
47	RXR2715	HondaCR	Hed	\$ 18,000.00	Fraud	7-Aug
48	PZY0325	INFQX50		8 \$ 21,000.00	Fraud	7-Aug
49	KRL3811	CAD		19 \$ 26,000.00	Fraud	9-Aug
50	RXF2537	HonPilot		21 \$ 17,000.00	Fraud	12-Aug
51	PFG5119	FordExp		6 \$ 19,500.00	Narcotics	17-Aug
52	LWC2986	LandRover		13 \$ 31,000.00	Narcotics	19-Aug
53	AL62414	UHaul		24 \$ 4,000.00		20-Aug
54	AL08211	GMCCargo		22 \$ 30,000.00		20-Aug
55	NYK5679	ToyCor		13 \$ 14,000.00		25-Aug
56	LDP126 FL	Toy Max		21 \$ 23,000.00		28-Aug
57	RZM2175	BMW328		24 \$ 24,000.00		3-Sep
58	RMV6623	Ford Focus		23 \$ 12,500.00	Fraud-Salv Title	6-Sep
59	AE06024	FordVan		22 \$ 42,000.00	Carjacking	13-Sep
60	FJR9716	Audi		1 \$ 31,000.00	Fugitive	14-Sep
61	RCS8286	Chevy		13 \$ 27,000.00	narcotics	1-Oct
62	MHV3766	ChevySil		19 \$ 30,000.00	Stolen plates	3-Oct
63	RYF7801	ToyCam		8 \$ 18,500.00	Fugitive	3-Oct
64	RZZ0130	HondaAcc		23 \$ 15,000.00		8-Oct
65	MHV6529	AudiQ5		8 \$ 24,000.00		14-Oct
66	PKM2430	Ford Must	Hed	\$ 18,000.00		18-Oct
67	48BGP5	ToyRAV		8 \$ 20,000.00		30-Oct
68	RRH6618	Hynd		8 \$ 16,000.00		31-Oct
69	NBG9922	Ford F550		1 \$ 45,000.00		10-Nov
70	46430N3	Niss Alt	Us Coins	\$ 20,000.00	Drugs	14-Nov
71	DW1Y911	Chevy150C		21 \$ 23,000.00	Fraud	26-Nov
72						
73						
74						
75						

Plate Recoveries					
Plate Recove	Date	Links	Plate Reco	Date	Links
IS11QH	1/4/2022		53821C6	6/25/2022	Fake/Fugitive
63B374	1/4/2022		NSZ6346	6/27/2022	
39496Y1	2/18/2022	same plate on 2 cars	NMD9375	7/7/2022	
39496Y1	2/18/2022	same plate on 2 cars	03339D99	7/8/2022	
NBB1660	3/3/2022		18D0631	7/26/2022	
LJS3735	3/7/2022		0541X86	9/2/2022	
KT83323	3/10/2022	Recovered 100+ CC's	7F4429	9/3/2022	
BGFB425	3/15/2022	Hertz	DKS8246	9/3/2022	
72HCF9	3/25/2022		0976X86	9/19/2022	
MKP5490	3/22/2022	On Stolen Veh	70195H3	9/25/2022	
72HCF9	3/26/2022		LEZ740	10/4/2022	
43423 E7	7-Apr		NXN4257	10/6/2022	
30054V3	5/9/2022		7E7288	10/11/2022	
34917B9	5/12/2022		0876P26	10/20/2022	
LCL5909	5/12/2022	Stolen Plate	1625C70	10/21/2022	
0006H59	6/1/2022	Fake Tag	1028C79	10/23/2022	
006H59	6/4/2022	Stolen Plate	PYS7450	11/1/2022	
0252W43	6/4/2022	Stolen Plate	RMR9596	11/2/2022	
0006H59	6/4/2022	Stolen Plate	0594A27	11/14/2022	
PXD7306	6/17/2022	Stolen on Stolen	1505G51	11/16/2022	
86F1775	6/18/2022	Fake/Stolen	NPK9956	11/27/2022	
0271A61	6/24/2022	Fake/Stolen	39396K5	11/28/2022	

Firearm in vehicle Vehicle found to be Stolen
Temp Tag

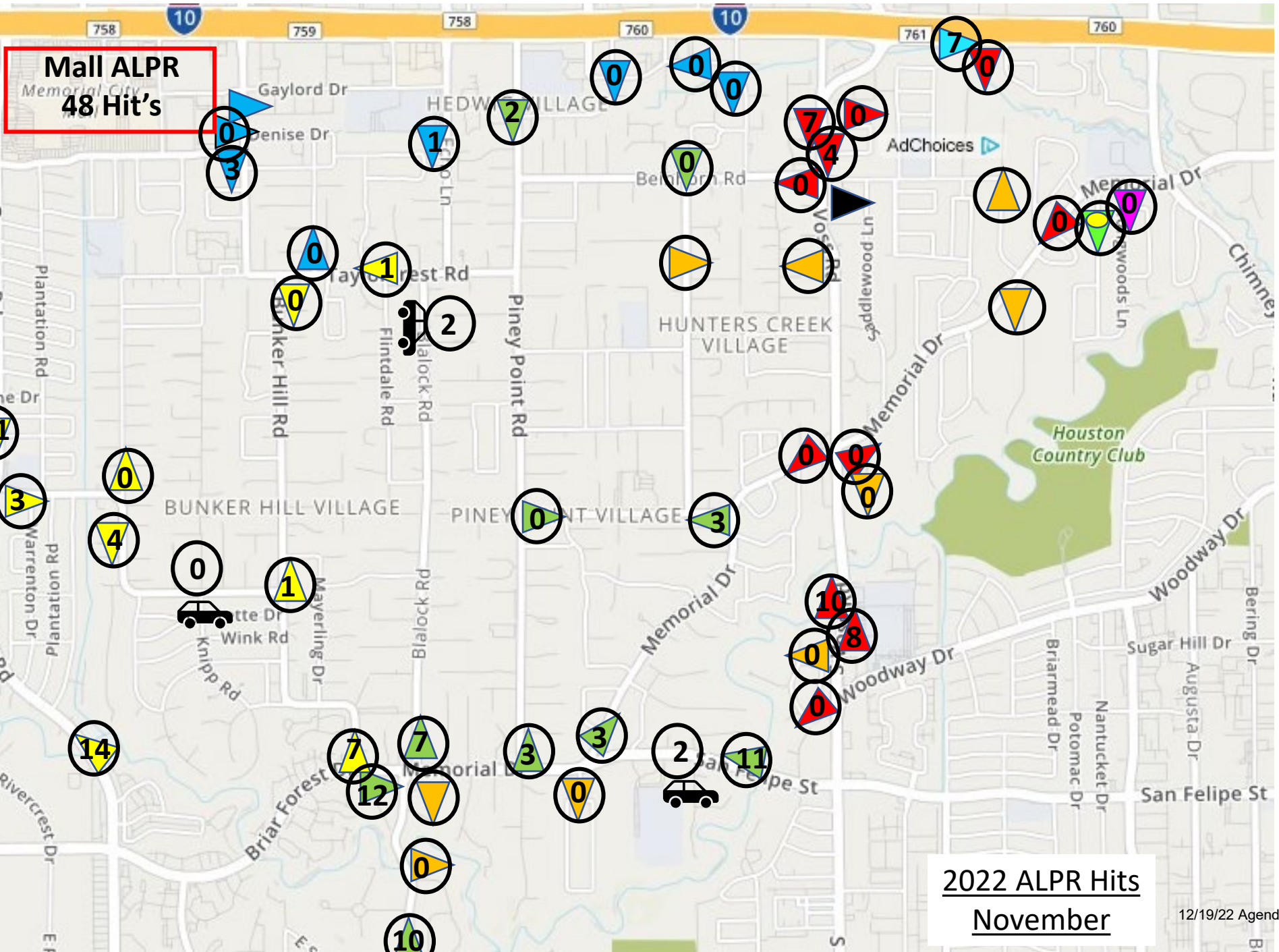
Located but Fled					
Date	Plate	Camera	Date	Plate	Camera
13-Mar	PGP4565	7	3-Jul	0339D99	21
26-Mar	KZR0019	19	19-Jul	CQE6383	21
12-Jun	KTG0535	17	15-Aug	PYR2967	22
26-Jun	PYV1695	20	23-Sep	RXY5625	13
26-Jun	PTD5972	23			

Missing Person			
Date	Plate	Camera	
6/7/2022	LZM0966	2	11/26/2022 PYR2203 25
6/7/2022	GLW6656	1	
11/11/2022		21	

42 of 68 involved in other crimes = 63%

Program Summary			
2022 Value	\$ 1,708,000.00	Recovered	40
2021 Value	\$ 1,683,601.00	Recovered	75
2020 Value	\$ 1,147,500.00	Recovered	61
2019 Value	\$ 438,000.00	Recovered	22
Program Total	\$ 4,977,101.00		198

INVESTIGATIVE LEADS					
3/11/2022	JXN1575	20	Mail and Vehicle Thefts	HPD	Case TOT HPD
3/24/2022	94A02Q FL	19	Mail Thiefs	Lead	TO-Be issued
4/4/2022	Green Honda	23	Robbery	Lead TB	To-Be issued
4/8/2022	Chev Impalat	6	Burglary	lead	Arrest
4/19/2022	Cad Esc	#174	UUMV	Lead	tot HPD
4/21/2022	Toy Cor	15	BMW	Lead	To-Be issued
5/21/2022	LIN6783	Wind	Mail Thieves	Arrest	Arrest
5/23/2022	RKH5452	1	BOH	Lead	To-Be Issued
7/6/2022	78660E1	Hed	Const Theft	Arrest	3 in-custody
10/27/2022		6	Burglary	Warrant	4 suspects
11/11/2022	GRG5628	8/calico	TRO	Arrest	1 in-custody



Mall ALPR
48 Hit's

2022 ALPR Hits
November

Hedwig
4

Bunker Hill
0

Piney Point
0

Hunters Creek
0

Frequent Mobile Locations
0

127 Total Hits

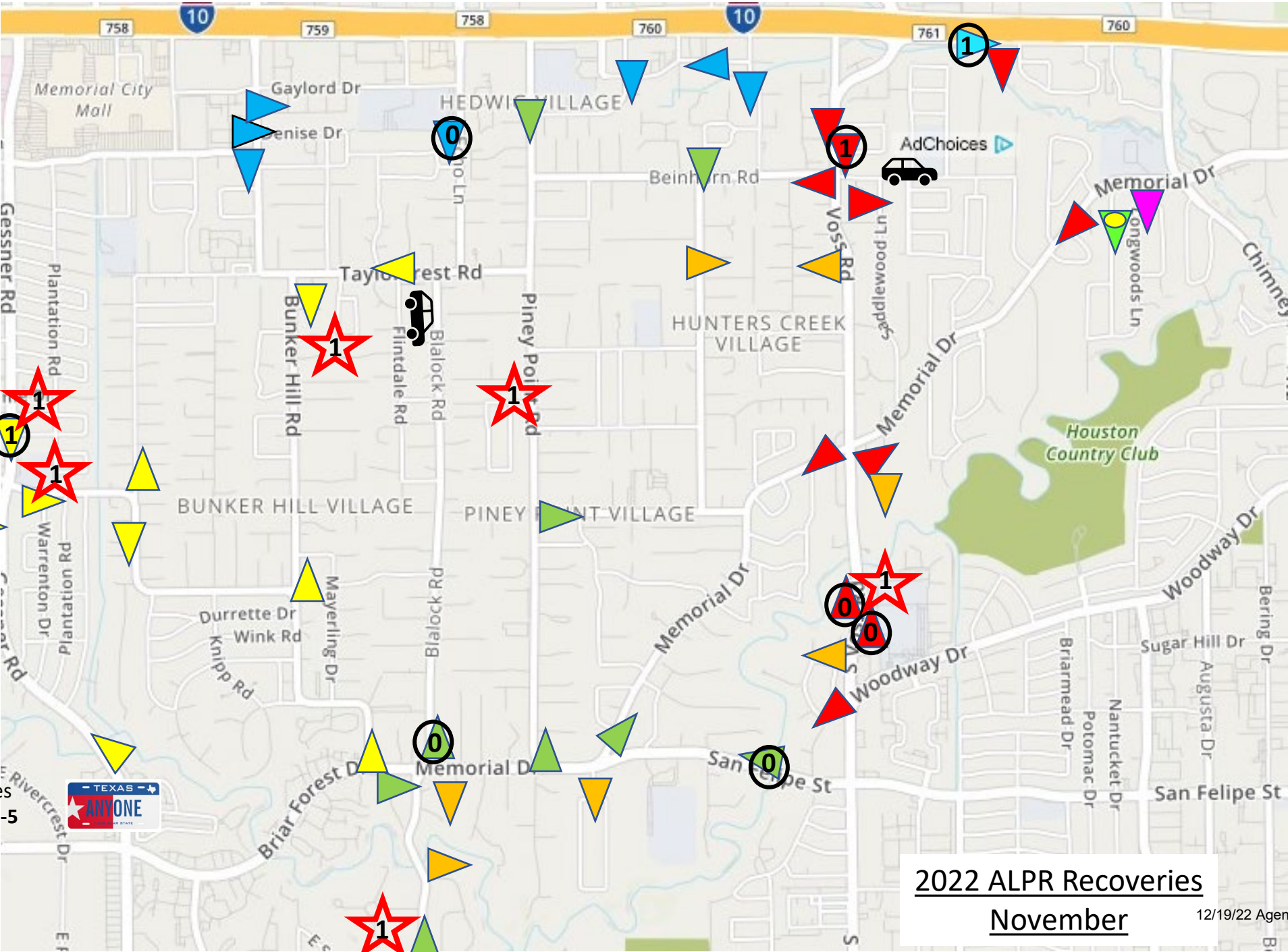
Lindenwood HOA
0

Longwoods HOA
0

US Coins
0

In Process
0

HOA Systems
0



2022 ALPR Recoveries
November

TO: Members of the City Council

FROM: Bobby Pennington, City Administrator

VIA: D. Foster, Fire Chief

MEETING DATE: December 19, 2022

SUBJECT: Discuss and take possible action on the Village Fire Department Monthly Report.

Agenda Item: 2

This agenda item is for VFD monthly reporting, to hear and discuss activity of the Department including detail on call volume and other public safety related incidents. Attached is the monthly Village Fire Strategic Plan Performance Report. In addition is a response data through November and historical budgetary graph of expenditures.

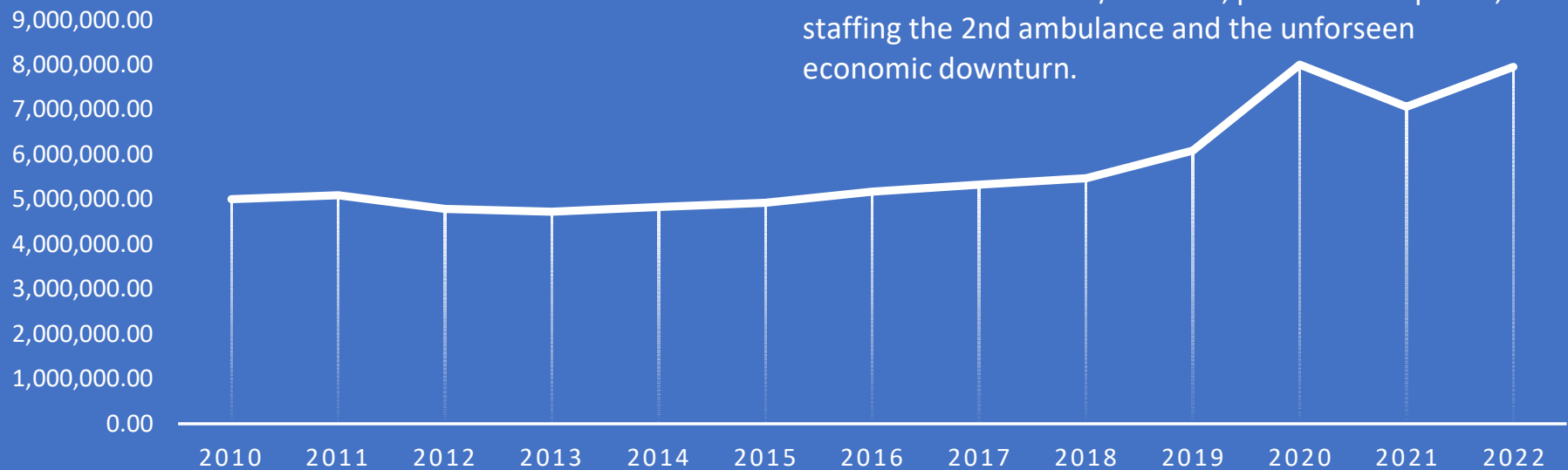
**Village Fire Department
2022 Strategic Plan Performance Report**

2022 OPERATING BUDGET	Standards/Base	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	YTD Total
Percentage if spending 100% of budget						
Actual Percentage of Budget Spent	100%					
Department Budget	\$7,789,561.06					
Personnel Expenses Total	\$6,693,219.90					
Percentage Personnel Budget Spent						
Overtime	\$353,000.00					
% Overtime Budget Spent						
Capital Expenditures	\$230,400.00					
% Capital Budget Spent						
Operational Expenditures	\$865,941.12					
% Operational Budget Spent						
EMERGENCY OPERATIONS:						
Average Dispatch Time, high priority calls	60 Seconds	0:44	0:38	0:42	0:44	0:42
Average Turnout Times, high priority calls	60 Seconds	0:54	1:01	0:59	0:49	0:58
Average Total Response high priority EMS calls	6:30	4:46	4:43	4:46	4:01	4:45
Average Total Response high priority Fire calls	6:50	3:48	4:37	4:33	4:03	4:15
# Incidents		551	554	623	377	2105
# Responses		551	554	623	722	2450
VFD Patients		222	220	319	170	931
Patients Transported		152	130	229	104	615
EMS REVENUE						
EMS Revenue Fund Balance		\$67,769.08	\$111,718.14	\$181,953.45	\$77,043.09	\$77,043.09
Revenue Collected, Avg Per Patient		\$459.26	\$370.74	\$431.42	\$528.76	\$447.54
Amount Billed		\$360,586.58	\$111,443.56	\$382,803.18	\$144,932.93	\$999,766.25
Gross Revenue Received		\$69,807.25	\$48,196.21	\$98,794.26	\$52,880.45	\$269,678.17
Fire Marshal:						
# of General Plans Reviewed		10	6	8	9	33
# of Sprinkler Systems Reviewd		45	52	55	35	187
# Fire Investigated		1	1	0	0	2
# Inspections YTD		171	238	433	662	662
Fire Prevention Permits		15	8	7	4	34
Residential Sprinklers to date		2200	2225	2250	2270	2270
# of Community Ed Events		20	9	11	35	75
% of Homes with Sprinkler Systems	6708	32.8%	33.1%	33.3%	33.8%	33.6%

Year to Date 2022	Dispatch	Turnout	# EMS	EMS LT	1st Res	Resp Time	Fire	Fire LT	Fire Resp.
Bunker Hill	0:54	0:50	125	56	4:01	5:24	161	25	4:52
Hedwig	0:57	1:01	267	153	2:56	2:55	203	26	3:32
Hilshire	0:40	0:55	38	19	3:31	4:17	39	1	4:38
Hunters Creek	0:32	0:53	122	52	3:51	5:32	237	18	4:54
Piney Point	0:55	0:53	102	51	3:33	5:32	218	15	4:20
Spring Valley	0:55	0:49	190	82	2:53	4:07	197	31	4:31
Houston			3				115		
Total/Average	0:48	0:53	847	413	3:27	4:37	1170	116	4:27

VILLAGE FIRE DEPARTMENT APPROVED BUDGETS

From 2019 forward the budgets included:
fire station renovation/addition, pandemic response,
staffing the 2nd ambulance and the unforeseen
economic downturn.



TO: The Honorable Mayor and Members of the City Council

FROM: Bobby Pennington, City Administrator

MEETING DATE: December 19, 2022

SUBJECT: Discuss and consider possible action on approving the renewal of the Interlocal Agreement with Harris County to house, support, maintain, and confine or detain city prisoners in Harris County Jails.

Agenda Item: 3

The renewal will be under the similar terms and conditions with a price increase from \$80.00 to \$102.00 per day. The current agreement is attached and will expire 12/31/2023.

**INTERLOCAL AGREEMENT BETWEEN HARRIS COUNTY AND
THE CITY OF PINEY POINT VILLAGE**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This Interlocal Agreement, entered into pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, is between Harris County (the “County”), a body corporate and politic under the laws of the State of Texas, acting by and through its Sheriff’s Office (the “Sheriff”), and The City of Piney Point Village (“City”). The County and City may be referred to collectively as the “Parties” or individually as a “Party.”

SCOPE OF SERVICES

- A) Sheriff shall house, support, maintain, and confine or detain City prisoners in any of the Harris County Jails (the “Services”).

“City prisoner” means any person at least 17 years of age who has been arrested by a City police officer, and either charged with, or convicted of, offenses within the jurisdiction of the Municipal Court or Courts of City.

- B) Each Party shall comply and assure compliance by each Party’s agents, employees, volunteers, and subcontractors as applicable, providing work, products, services, licenses and/or deliverables under this Agreement with all applicable state, federal, and local laws, ordinances, regulations, executive orders, rules, directives, standards, guidelines, and instructions relating to the work to be performed.

CITY RESPONSIBILITIES

- A) City shall provide City Police Officers to perform services under this Agreement.

“City police officer” means a police officer of City, a marshal of City, a peace officer commissioned by City, or any other person employed by City who is a peace officer under the laws of the State of Texas.

- B) City acting by and through its City police officers shall be responsible for the presentment and discharge of a City Prisoner until the Sheriff accepts and confines the prisoner to the County Jail.
- C) City shall provide appropriate paperwork for presentment and discharge of a City Prisoner.
- D) A City police officer may present a City prisoner to Sheriff at the County Jail with the following paperwork issued by a magistrate:
 - 1) a pretrial arrest warrant or capias,
 - 2) a post-conviction commitment or decree, or
 - 3) other order of detention.

- E) A City police officer may present a City prisoner to Sheriff for temporary detention at the County

Jail with either an Instanter Warrant, or a Certification of Charges filed.

- F) If City makes arrangements to take back custody of that City prisoner for presentment to a magistrate for a probable cause hearing and a review of charges as soon as possible within twenty-four (24) hours after that City prisoner is detained by Sheriff in the County Jail, Sheriff may accept the City prisoner for temporary detention
- G) City shall make arrangements to try or release such detained City prisoners in accordance with the TEX. CRIM. PROC. CODE art. 17.151.
- H) A City prisoner shall be the sole responsibility of City and the City police officers having custody of the prisoner until Sheriff accepts and confines the prisoner to the County Jail.

COUNTY RESPONSIBILITIES

- A) If Sheriff accepts the City prisoner for confinement in the County Jail, Sheriff shall assume responsibility for the care, custody, and support of the City prisoner to the extent required in this Agreement for the period of time beginning when Sheriff accepts the City prisoner for confinement in the County Jail and ending when the City prisoner is released from confinement in the County Jail as provided in this Agreement.
- B) Sheriff shall provide Services to City at the following locations:
 - (i) 701 N. San Jacinto,
 - (ii) 1201 Commerce,
 - (iii) 1200 Baker St.,
 - (iv) 1307 Baker St., and
 - (v) 700 N. San Jacinto Houston, Texas (collectively referred to as the “County Jail”).
- C) Sheriff shall provide the work, products, services, licenses and/or deliverables required to be provided by Sheriff and as set out in the Agreement.
- D) Except as otherwise provided in this Agreement, City and County agree that once a City prisoner is accepted and committed to the County Jail, Sheriff shall only release the City prisoner when the discharge of the City prisoner is lawfully ordered or authorized by a magistrate or any court of competent jurisdiction.
- E) Nothing herein shall create any obligation upon the Sheriff to house City Prisoners where the housing of such City Prisoners will, in the opinion of the Sheriff, raise the population of the facility above permissible numbers of inmates allowed by law, or will, in the Sheriff’s opinion, create a condition of overcrowding or create conditions which endanger the life or welfare of personnel and inmates at the facility, or result in possible violation of the constitutional rights of the inmates housed at the facility.
- F) If the Sheriff determines, at any time, that a condition exists necessitating the removal of City Prisoner, or any specified number thereof, City shall, upon notice by the Sheriff or County, immediately remove the prisoner from the facility.

- G) Further, nothing contained in this Agreement authorizes the Sheriff to incarcerate or hold any person in custody contrary to the Constitution and laws of the State of Texas and the United States of America, nor compels Sheriff to detain, accept or admit a City prisoner.

MEDICAL FACILITY CARE

- A) Sheriff, at its sole option, may choose NOT to accept a City prisoner when in Sheriff's opinion 1) the City prisoner appears ill or injured, or 2) the City prisoner needs immediate or significant medical treatment. The Sheriff's opinion as to what constitutes overcrowded conditions, illness, injury, significant medical treatment, or any other acceptance considerations shall be final and binding on the Parties to this Agreement.
- B) Sheriff shall determine whether the City prisoner should be transported to a hospital for medical treatment, upon presentation of any City prisoner at the County Jail.
- C) Sheriff, at its own discretion, may refuse to accept or detain an injured or ill City prisoner when medical attention is necessary before confinement.
- D) If Sheriff determines, at any time or for whatever reason, that a City prisoner must be sent to a hospital or other medical facility that is not part of the County jail, Sheriff shall notify City (which may be by phone), and City shall immediately make arrangements for appropriate City personnel to go to the medical facility to take custody of the City prisoner from the Sheriff. City shall reimburse County for any medical expenses billed to the County for the transport or treatment of the City prisoner.
- E) City agrees to immediately exercise its duty to take back custody and control of the City prisoner upon notification by Sheriff.
- F) County shall not charge City during the period that the City prisoner is in custody of City and not in the County jail.

TERM OF AGREEMENT

- A) The term of this Agreement shall commence upon final execution, and shall continue and remain in effect for one (1) year, unless earlier terminated in accordance with this Agreement.
- B) At the County's option, this Agreement may be renewed for three (3) additional consecutive one-year periods (each a "Renewal Term").

TERMS OF PAYMENT

- A) No later than the thirtieth (30th) day from the last day of each calendar month, Sheriff shall submit to the City Secretary a sworn invoice for Services rendered during that month, and shall send two (2) copies of said invoice to the City. All invoices MUST be submitted either by email to: citysec@pineypt.org or by mail to the City Administrator, located at 7676 Woodway Drive, Suite 300 Houston, Texas 77063.
- B) Each invoice shall be in a form acceptable to the City Administrator and at a minimum, include such detail as may be requested by the City Administrator for verification purposes, including but

not limited to, the dates inmates were housed with the Sheriff; the number of inmates housed each day; the daily cost per inmate and the total daily cost, and a total monthly cost for the Services.

- C) The City shall pay each approved invoice in accordance with the laws of the State of Texas.
- D) Further, Sheriff agrees to maintain, for a period of six (6) years, detailed records identifying each individual performing the Services, the date or dates the Services were performed, the applicable hourly rates, the total amount billed for each individual and the total amount billed for all persons, and provide such other details as may be requested by the City for verification purposes.

COMPENSATION

- A) The per diem rate for detention services under this agreement is One Hundred Two and 00/100 Dollars (\$102.00) per day. This rate covers one inmate per day. City shall only contract the detention services under this agreement as needed, and as qualified inmates are identified through the classification process.

“Day” means the twenty-four (24) hour period from midnight to the next following midnight. In calculating the number of days a certain City prisoner is confined in the County Jail, the day of arrival will be counted but not the day of departure. However, if a City prisoner is detained by Sheriff or accepted in the County Jail and released the same day, the duration of this confinement shall be calculated and billed as one full day.

- B) Employees of the Sheriff providing Services to City shall be and remain employees of the Sheriff, under the direct supervision of the County. County shall be responsible for payment of all salaries and benefits due its employees furnishing or participating in the performance of these Services.
- C) Employees of City providing services shall be and remain employees of City, under the direct supervision of the City. City shall be responsible for payment of all salaries and benefits due its employees furnishing or participating in the performance of these services by City.

TERMINATION

- A) Either Party may terminate this Agreement at any time without cause by giving thirty (30) days written notice to the other Party.
- B) Upon receipt of termination notice, City shall immediately send a City police officer or officers to take custody of any City prisoners at County facilities. Sheriff shall proceed to cancel promptly all existing orders and contracts insofar as such orders or contracts are chargeable to this Agreement.
- C) Within thirty (30) days after receipt of notice of termination, Sheriff agrees to submit an invoice showing in detail the Services performed under this Agreement up to and including the date of termination.
- D) The City agrees to pay County that proportion of the prescribed charges for the Services actually performed and deliverables actually received under this Agreement bear to the total Services or deliverables called for under this Agreement, less such payments on account of charges as have previously been made.

E) *Force Majeure*. In the event that either Party is unable to perform any of its obligations under the Agreement or to enjoy any of the benefits because of natural disaster, actions or decrees of governmental bodies or communications line failure not the fault of the affected party (referred to as a “*Force Majeure* Event”), the Party who has been so affected immediately agrees to give notice to the other Party and agrees to do everything possible to resume performance. Upon receipt of such notice, the Agreement is immediately suspended. If the period of nonperformance exceeds ten (10) calendar days from the receipt of notice of the *Force Majeure* Event, the Party whose ability to perform has not been so affected may terminate the Agreement immediately by giving written notice to the other Party.

NOTICE

A) Any notice required to be given under the provisions of this Agreement shall be in writing and shall be duly served when it shall have been delivered in person or deposited, enclosed in a wrapper with the proper postage prepaid thereon, and duly registered or certified, return receipt requested, in a United States Post Office, addressed to the County or the City at the following addresses. If mailed, any notice or communication shall be deemed to be received three (3) days after the date of deposit in the United States Mail. Unless otherwise provided in this Agreement, all notices shall be delivered to the following addresses:

To City: City of Piney Point Village
7676 Woodway Dr., Ste. 300
Houston, Texas 77063
Email: cityadmin@pineypt.org
Attn: Robert Pennington
City Administrator

To the County: Harris County Sheriff’s Office
1200 Baker St.
Houston, Texas 77002
Attn: Sheriff Ed Gonzalez

Copy to: Harris County Purchasing
1001 Preston Suite 670
Houston, Texas 77002

B) Either Party may designate a different address by giving the other Party ten (10) days written notice.

CIVIL LIABILITY

A) In accordance with Tex. Gov’t Code § 791.006(b), each Party shall assume responsibility for its own actions and those of its officers, officials, employees and agents, and for its own defense should any claim be presented or suit filed against it arising from or related to any Services provided under this Agreement. Nothing in this section adds to or changes the liability limits and immunities for a governmental unit provided by the Texas Tort Claims Act, Chapter 101, Tex. Civ.Prac. & Rem Code, or other law. Notwithstanding any other language in this Agreement,

nothing in this Agreement shall create a joint enterprise for the purpose of assigning or determining liability.

NO PERSONAL LIABILITY; NO WAIVER OF IMMUNITY

- A) Nothing in the Agreement is construed as creating any personal liability on the part of any officer, director, employee, or agent of any public body that may be a Party to the Agreement, and the Parties expressly agree that the execution of the Agreement does not create any personal liability on the part of any officer, director, employee, or agent of the County.
- B) The Parties agree that no provision of this Agreement extends the County's liability beyond the liability provided in the Texas Constitution and the laws of the State of Texas.
- C) Neither the execution of this Agreement nor any other conduct of either Party relating to this Agreement shall be considered a waiver by the County of any right, defense, or immunity on behalf of itself, its employees or agents under the Texas Constitution or the laws of the State of Texas.

ENTIRE AGREEMENT; MODIFICATIONS

This Agreement contains the entire agreement between the Parties relating to the rights herein granted and the obligations herein assumed. This Agreement supersedes and replaces any prior agreement between the Parties pertaining to the rights granted and the obligations assumed herein. This Agreement shall be subject to change or modification only by a subsequent written modification approved and signed by the governing bodies of each Party.

APPLICABLE LAW AND VENUE

This Agreement shall be governed by the laws of the State of Texas and the forum for any action under or related to the Agreement is exclusively in a state or federal court of competent jurisdiction in Texas. The exclusive venue for any action under or related to the Agreement is in a state or federal court of competent jurisdiction in Houston, Harris County, Texas.

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (“HIPAA”)

The purpose of this Article is to comply with the requirements of the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191 (codified at 45 C.F.R. Parts 160 and 164), as amended (“HIPAA”); privacy and security regulations promulgated by the United States Department of Health and Human Services (“HHS”); Title XIII, Subtitle D of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, as amended (“HITECH Act”); provisions regarding Confidentiality of Alcohol and Drug Abuse Patient Records (codified at 42 C.F.R. Part 2), as amended; and TEX. HEALTH & SAFETY CODE ANN. §§ 81.046, as amended, 181.001 *et seq.*, as amended, 241.151 *et seq.*, as amended, and 611.001 *et seq.*, as amended (collectively referred to herein as the “Privacy and Security Requirements”).

- A) Definitions.

- i) Confidential Information is information that has been deemed or designated confidential by law (i.e., constitutional, statutory, regulatory, or by judicial decision).
 - ii) Protected Health Information (“PHI”) is defined in 45 C.F.R. § 164.501 and is limited to information created or received by Contractor from or on behalf of the City.
 - iii) Electronic Protected Health Information (“EPHI”) shall mean individually identifiable health information that is transmitted by or maintained in electronic media.
 - iv) Security Incident shall mean the unauthorized access, use, disclosure, modification, or destruction of Confidential Information, including, but not limited to, PHI and EPHI, or interference with the systems operations in an information system, including, but not limited to, information systems containing EPHI. This definition includes, but is not limited to, lost or stolen transportable media devices (e.g., flash drives, CDs, PDAs, cell phones, and cameras), desktop and laptop computers, photographs, and paper files containing Confidential Information, including, but not limited to, PHI and EPHI.
- B) General.
- i) County agrees to hold all PHI and EPHI confidential except to the extent that disclosure is required by Federal or State law, including the Texas Public Information Act, TEX. GOV’T CODE ANN. §§ 552.001 *et seq.*, as amended.
 - ii) County agrees to be bound by and comply with all applicable Federal and State of Texas licensing authorities’ laws, rules, and regulations regarding records and governmental records, including the Privacy and Security Requirements. Compliance with this paragraph is at County’s own expense.
 - iii) County agrees to cooperate with state and federal agencies and to make appropriate personnel available for interviews, consultation, grand jury proceedings, pre-trial conferences, hearings, trials, and any other process, including investigations, required as a result of County’s services to the City. Compliance with this paragraph is at County’s own expense.
 - iv) The terms used in this Article shall have the same meaning as those terms in the Privacy and Security Requirements.

- C) Representation. County represents that it is familiar with and is in compliance with the Privacy and Security Requirements, which include Federal and State of Texas requirements governing information relating to HIV/AIDS, mental health, and drugs or alcohol treatment or referral.

- D) Business Associate. County is a “Business Associate” of the City as that term is defined under the Privacy and Security Requirements.
 - i) Nondisclosure of PHI. County agrees not to use or disclose PHI received from or on behalf of the City or created, compiled, or used by County pursuant to the Agreement other than as permitted or required by this Article, or as otherwise required by law.

 - ii) Limitation on Further Use or Disclosure. County agrees not to further use or disclose PHI or EPHI received from or on behalf of the City or created, compiled, or used by County pursuant to this Agreement in a manner that would be prohibited by the Privacy and Security Requirements if disclosure was made by the City, or if either County or the City is otherwise prohibited from making such disclosure by any present or future State or Federal law, regulation, or rule.

 - iii) Safeguarding PHI. County agrees to use appropriate safeguards to prevent use or disclosure of PHI other than as provided for by this Article or as required by State or Federal law, regulation, or rule.

 - iv) Safeguarding EPHI. County agrees to implement and use administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of EPHI that it creates, receives, maintains, or transmits on behalf of the City. These safeguards shall include the following:
 - a) Encryption of EPHI that County stores and transmits;

 - b) Implementation of strong access controls, including physical locks, firewalls, and strong passwords;

 - c) Use of updated antivirus software;

 - d) Adoption of contingency planning policies and procedures, including data backup and disaster recovery plans; and

 - e) Conduct of periodic security training.

v) Reporting Security Incidents. County agrees to report to the City any Security Incident immediately upon becoming aware of such. County further agrees to provide the City with the following information regarding the Security Incident as soon as possible, but no more than five (5) business days after becoming aware of the Security Incident:

- a) a brief description of what happened, including the dates the Security Incident occurred and was discovered;
- b) a reproduction of the PHI or EPHI involved in the Security Incident; and
- c) a description of whether and how the PHI or EPHI involved in the Security Incident was rendered unusable, unreadable, or indecipherable to unauthorized individuals either by encryption or otherwise destroying the PHI or EPHI prior to disposal.

If County determines that it is infeasible to reproduce the PHI or EPHI involved in the Security Incident, County agrees to notify the City in writing of the conditions that make reproduction infeasible and any information County has regarding the PHI or EPHI involved.

County agrees to cooperate in a timely fashion with the City regarding all Security Incidents reported to the City.

County agrees that the City will review all Security Incidents reported by County and the City, in its sole discretion, will take the following steps in response, to the extent necessary or required by law, including, but not limited to:

- a) notifying the individual(s) whose PHI or EPHI was involved in the Security Incident, either in writing, via telephone, through the media, or by posting a notice on the City's website, or through a combination of those methods, of the Security Incident;
- b) providing the individual(s) whose PHI or EPHI was involved in the Security Incident with credit monitoring services for a period of time to be determined by the City, at no cost to the individuals; and
- c) providing notice of the Security Incident, as required by law, to the Secretary of the HHS.

vi) EPHI and Subcontractors. County shall require any agent to whom it provides PHI or EPHI, including a subcontractor, to agree to implement reasonable and appropriate safeguards to protect such PHI or EPHI.

- vii) Subcontractors and Agents. County shall require any agent to whom it provides PHI or EPHI, including a subcontractor, to agree to implement reasonable and appropriate safeguards to protect the PHI or EPHI. County shall require any subcontractor or agent to whom County provides PHI or EPHI received from or on behalf of the City or created, compiled, or used by County pursuant to this Agreement, to agree to the same restrictions and conditions that apply to County with respect to such PHI and EPHI. Additionally, County agrees and understands that no PHI or EPHI shall be sent, distributed, stored, made available to, or in any way accessed by any agent or subcontractor located outside of the United States.
- viii) Reciprocal Disclosures. The Parties agree that the Parties may reciprocally disclose and use PHI or EPHI for initial and continuing eligibility and compliance determinations related to the provision of benefits, for auditing and legal compliance purposes, and for compliance with laws, regulations, and rules related to the provision of medical or drug benefits to persons who may be eligible for such benefits under the Medicare Prescription Drug Benefit Program, Part D, or other federal or State of Texas programs.
- ix) Mitigation. County agrees to mitigate, to the extent practicable, any harmful effect that is known to County of a use or disclosure of PHI or EPHI by County, or by a subcontractor or agent of County, resulting from a violation of this Article, including violations of the Privacy and Security Requirements stated herein. County also agrees to inform the City in advance of its actual mitigation and of the details of its mitigation plan, unless doing so would cause additional harm.
- x) Notice – Access by Individual. County agrees to notify the City in writing within three (3) business days of any request by an individual for access to the individual’s PHI or EPHI and, upon receipt of such request, direct the individual to contact the City to obtain access to the individual’s PHI. Upon request by the City, County agrees to make available PHI and EPHI to the City or, as directed by the City, to an individual in accordance with 45 C.F.R. § 164.524.
- xi) Notice – Request for Amendment. County agrees to notify the City in writing within three (3) business days of any request by an individual for an amendment to the individual’s PHI or EPHI and, upon receipt of such request from the individual, direct the individual to the City to request an amendment of the individual’s PHI or EPHI. County agrees to make available upon request PHI and EPHI for amendment and to incorporate any amendments to PHI and EPHI agreed to or directed by the City in accordance with 45 C.F.R. § 164.526.
- xii) Notice – Request for Accounting. Upon receipt of any request from an individual for an accounting of disclosures made of the individual’s PHI or EPHI, County

agrees to notify the City in writing within three (3) business days of any such request, and upon receipt of such request from the individual, direct the individual to the City for an accounting of the disclosures of the individual's PHI or EPHI. County agrees to make available upon request the information required to provide an accounting of disclosures in accordance with 45 C.F.R. § 164.528. Pursuant to 45 C.F.R. § 164.528(a), an individual has a right to receive an accounting of certain disclosures of PHI or EPHI in the six (6) years prior to the date on which the accounting is requested.

- xiii) HHS Inspection. Upon written request, County agrees to make available to HHS or its designee, County's internal practices, books, and records relating to the use and disclosure of PHI and EPHI received from, or created or received on behalf of, the City, in a time or manner designated by HHS for purposes of HHS determining the City's compliance with the Privacy and Security Requirements.
- xiv) City Inspection. Upon written request, County agrees to make available to the City and its duly authorized representatives during normal business hours County's internal practices, books, records and documents relating to the use and disclosure of confidential information, including, but not limited to, PHI and EPHI received from, or created or received on behalf of, the City in a time and manner designated by the City for the purposes of the City determining compliance with the Privacy and Security Requirements. County agrees to allow such access until the expiration of six (6) years after the services are furnished under the contract or subcontract or until the completion of any audit or audit period, whichever is later. County agrees to allow similar access to books, records, and documents related to contracts between County and organizations related to or subcontracted by County to whom County provides confidential information, including, but not limited to, PHI and EPHI received from, or created or received on behalf of, the City.
- xv) PHI or EPHI Amendment. County agrees to incorporate any amendments, corrections, or additions to the PHI or EPHI received from or created, compiled, or used by the City pursuant to this Agreement when notified by the City that the PHI or EPHI is inaccurate or incomplete, or that other documents are to be added as required or allowed by the Privacy and Security Requirements.
- xvi) Documentation of Disclosures. County agrees to document disclosure of PHI or EPHI and information related to such disclosures as is necessary for the City to respond to a request by an individual for an accounting of disclosures of PHI or EPHI in accordance with 45 C.F.R. § 164.528, as amended.
- xvii) Termination Procedures. Upon termination of this Agreement for any reason, County agrees to deliver all PHI or EPHI received from the City or created, compiled, or used by County pursuant to this Agreement within thirty (30) days

from the date of termination, or, if specially requested to do so by the City in writing, to destroy all PHI or EPHI within the time frame determined by the City, which will be no less than thirty (30) days from the date of the notice of termination. This provision applies when County maintains PHI or EPHI from the City in any form. If County determines that transferring or destroying the PHI or EPHI is infeasible, County agrees:

- a) to notify the City of the conditions that make transfer or destruction infeasible;
- b) to extend the protections of this Article to such PHI or EPHI; and
- c) to limit any further uses and disclosures of such PHI or EPHI to those purposes that make the return, or transfer to the City, or destruction infeasible.

xviii) Notice – Termination. Upon written notice to County, the City may terminate any portion of the Agreement under which County maintains, compiles, or has access to PHI or EPHI. Additionally, upon written notice to County, the City may immediately terminate the entire Agreement if the City determines, at its sole discretion, that County has repeatedly violated a Privacy or Security Requirement.

E) Survival of Privacy Provisions. County’s obligations with regard to PHI and EPHI shall survive termination of this Agreement.

F) Amendment Related to Privacy and Security Requirements. The Parties agree to take such action as is necessary to amend this Agreement if the City, in its reasonable discretion, determines that amendment is necessary for the City to comply with the Privacy and Security Requirements or any other law or regulation affecting the use or disclosure of PHI or EPHI. Any ambiguity in this Article shall be resolved to permit the City to comply with the Privacy and Security Requirements.

G) Indemnification. To the fullest extent allowed by law, County agrees to indemnify and hold harmless the Harris County Juvenile Probation Department, the City, Harris County and its officers, employees, and agents (individually and collectively “Indemnitees”) against any and all losses, liabilities, judgments, penalties, awards, and costs (including costs of investigations, legal fees, and expenses) arising out of or related to:

- i) a breach of this Agreement relating to the Privacy and Security Requirements by County; or**

- ii) **any negligent or wrongful acts or omissions of County or its employees, directors, officers, subcontractors, or agents, relating to the Privacy and Security Requirements, including failure to perform their obligations under the Privacy and Security Requirements.**

H) This Article survives the termination of the Agreement and expires six (6) years after its termination.

NO THIRD-PARTY BENEFICIARIES

The County is not obligated or liable to any party other than City for the performance of this Agreement. Nothing in the Agreement is intended or shall be deemed or construed to create any additional rights or remedies in any third party. Further, nothing contained in the Agreement shall be construed to or operate in any manner whatsoever to increase the rights of any third party, or the duties or responsibilities of County with respect to any third party.

CONTRACT CONSTRUCTION

- A) This Agreement shall not be construed against or in favor of any Party hereto based upon the fact that the Party did or did not author this Agreement.
- B) The headings in this Agreement are for convenience or reference only and shall not control or affect the meaning or construction of this Agreement.
- C) When terms are used in the singular or plural, the meaning shall apply to both.
- D) When either the male or female gender is used, the meaning shall apply to both.

WAIVER OF BREACH

A waiver by either Party of a breach or violation of any provision of the Agreement shall not be deemed or construed to be a waiver of any subsequent breach.

SEVERABILITY

The provisions of this Agreement are severable, and if any provision or part of this Agreement or the application thereof to any person, entity, or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such provision or part of this Agreement to other persons, entities, or circumstances shall not be affected thereby.

NO BINDING ARBITRATION; RIGHT TO JURY TRIAL

The County does not agree to binding arbitration, nor does the County waive its right to a jury trial.

TEXAS PUBLIC INFORMATION ACT

- A) Each Party expressly acknowledges that the other Party is subject to the Texas Public Information

Act, Chapter 552 of the Texas Government Code, and notwithstanding any provisions in this Agreement to the contrary, each Party will make any information related to this Agreement available to third parties in accordance with the Public Information Act.

- B) It is expressly understood and agreed that the County, its officers and employees may request advice, decisions and opinions of the Attorney General of Texas (“Attorney General”) in regard to the application of the Act to any software, or any part thereof, or other information or data furnished to the County, whether or not the same are available to the public. It is further understood that the County, its officers and employees shall have the right to rely on the advice, decisions, and opinions of the Attorney General, and that the County, its officers, and employees shall have no liability or obligations to City for the disclosure to the public, or to any person or persons, of any software, or a part thereof, or other information or data furnished to the County in reliance on any advice, decision or opinion of the Attorney General.

- C) In the event the County receives a written request for information pursuant to the Act that affects City’s rights, title to, or interest in any information or data or a part thereof, furnished to the County by City under this Agreement, then the County will promptly notify City of such request. City may, at its own option and expense, prepare comments and submit information directly to the Attorney General stating why the requested information is exempt from disclosure pursuant to the requirements of the Act. City is solely responsible for submitting the memorandum brief and information to the Attorney General within the time period prescribed by the Act. City is solely responsible for seeking any declaratory or injunctive relief regarding the disclosure of information that it deems confidential or privileged.

- D) Electronic Mail Addresses. City affirmatively consents to the disclosure of its e-mail addresses that are provided to the County, including any agency or department of the County. This consent is intended to comply with the requirements of the Act, and shall survive termination of this Agreement. This consent shall apply to e-mail addresses provided by City and agents acting on behalf of City and shall apply to any e-mail address provided in any form for any reason whether related to this Agreement or otherwise.

RECITALS

The recitals set forth in this Agreement are, by this reference, incorporated into and deemed a part of this Agreement.

SURVIVAL OF TERMS

Any provision of this Agreement that, by its plain meaning, is intended to survive the expiration or earlier termination of this Agreement including, but not limited to the indemnification provision, shall survive such expiration or earlier termination. If an ambiguity exists as to survival, the provision shall be deemed to survive.

MULTIPLE COUNTERPARTS/EXECUTION

This Agreement may be executed in several counterparts. Each counterpart is deemed an original and all counterparts together constitute one and the same instrument. In addition, each Party warrants that the undersigned is a duly authorized representative with the power to execute the Agreement.

WARRANTY

By execution of this Agreement, the City warrants that the duties accorded to the City in this Agreement are within the powers and authority of the City.

INDEPENDENT PARTIES

It is expressly understood and agreed by the Parties that nothing contained in this Agreement shall be construed to constitute or create a joint venture, partnership, or other affiliation or like relationship between the Parties, it being specifically agreed that their relationship is and shall remain that of independent parties to a contractual relationship as set forth in this Agreement. The County is an independent contractor and neither it, nor its employees or agents shall be considered to be an employee, agent, partner, or representative of the City for any purpose. The City, nor its employees, officers, or agents shall be considered to be employees, agents, partners or representatives of the County for any purposes. Neither Party has the authority to bind the other Party.

HARRIS COUNTY

CITY OF PINEY POINT VILLAGE

By: _____
Lina Hidalgo
Harris County Judge

By: _____
Mark Kobelan
Mayor

APPROVED AS TO FORM:

ACKNOWLEDGED BY:

Christian D. Menefee
Harris County Attorney

Robert Pennington
City Administrator / Secretary

By: _____
Philip Berzins
Assistant County Attorney
CA File No: 22GEN3338

ATTEST BY:

Ed Gonzalez
Sheriff
Harris County Sheriff's Office

ORDER OF COMMISSIONERS COURT

Authorizing Interlocal Agreement with the City of Piney Point Village

The Commissioners Court of Harris County, Texas, met in regular session at its regular term at the Harris County Administration Building in the City of Houston, Texas, on _____, with all members present except _____.

A quorum was present. Among other business, the following was transacted:

**ORDER AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENT
WITH THE CITY OF PINEY POINT VILLAGE
FOR CITY PRISONER DETENTION AND HOUSING**

Commissioner _____ introduced an order and moved that Commissioners Court adopt the order. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

	Yes	No	Abstain
Judge Lina Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Rodney Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Adrian Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Tom S. Ramsey, P.E.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Lesley Briones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order adopted follows:

IT IS ORDERED that:

1. The Harris County Judge is authorized to execute on behalf of Harris County Interlocal Agreement between the City of Piney Point Village for city prisoner detention and housing at no cost to the County. The Interlocal Agreement is incorporated by reference and made a part of this order for all intents and purposes as thought set out in full word for word.
2. All Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purposes of this order.

TO: The Honorable Mayor and Members of the City Council

FROM: Bobby Pennington; City Administrator

MEETING DATE: December 19, 2022

SUBJECT: Discuss and consider possible action on Ordinance 2022.12.19 establishing City Council Regular Meetings for 2023.

Agenda Item: 4

Informational Summary

Establishing dates was approved at the last regular meeting, however such action should include an ordinance.

Recommendation

Staff recommends approval of Ordinance 2022.12.19 establishing City Council Regular Meetings for 2023.

ORDINANCE NO 2022.12.19

AN ORDINANCE OF THE CITY OF PINEY POINT VILLAGE, TEXAS,
ESTABLISHING REGULAR CITY COUNCIL MEETING DATES;
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES
INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR
SEVERABILITY

* * * * *

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

Section 1. The City Council of the City of Piney Point Village, Texas hereby adopts the
following dates as the regular City Council meeting schedule for the 2022 calendar year:

Regular City Council Meeting Dates

Monday, January 23, 2023
Monday, February 27, 2023
Monday, March 27, 2023
Monday, April 24, 2023
Monday, May 22, 2023
Monday, June 26, 2023
Monday, July 24, 2023
Monday, August 28, 2023
Monday, September 25, 2023
Monday, October 23, 2023
Monday, November 27, 2023
Monday, December 18, 2023

Section 2. All ordinances and parts of ordinance in conflict herewith are, to the extent
of such conflict, hereby repealed.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance
or the application of the same to any person or circumstance shall for any reason be adjudged
invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or
invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to
be invalid or unconstitutional; and the City Council of the City of Piney Point Village,

Texas declares that 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, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED on first and final reading this 19th day of December 2022.

Mark Kobelan
Mayor

ATTEST:

Robert Pennington
City Administrator / Secretary

TO: The Honorable Mayor and Members of the City Council

FROM: Bobby Pennington, City Administrator

MEETING DATE: December 19, 2022

SUBJECT: Calling a General Municipal Election and establishing a joint election with Spring Branch Independent School District for May 6, 2023.

Agenda Item: 5

Discuss and consider possible action on Resolution No. 2022.12.19 Calling a General Municipal Election on May 6, 2023 and establishing a joint election agreement with Spring Branch Independent School District.

Action includes the following:

1. A Resolution to approve a joint election in accordance with Chapter 271 of the Texas Election Code and Section 11.0581 of the Texas Education Code between SBISD and City of Piney Point Village.
2. An Order in which SBISD and Piney Point agree, to hold a joint election to the extent of conducting voting on election day at a common polling place at Spring Branch Middle School.
3. An Interlocal Cooperation Agreement for Joint Elections between Spring Branch Independent School District and City of Piney Point Village.

Exhibit A:

Election Law Calendar for May 6, 2023.

RESOLUTION 22.12.19A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS, AUTHORIZING AND CALLING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 6, 2023, FOR THE PURPOSE OF ELECTING THREE ALDERMEN; ESTABLISHING A JOINT ELECTION AGREEMENT WITH SPRING BRANCH INDEPENDENT SCHOOL DISTRICT; PROVIDING FOR THE USE OF DIRECT RECORDING VOTING DEVICES; PROVIDING FOR EARLY VOTING HOURS AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PNEY POINT VILLAGE, TEXAS.

Section 1. That a general regular municipal election is hereby ordered to be held on May 6, 2023, for the purpose of electing three Aldermen, for Position 1, Position 2, and Position 5, by the qualified voters of the City of Piney Point Village, Texas.

Section 2. The City of Piney Point Village has entered into a joint election agreement with the Spring Branch Independent School District.

Section 3. The Office of the City Secretary shall perform all duties normally performed by the County Clerk in general elections with respect to early voting, giving notice of the election and preparing the official ballots.

Section 4. The early voting polling place shall be held at Piney Point Village City Hall located at 7676 Woodway, Suite 300, Houston, Texas 77063; early voting shall take place beginning Monday, April 24th, 2023, and ending Tuesday, May 2nd, 2023, between the hours of 8:00 a.m. to 4:00 p.m. and on May 1st, 2023, and May 2nd, 2023, from 7:00 a.m. to 7:00 p.m.

Section 5. Applications for ballots for voting by mail may be submitted to the City Secretary by mail or common or contract carrier at City of Piney Point Village, 7676 Woodway Drive, Suite 300, Houston, Texas 77063, by telephonic facsimile machine at (832) 952-1157, or by electronic transmission of a scanned application containing an original signature to the following email address: citysec@pineypt.org. Applications for ballots by mail must be received no later than April 25th, 2023, by 5:00 p.m.

Section 6. The May 6th, 2023, election day polling place shall be held at Spring Branch Middle School at 1000 North Piney Point Road, Houston, Texas 77024 from 7:00 a.m. to 7:00 p.m.

Section 7. The official Election Judge, Alternate Judge, and election clerks shall be appointed by and paid by the Spring Branch Independent School District.

Section 8. Direct recording electronic voting machines shall be used for voting at the foregoing election polling place and electronic counting devices and equipment shall be used for counting the ballots at said election.

Section 9. An Early Voting Ballot Board is hereby designated to canvass the early votes cast by mail and by personal appearance. Spring Branch Independent School District shall appoint such members as provided in the Texas Election Code, Section 87.002(b).

Section 10. The Mayor is authorized to sign an Order of Election and a Notice of Election prescribed by the State of Texas on behalf of the City Council. Notice of Election shall be published in accordance with the provisions of the Texas Election Code.

Section 11. Should any part, section, subsection, paragraph, sentence, clause, or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respect shall remain in full force and effect.

Section 12. That this resolution shall be effective immediately upon adoption.

PASSED, APPROVED, AND RESOLVED this 19th day of January 2022.

City of Piney Point Village, Texas

Mark Kobelan, Mayor

ATTEST:

Robert Pennington

City Administrator / City Secretary

RESOLUTION FOR JOINT ELECTION

WHEREAS, the Spring Branch Independent School District (“SBISD”) is a political subdivision and independent school district of the State of Texas;

WHEREAS, the City of Piney Point Village is a municipality of the State of Texas located in SBISD;

WHEREAS, Chapter 271 of the Texas Election Code authorizes joint elections if the elections ordered by two or more political subdivisions are to be held on the same day in all or part of the same territory;

WHEREAS, Section 11.0581 of the Texas Education Code requires that an election for trustees of an independent school district on the May uniform election date be a joint election under Chapter 271 of the Texas Election Code with the election for members of the governing body of a municipality located in the school district;

WHEREAS, SBISD wishes to have a joint election on May 6, 2023 with Piney Point Village, a municipality located in SBISD.

NOW, THEREFORE, BE IT RESOLVED that for the May 6, 2023 SBISD trustee election, the Board of Trustees of SBISD approves a joint election in accordance with Chapter 271 of the Texas Election Code and Section 11.0581 of the Texas Education Code between SBISD and City of Piney Point Village. The details of the joint election have been made through a separate election agreement which has been adopted by the Board of Trustees.

This Resolution was passed, adopted and approved on this, the 19th day of December, 2022.

President
Board of Trustees of
Spring Branch Independent
School District

Secretary
Board of Trustees of
Spring Branch Independent
School District

ORDER APPROVING JOINT ELECTION

WHEREAS, the Spring Branch Independent School District (“SBISD”) is a political subdivision and independent school district of the State of Texas;

WHEREAS, the City of Piney Point Village (“Piney Point”) is a municipality of the State of Texas located partially in SBISD;

WHEREAS, Chapter 271 of the Texas Election Code authorizes joint elections if the elections ordered by two or more political subdivisions are to be held on the same day in all or part of the same territory;

WHEREAS, Section 11.0581 of the Texas Education Code requires independent school districts that hold elections on the May uniform election date to hold those elections as joint elections under Chapter 271 of the Texas Election Code with the election for members of the governing body of a municipality located in the school district.

WHEREAS, SBISD and Piney Point have each ordered their elections for May 6, 2023 and have each passed a resolution agreeing to a joint election.

WHEREAS, the SBISD Board of Trustees wishes to approve the joint election and the terms of the Joint Election Agreement attached hereto.

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE SPRING BRANCH INDEPENDENT SCHOOL DISTRICT THAT:

Section 1: The matters and facts set out in the preamble of this Order are hereby found and declared to be true and correct.

Section 2: The Trustees find that the proposed Joint Election Agreement attached to this Order, in which SBISD and Piney Point agree, among other things, to hold a joint election to the extent of conducting voting on election day at a common polling place at Spring Branch Middle School, 1000 Piney Point, Houston, TX 77024, (the “Common Polling Location”), which SBISD and Piney Point agree will facilitate the orderly conduct of the proposed election and will adequately and conveniently serve the voters. Accordingly, the terms of the Joint Election Agreement are adopted by reference into this Order as if copied verbatim.

Section 3: The Secretary of the Board of Trustees is hereby directed to preserve a copy of the Joint Election Agreement for the period required for preserving election records.

This Order was passed, adopted and approved on this the 19th day of December, 2022.

President
Board of Trustees of
Spring Branch Independent
School District

Secretary
Board of Trustees of
Spring Branch Independent
School District

Interlocal Cooperation Agreement for Joint Elections

Pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, this Interlocal Agreement (the "Agreement") is made and entered into between Spring Branch Independent School District ("SBISD") and City of Piney Point Village ("Piney Point"), together, the "Entities," for the purpose of the Parties conducting joint elections pursuant to Texas Election Code, Chapter 271, and Texas Education Code, Section 11.0581.

Preamble

WHEREAS, SBISD is a political subdivision and independent school district of the State of Texas;

WHEREAS, Piney Point is a municipality of the State of Texas located partially in SBISD;

WHEREAS, Chapter 271 of the Texas Election Code authorizes joint elections if the elections ordered by two or more political subdivisions are to be held on the same day in all or part of the same territory;

WHEREAS, Section 11.0581 requires that an election of trustees of an independent school district shall be held on the same date as the election for the members of the governing body of the municipality located in the school district as a joint election; the voters of a joint election shall be served by common polling places consistent with Section 271.003(b);

WHEREAS, SBISD and Piney Point have determined that it is in the best interests of SBISD, Piney Point, and the citizens thereof, to enter into a joint election agreement for the purpose of sharing election equipment, election supplies, election workers, tabulation services, polling locations, and electronic voting equipment; and

WHEREAS, SBISD and Piney Point shall each order their elections for May 6, 2023 and each shall pass a resolution agreeing to a joint election.

THEREFORE, BE IT RESOLVED THAT SBISD and the City of Piney Point Village agree as follows:

1. Chief Election Official. Each Entity agrees to appoint a Chief Election Official who shall coordinate, supervise, and handle all aspects of administering the Joint Election as provided in this Agreement.
2. Conduct of Election. Although the Entities may share election responsibilities, judges, clerks and other election workers as part of the Joint Election covered by this Agreement, each Entity shall remain responsible for the lawful conduct of its election. The Entities acknowledge and agree that any election duty related to the lawful conduct of an election not expressly provided for in this Agreement is retained by each Entity. Responsibilities retained by each Entity include, but are not limited to, receipt of applications for a position on the ballot, ballot position drawings, correspondence with candidates concerning ballot applications and/or

candidate unopposed status, campaign finance reporting, and posting and publication of required election notices.

3. Legal Documents. Each Entity shall be responsible for the preparation, adoption, posting and publication of all required election orders, resolutions, and notices required by the Texas Election Code and/or other applicable law. Preparation of the necessary materials for notices and official ballot language shall be the responsibility of each Entity, including translation to languages other than English. Each Entity shall prepare its own submission, if required, to the United States Department of Justice for preclearance of its election, pursuant to the Voting Rights Act of 1965, as amended.
4. Early Voting by Personal Appearance. The Entities agree to conduct joint early voting by personal appearance. Early voting by personal appearance will be held at the locations, dates, and times authorized and ordered by the governing body of each party to this Agreement. Any qualified voter of the Joint Election may vote early by personal appearance at any one of the joint early voting locations. Each Entity will operate and staff a minimum of one early voting location and bear all costs associated with the location, including personnel. SBISD will provide voting equipment to each early voting location identified in each Entity's election order at no cost to Piney Point.
5. Early Voting by Mail. The Entities shall conduct joint early voting by mail. SBISD's Early Voting Clerk shall serve as the Early Voting Clerk for the joint election. SBISD shall be responsible for mail ballots and any other supplies required by the Early Voting Clerk and shall be responsible for all other aspects of early voting by mail, including but not limited to, receiving applications for ballots by mail and mailing and receiving ballots by mail. Piney Point shall be responsible for forwarding any applications for ballots by mail it receives to SBISD's Early Voting Clerk within 24 hours of receipt.
6. Polling Places. The Parties shall have one common polling place on Saturday, May 6, 2023, Election Day, at Spring Branch Middle School, 1000 Piney Point, Houston, Texas 77024 (the "Common Polling Place").
7. Joint Ballot. The Entities agree to a joint ballot. Preparation of the necessary materials for each Entity's official ballot shall be the responsibility of each party to this Agreement, including translation to languages other than English. Piney Point shall furnish SBISD 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 the Entity's ballot is to be printed). This list shall be delivered to SBISD as soon as possible following Piney Point's candidate position drawing and in accordance with any timetables provided by SBISD. Piney Point agrees that SBISD shall not be responsible for the wording of the ballot language provided by

Piney Point. SBISD shall provide Piney Point with a ballot proof prior to finalizing the ballot for the joint election. Piney Point shall be responsible for proofreading and approving the ballot insofar as it pertains to Piney Point's candidates and/or propositions.

8. Election Judges and Clerks. SBISD shall be responsible for the appointment, compensation and training of all election officials for each election-day and early voting polling location, except as provided in paragraphs 4 and 5 of this Agreement, including the appointment of all judges, clerks and central counting station and early voting ballot board personnel. SBISD shall make emergency appointments of election officials if necessary. SBISD also shall notify all election judges of their appointment. Pay rates for election workers shall comply with the hourly rates required by the Texas Election and Administrative Codes for election judges and clerks. Judges and alternate judges shall also be compensated \$35.00 to attend election training. All joint polling place election workers shall receive these standardized rates of pay.
9. Voting Equipment and Election Supplies. The Entities agree to use electronic voting equipment and supplies approved by the Texas Secretary of State for the polling locations and central counting station covered by this Agreement. SBISD shall arrange for and order all equipment and supplies (i.e. election kits, official ballots, sample ballots, tabulation equipment, voter registration lists, and all forms, signs, and maps) and shall arrange delivery of the equipment and supplies to all polling places covered by this Agreement, including the central counting station. Voting equipment will be provided at no cost to Piney Point. Paper ballots will not be used by SBISD or by Piney Point for voting on election-day, except for provisional ballots or in the instance of electrical outages or electronic equipment failure. Piney Point acknowledges that the electronic voting system is highly technical and that it is conceivable that, despite the efforts of the parties, it might fail during the election. Piney Point agrees that should the electronic voting system fail, it will not make any claim against SBISD for damages of any kind, including but not limited to, damages incurred by Piney Point for having to conduct a second election as a result of such failure.
10. Early Voting Ballot Board. SBISD shall appoint an Early Voting Ballot Board (EVBB) to process early voting mail ballots received by the Entities. The EVBB shall consist of a presiding judge and at least two other members. Upon recommendation by the presiding judge, SBISD shall appoint any additional EVBB members needed. Tabulation of each Entity's mail ballots shall be conducted separately by the Early Voting Ballot Board at the central counting station on election night, at no cost to Piney Point. A signature verification committee may be appointed in any election under this Agreement. SBISD's early voting clerk shall be responsible for determining whether a signature verification committee is to be appointed for a particular election. If the clerk determines that a committee is to be appointed, the clerk shall issue a written order calling for the appointment in accordance with the requirements of the Election Code. Appointment to the Committee shall be made by the Board of Trustees of SBISD

in accordance with the requirements of the Election Code.

11. Central Counting Station. SBISD shall be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of Chapter 127 of the Texas Election Code. SBISD also shall be responsible for conducting any post-election manual recounts required by Section 127.201 of the Texas Election Code. Piney Point may provide a representative at the Central Counting Station on election night to receive the unofficial tabulation of the election. Alternatively, Piney Point may request that SBISD provide the election results via another means such as email. However, if an alternative means is used, SBISD shall not be responsible for technical problems with transmission. Each party to this Agreement shall be responsible for canvassing its own election returns. Central counting station personnel will be provided at no cost to Piney Point.
12. Logic & Accuracy Tests. SBISD shall arrange and schedule the logic and accuracy testing for the tabulation equipment prior to its use in the election as required by Chapter 127 of the Texas Election Code and shall be responsible for publishing the required public notice of the date, time, and place of the logic and accuracy testing. The Entities agree and acknowledge that it shall be the responsibility of electronic voting equipment manufacturer to program and test all election equipment in accordance with the requirements of the Texas Election Code, and it is further agreed and understood that by entering into this Agreement, SBISD does not assume any responsibility for the programming or testing of the electronic voting equipment used in the election. SBISD shall be responsible for conducting the logic and accuracy tests for the tabulation equipment required by Chapter 127 of the Texas Election Code.
13. Cancellation of Election. Either Entity 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. If an Entity cancels its election, it shall promptly notify the other Entity in writing and shall be responsible only for its share of prorated expenses through the date of cancellation. The Entity remaining in the election shall then assume full responsibility and expense for conducting its own election. The Entity cancelling its election shall be responsible for preparing all orders, resolutions, and certifications associated with canceling its election pursuant to Chapter 2 of the Texas Election Code. In the event that other entities have joined in the Joint Election, and SBISD cancels its election, each remaining entity shall assume full responsibility and expense for conducting its own election. In the event that SBISD cancels its election, any remaining entity desiring SBISD to conduct its election shall make its request in writing. Should SBISD accept the entity's request, the Entity shall assume full responsibility for expenses associated with the election. In that event, polling locations (early and election-day) shall be determined by SBISD.
14. Expenses of Joint Election. Services provided to Piney Point under this Agreement shall be at no cost, unless SBISD cancels its election and Piney Point does not, or Piney Point requires a runoff election. In those instances, SBISD shall prepare and submit an invoice to Piney Point for Piney Point's expenses of conducting

their election, which invoice shall be due and payable within thirty (30) days of receipt thereof. The Entities shall meet, if necessary, following the Joint Election to review administration and/or the expenses of the Joint Election. Piney Point agrees and acknowledges that SBISD may from time to time invite other entities who serve voters within the same boundaries to join the Joint Election. Under such circumstances, election expenses allocated under this Agreement shall be borne proportionately by all Entities participating in the Joint Election.

15. Election Records. Each Entity hereby appoints its Chief Election Official as the general custodian of the voted ballots and **all** records of the Joint Election as authorized by Section 271.010 of the Texas Election Code. The Chief Election Officials shall work cooperatively with one another, sharing records and materials as needed. Access to the each Entity's election records shall be available to that Entity upon request 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 for the electronically voted ballots shall be stored by the Chief Election Official of each Entity. Each Chief Election Official 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, each Entity shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of each Entity to bring to the attention of its records custodian notice of any pending election contest, investigation, litigation or open records request which may be filed with the Entity.
16. Joint Election Preserved. This joint election agreement shall be preserved for the period for preserving the precinct election records.
17. Recounts. A recount may be obtained as provided by Title 13 of the Texas Election Code. If either Entity requires a recount, it is understood and agreed that SBISD shall be responsible for the supervision of the recount and shall appoint all personnel for the recount. The entities agree to work cooperatively with one another, promptly making available all election records, equipment, and supplies (including ballots, ballot boxes, and voting equipment) requested by the Entity conducting the recount. All costs of the recount shall be borne by the Entity requiring therecount.
18. Entire Agreement/Amending This Agreement. The Parties agree that this Agreement is the entire agreement between SBISD and Piney Point and supersedes any previous oral or written agreements. This Agreement may be amended only by the mutual agreement of the Parties, in a writing to be attached to and incorporated **in** this Agreement.
19. Source of Payment. Local funds expended will be from current revenues available to the paying party.

20. Term of Agreement. The term of this Agreement shall be for a period of one **(1)** year, commencing on the effective date hereof. Provided, however, this Agreement shall be automatically extended for additional one-year terms unless either party notifies the other in writing of non-renewal not less than 90 days prior to the expiration of the primary or any renewal term hereof. Provided further, either party to this Agreement shall be entitled to terminate same upon 90 days advance written notice.
21. No Assignment. This Agreement may not be assigned.
22. Construction and Venue. This Agreement shall be construed under the laws of the State of Texas; mandatory and exclusive venue in any action arising out of this Agreement shall be in Harris County, Texas.
23. Authorized by Governing Body. Each party acknowledges that this Agreement has been authorized by the governing bodies of both SBISD and Piney Point.
24. No Third Party Beneficiary. Neither this Agreement, nor any term or provision hereof, nor any inclusion by reference, shall be construed as being for the benefit of any party not a signatory hereto.
25. Notice. Notice under this Agreement must be in writing and may be delivered by hand delivery, fax or by certified mail to each Entity's Chief Election Official at the addresses listed on their respective signature blocks below.

CHIEF ELECTION OFFICIALS:

DATE

Signature: _____
Printed Name: Christine A. Porter
Political Subdivision: Spring Branch Independent School District
Address: 955 Campbell Road
City, State Zip: Houston, Texas 77024
Telephone: (713) 251-2213
Fax: (713) 251-9185
Email: christine.porter@springbranchisd.com

DATE

Signature: _____
Printed Name: _____
Political Subdivision: City of Piney Point Village
Address: 7676 Woodway, Suite 300
City, State Zip: Houston, Texas 77063
Telephone: _____
Fax: _____
Email: _____

Agreed this 23rd day of January, 2023

Agreed this _____ day of January, 2023

President
Board of Trustees of
Spring Branch Independent
School District

Mark Kobelan, Mayor
City of Piney Point Village

May 6, 2023 Election Law Calendar

The uniform election date in May of an odd-numbered year is a date on which many local political subdivisions, such as cities, school districts, and water districts, have their regular general elections for members of their governing bodies or special elections to fill vacancies. Therefore, this calendar is required to meet the needs of many different governmental bodies. If there are questions about the applicability of something in this calendar to your specific election, do not hesitate to call the Elections Division of the Office of the Texas Secretary of State at 1-800-252-VOTE(8683).

Notes

1. [Campaign Information](#)
2. [Statutory and Administrative Code References](#)
3. [Web Posting Requirements](#)
4. [May Uniform Date \(Odd-Numbered Years\)](#)
5. [Required Use of County Polling Places](#)
6. [Notice of Candidate Filing Periods](#)
7. [Joint Election Requirement for School Districts](#)
8. [Joint Elections Generally](#)
9. [Notice of Elections](#)
10. [Regular Days and Hours for Voting](#)
11. [Extended Early Voting Hours and Branch Locations](#)
12. [Temporary Branch Locations](#)
13. [Notice of Previous Polling Place](#)
14. [Notice of Change of Polling Place Location](#)
15. [Testing Tabulating and Electronic Voting Equipment](#)
16. [Accepting Voters with Certain Disabilities](#)
17. [Law Regarding Faxed or Emailed ABBMs and Faxed FPCAs](#)
18. [Opportunity to Correct Defects in Mail Ballots](#)
19. [Reconciliation Forms](#)

NOTE REGARDING CERTAIN STATUTES AND GOVERNMENTAL ACTIONS THAT RELATE TO THE FEDERAL CENSUS: Pursuant to HB 2025 (2021), the population figures from the 2010 federal census will continue to apply with respect to a statute that applies to a political subdivision having a certain population according to the most recent federal census until September 1, 2023. The bill specifies that a statute does not apply to a political subdivision to which the statute did not apply under the 2010 federal census, regardless of whether the political subdivision has the population prescribed by the statute according to the 2020 federal census.

1. Note on Campaign Information

Under Title 15 of the Texas Election Code, candidates running for an office must file campaign contribution and expenditure reports. For further information and all questions about such disclosure filings, campaign finance, and political advertising, please contact the [Texas Ethics Commission](#) at 201 E. 14th Street, 10th Floor, Austin, Texas 78701; call 512-463-5800; or access their website.

2. Note on Statutory and Administrative Code References

Unless otherwise indicated, all references are to the Texas Election Code. The county election officer is either the county clerk, the county elections administrator, or the county tax assessor-collector, depending on the actions of the county commissioners court. (Secs. 31.031, 31.071, 31.091). The county voter registrar is either the county clerk, the county elections administrator, or the county tax assessor-collector, depending on the actions of the county commissioners court. (Secs. 12.001, 12.031, 31.031, 31.071).

Any references to the Texas Administrative Code are cited to the relevant section of the "T.A.C."

3. Note on Web Posting Requirements

Please see our Web Posting Advisory, [Tex. Sec'y of State Election Advisory No. 2019-19](#), for more details on web posting requirements; however, the requirements are summarized below.

As of January 1, 2020, each county *shall maintain* a website. (Sec. 26.16(a), Tax Code).

A political subdivision with the authority to impose a tax that maintained a publicly accessible website at any time on or after January 1, 2019, and that is not subject to Section 2051.202 of the Government Code must post the following items on the entity's Internet website (Secs. 2051.201, 2051.202, Government Code). See [Internet Posting Requirements for Political Subdivisions \(PDF\)](#):

1. The political subdivision's contact information, including a mailing address, telephone number, and e-mail address;
2. Each elected officer of the political subdivision;
3. The date and location of the next election for officers of the political subdivision;
4. The requirements and deadline for filing for candidacy of each elected office of the political subdivision, which shall be continuously posted for at least one year before the election day for the office;
5. Each notice of a meeting of the political subdivision's governing body under Subchapter C, Chapter 551 of the Government Code; and
6. Each record of a meeting of the political subdivision's governing body under Section 551.021 of the Government Code. (Sec. 2051.201, Government Code).

Our office recommends consulting with your political subdivision's local counsel regarding the particular posting requirements under Subdivisions (5) and (6) referenced above. Please note, the requirements for posting notice of meetings and record of meetings of the political subdivision's governing body do not apply to:

1. A county with a population of less than 10,000;
2. A municipality with a population of less than 5,000 located in a county with a population of less than 25,000; or
3. A school district with a population of less than 5,000 in the district's boundaries and located in a county with a population of less than 25,000.

NOTE-NEW LAW: HB 1154 (2021, R.S.) amended the Government Code to include Section 2051.202, effective September 1, 2021. Section 2051.202 of the Government Code requires a special purpose district with certain financial and population characteristics to post specific information on an Internet website. "Special purpose district" excludes from the term a municipality, county, junior college district, independent school district, groundwater conservation district, river authority, or political subdivision with statewide jurisdiction. (Sec. 2051.202, Government Code).

During the 21 days before the election, a debt obligation order under Section 3.009 must be posted on the political subdivision's Internet website, prominently and together with the notice of the election, a copy of the sample ballot, and the contents of the proposition, if the political subdivision maintains an Internet website. (Sec. 4.003(f)).

NOTE-NEW LAW: SB 1116 (2021, R.S.) amended Chapter 4 of the Election Code by adding Section 4.009 regarding candidate and polling place information which must be posted on county, city, and school district websites. Specifically, not later than the 21st day before election day, a county that holds an election or provides election services for an election must post certain information related to their upcoming elections. A city or independent school district that holds an election and maintains an Internet website must also post this same election information on their website even if the county is also posting this data.

- The date of the election;
- The location of each polling place;

- Each candidate for an elected office on the ballot; and
- Each measure on the ballot. (Sec. 4.009)

NOTE-NEW LAW: SB 1116 (2021, R.S.) amended Chapter 65 of the Election Code by adding Section 65.016 of the Code regarding election results information which must be posted on county, city, and school district websites. Specifically, a county that holds an election or provides election services for an election for a public entity must post certain information on their website. A city or independent school district that holds an election and maintains an Internet website must also post certain information on their website related to election results, even if the county is also posting such information. Information should be posted **as soon as practicable after the election** and must be accessible without having to make more than two selections or view more than two network locations after accessing the home page of the county, city or school district, whichever is applicable. Required information on the websites must include:

- the results of each election;
- the total number of votes cast;
- the total number of votes cast for each candidate or for or against each measure;
- the total number of votes cast by personal appearance on election day;
- the total number of votes cast by personal appearance or mail during the early voting period; and
- the total number of counted and uncounted provisional ballots cast. (Sec. 65.016).

We recommend that election results information remain posted on the entity’s main page (or within two clicks of the main page) at least until the next election, and that the information continues to be available for the full 22-month retention period for election records. Entities may choose to make older election results information available on their website.

4. Note on May Uniform Date (Odd-Numbered Years)

With few exceptions, counties are not authorized to hold an election ordered by county authority on the May uniform election date in an even-numbered year. A county elections administrator may refuse to provide election services by contract for an election that is held on the May uniform election date in an even-numbered year. (Sec. 41.001(d)). Thus, for **May 6, 2023** (odd-numbered year) we return to the general rules: counties are authorized to hold an election ordered by county authority in May 2023; and a county elections administrator **may not refuse** to provide election services by contract in May 2023.

5. Note on Required Use of County Polling Places

Political Subdivisions other than Counties: Political subdivisions are not required to use county election precincts and polling places for elections held on the May uniform date. The governing body of a political subdivision other than a county shall establish the election precincts for elections ordered by an authority of the political subdivision and follow the requirements of Secs. 42.061 and 42.0615.

6. Note on Notice of Candidate Filing Periods

The authority with whom an application for a place on the ballot is filed must post a [Notice of Deadline to File Applications for Place on the Ballot \(PDF\)](#), listing the filing period dates in a building in which the authority maintains an office. The notice must be posted not later than the 30th day **before** the first day to file. (Sec. 141.040). If you order a special election to fill a vacancy, the order must include the filing deadline; we recommend posting the notice of the filing period as soon as practicable after a special election is ordered. Note that an application for a place on the ballot for a special election may not be filed before the election is ordered.

NOTE-NEW LAW: HB 3107 (2021, R.S.) requires the authority with whom an application for a place on the ballot is filed to designate an e-mail address in the notice required by Section 141.040 of the Code for the purpose of filing an application for a place on the ballot. (Sec. 141.040).

Most elective offices require that a candidate be a registered voter of the territory that the office is elected from as of the filing deadline or as of other statutory deadlines. (Sec. 141.001). For more information on the candidate voter registration requirement, see [Voter Registration Requirements for Candidates](#).

7. Note on Joint Election Requirement for School Districts

School districts conducting trustee elections must have joint polling places on election day with either:

1. a city holding an election on the uniform election day (located wholly or partly within the school district's boundaries);
2. a public junior college district if it is having an election for members of its governing board in which the school district is wholly or partly located;
3. in limited circumstances, a hospital district; or
4. the county on the November uniform election day in even-numbered years.

For purposes of this calendar, we will continue to use separate subheads for cities and school districts when their rules are different. However, many entities will be working out joint election agreements. (Sec. 11.0581, Texas Education Code; Sec. 271.002).

NOTE – At minimum, a school district needs to share polling places with a city or public junior college district conducting an election on the uniform election day. Sharing polling places is sufficient to meet the joint election requirement.

8. Note on Joint Elections Generally

Many entities will have joint elections for the May 6, 2023 election. Note that the entries in this calendar are generally written in terms of elections held individually rather than jointly. For example, counties with populations of 55,000 or more are advised about conducting 12-hour days on each weekday during the last week of early voting. However, we have long advised different entities who conduct early voting together to coordinate their early voting hours, which may result in entities other than those counties also holding early voting for 12-hour days on each weekday during the last week of early voting. On the other hand, depending on the plan, different entities may choose to do different things separately, i.e., not holding early voting together. Not all joint election plans are alike. With a few exceptions, we do not discuss the impact of coordinating rules for a joint election, as we think this would make the calendar longer and confusing. We encourage joint election partners to read through the entire calendar, taking note of the rules affecting the partner entities and to address the differences within the agreement itself. If you have questions about how different rules apply to a particular joint election plan, please contact our office by phone or email.

9. Note on Notice of Elections

Political subdivisions other than cities and school districts may have specific statutory notice requirements. In the absence of specific statutory requirements, such political subdivisions must post a notice on or before the 21st day before the election. (Sec. 4.003(b)). For the Saturday, May 6, 2023 election, this notice must be posted on or before Saturday, April 15, 2023. (Secs. 1.006, 4.003(b)). The general rule is that, additionally, notice must be given using one of the following methods:

1. By posting a notice in each election precinct in which the election is to be held on or before the 21st day before the election, Saturday, April 15, 2023. (Sec. 4.003(a)(2)).
2. By publishing the notice at least once between the 30th day and the 10th day before the election, Thursday, April 6, 2023–Wednesday, April 26, 2023. (Sec. 4.003(a)(1)).
3. By mailing a copy of the notice to each registered voter of the territory covered by the election, not later than the 10th day before election day, Wednesday, April 26, 2023. (Sec. 4.003(a)(3)).

Cities and School Districts: Cities and school districts are required to publish their notice in a newspaper in accordance with Section 4.003(a)(1) (See number 2 above) and may also give any additional notice. (Sec. 4.003(c)). Counties, school districts, and cities must also publish notice on the governmental bulletin board used for posting notice of public meetings, no later than April 15, 2023. (Sec. 4.003(b)).

Note for Counties: Notice of an election ordered by the governor or by a county authority must be published in a newspaper; the county may also give any additional notice. (Secs. 4.003(a)(1), 4.003(c)).

NOTE-NEW LAW: HB 3107 (2021, R.S.) provides that in addition to any other notice given, notice of an election ordered by the governor, by a county authority, or by an authority of a city or school district must be given by the method prescribed by Section 4.003(a)(1) of the Code. (Sec. 4.003(c)).

This notice must include:

1. The type and date of the election;
2. The location of the main early voting polling place, **including the street address, room number, and building name. The notice must designate which location is the main early voting polling place;**
3. The location of each polling place, **including the street address, room number, and building name;**
4. The hours the polls will be open;
5. The regular dates and hours for early voting by personal appearance;
6. The dates and hours of any Saturday or Sunday early voting;
7. The early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website;
8. We **recommend** that the information regarding branch early voting locations be included as part of your notice; and
9. Any other information required by law.

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 4.004 of the Code to require the notice of election to include the Internet website of the authority conducting the election. (Sec. 4.004(a)).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 83.010 of the Code to require an election order and the election notice to state the early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website. (Sec. 83.010).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 85.004 of the Code to provide that an election order and election notice must designate which location is the main early voting polling place. (Sec. 85.004).

NOTE – ANY notice of polling locations must include more detailed information regarding the polling locations including: the polling location's street address, any applicable suite or room number, and any applicable building name. (Sec. 1.021).

Note regarding branch early voting locations: The branch early voting locations are no longer a required part of your notice under the Texas Election Code. (Sec. 4.004).

The following forms may be used:

- [Notice of General Election for Cities \(PDF\)](#)
- [Notice of General Election for Other Political Subdivisions \(Including Schools\) \(PDF\)](#)
- [Notice of Special Election for Counties \(PDF\)](#)
- [Notice of Special Election \(Cities, Schools, and Other Political Subdivisions \(PDF\)](#)

All Political Subdivisions: The election notice shall be posted on the political subdivision's website, if the political subdivision maintains a website. For political subdivisions other than counties, the original order and notice should include all days and hours for early voting by personal appearance, including voting on **ANY** Saturday or Sunday. (Secs. 85.006, 85.007).

Note for Counties: The election notice must be subsequently amended to include voting ordered for **ANY** Saturday or Sunday and must be posted on the political subdivision's website, if maintained.

For more information on notice requirements related to early voting in person, see [Tex. Sec'y of State Election Advisory No. 2022-07](#).

Notice for Bond Elections: Entities holding bond elections must provide additional notice per Section 4.003(f). A debt obligation order under Section 3.009 must be posted:

1. On election day and during early voting by personal appearance, in a prominent location at each polling place;
2. Not later than the 21st day before the election, in three public places in the boundaries of the political subdivision holding the election; and
3. During the 21 days before the election, on the political subdivision's Internet website, prominently and together with the notice of the election, a copy of the sample ballot, and the contents of the proposition, if the political subdivision maintains an Internet website.

The same requirements apply to the voter information document required by Government Code Section 1251.052(b) (see law for full contents of notice). The requirement referenced in Section 1251.052(b) of the Government Code applies to a political subdivision with at least 250 registered voters on the date the governing body of the political subdivision adopts the debt obligation election order.

Home-Rule Charter Cities: Home-rule cities MUST also give notice as provided in their charters.

Notice for Political Subdivisions other than Counties, School Districts, and Cities: Political subdivisions other than counties, school districts, and cities may have specific statutory election notice requirements either in their enabling acts or in the code governing them (such as the Water Code). In the absence of specific statutory requirements, such political subdivisions may post a copy of the notice on or before the 21st day before the election (i.e., Saturday, April 15, 2023) on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision. (Sec. 4.003(b)).

Note for All Political Subdivisions, Except Counties: The governing body of a political subdivision **must** deliver notice of the election to the county election officer and voter registrar of each county in which the political subdivision is located not later than the 60th day before election day, Tuesday, March 7, 2023. (Sec. 4.008).

Note for Counties: Section 4.003 requires that counties post on the county website the notice and list of polling locations of any political subdivision that delivers their notice to the county under Section 4.008. This is **regardless** of whether the county is contracting with the entity. See Note for All Political Subdivisions above.

Notice of Nearest Polling Places in Countywide Election: EACH countywide polling place must post a notice, at that location, of the four nearest locations, by driving distance. (Sec. 43.007(o)). [Notice of Four Nearest Countywide Polling Place Locations \(PDF\)](#)

10. Note on Regular Days and Hours for Voting

NEW LAW: SB 1 (2021, 2nd C.S.) amended Section 85.005 to modify the required days and hours for early voting by personal appearance at the main early voting location.

Counties: For elections in which the county is serving as the early voting clerk, early voting must be conducted at the main early voting location on each weekday that is not a legal state holiday for a period of at least **nine (9) hours**. Voting may not be conducted earlier than 6:00 AM or later than 10:00 PM.

Political Subdivisions Other Than Counties: For all other elections in which the county is **NOT** the early voting clerk, early voting must be conducted at the main early voting location on each weekday that is not a legal state holiday for a period of at least **nine (9) hours** unless the territory has fewer than 1,000 registered voters. For territories with less than 1,000 registered voters, voting shall be conducted for at least **four (4) hours** each day. (Sec. 85.005(b)).

NOTE for Cities: SB 1 (2021, 2nd C.S.) amended Section 85.005(d) to remove the provision that required cities to choose two weekdays for the main early voting polling place location to be open for at least 12 hours during the regular early voting period. (Sec. 85.005).

11. Note on Extended Early Voting Hours and Branch Locations

Note for Counties: The county election officer may order early voting on a **Saturday or Sunday**, and determine the hours for such Saturday or Sunday early voting. This must be done by written [order \(PDF\)](#). (Secs. 85.006(b), 85.006(c)). [Notice \(PDF\)](#) of Saturday or Sunday early voting must be posted for at least 72 hours immediately preceding the first hour that voting will be conducted. (Sec. 85.007(c)). The county election officer must have early voting on Saturday or Sunday, *if a [written request \(PDF\)](#) is received from at least 15 registered voters of the county in time to comply with the posting requirement.* (Secs. 85.006(d), 85.007).

Note: The election notice must be subsequently amended to include voting later ordered for ANY Saturday or Sunday and must be posted on the political subdivision's website, if maintained. (Sec. 85.007).

All Political Subdivisions, Except Counties: Voting on **ANY** Saturday or Sunday must be included in the order and notice of election. The order and notice must include the dates and hours of Saturday or Sunday voting. (Secs. 85.006, 85.007). The political subdivision **must** have early voting on Saturday or Sunday, *if a [written request](#) is received from at least 15 registered voters of the political subdivision prior to the election being ordered.* (Sec. 85.006(d)). The election notice must be posted on the political subdivision's website, if the political subdivision maintains a website. (Sec. 85.007).

NOTE for Cities – NEW LAW: SB 1 (2021, 2nd C.S.) provides that in an election in which a city secretary is the early voting clerk, voting on any Saturday or Sunday **must** be included in the order and notice of election. City secretaries no longer have the authority to order Saturday or Sunday early voting 72 hours immediately preceding the first hour that voting will be conducted. However, the city **must** have early voting on Saturday or Sunday, *if a [written request](#) is received from at least 15 registered voters of the political subdivision prior to the election being ordered.* (Secs. 85.006, 85.007).

12. Note on Temporary Branch Locations

Effective September 1, 2021, the rules for temporary branch locations are different for counties with a population of 100,000 or more.

Note for Counties with a Population of 100,000 or More and Political Subdivisions Situated in Such a County: Early voting at any temporary branch polling place **MUST** be conducted on the same days that voting is required to be conducted at the main early voting polling place under Section 85.005 of the Code and **MUST** remain open for at least eight hours each day. For certain political subdivisions, this will require your temporary branch locations to be open on every weekday of the early voting period, for at least eight hours on each of those days. **This only applies to an election in which the territory served by the early voting clerk is situated in a county with a population of 100,000 or more. In an election in which the territory served by the early voting clerk is situated in more than one county, this section applies if the sum of the populations of the counties is 100,000 or more.** (Secs. 85.005 and 85.064).

NOTE - NEW LAW: HB 3107 (2021, R.S.) amended Section 85.068 of the Code to provide that if the early voting clerk is a county election officer or city secretary, the clerk must post [notice \(PDF\)](#) for each election stating any dates and the hours that voting on Saturday or Sunday will be conducted under Sections 85.064(d) or 85.065(b). (Sec. 85.068).

NOTE for political subdivisions other than city or county – If the city or county election officer does not serve as the early voting clerk for the territory holding the election and the territory has fewer than 1,000 registered voters, the temporary branch polling place(s) must be open for at least three hours each day that voting is required to be conducted at the main early voting polling place under Section 85.005 of the Code. **This applies if the territory served by the early voting clerk is in a county with a population of 100,000 or more. In an election in which**

the territory served by the early voting clerk is situated in more than one county, this also applies if the sum of the populations of the counties is 100,000 or more. (Secs. 85.005 and 85.064).

NOTE - NEW LAW: HB 3107 (2021, R.S.) amended Section 85.064 of the Code to provide that the section only applies to an election in which the territory served by the early voting clerk is situated in a county with a population of 100,000 or more. In an election in which the territory served by the clerk is situated in more than one county, this section applies if the sum of the populations of the counties is 100,000 or more. (Sec. 85.064).

NOTE - NEW LAW: HB 3107 (2021, R.S.) amended Section 85.068 of the Code to provide that if the early voting clerk is a county election officer or city secretary, the clerk must post [notice \(PDF\)](#) for each election stating any dates and the hours that voting on Saturday or Sunday will be conducted under Sections 85.064(d) or 85.065(b). (Sec. 85.068).

Note for Counties with a Population of Less than 100,000 and Political Subdivisions Situated in Such a County: Early voting at any temporary branch polling place may be conducted on any days and during any hours of the period for early voting by personal appearance, as determined by the authority establishing the branch. However, voting at a temporary branch polling place must be conducted on at least two consecutive business days and for at least eight consecutive hours on each of those days. The authority authorized under Section 85.006 of the Code to order early voting on a Saturday or Sunday may also order, in the manner prescribed by that section, early voting to be conducted on a Saturday or Sunday at any one or more of the temporary branch polling places. The schedules for conducting voting are not required to be uniform among the temporary branch polling places. **This applies only to an election in which the territory served by the early voting clerk is situated in a county with a population under 100,000. In an election in which the territory served by the early voting clerk is situated in more than one county, this applies if the sum of the populations of the counties is under 100,000.** (Sec. 85.065).

NOTE - NEW LAW: HB 3107 (2021, R.S.) added Section 85.065 of the Code to modify the requirements regarding the days and hours for early voting by personal appearance at any temporary branch polling place if the territory served by the early voting clerk is situated in a county with a population under 100,000 or if the territory served by the early voting clerk is situated in more than one county and the sum of the populations of the counties is under 100,000. (Sec. 85.065).

NOTE - NEW LAW: HB 3107 (2021, R.S.) amended Section 85.068 of the Code to provide that if the early voting clerk is a county election officer or city secretary, the clerk must post [notice \(PDF\)](#) for each election stating any dates and the hours that voting on Saturday or Sunday will be conducted under Sections 85.064(d) or 85.065(b). (Sec. 85.068).

NOTE for Cities – NEW LAW: SB 1 (2021, 2nd C.S.) provides that in an election in which a city secretary is the early voting clerk, voting on any Saturday or Sunday **must** be included in the order and notice of election. City secretaries no longer have the authority to order Saturday or Sunday early voting 72 hours immediately preceding the first hour that voting will be conducted. However, the city **must** have early voting on Saturday or Sunday, *if a [written request \(PDF\)](#) is received from at least 15 registered voters of the political subdivision prior to the election being ordered.* (Secs. 85.006, 85.007).

NOTE for Cities: If a city is contracting for election services with a county or is holding a joint election with the county, the city **must** amend their order and notice of election to include any weekend early voting that the county is conducting.

13. Note on Notice of Previous Polling Place

If a different polling place is being used from the previous election held by the same authority, a [Notice of Change to Polling Place \(PDF\)](#) must be posted at the entrance of the previous polling place informing voters of the current polling place location, if possible. (Sec. 43.062).

14. Note on Notice of Change of Polling Place Location

For elections ordered by the **county judge only**, if the location of the polling place changes after notice has been given under Section 4.003 of the Texas Election Code, and the county election officer maintains a website to inform voters about elections, the notice of the change must be posted on the website. The notice on the website must be posted not later than the earlier of (1) 24 hours after the location was changed; or (2) 72 hours before the polls open on election day. (Sec. 43.061). If the county election officer is conducting a legislative vacancy election, the candidates listed on the ballot are entitled to receive notice directly from the county judge. **As a reminder, notice should also be provided to the Secretary of State regarding any changes made to the location of polling places.** [Notice of Change to Polling Place \(PDF\)](#).

15. Note on Testing Tabulating and Electronic Voting Equipment

Ballot Testing:

Once all candidate filing deadlines have passed, we recommend that you proof and test your ballot programming as soon as possible. Early testing will allow adequate time to locate any errors and make any necessary corrections in ballot programming. **We also strongly suggest that you have candidates proof their names and offices before finalizing the ballot to avoid the necessity for last minute ballot corrections.**

Logic and Accuracy Test:

We recommend establishing a date to perform the test of your electronic voting equipment (L&A, or Logic and Accuracy Test) as soon as possible. We recommend that this test be performed on a date that allows time to correct programming and retest, if necessary. A [notice](#) of this test must be published by the custodian of the electronic voting equipment at least 48 hours before the date of the test. (Sec. 129.023; [Tex. Sec'y of State Election Advisory No. 2019-23](#)). The L&A test must be conducted not later than 48 hours before voting begins on a voting system. (Sec. 129.023).

NOTE-NEW LAW: SB 1 (2021, 2nd C.S.) provides that if logic and accuracy testing is being conducted for an election in which a county election board has been established under Section 51.002 of the Texas Election Code, the general custodian of election records shall notify each member of the board of the test at least 48 hours before the date of the test. If the county election board chooses to witness the test, each member shall sign the statement required for logic and accuracy testing. (Sec. 129.023(b-2)).

NOTE-NEW LAW: SB 1 (2021, 2nd C.S.) requires the general custodian of election records to demonstrate, using a representative sample of voting system equipment, that the source code of the equipment has not been altered. (Sec. 129.023(c-1)). See [Tex. Sec'y of State Election Advisory No. 2019-23](#) for more information on voting system procedures.

Testing Tabulating Equipment:

The automatic tabulating equipment used for counting ballots at a central counting station must be tested three times for each election. (Ch. 127, Subch. D). We recommend you test the equipment as soon as possible; early testing will allow adequate time to locate any errors and make any necessary corrections in programming. However, the first test **must be conducted at least 48 hours before** the automatic tabulating equipment is used to count ballots voted in the election. The second test shall be conducted immediately before the counting of ballots with the equipment begins. The third test must be conducted immediately after the counting of ballots with the equipment is completed. Please note that the custodian of the automatic tabulating equipment must publish [notice](#) of the date, hour, and place of the first test in a newspaper at least 48 hours before the date of the test. (Sec. 127.096). The electronic files created from the L&A testing are what must be used for testing the tabulating equipment. ([Tex. Sec'y of State Election Advisory No. 2019-23](#)).

Precinct tabulators must also be tested in accordance with the procedures set forth in Chapter 127, Subchapter D of the Texas Election Code to the extent those procedures can be made applicable. (Sec. 127.152; [Tex. Sec'y of State Election Advisory No. 2019-23](#)).

Our recommendation is that both L&A testing and testing of the automatic tabulating equipment take place prior to ballots by mail being sent out. However, should there be a reason to delay testing, please be advised that L&A testing must be conducted at least 48 hours before voting begins on a voting system. This means that L&A testing should be completed before early voting and possibly, before election day, if your election day system is different than your early voting system. Additionally, the automatic tabulating equipment may not be used to count ballots voted in the election until a test is successful. (See Chapters 127 and 129, Election Code).

For more information on testing tabulating equipment used at the central counting station, please see Chapter 127, Subchapter D of the Election Code and [Tex. Sec'y of State Election Advisory No. 2019-23](#). See Chapter 129, Subchapter B of the Election Code and [Tex. Sec'y of State Election Advisory No. 2019-23](#) for other types of testing such as functionality tests, logic and accuracy tests, tests for central accumulators, etc. Please see [Tex. Sec'y of State Election Advisory No. 2019-23](#) for additional information regarding voting system equipment access, security and preservation, and chain of custody.

16. Note on Accepting Voters with Certain Disabilities

An election officer may accept a person with a mobility problem that substantially impairs a person's ability to ambulate who is offering to vote before accepting others offering to vote at the polling place who arrived **before** the person. "Mobility problem that substantially impairs a person's ability to ambulate" has the meaning assigned by Section 681.001, Transportation Code. A person assisting an individual with a mobility problem may also, at the individual's request, be given voting order priority. [Notice of the priority](#) given to persons with a mobility problem that substantially impairs a person's ability to ambulate **shall** be posted:

1. at one or more locations in each polling place where it can be read by persons waiting to vote;
2. on the website of the Secretary of State; **and**
3. on each website relating to elections maintained by a county. (Sec. 63.0015).

NOTE-NEW LAW: SB 1 (2021, 2nd C.S.) provides that a qualified individual with a disability may request a reasonable accommodation or modification to any election standard, practice, or procedure mandated by law or rule that the individual is entitled to request under federal or state law. (Sec. 1.022).

The voting order priority notice required under Section 63.0015 **must** read as follows:

"Pursuant to Section 63.0015, Election Code, an election officer may give voting order priority to individuals with a mobility problem that substantially impairs the person's ability to move around. A person assisting an individual with a mobility problem may also, at the individual's request, be given voting order priority. Disabilities and conditions that may qualify you for voting order priority include paralysis, lung disease, the use of portable oxygen, cardiac deficiency, severe limitation in the ability to walk due to arthritic, neurological, or orthopedic condition, wheelchair confinement, arthritis, foot disorder, the inability to walk 200 feet without stopping to rest, or use of a brace, cane, crutch, or other assistive device."

The **recommended** time to include the voting order priority notice on a county website is when the Notice of Election is also posted on the website. (Sec. 85.007(d)). See Note 9 regarding Notice of Elections.

Cities, Schools, and Other Political Subdivisions: It is **strongly recommended** that the notice regarding accepting voters with certain disabilities also be posted on the subdivision's website, if one is maintained by the political subdivision.

If a voter is physically unable to enter the polling place without assistance or likelihood of injury to his or her health, an election officer shall deliver a ballot or voting machine to the voter at the entrance or curb of the polling place on the voter's request. On the voter's request, a person accompanying the voter to the polling place must be permitted to select the voter's ballot and to deposit the ballot in the ballot box after the voter has voted. (Sec. 64.009).

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) provides that a person who simultaneously assists seven or more curbside voters by providing the voters transportation to the polling place must complete and sign a form, provided by an election officer, that contains the person's name and address and whether the person is providing assistance

solely under Section 64.009 or if the person is providing additional assistance to the voter under Chapter 64, Subchapter B. Completed forms shall be delivered to the SOS as soon as practicable. The SOS shall retain a form delivered under Section 64.009 for the period for preserving the precinct election records and shall make the form available to the attorney general for inspection upon request. This provision does not apply if the person assisting is related to each voter within the second degree by affinity (marriage) or the third degree by consanguinity (blood).

17. Note on Law Regarding Faxed or Emailed ABBMs and Faxed FPCAs

If an ABBM is faxed or emailed or if an FPCA is faxed, then the applicant **must** submit the ORIGINAL application BY MAIL to the early voting clerk so that the early voting clerk **receives the original no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA**. If the early voting clerk does not receive the original ABBM or FPCA by that deadline, then the emailed or faxed ABBM or faxed FPCA will be considered incomplete, and the early voting clerk may NOT send the applicant a ballot. The early voting clerk should retain a copy of the FPCA for their own records, but should send the FPCA submitted by the voter to the Voter Registrar for registration purposes. (Sec. 84.007).

If a voter faxes or emails the ABBM or faxes the FPCA, the date the early voting clerk receives the fax or email is considered the date of submission. Essentially, the faxed or emailed form serves as a place-holder for the voter. Therefore, a voter whose application was faxed or emailed by the 11th day before election day (the deadline), and whose original application is received on or before the 4th business day after that date, would still be entitled to receive a ballot for the election (if otherwise eligible). The early voting clerk will have to hold the faxed or emailed ABBM or faxed FPCA until the clerk receives the original, and would only send the voter a ballot if the original is received by the 4th business day after the faxed or emailed ABBM or faxed FPCA was received. See [Tex. Sec'y of State Election Advisory No. 2018-02](#).

The requirement to mail the original application does not apply to an **emailed** FPCA, but does apply to a faxed FPCA.

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 101.001 of the Code regarding FPCAs. Effective September 1, 2021, a member of the Texas National Guard or the National Guard of another state or a member of a reserve component of the armed forces of the United States serving on active duty under an order of the President of the United States or activated on state orders, or the spouse or dependent of a member, may submit an FPCA. (Sec. 101.001).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 101.052 of the Code regarding FPCAs. Effective September 1, 2021, an FPCA may be submitted by in-person delivery by the voter in accordance with Section 84.008 of the Code or by common or contract carrier. Further, an application is considered submitted in the following calendar year if: 1) the applicant is eligible to vote in an election occurring in January or February of the next calendar year; and 2) the application is submitted in the last 60 days of a calendar year but not earlier than the 60th day before the date of the January or February election. (Sec. 101.052).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 84.008 of the Code to provide that an applicant for a ballot to be voted by mail may submit the application by delivering it in person to the early voting clerk if the application is submitted not later than the deadline provided by Section 84.007(c) of the Code. This means that voters may now personally deliver their ABBM or FPCA to the early voting clerk not later than the close of regular business in the early voting clerk's office or 12 noon, whichever is later, on the 11th day before election day (unless that day is a Saturday, Sunday, or legal state or national holiday, in which case the last day is the first preceding regular business day.) (Sec. 84.008).

18. Note on Opportunity to Correct Defects in Mail Ballots

NEW LAW: Pursuant to SB 1 (2021, 2nd C.S.), effective December 2, 2021, the early voting ballot board, or signature verification committee (if one is appointed), will need to provide voters voting a ballot by mail the opportunity to correct certain defects in the voter's carrier envelope containing the voter's ballot.

Early Voting Clerk: Section 86.011(d) provides a procedure by which a voter can correct certain defects in the carrier envelope containing their voted ballot. If an early voting clerk receives a timely carrier envelope that does not comply

with the applicable requirements of the Code, the early voting clerk may deliver the carrier envelope in person or by mail to the voter so that the voter may correct the defect. Additionally, the early voting clerk may notify the voter of the defect by phone and advise the voter that they may come to the early voting clerk's office to correct the defect or cancel their Application for Ballot By Mail and vote in person. The early voting clerk may utilize this provision for defects such as a missing signature by the voter, a partially completed witness or assistant box (if applicable), or a ballot that is not returned in a carrier envelope. If an early voting clerk chooses to notify voters of defects in their carrier envelope under Section 86.011(d), the clerk must apply these procedures uniformly to all voters in similar circumstances. Additionally, the SOS recommends keeping a log to track the ballots mailed to voters and the ballots in possession of the early voting clerk before ballots are delivered to the signature verification committee or early voting ballot board. If the early voting clerk notifies a voter of a defect in their carrier envelope by mail, the clerk should include a letter explaining the actions that the voter needs to take to correct and return the carrier envelope.

Early Voting Ballot Board: Section 87.0411 provides a procedure by which a voter can correct certain defects in their carrier envelope containing their voted ballot. Not later than the second business day after an early voting ballot board discovers the defect and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the board shall: (1) determine if it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day; and (2) return the carrier envelope to the voter by mail, if the board determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day. If the board determines that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the board may notify the voter of the defect by phone or email and inform the voter that the voter may cancel their mail ballot in accordance with Section 84.032 or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. If the ballot board takes one of the actions described above, the board must take that action with respect to each ballot in the election that to which these options apply. Poll watchers are entitled to observe these activities by the early voting ballot board.

Signature Verification Committee (if appointed): Section 87.0271 provides a procedure by which a voter can correct certain defects in their carrier envelope containing their voted ballot. Not later than the second business day after a signature verification committee discovers the defect and before the committee decides whether to accept or reject a timely delivered ballot under Section 87.027, the committee shall: (1) determine if it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day; and (2) return the carrier envelope to the voter by mail, if the committee determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day. If the committee determines that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the signature verification committee may notify the voter of the defect by phone or email and inform the voter that the voter may cancel their mail ballot in accordance with Section 84.032 or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. If the signature verification committee takes one of the actions described above, the committee must take that action with respect to each ballot in the election that to which these options apply. Poll watchers are entitled to observe these activities by the signature verification committee.

For more information on the corrective action procedures, please see [Tex. Sec'y of State Election Advisory No. 2022-08](#) and [Tex. Sec'y of State Election Advisory No. 2022-12](#).

19. Note on Reconciliation Forms

NEW LAW: Pursuant to SB 1 (2021, 2nd C.S.), effective December 2, 2021, the presiding judge of the central counting station must prepare a [preliminary reconciliation form \(PDF\)](#) on election night and a [final reconciliation form \(PDF\)](#) after the canvass. The reconciliation form requirement only applies to entities that conducted voting in such a manner that they had a central counting station. The reconciliation forms must be posted on the county website with election returns and results after they are completed and signed. This posting requirement applies regardless of whether a local entity is contracting with the county for election services. We recommend that local entities post the reconciliation form on their website, if the entity maintains a website. We further recommend that the reconciliation forms remain posted at least until the next election, and that the forms are available for the full 22 month retention period for election records. An entity may choose to make older reconciliation forms available as part of historical results on its website.

Calendar of Events

December

Monday, December 19, 2022 (30th day before Wednesday, January 18, 2023, first day to file an application for a place on the ballot)

Cities, Schools, and Other Political Subdivisions: Post [Notice of Deadline to File Applications for Place on the Ballot](#) in a building in which the authority maintains an office. The notice must be posted not later than the 30th day before the first day to file. (Sec. 141.040; Sec. 49.113, Water Code). This notice must be posted in addition to the posting the requirements and deadline for filing for candidacy under Section 2051.201, Government Code. (See Note 3, above.)

Water Districts: The notice must be posted at the district's administrative office or at the public place established by the district under Section 49.063 of the Water Code. (Sec. 49.113, Water Code).

NOTE: The delivery, submission, or filing of an application with an employee of the filing authority at the authority's usual place for conducting official business constitutes filing with the authority. (Sec. 1.007).

NOTE-NEW LAW: HB 3107 (2021, R.S.) requires the authority with whom an application for a place on the ballot is filed to designate an e-mail address in the notice required by Section 141.040 of the Code for the purpose of filing an application for a place on the ballot.

NOTE-NEW LAW: HB 4555 (2021, R.S.) amended Sections 141.031 and 141.039 of the Code by modifying the application requirements related to a candidate's final felony conviction status and what must be included on the candidate application form. Specifically, candidates will need to provide an indication on their candidate application that the candidate has either not been finally convicted of a felony, or if so convicted, has been pardoned or otherwise released from the resulting disabilities. A person who has been convicted of a felony will need to include with the application proof that the person has been pardoned or otherwise released from the resulting disabilities. The application form must include a statement informing candidates of the requirement to submit this information. Further, the official application form will need to include a statement informing candidates that knowingly providing false information on their application related to their final felony conviction status is a Class B misdemeanor. (Secs. 141.031, 141.039).

School Districts: In addition to the general felony rule at Election Code Sec. 141.001 (finally convicted), a candidate for school board must not have been convicted (finally convicted or otherwise) of specific crimes under the Education Code in time to serve. ([Sec. 11.066](#), Education Code).

January

Sunday, January 1, 2023

First day for voters to submit an **application** for a ballot by mail (ABBM) for an election in 2023. The application is considered submitted at the time of receipt. (Secs. 84.001(e), 84.007).

First day for voters to submit an ABBM, an Annual ABBM, or a Federal Postcard Application (FPCA). The Annual ABBM and FPCA allows the voter to receive ballots for all elections in which they are eligible to vote held in 2023. Voters who will be 65 or older on election day or voters with a disability are eligible to submit an annual application. The application is considered submitted at the time of receipt. (Secs. 84.001(e), 84.007, 86.0015).

Wednesday, January 18, 2023 (30th day before Friday, February 17, 2023, regular filing deadline for a place on the ballot)

First day to file an application for a place on the ballot or a declaration of write-in candidacy. (Secs. 143.007, 144.005, Election Code; Secs. 11.055, 130.082(g), Educ. Code). See [Candidacy Filing outline](#) for more details. The following forms are available on the Secretary of State's website:

- [Application for Place on City/School/Other Political Subdivision Ballot \(PDF\)](#)
- If your home rule city or special law district allows for a petition, the following petition may be used: [Petition for Place on the City General Election Ballot \(PDF\)](#)
- [Declaration of Write-In Candidacy for City, School, or other Political Subdivisions \(PDF\)](#)

NOTE: Most elective offices now require that a candidate be a registered voter of the territory that the office is elected from as of the filing deadline or as of other statutory deadlines. (Sec. 141.001). For more information on the candidate voter registration requirement, see [Voter Registration Requirements for Candidates](#).

NOTE: We are often asked how filing can begin if you have not yet ordered the general election. You do not need to order your **general** (regularly occurring) election in order for the filing period to begin.

NOTE - Cities, Schools, and Other Political Subdivisions: There are political subdivisions that do not have office hours on all days of the business week (Monday through Friday) or do not have an office that is open for eight hours each day of the business week. The Elections Division recommends that political subdivisions take steps to have someone available for a few hours most days during the candidate filing period to accept filings, and that political subdivisions post a schedule on their websites and on the bulletin boards where notices of meetings are posted of the days and times when someone will be available to accept filings. The Elections Division also strongly recommends having someone available at the place of business on the filing deadline, especially from 2:00 PM to 5:00 PM, if you are otherwise closed. This guideline is based on the office-hour rule under Section 31.122 of the Election Code. Although a political subdivision may accept applications by mail, fax, or email without a person present at the office, the political subdivision will not be able to determine which applications were timely filed by 5:00 PM.

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Sections 143.004 and 144.003 of the Code to provide that candidate applications, other than those that must be accompanied by a filing fee, may be filed via email. The application must be a scanned copy of the candidate application and must be sent to the filing authority's designated email address for accepting applications. (Secs. 143.004, 144.003).

Tuesday, January 31, 2023 (last weekday before February)

Recommended date that county election officials and local political subdivisions meet to discuss conducting elections at the same polling locations pursuant to Section 42.002, as well as any applicable joint election issues needed to be agreed upon. **NOTE: This is not a deadline; just a recommendation.**

February

Monday, February 6, 2023 (89th day before election day, extended from 90th day, Sunday, February 5, 2023, Sec. 1.006)

Last day for eligible political subdivisions to submit [Notice of Exemption Under Section 61.013](#) or an [Application of Undue Burden Status](#) to the Secretary of State for exemption from the accessible voting system requirement. (Sec. 61.013). For additional information, consult the most current advisory on this topic, [Tex. Sec'y of State Election Advisory No. 2021-02](#).

Tuesday, February 14, 2023 (81st day before election day; 3rd day before filing deadline)

Political Subdivisions Other Than Counties: If a candidate dies on or before this date, his or her name is not placed on the ballot, if the filing deadline is Friday, February 17, 2023. (Sec. 145.094(a)(1)).

NOTE: Section 145.098 states if a candidate dies on or before the deadline for filing an application for a place on the ballot, the authority responsible for preparing the ballots MAY choose to omit the candidate. If the authority does choose to omit the candidate, the deadline for filing an application for a place on the ballot is extended to the fifth day after the filing deadline, Wednesday, February 22, 2023. This extended deadline only applies to the regular filing deadline. It **DOES NOT** apply to the write-in deadline.

Friday, February 17, 2023 (78th day before election day)

Political Subdivisions Other Than Counties: 5:00 PM - Last day for a candidate in a political subdivision (other than a county) to file an application for a place on the ballot for general election for officers for most political subdivisions, except as otherwise provided by the Texas Election Code. (Secs. 143.007(c), 144.005(d); Sec. 11.055, Education Code; Chapter 286, Health & Safety Code). See [Candidacy Filing outline](#) for more details.

NOTE – A home-rule city’s charter may **NOT** provide an alternate candidate filing deadline. (Secs. 143.005(a), 143.007).

NOTE – City Offices with Four-Year Terms: If no candidate has filed for a city office with a four-year term, the filing deadline is extended to 5:00 PM on Friday, March 10, 2023. (Sec. 143.008).

NOTE – An application submitted by mail is considered to be filed at the time of its receipt by the appropriate filing authority. (Secs. 143.007(b), 144.005(b)).

Deadline for political subdivisions to order a general election to be held on Saturday, May 6, 2023, unless otherwise provided by the Election Code. (Sec. 3.005). One of the following forms may be used:

- [Order of Election for Municipalities](#)
- [Order of Election for Other Political Subdivisions \(Including Schools\)](#)

Political Subdivisions Other Than Counties (Special Election): Deadline to order a special election on a measure to be held on Saturday, May 6, 2023. The following form may be used:

- [Order of Special Election for Municipalities \(PDF\)](#)
- [Order of Special Election for Other Political Subdivisions \(Including Schools\) \(PDF\)](#)

Counties: Deadline for counties to order a general election or a special election on a measure to be held on Saturday, May 6, 2023. (Secs. 3.004, 3.005). The following forms may be used:

- [Order of Special Election for County-Ordered Measure Elections \(PDF\)](#)

The order must include:

1. The date of the election;
2. The location of the main early voting polling place **including the street address, room number, and building name. The order must designate which location is the main early voting polling place;**
3. The offices or measures to be voted on;
4. **(Recommended)** Branch early voting polling places (see [Notice of Elections](#) above);
5. The dates and hours for early voting (recommended for counties and cities, but required for all other entities);
6. The dates and hours of any Saturday and Sunday early voting (if applicable, it is recommended that this information be included in the order for counties, but it must be included for all other entities); and
7. The early voting clerk’s official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website.

In addition to the information included above, an order for a debt obligation (bond) election **must** include (Sec. 3.009):

1. the proposition language that will appear on the ballot;
2. the purpose for which the debt obligations are to be authorized;

3. the principal amount of the debt obligations to be authorized;
4. that taxes sufficient to pay the principal of and interest on the debt obligations may be imposed;
5. a statement of the estimated tax rate if the debt obligations are authorized or of the maximum interest rate of the debt obligations or any series of the debt obligations, based on the market conditions at the time of the election order;
6. the maximum maturity date of the debt obligations to be authorized or that the debt obligations may be issued to mature over a specified number of years not to exceed the maximum number of years authorized by law;
7. the aggregate amount of the outstanding principal of the political subdivision's debt obligations as of the date the election is ordered;
8. the aggregate amount of the outstanding interest on debt obligations of the political subdivision as of the date the election is ordered, which may be based on the political subdivision's expectations relative to variable rate debt obligations; and
9. the ad valorem debt service tax rate for the political subdivision at the time the election is ordered, expressed as an amount per \$100 valuation of taxable property.

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 83.010 of the Code to require an election order and the election notice to state the early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website. (Sec. 83.010).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 85.004 of the Code to provide that an election order and election notice must designate which location is the main early voting polling place. (Sec. 85.004).

Recommended date to order the lists of registered voters from the county voter registrar. The list should include both the voters' residences and mailing addresses in order to conduct early voting by mail. (Sec. 18.006). The political subdivision should confirm that the most recent maps or boundary changes have been provided to the voter registrar.

Recommended date to confirm telephone number for the county voter registrar's office on election day.

Recommended date to order election supplies, other than ballots. (Subchapter A, Chapter 51).

Political Subdivisions Other Than Counties: Recommended date to appoint **presiding and alternate judges**. Currently, the Election Code does not establish a deadline for appointing election officials; there is only a notification deadline. For further information concerning procedures for appointing judges and their alternates, see Sections 32.005, 32.008, and 32.011. General eligibility requirements are found in Subchapter C, Chapter 32. In addition to appointing a judge and alternate judge for each election precinct pursuant to Sections 32.001 and 32.005, the governing body must allow the judge to appoint no less than two clerks; however, the alternate judge must serve as one of the clerks as a matter of law. (Secs. 32.032, 32.033). The presiding judge then appoints an additional clerk(s), but not more than the maximum set by the governing body. (Sec. 32.033). Presiding judges and their alternates must be given a Notice of Appointment not later than the 20th day after the appointment is made. (Sec. 32.009). If the appointment is for a single election, the notice may be combined with the Writ of Election, which is required to be delivered to each presiding judge not later than the 15th day before the election, Monday, April 24, 2023. This deadline is extended to the next regular business day, which is Monday, April 24, 2023, due to the 15th day falling on San Jacinto Day, Friday, April 21, 2023. (Secs. 1.006, 4.007, 32.009(e)). If the notices are combined, both must be delivered by the date required by the earlier notice.

Water Districts: A water district is not required to provide a Notice of Appointment to a presiding judge, as required under Section 32.009, but must provide a Writ of Election. (Sec. 4.007; Sec. 49.110, Water Code).

Recommended date to appoint the **central counting station personnel** (manager, tabulation supervisor and assistants to the tabulation supervisor), if applicable. (Secs. 127.002, 127.003, 127.004, and 127.005). There is no statutory notice requirement for members of the central counting station, but good practice suggests that written notice be given to them.

Recommended date to appoint the **presiding judge and alternate presiding judge of the early voting ballot board** or to designate the election workers of one election precinct to serve as the early voting ballot board. (Secs. 87.001, 87.002, and 87.004). There is no statutory notice requirement for members of the early voting ballot board, but good practice suggests that written notice be given to them.

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) amended Section 87.002 to require the early voting ballot board to have an alternate judge. The alternate judge is appointed in the same manner as the presiding judge.

Tuesday, February 21, 2023 (74th day before election day)

5:00 PM - Deadline for write-in candidates to file [Declarations of Write-In Candidacy \(PDF\)](#) for regular officers for city, school district, library district, junior college district, hospital district, common school districts, Chapter 36 and 49 Water Code districts, and other political subdivision elections, unless otherwise provided by law. (Secs. 144.006(b), 146.054(b), 146.055, Election Code; Secs. 11.056, 11.304, 130.0825, Education Code; Sec. 326.0431, Local Government Code; Sec. 285.131, Health and Safety Code; and Secs. 36.059, 49.101, 63.0945, Water Code). [See Candidacy Filing outline for more details.](#)

NOTE: An application submitted by mail is considered to be filed at the time of its receipt by the appropriate filing authority. (Secs. 143.007(b), 144.005(b)).

Wednesday, February 22, 2023 (73rd day before election day; 5th day after regular filing deadline)

If a candidate dies on or before the deadline for filing an application for a place on the ballot, the authority responsible for preparing the ballots MAY choose to omit the candidate. If the authority does choose to omit the candidate, the deadline for filing an application for a place on the ballot is extended to the fifth day after the filing deadline, February 23rd. This extended deadline only applies to the regular filing deadline. It does NOT apply to the write-in deadline. (Sec. 145.098).

Thursday, February 23, 2023 (72nd day before election day)

First day to post [Notice of Drawing for Place on Ballot](#) if drawing is to be conducted on Monday, February 27, 2023. This notice must be posted for 72 hours immediately preceding the time of the drawing. (Sec. 52.094(c)).

For an election held by a political subdivision, other than a city, a notice of ballot position drawing must be **mailed** to candidates by this day (not later than the 4th day before the drawing) if drawing is to be conducted on Monday, February 27, 2023. (Sec. 52.094(d)). Candidates who have not filed by this date should be given a copy of the notice at the time of filing.

The authority conducting the drawing shall provide notice of the date, hour, and place of the drawing to each candidate by:

- 1) written notice that is mailed to the address stated on the candidate's application not later than the fourth day before the date of the drawing; or
- 2) written notice provided to the candidate at the time the candidate files an application with the appropriate authority. If notice was not provided at the time the candidate filed an application, the notice may be provided by telephone, if a telephone number is provided on the candidate's application or by e-mail, if an e-mail address was provided on the candidate's application. (Sec. 52.094).

Friday, February 24, 2023 (71st day before election day)

Political Subdivisions Other Than Counties: 5:00 PM – Last day for a candidate to withdraw, by submission of a notarized [Certificate of Withdrawal](#) or a notarized letter. **If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot.** (Secs. 145.092(f), 145.094(a)(4), 145.096(a)(4)). For special circumstances regarding withdrawal of a candidate before ballots are prepared, please contact the Elections Division of the Office of the Texas Secretary of State.

Political Subdivisions Other Than Counties: 5:00 PM – Last day to **withdraw** as a **write-in** candidate in the general election ordered by a political subdivision other than a county. (Secs. 144.006(c), 146.0301, 146.054(c)). (Candidates may use the [Certificate of Withdrawal \(PDF\)](#)).

Recommended first day that an election may be cancelled if all filing deadlines have passed, each candidate for an office listed on the ballot is unopposed (except as discussed below), and write-in votes may be counted only for names appearing on a list of write-in candidates. (Sec. 2.052). The [Certification of Unopposed Candidates for Other Political Subdivisions](#) may be used to certify candidates as unopposed. Also, see our [Sample Order of Cancellation and Tex. Sec'y of State Election Advisory No. 2022-16](#).

A special election of a political subdivision is considered to be a separate election with a separate ballot from a general election for officers of the same political subdivision held at the same time as the special election. Therefore, the fact that there may be a proposition on the ballot will not prevent a cancellation of an election for candidates who are unopposed. (Sec. 2.051(a)). If any members of the political subdivision's governing body are elected from territorial units, such as single member districts, an election **shall** be cancelled in a particular territorial unit if each candidate for an office that is to appear on the ballot in that territorial unit is unopposed **and no opposed at-large race is to appear on the ballot**. An unopposed at-large race **shall** be cancelled in an election regardless of whether an opposed race is to appear on the ballot in a particular territorial unit. (Sec. 2.051(b)). **This recommended cancellation deadline presumes a filing deadline of Friday, February 17, 2023 and a write-in deadline of Tuesday, February 21, 2023. Special elections may have different deadlines, and may now be cancelled separately.**

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) amended Sections 2.053 and 2.056 of the Texas Election Code to make this cancellation process mandatory, rather than discretionary. For additional information, consult the outline on [Cancellation of Election for Local Political Subdivisions](#).

NOTE: Political Subdivision Holding a Special Election to Fill a Vacancy: If you are having a special election to fill a vacancy for an unexpired (partial) term, you must not cancel the special election until after all deadlines to file for a special vacancy election have passed. Reminder: The cancellation procedures allow general and special elections to be considered separate elections for cancellation purposes. If the elections are separated, note there are procedures related to listing unopposed candidates in the same relative order on the ballot. See Sec. 2.053, Election Code and the Secretary of State's outline on [Cancellation of Election for Local Political Subdivisions \(Not County\)](#).

Saturday, February 25, 2023 (70th day before election day)

Last day to order a special election to fill a vacancy (if authorized to fill vacancies by special election) and have the filing deadline be the 62nd day before election day. (Secs. 201.054(a)(1), 201.052). Please note that the Election Code requires the election to be ordered as soon as practicable after the vacancy occurs. (Sec. 201.051). The following form may be used:

- [Order of Special Election for Municipalities \(PDF\)](#)
- [Order of Special Election for Other Political Subdivisions \(Including Schools\) \(PDF\)](#)

NOTE: Section 201.054 provides that if the special election to fill a vacancy is ordered (1) on or before the 70th day before election day, the candidate application must be filed by 5:00 PM on the 62nd day before election day, OR (2) after the 70th day but on or before the 46th day before election day, the candidate application must be filed by 5:00 PM on the 40th day before election day. This is the first of the two possible ordering times. We do **not** interpret the 70th day order date here as "moving" to the next business day because the date falls on a Saturday, as this is not the last day to order a special election to fill a vacancy for this uniform election date.

NOTE-NEW LAW: HB 4555 (2021, R.S.) amended Sections 141.031 and 141.039 of the Code by modifying the application requirements related to a candidate's final felony conviction status and what must be included on the candidate application form. Specifically, candidates will need to provide an indication on their candidate application that the candidate has either not been finally convicted of a felony, or if so convicted, has been pardoned or otherwise released from the resulting disabilities. A person who has been convicted of a felony will need to include in the application proof that the person has been pardoned or otherwise released from the resulting disabilities. The application form must include a statement informing candidates of the requirement to submit this information. Further, the official application form will need to include a statement informing candidates that knowingly providing false information on their application related to their final felony conviction status is a Class B misdemeanor. (Secs. 141.031, 141.039).

NOTE - School Districts: In addition to the general felony rule at Election Code Sec. 141.001 (finally convicted), a candidate for school board must not have been convicted (finally convicted or otherwise) of specific crimes under the Education Code in time to serve. ([Sec. 11.066](#), Education Code).

Monday, February 27, 2023 (68th day before election day)

Recommended date to conduct ballot position drawing. (Sec. 52.094). You should also certify today to the county election officer the offices, propositions (in all necessary languages), and candidates' names (including the order) as they are to appear on the ballot, **if you are contracting** to have the county conduct your election or if you are conducting a joint election with the county. See entry for February 23, 2023, referencing new law regarding ballot drawing.

NOTE: After the ballot drawing has occurred, the Elections Division recommends that you proof and test your ballot programming as soon as possible and **prior to the deadline to mail a ballot** if the political subdivision will be using automatic tabulating equipment to count the mail ballots or if your mail ballots are printed from the same database used to program your precinct scanners and/or DREs (See Note 15 prior to Calendar of Events). **The Elections Division also recommends that you provide candidates with copies of ballot proofs so that candidates may verify the correctness of their names, positions sought, and order of names on the ballot.**

March

Monday, March 6, 2023 (61st day before election day, extended from 62nd day, Sunday, March 5, 2023, Sec. 1.006)

Political Subdivisions Other Than Counties: 5:00 PM – Last day to file an application for a place on the ballot in a special election to fill a vacancy, if the special election is ordered on or before the 70th day before election day, Saturday, February 25, 2023. (Secs. 1.006, 201.054(a)(1)). (For more details about Section 201.054 and the two possible special election deadlines, see entry for Saturday, February 25, 2023).

Political Subdivisions Other Than Counties: 5:00 PM – Deadline for write-in candidates to file [Declarations of Write-In Candidacy](#) for officers for city, school district, library district, junior college district, hospital district, and common school districts in a special election to fill a vacancy if the special election is ordered on or before the 70th day before election day, Saturday, February 25, 2023. (Sec. 201.054(a)(1) and 201.054(g)).

NOTE: A declaration of write-in candidacy for a special election must be filed not later than the regular filing deadline to apply for a place on the ballot. The deadline to file an application for a place on the ballot in a special election to fill a vacancy, if the special election is ordered on or before the 70th day before election day, Saturday, February 25, 2023, is Monday, March 6, 2023. (Sec. 1.006).

NOTE-NEW LAW: HB 4555 (2021, R.S.) amended Sections 141.031 and 141.039 of the Code by modifying the application requirements related to a candidate's final felony conviction status and what must be included on the candidate application form. Specifically, candidates will need to provide an indication on their candidate application that the candidate has either not been finally convicted of a felony, or if so convicted, has been pardoned or otherwise released from the resulting disabilities. A person who has been convicted of a felony will need to include in the application proof that the person has been pardoned or otherwise released from the resulting disabilities. The application form must include a statement informing candidates of the requirement to submit this information. Further, the official application form will need to include a statement informing candidates that knowingly providing false information on their application related to their final felony conviction status is a Class B misdemeanor. (Secs. 141.031, 141.039).

NOTE - School Districts: In addition to the general felony rule at Election Code Sec. 141.001 (finally convicted), a candidate for school board must not have been convicted (finally convicted or otherwise) of specific crimes under the Education Code in time to serve. ([Sec. 11.066](#), Education Code).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 52.094 of the Code to require the authority conducting the drawing to provide notice of the date, hour, and place of the drawing to each candidate by: 1) written notice that is mailed to the address stated on the candidate's application not later than the fourth day before the date of the drawing; or 2) provided at the time the candidate files an application with the appropriate authority. If notice was not

provided at the time the candidate files an application, the notice may be provided by telephone, if a telephone number is provided on the candidate's application or by e-mail, if an e-mail address was provided on the candidate's application. (Sec. 52.094).

Tuesday, March 7, 2023 (60th day before election day)

Political Subdivisions Other Than Counties: Last day for the governing body of a political subdivision to deliver notice of the election to the county clerk/elections administrator and voter registrar of each county in which the political subdivision is wholly or partly located. (Sec. 4.008).

NOTE FOR COUNTIES - Section 4.003 requires that counties post on the county website the notice and list of polling locations of any political subdivision that delivers their notice to the county under Section 4.008. This is regardless of whether the county is contracting with the entity. See Note 9 for more information on the requirements related to the Notice of Election.

NOTE-NEW LAW: HB 3107 (2021, R.S.) requires the notice of election to include the Internet website of the authority conducting the election. (Sec. 4.004(a)).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 83.010 to require an election order and the election notice to state the early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website. (Sec. 83.010).

Recommended date for county clerk/county elections administrator to deliver an initial list of voters who have submitted annual applications for ballot by mail under Section 86.0015 and scans or photocopies of those applications to the early voting clerk of any political subdivision located within the county that is holding an election on May 6, 2023. The list should only include voters that reside in the political subdivision holding the election. The list should only be created and sent to those political subdivisions that have provided notice of the election to the county clerk/elections administrator. See also, the note below and the entry at Tuesday, April 25, 2023, for more information about delivery of a final list of voters. See entry at Monday, April 24, 2023 for more information on the delivery of copies/images of the applications.

NOTE: Section 86.0015 requires the county clerk/elections administrator to provide a list of voters that have submitted an annual application for ballot by mail to all political subdivisions in their county holding an election. The law only applies to elections for which the county clerk/elections administrator is not the early voting clerk via a contract for election services or joint election agreement. The Election Division *strongly recommends* that the county and political subdivisions **discuss the frequency and method for which these lists should be transmitted** to ensure that ballots are sent out in a timely manner. Finally, the county clerk/elections administrator **must deliver either photocopies or scanned images of the applications (under Section 87.126) to the early voting clerk** of the political subdivision before the ballots by mail are delivered to the early voting ballot board for qualifying and counting under Section 87.041.

Thursday, March 9, 2023 (58th day before election day, 20th day after February 17, 2023)

Last day to notify election judges of their appointment if they were appointed, as recommended, by Friday, February 17, 2023. (Sec. 32.009(b)). Presiding judges and their alternates must be notified of their appointment in writing, not later than the 20th day after the date the appointment is made. If the appointment is for a single election, the notice may be combined with the Writ of Election, which is required to be delivered to each presiding judge not later than the 15th day before the election, Monday, April 24, 2023. This deadline is extended to the next regular business day, which is Monday, April 24, 2023, due to the 15th day falling on San Jacinto Day, Friday, April 21, 2023. (Secs. 1.006, 4.007, 32.009(e)). If the notices are combined, both must be delivered by the date required by the earlier notice.

Friday, March 10, 2023 (57th day before election day)

Political Subdivisions Other Than Counties: 5:00 PM – Last day for a candidate to file [Certificate of Withdrawal](#) in a special election, in which the filing deadline is the 62nd day before election day. If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot. (Secs. 145.092(b), (e) and 145.094(a)(3)).

NOTE: For special circumstances regarding withdrawal of a candidate before ballots are prepared, please contact the Elections Division of the Office of the Texas Secretary of State.

Political Subdivisions Other Than Counties: 5:00 PM – City Offices with Four-Year Terms: Extended filing deadline in cities with four-year terms of office, when no candidate files for a particular office by the regular filing deadline of Friday, February 17, 2023. (Sec. 143.008). (See entry for Friday, February 17, 2023).

Friday, March 17, 2023 (50th day before election day)

Deadline to challenge the filing of an application for a place on the ballot as to form, content, and procedure. (Sec. 141.034). For more information on candidacy, see our [Candidacy for Local Political Subdivisions](#) outline.

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 141.034 of the Code to provide that a candidate application cannot be challenged for “Form, Content, and Procedure” defects after the 50th day before the date of the election for which the application is made. (Sec. 141.034).

Friday, March 17, 2023 - Thursday, June 15, 2023 (50th day before election day – 40th day after election day)

Mandatory Office Hours: Each county clerk, city secretary, or secretary of a governing body (or the person performing duties of a secretary) must keep the office open for election duties for at least 3 hours each day, during regular office hours, on regular business days. (Sec. 31.122).

NOTE - Counties: This office hour rule applies to the entity’s general election or special election ordered by that authority.

NOTE: Independent School Districts: A “regular business day” means a day on which the school district’s main business office is regularly open for business. (Sec. 31.122(b)).

NOTE: If a school district’s spring break falls during the mandatory office hour period under Section 31.122 of the Election Code, a school district is not required to have someone present for three hours during the days the school district’s main business office is not regularly open for business. However, we strongly recommend posting notice with contact information for open records requests. You should also have one of your elections personnel check at least once a day in the event a voter sent an ABBM to the school district address, fax, or e-mail.

NOTE: Special Elections: In the case of a special election, the office hour rule is triggered starting the third day after the special election is ordered. (Sec. 31.122).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 31.096 of the Code, which addresses nontransferable functions under an election services contract. Specifically, an election services contract may not change the political subdivision’s requirement to maintain office hours under Section 31.122. The amendment to Section 31.096 of the Code also allows a county that has contracted with a city to be the custodian of voted ballots for a city election. (Sec. 31.096).

NOTE: Good Friday falls during the mandatory office hour period under Section 31.122 of the Election Code. Section 31.122 applies to Good Friday, therefore entities, other than school districts, will need to be open for at least 3 hours that day. Section 31.122(b) grants school districts an exception if Good Friday is a local holiday and a day the school district’s main business office is not regularly open for business. (Sec. 31.122)

Sunday, March 19, 2023 (48th day before election day)

Last day to publish [notice](#) for testing of automatic tabulation equipment testing and logic and accuracy testing (L&A testing) of a voting system that uses direct recording electronic (DRE) voting machines and precinct scanners **if test will be completed by recommended deadline of Tuesday, March 21, 2023.** Notice of the public tests must be published at least 48 hours before the test begins. (Secs. 127.093, 127.096, 129.022, 129.023). See Note 15, above.

NOTE-NEW LAW: SB 1 (2021, 2nd C.S.) provides that if logic and accuracy testing is being conducted for an election in which a county election board has been established under Section 51.002 of the Texas Election Code,

the general custodian of election records shall notify each member of the board of the test at least 48 hours before the date of the test. If the county election board chooses to witness the test, each member shall sign the statement required for logic and accuracy testing. (Sec. 129.023(b-2)).

Tuesday, March 21, 2023 (46th day before election day)

Political Subdivisions Other Than Counties: Last day to order a special election to fill a vacancy (if authorized to fill vacancies by special election). If the election was ordered after the 70th day before election day, the filing deadline will be the 40th day before election day. (Secs. 201.052 and 201.054(a)(2)). Please note that the Election Code requires the election to be ordered as soon as practicable after the vacancy occurs. (Sec. 201.051). (For more information about the write-in declaration deadline, see Monday, March 27, 2023 [note entry](#). For more details about Section 201.054 and the two possible special election deadlines, see Saturday, February 25, 2023 [note entry](#).) The following forms may be used:

- [Order of Special Election for Municipalities \(PDF\)](#)
- [Order of Special Election for Other Political Subdivisions \(Including Schools\) \(PDF\)](#)

NOTE-NEW LAW: HB 4555 (2021, R.S.) amended Sections 141.031 and 141.039 of the Code by modifying the application requirements related to a candidate's final felony conviction status and what must be included on the candidate application form. Specifically, candidates will need to provide an indication on their candidate application that the candidate has either not been finally convicted of a felony, or if so convicted, has been pardoned or otherwise released from the resulting disabilities. A person who has been convicted of a felony will need to include in the application proof that the person has been pardoned or otherwise released from the resulting disabilities. The application form must include a statement informing candidates of the requirement to submit this information. Further, the official application form will need to include a statement informing candidates that knowingly providing false information on their application related to their final felony conviction status is a Class B misdemeanor. (Secs. 141.031, 141.039).

NOTE - School Districts: In addition to the general felony rule at Election Code Sec. 141.001 (finally convicted), a candidate for school board must not have been convicted (finally convicted or otherwise) of specific crimes under the Education Code in time to serve. ([Sec. 11.066](#), Education Code).

Recommended date to conduct the first test of the automatic tabulating equipment and for logic and accuracy (L&A test) test on precinct scanners and DREs. (Secs. 127.093, 127.096, 129.022, 129.023). The SOS recommends you complete your first round of testing **prior to mailing your mail ballots** if those ballots will be counted using automatic tabulation equipment. If you conduct your first round of testing by this date, you must publish notice of the test 48 hours prior to testing. See Note 15, above.

NOTE-NEW LAW: SB 1 (2021, 2nd C.S.) requires the general custodian of election to demonstrate, using a representative sample of voting system equipment, that the source code of the equipment has not been altered. (Sec. 129.023(c-1)). See [Tex. Sec'y of State Election Advisory No. 2019-23](#) for more information on voting system procedures.

Wednesday, March 22, 2023 (45th day before election day)

Deadline to mail ballots to military or overseas voters who already submitted their ballot requests via a federal postcard application (FPCA) or via a standard application for ballot by mail (ABBM) and indicated that they are outside the United States. If the early voting clerk cannot meet this 45th-day deadline, the clerk **must** notify the Secretary of State within 24 hours. (Sec. 86.004(b)).

Reminder Regarding FPCAs and Overseas ABBMs: If the early voting clerk receives an FPCA (from a military or non-military voter) or an ABBM from an overseas voter after the 45th day deadline, then the ballot **must** be mailed within seven days after the early voting clerk **receives** the FPCA or ABBM. (Secs. 86.004(b), 101.104).

Reminder: In regards to mail ballots for other voters (not military voters using an FPCA or overseas voters using an FPCA or ABBM), the early voting clerk **must** mail a ballot not later than the 7th day after the later of: (1) the

date the early voting clerk has accepted a voter's application for a ballot by mail or (2) the date the ballots become available for mailing. However, if the 7th day falls earlier than the 37th day before election day, the voter's mail ballot must be mailed no later than the 30th day before election day. (Sec. 86.004(a)). This means that for every application that comes in before the 37th day before election day, the balloting materials must be mailed by the 30th day before election day. Any application that comes in after the 37th day before election day will follow the 7-day timeline in Sec. 86.004.

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 101.052 of the Code regarding FPCAs. Effective September 1, 2021, an FPCA may be submitted by in-person delivery by the voter in accordance with Section 84.008 of the Code or by common or contract carrier. Further, an application is considered submitted in the following calendar year if: 1) the applicant is eligible to vote in an election occurring in January or February of the next calendar year; and 2) the application is submitted in the last 60 days of a calendar year but not earlier than the 60th day before the date of the January or February election. (Sec. 101.052).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 101.001 of the Code regarding FPCAs. Effective September 1, 2021, a member of the Texas National Guard or the National Guard of another state or a member of a reserve component of the armed forces of the United States serving on active duty under an order of the President of the United States or activated on state orders, or the spouse or dependent of a member, may submit an FPCA. (Sec. 101.001).

NOTE: Information on the early voting roster for both early voting in person and early voting by mail must be made available for public inspection and on the county's website if the county clerk or elections administrator is serving as the early voting clerk. For an election held by a political subdivision in which the county clerk or elections administrator is not serving as the political subdivision's early voting clerk, then the information on the roster must be made available on the Internet website of the authority ordering the election. The early voting roster shall be posted by 11:00 AM on the day after the information is entered on the roster (for early voting in person) or by 11:00 AM on the day after the early voting clerk receives a ballot voted by mail. If the entity does not maintain a website, the information must be on the bulletin board used for posting notices. (Sec. 87.121).

NOTE-NEW LAW: HB 1622 (2021, R.S.) amended Section 87.121 of the Code to provide that if an early voting clerk fails to post their early voting rosters in accordance with Section 87.121, a person registered to vote in the county where the early voting clerk is conducting early voting may file a complaint with the Secretary of State regarding the early voting clerk's noncompliance. The Secretary of State by rule shall create and maintain a system for receiving and recording these complaints. (Sec. 87.121).

Monday, March 27, 2023 (40th day before election day)

Political Subdivisions Other Than Counties: 5:00 PM – Last day to file for a place on the ballot in a special election to fill a vacancy, if the special election is ordered after the 70th day before election day, but on or before the 46th day before election day, Tuesday, March 21, 2023. (Sec. 201.054(a)(2)). (For more details about Section 201.054 and the two possible special election deadlines, see Saturday, February 25, 2023 [note entry](#).)

Political Subdivisions Other Than Counties: 5:00 PM – Deadline for write-in candidates to file [Declarations of Write-In Candidacy \(PDF\)](#) for officers for city, school district, library district, junior college district, hospital district, and common school districts in a special election to fill a vacancy if the special election is ordered after the 70th day before election day, but on or before the 46th day before election day, Tuesday, March 21, 2023. (Sec. 201.054(a)(1) and 201.054(g)).

NOTE - Sec. 201.054(g) provides that a declaration of write-in candidacy for a special election must be filed not later than the filing deadline.

NOTE-NEW LAW: HB 4555 (2021, R.S.) amended Sections 141.031 and 141.039 of the Code by modifying the application requirements related to a candidate's final felony conviction status and what must be included on the candidate application form. Specifically, candidates will need to provide an indication on their candidate application that the candidate has either not been finally convicted of a felony, or if so convicted, has been pardoned or otherwise released from the resulting disabilities. A person who has been convicted of a felony will need to include in the application proof that the person has been pardoned or otherwise released from the resulting disabilities. The application form must include a statement informing candidates

of the requirement to submit this information. Further, the official application form will need to include a statement informing candidates that knowingly providing false information on their application related to their final felony conviction status is a Class B misdemeanor. (Secs. 141.031, 141.039).

NOTE - School Districts: In addition to the general felony rule at Election Code Sec. 141.001 (finally convicted), a candidate for school board trustee must not have been convicted (finally convicted or otherwise) of specific crimes under the Education Code in time to serve. ([Sec. 11.066](#), Education Code).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 52.094 of the Code to require the authority conducting the drawing to provide notice of the date, hour, and place of the drawing to each candidate by: 1) written notice that is mailed to the address stated on the candidate's application not later than the fourth day before the date of the drawing; or 2) provided at the time the candidate files an application with the appropriate authority. If notice was not provided at the time the candidate files an application, the notice may be provided by telephone, if a telephone number is provided on the candidate's application or by e-mail, if an e-mail address was provided on the candidate's application. (Sec. 52.094).

April

Saturday, April 1, 2023 (35th day before election day; 5th day after 40th day)

Political Subdivisions Other Than Counties: 5:00 PM – Last day for a candidate to file a [Certificate of Withdrawal](#) in a special election in which the filing deadline is the 40th day before election day. **If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot.** This deadline does not extend to the next business day under Section 1.006. (Secs. 145.092(a) and 145.094(a)(2)).

Thursday, April 6, 2023 (30th day before election day)

Last day to register to vote or make a change of address effective for the May 6, 2023 election. (Secs. 13.143, 15.025).

NOTE - A voter who submits a change of address after this date may still be eligible to return to his or her previous precinct to vote under "fail-safe" voting, if he or she still resides in the **same** county and the same local political subdivision, if applicable, conducting the election. (Secs. 15.025, 63.0011).

NOTE - A Federal Postcard Application (FPCA) also serves as an application for **permanent** registration under Texas law **unless the voter marked "my intent to return is uncertain" (2019 form), or "my return is uncertain" (2017 form).** The early voting clerk should make a copy (for mailing ballots, keeping records, etc.), then should forward the original to the county voter registrar, as soon as practicable. (Sec. 101.055; 1 T.A.C. § 81.40(a), (c)(2)).

First day of period during which notice of elections must be published in a newspaper of general circulation **if method of giving notice is not specified by a law outside the Texas Election Code**, and this method of giving notice is selected. The notice for elections ordered by the governor or by an authority of a city or school district must be given by publication in a newspaper in addition to any other method specified by a law outside the Election Code. (Sec. 4.003(a)(1), (c) and (d)). This notice may be combined with the other notices you are required to publish. The election notice shall be posted on the political subdivision's website. See [Note on Notice of Elections](#).

NOTE-NEW LAW: HB 3107 (2021, R.S.) requires the notice of election to include the Internet website of the authority conducting the election. (Sec. 4.004(a)).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 83.010 of the Code to require an election order and the election notice to state the early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website. (Sec. 83.010).

Recommended date for early voting clerk to issue order calling for appointment of signature verification committee. (Sec. 87.027). This form may be used to issue order: [Order Calling for Signature Verification Committee](#). If the

signature verification committee will start meeting on Sunday, April 16, 2023, the early voting clerk must post a copy of the order calling for appointment of the signature verification committee on or before this date, in order to give notice of the meeting. The order must remain posted continuously for at least 10 days before the first day the committee meets. (Secs. 87.027, 1.006).

Cities, Schools, and Other Political Subdivisions: It is *strongly recommended* that the [Notice of Voting Order Priority](#) for voters with mobility issues also be posted on the subdivision's website, if one is maintained by the political subdivision. (Secs. 63.0015 & 85.007(d)). For more information on this requirement, see [Note 16](#).

NOTE - Notice of Change of Polling Place Location: For elections **ordered by the governor**, if the location of the polling place changes after notice has been given under Section 4.003, and the county election officer maintains a website to inform voters about elections, **the notice of the change must be posted on the website**. The notice on the website must be given not later than the earlier of (1) 24 hours after the location was changed; or (2) 72 hours before the polls open on election day. (Sec. 43.061). If the county election officer is conducting a legislative vacancy election, the candidates listed on the ballot are entitled to receive notice directly from the county judge.

NOTE - Notice of Previous Polling Place: If a different polling place is being used than at the previous election held by the same authority, [Notice of Previous Precinct \(PDF\)](#) must be posted at the entrance of the previous polling place informing voters of the current polling place location, if possible. (Sec. 43.062).

Friday, April 7, 2023 (Good Friday, 29th day before election day)

Recommended last day for early voting clerk to coordinate with the voter registrar receipt of supplemental and registration correction lists, if applicable, or coordinate receipt of revised original list from the voter registrar for early voting by personal appearance. (Secs. 18.001, 18.002, 18.003, 18.004).

NOTE- Per Sections 18.002 and 18.003 of the Code, supplemental and corrected voter registration lists must be provided as needed to ensure all eligible voters appear on the official list of registered voters. (Secs. 18.002, 18.003).

Note that the office hour requirement of Sec. 31.122 does apply to Good Friday. For more information on the office hour rule, see the [entry](#) on March 17, 2023 – June 15, 2023.

Tuesday, April 11, 2023 (25th day before election day)

Recommended last date for the county election board (or governing body of a political subdivision, as appropriate) to appoint a signature verification committee (if one was ordered by the early voting clerk on Thursday, April 6, 2023). See [entry](#) under Thursday, April 6, 2023. (Secs. 51.002, 87.027). The members must be appointed not later than the fifth day after the order was issued by the early voting clerk. The appointing authority must post a notice of the appointment of committee members continuously until the last day the signature verification committee meets. This form may be used for the notice: [Notice of Appointment of Signature Verification Committee](#).

Saturday, April 15, 2023 (21st day before election day)

Last day to post notice of election on bulletin board used for posting notices of meetings of governing body. (Sec. 4.003(b)). A [Record of Posting Notice of Election](#) should be completed at the time of posting. (Secs. 4.005). See [Note on Notice of Elections](#).

Last day to post notice of election in each election precinct, if the method of giving notice is **not** specified by a law outside the Election Code and notice is given by this method in lieu of publication. (Secs. 1.006, 4.003(a)(2)). Cities and school districts **must** publish their notice in the newspaper. A [Record of Posting Notice of Election](#) should be completed at the time of posting. (Secs. 4.005).

All Political Subdivisions: The election notice shall be posted on the political subdivision's website, if the political subdivision maintains a website. The order and notice should include all days and hours for early voting by personal appearance including voting on **ANY** Saturday or Sunday. (Secs. 85.006 & 85.007). **Note**

for **counties**, the election notice **must** be subsequently amended to include voting later ordered for **ANY** Saturday or Sunday and **must** be posted on the political subdivision's website, if maintained.

NOTE FOR COUNTIES - Section 4.003 requires that counties post on the county website the notice and list of polling locations of any political subdivision that delivers their notice to the county under Section 4.008. This is regardless of whether the county is contracting with the entity, regardless of whether the entity is conducting their own election or contracting with the county.

For Bond Elections: First day a political subdivision must post on their Internet website prominently and together with the notice of the election, a copy of the sample ballot, and the contents of the proposition, if the political subdivision maintains an Internet website. (Sec. 4.003(f)).

The **recommended** time to include the notice of accepting voters with certain disabilities on a county website is when the notice of election is also posted on the website. (Secs. 63.0015 & 85.007(d)). See [Note 16](#) regarding notice on accepting voters with certain disabilities.

Counties, Cities, and School Districts: NEW LAW: SB 1116 (2021, R.S.) amended Chapter 4 of the Election Code by adding Section 4.009 regarding candidate and polling place information which must be posted on county, city, and school district websites. Last day for a county that holds an election or provides election services for an election to post certain information regarding the upcoming election(s) on the county's website per Section 4.009. A city or independent school district that holds an election and maintains an Internet website must also post this same election information on their website even if the county is also posting this data. The information posted on the website must include:

1. the date of the election;
2. the location of each polling place;
3. each candidate for an elected office on the ballot; and
4. each measure on the ballot. (Sec. 4.009).

Sunday, April 16, 2023 (20th day before election day)

First day that the signature verification committee may begin operating, if one is created. (Sec. 87.027).

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) added Section 87.0271 to provide a procedure by which a voter can correct certain defects in their carrier envelope containing their voted ballot. Not later than the second business day after a **signature verification committee** discovers the defect and before the committee decides whether to accept or reject a timely delivered ballot under Section 87.027, the committee shall: (1) determine if it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day; and (2) return the carrier envelope to the voter by mail, if the committee determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day. If the committee determines that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the signature verification committee may notify the voter of the defect by phone or email and inform the voter that the voter may cancel their mail ballot in accordance with Section 84.032 or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. If the signature verification committee takes one of the actions described above, the committee must take that action with respect to each ballot in the election that to which these options apply. (Sec. 87.0271). See [Note 18](#); [Tex. Sec'y of State Election Advisory No. 2022-08](#); [Tex. Sec'y of State Election Advisory No. 2022-12](#).

Monday, April 17, 2023 (19th day before election day, extended from 20th day, Sunday, April 16, 2023, Sec. 101.052(i)(2))

Deadline for a person who is not permanently registered to vote to submit a postmarked FPCA, in order to receive a ballot for any non-federal election held on May 6, 2023. A person who is **not** permanently registered to vote and submits a postmarked FPCA after this date (20th day) and before the deadline to submit an application for ballot by mail is not entitled to receive a ballot for any non-federal election. See Friday, April 21, 2023 [entry](#) for timeliness of an FPCA received without a postmark. (Secs. 101.052(e), 101.052(i)(2)).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 101.052 of the Code regarding FPCAs. Effective September 1, 2021, an FPCA may be submitted by in-person delivery by the voter in accordance with Section 84.008 of the Code or by common or contract carrier. Further, an application is considered submitted in the following calendar year if: 1) the applicant is eligible to vote in an election occurring in January or February of the next calendar year; and 2) the application is submitted in the last 60 days of a calendar year but not earlier than the 60th day before the date of the January or February election. (Sec. 101.052).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 101.001 of the Code regarding FPCAs. Effective September 1, 2021, a member of the Texas National Guard or the National Guard of another state or a member of a reserve component of the armed forces of the United States serving on active duty under an order of the President of the United States or activated on state orders, or the spouse or dependent of a member, may submit an FPCA. (Sec. 101.001).

NOTE: Be sure to check the list of registered voters for permanent registration status. Also, state law authorizes an FPCA to also serve as an application for **permanent registration**; therefore, the person might be permanently registered based on a prior FPCA. Even if the FPCA arrives too late for a particular election, the early voting clerk will still need to forward the original FPCA to the county voter registrar, after making a copy for your early voting clerk's use (mailing ballots, etc.) and records unless the voter marked **"my intent to return is uncertain"** ([2019 form \(PDF\)](#)), or **"my return is uncertain"** (2017 form), in which case it will not serve as a permanent registration. (Sec. 101.055; 1 T.A.C. § 81.40).

NOTE: Overseas (non-military) voters marking the FPCA **"my intent to return is uncertain"** ([2019 form \(PDF\)](#)), or **"my return is uncertain"** (2017 form) receive a federal ballot **only** regardless of the date filed. (Chapter 114). In a local election (where there is no federal office on the ballot), this means there is **no ballot to send the voter**.

Monday, April 17, 2023 – Tuesday, April 25, 2023 (19th day before election day – 11th day before election day)

A person submitting an [FPCA \(PDF\)](#) during this period who is **not** registered to vote is not entitled to receive a ballot for any non-federal election held on Saturday, May 6, 2023. This means that a person submitting an FPCA during this period is entitled to receive a federal ballot only, if not already a permanent registered voter. (Secs. 101.052(f), 114.002, 114.004). In a local election (where there is no federal office on the ballot), this means there is **no ballot to send the voter**.

The early voting clerk is required to maintain a copy of this application since it may be used for other elections and forward the original to the voter registrar. Also see entry below under Friday, April 21, 2023 (FPCA without a postmark). (Secs. 84.007, 101.052(e), (f)).

NOTE - Be sure to check the list of registered voters for permanent registration status. Also, state law authorizes an FPCA to also serve as an application for **permanent registration**; therefore, the person might be permanently registered based on a prior FPCA. Even if the FPCA arrives too late for a particular election, the early voting clerk will still need to forward the original FPCA to the county voter registrar, after making a copy for your early voting clerk's use (mailing ballots, etc.) and records unless the voter marked **"my intent to return is uncertain"** ([2019 form \(PDF\)](#)), or **"my return is uncertain"** (2017 form), in which case it will not serve as a permanent registration. (Sec. 101.055; 1 T.A.C. § 81.40).

NOTE - Overseas (non-military) voters marking the FPCA **"my intent to return is uncertain"** ([2019 form \(PDF\)](#)), or **"my return is uncertain"** (2017 form), receive a federal ballot **only** regardless of the date filed. (Chapter 114). In a local (non-federal) election, this means there is **no ballot to send the voter**.

Tuesday, April 18, 2023 (18th day before election day)

If a **defective application to vote early by mail** is received on or before this date, the early voting clerk must mail the applicant a new application with explanation of defects and instructions for submitting the new application. For defective applications received after this date and before the end of early voting by personal appearance, the early voting clerk must mail only the [Notice of Rejected Application for Ballot by Mail](#) and a statement that the voter is not entitled to vote early by mail unless he or she submits a sufficient application by the deadline, which is Tuesday, April 25, 2023. (Secs. 84.007(c), 86.008).

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) amended Section 86.001 to provide that if the information required by Section 84.002(a)(1-a) included on the application does not identify the same voter identified on the applicant's voter registration application, the clerk shall reject the application. (Sec. 86.001(f)). If an application is rejected under Section 86.001(f), the clerk shall provide notice of the rejection. The notice must include information regarding the ability to correct or add the required information through the online ballot by mail tracker described in Section 86.015(c). (Sec. 86.001(f-1)). If the applicant corrects the application for ballot by mail online and that application subsequently identifies the same voter identified on the applicant's voter registration application, the clerk shall provide a ballot to the voter. (Sec. 86.001(f-2)).

Wednesday, April 19, 2023 (17th day before election day)

Last day to publish notice of L&A test for voting systems or precinct scanners if test will be held on Friday, April 21, 2023, if testing was not already completed by March 21, 2023. Notice of the public L&A Test must be published at least 48 hours before the test begins. (Secs. 129.001, 129.023). See [Note 15](#), above.

NOTE - NEW LAW: SB 1 (2021, 2nd C.S.) provides that if logic and accuracy testing is being conducted for an election in which a county election board has been established under Section 51.002 of the Texas Election Code, the general custodian of election records shall notify each member of the board of the test at least 48 hours before the date of the test. If the county election board chooses to witness the test, each member shall sign the statement required for logic and accuracy testing. (Sec. 129.023(b-2)).

Last day to post [notice \(PDF\)](#) of places, days, and hours for voting at branch early voting polling place if voting is to begin at that location on the first day of early voting in person. The schedule may be amended after the beginning of early voting by personal appearance to include notice of additional branch locations, but any amendment must be made and posted not later than the fifth day before voting begins at the additional temporary branch. (Secs. 85.062, 85.067(c) and (d)).

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) amended Section 85.062 to provide that the location of temporary branch polling places in an election in which countywide polling places are used must be determined with the same methodology that is used for the location of countywide polling places.

Friday, April 21, 2023 (15th day before election day)

Last day to conduct public L&A test of a voting system or precinct scanner. We highly **recommend** that this test is done on an earlier date to allow time for corrections to programming, if necessary. (See [Note 15](#), above). Per Section 129.023, the L&A test shall be conducted not later than 48 hours before voting begins on such voting systems, assuming that the voting system will first be used for early voting in person.

NOTE-NEW LAW: SB 1 (2021, 2nd C.S.) requires the general custodian of election records to demonstrate, using a representative sample of voting system equipment, that the source code of the equipment has not been altered. (Sec. 129.023(c-1)). See [Tex. Sec'y of State Election Advisory No. 2019-23](#) for more information on voting system procedures.

NEW LAW: Recommended date for a signature verification committee (if appointed) that has discovered a defect in a voter's carrier envelope to return the voted ballot in the carrier envelope to the voter. (Sec. 87.0271).

NOTE: If the committee determines that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the signature verification committee may notify the voter of the defect by **phone or email** and inform the voter that the voter may cancel their mail ballot in accordance with Section 84.032 or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. (Sec. 87.0271). See [Note 18](#).

Monday, April 24, 2023 (12th day before election day; day before the last day to apply for a ballot by mail)

First day to vote early in person. (Sec. 85.001(e)).

NOTE – Voting by limited ballot must be done during the early voting period at the main early voting polling place (or by mail). (Sec. 112.002(a)).

NOTE – NEW LAW: Political Subdivisions Other than Counties: Early voting in person at the main early voting polling place must be conducted for at least **nine (9) hours** each weekday that is not a legal state holiday unless the political subdivision has fewer than 1,000 registered voters, in which case early voting in person must be conducted for at least **four (4) hours** per day. (Sec. 85.005(b)).

NOTE – NEW LAW: Counties: Early voting in person must be conducted on each weekday of the early voting period that is not a legal state holiday and for a period of at least **nine (9) hours**, except that voting may not be conducted earlier than 6:00 AM or later than 10:00 PM. (Sec. 85.005(a)).

NOTE – NEW LAW: Cities: SB 1 (2021, 2nd C.S.) amended Section 85.005(d) to remove the provision that requires cities to choose two weekdays for the main early voting polling place location to be open for at least 12 hours during the regular early voting period. (Sec. 85.005).

NOTE – Independent School Districts: Despite the change in state law that allows an ISD to be closed on school holidays during the mandatory office hours period, you are **required** to be open during the entire early voting period, except on legal state and national holidays.

NOTE – Joint Elections: If entities are conducting early voting by personal appearance jointly, we *recommend* a unified schedule covering all requirements; i.e., no entity’s requirements should be neglected or subtracted as a result of a joint agreement.

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) amended Section 61.002 to provide that immediately before the opening of the polls on the first day of early voting and on election day, the presiding judge or alternate judge shall confirm that the public counters on each voting machine are set to zero and shall print the tape that shows that there are zero votes for each candidate or measure on the ballot. Each election judge and alternate judge shall sign the printed tapes. (Sec. 61.002).

NOTE - NEW LAW: Temporary Branch Locations: Effective September 1, 2021, the rules for temporary branch locations differ based on the population size of the county. See [Note 12](#) for additional information regarding temporary branch location days and hours.

First day a county with a population of 100,000 or more, or entities that are having joint elections or are contracting with such a county, may convene their early voting ballot board and begin processing and qualifying mail ballots; however, the mail ballots may not be counted until (i) the polls open on election day; or (ii) for a county with a population of 100,000 or more, or entities that are having joint elections with such a county or who are conducting their election with such a county through a contract for election services, the end of the period for early voting in person. (Secs. 87.0222, 87.0241). The early voting clerk shall continuously post notice for 24 hours preceding each delivery of voting materials that is to be made before the time for opening the polls on election. (Sec. 87.0222). **NOTE: Results may not be released until the polls close on election day.**

NOTE – NEW LAW: HB 3107 (2021, R.S.) clarified that if a county with a population of 100,000 or more is conducting an election through a contract for election services for a political subdivision in May of an even-numbered year, the county’s ballot board timeframes apply to the election. (Secs. 87.0222, 87.0241).

NOTE – The county clerk/elections administrator must ensure that photocopies or scanned images of annual applications for ballot by mail have been delivered to the early voting clerk of every political subdivision holding an election before the ballots by mail are delivered to the early voting ballot board.

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) added Section 87.0411 to provide a procedure by which a voter can correct certain defects in their carrier envelope containing their voted ballot. Not later than the second business day after an **early voting ballot board** discovers the defect and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the board shall: (1) determine if it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day; and (2) return the carrier envelope to the voter by mail, if the board determines that it would be

possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day. If the board determines that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the board may notify the voter of the defect by phone or email and inform the voter that the voter may cancel their mail ballot in accordance with Section 84.032 or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. If the ballot board takes one of the actions described above, the board must take that action with respect to each ballot in the election that to which these options apply. (Sec. 87.0411). See [Note 18](#); [Tex. Sec'y of State Election Advisory No. 2022-08](#); [Tex. Sec'y of State Election Advisory No. 2022-12](#).

Deadline to receive an FPCA **without** a postmark. If an FPCA is received by this date **without** a postmark to prove mailing date, the early voting clerk will accept the FPCA and mail the applicant a full ballot even if the applicant is **not** a permanently registered voter but meets the requirements under Title 2 of the Election Code (unless the voter marks the FPCA form indicating “**my intent to return is uncertain**” (2019 form), or “**my return is uncertain**” (2017 form), in which case the voter receives a federal-only ballot). (Sec. 101.052(i)). See [entry](#) for Monday, April 17, 2023.

Last day to notify election judges of duty to hold election ([Writ of Election](#)). Notice must be given by the 15th day before the election or the 7th day after the day the election is ordered, whichever is later. The Writ of Election must be given to each presiding judge and include:

1. The judge's duty to hold the election;
2. The type and date of election;
3. The polling place location at which the judge will serve;
4. The polling place hours; and
5. The maximum number of clerks the judge may appoint. (Sec. 4.007).

A voter who becomes sick or disabled on or after Monday, April 24, 2023 may submit an application for a late ballot if the sickness or physical condition prevents the voter from appearing at the polling place without the likelihood of needing personal assistance or of injuring his or her health. (Sec. 102.001). See [Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability \(PDF\)](#). An application may be submitted after the last day of the period for early voting by personal appearance and before 5:00 PM on Election Day. (Sec. 102.003).

Tuesday, April 25, 2023 (11th day before election day)

Last day to receive an [FPCA \(PDF\)](#) from a registered voter. If the voter is **not** registered in the county (and/or marked intent to return “not certain”), **the voter is still eligible for a ballot containing federal offices only**. In a local (non-federal) election, this means there is **no ballot** to send the voter. (Secs. 101.052(b), (f), 114.004(c)).

Last day for early voting clerk to receive applications for a ballot to be voted by mail. (Sec. 84.007(c)). All applications to vote by mail must be received by the early voting clerk before the close of regular business or 12 noon, **whichever is later**. Applications to vote by mail must be submitted by mail, common or contract carrier, fax (if a fax machine is available in the office of the early voting clerk), or by electronic submission of a scanned application with an original signature. The early voting clerk's designated email address must be posted on the Secretary of State's website.

If an ABBM is faxed or emailed or if an FPCA is faxed, then the applicant must submit the ORIGINAL application BY MAIL to the early voting clerk so that the early voting clerk **receives the original no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA**. If the early voting clerk does not receive the original ABBM or FPCA by that deadline, then the emailed or faxed ABBM or faxed FPCA will be considered incomplete, and the early voting clerk may NOT send the applicant a ballot. The requirement to mail the original application does not apply to an **emailed** FPCA. For additional information on this law, please see Note 17, above.

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 101.001 of the Code regarding FPCAs. Effective September 1, 2021, a member of the Texas National Guard or the National Guard of another state or a member of a reserve component of the armed forces of the United States serving on active duty under an order of the President of the United States or activated on state orders, or the spouse or dependent of a member, may submit an FPCA. (Sec. 101.001).

An applicant for a ballot to be voted by mail (ABBM or FPCA) may submit the application by delivering it in person to the early voting clerk if the application is submitted not later than the close of regular business in the clerk's office on Tuesday, April 25, 2023. (Sec. 84.008).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 101.052 of the Code regarding FPCAs. Effective September 1, 2021, an FPCA may be submitted by in-person delivery by the voter in accordance with Section 84.008 of the Code or by common or contract carrier. Further, an application is considered submitted in the following calendar year if: 1) the applicant is eligible to vote in an election occurring in January or February of the next calendar year; and 2) the application is submitted in the last 60 days of a calendar year but not earlier than the 60th day before the date of the January or February election. (Sec. 101.052).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 84.008 of the Code to provide that an applicant for a ballot to be voted by mail may submit the application by delivering it in person to the early voting clerk if the application is submitted not later than the deadline provided by Section 84.007(c) of the Code. This means that effective September 1, 2021, voters may now personally deliver their ABBM or FPCA to the early voting clerk not later than the close of regular business in the early voting clerk's office or 12 noon, whichever is later, on the 11th day before election day (unless that day is a Saturday, Sunday, or legal state or national holiday, in which case the last day is the first preceding regular business day.)

Note for Counties: Last day for county clerk/elections administrator to deliver final list of voters that have submitted an annual application for ballot by mail to political subdivisions located within the county holding an election on May 6, 2023, for which the county clerk/elections administrator is not the early voting clerk via a joint election agreement or contract for election services. (Sec. 86.0015(c)).

NOTE for Counties: Deadline to file a [petition \(PDF\)](#) to require the county early voting clerk to conduct extended early voting on Saturday, April 29, 2023. [Notice of weekend voting \(PDF\)](#) must be posted beginning no later than Wednesday, April 26, 2023, and continuing through Friday, April 28, 2023. (Secs. 85.006(d), 85.007(c)).

Wednesday, April 26, 2023 (10th day before election day)

Last day of period during which notice of election must be published if method of giving notice is **not** specified by a law outside the Election Code and **publication** is the selected method of giving notice. (Sec. 4.003(a)(1)). The notice of election ordered by the governor or by an authority of a city or school district must be given by publication in a newspaper, in addition to any other method specified. (Secs. 4.003(c) and (d)).

NOTE: The election notice shall be posted on the political subdivision's website, if the political subdivision maintains a website.

Last day to mail a copy of the notice of election to each registered voter of the territory that is covered by the election and is in the jurisdiction of the authority responsible for giving notice **if method of giving notice is not specified by a law outside the Election Code** and this method of giving notice is selected. (Sec. 4.003(a)(3)).

Last day to post [notice \(PDF\)](#) of the precinct's consolidation and the location of the polling place in the consolidated precinct for each precinct that is combined to form a consolidated precinct under Section 42.008. This notice must be posted at the polling place used in the preceding general election **and** must remain posted continuously through election day. (Sec. 4.003(b)).

Counties – Weekend Early Voting Hours – Notice Requirement: Last day to post notice on bulletin board used for posting notice of meetings of the commissioners court, if early voting will be conducted on Saturday, April 29, 2023. (Sec. 85.007). Notice must be posted at least 72 hours before early voting begins on a Saturday or Sunday. Notice (including the days and hours of early voting) must also be posted to the political subdivision's website, if one is maintained.

NOTE for Counties: If the county election officer on her/his own motion by written order orders early voting on Saturday or Sunday OR if the county election officer orders Saturday or Sunday voting after being petitioned to do so by at least 15 registered voters, such voting need not be included in the regular order or notice of the election. (Secs. 85.006(b), (d) and 85.007(b), (c)).

NOTE – NEW LAW: All Political Subdivisions, Except Counties: SB 1 (2021, 2nd C.S.) provides that in an election in which a city secretary is the early voting clerk, voting on any Saturday or Sunday **must** be included in the order and notice of election. City secretaries no longer have the authority to order Saturday or Sunday early voting 72 hours immediately preceding the first hour that voting will be conducted. However, the city **must** have early voting on Saturday or Sunday, *if a [written request](#)* is received from at least 15 registered voters of the political subdivision prior to the election being ordered. (Secs. 85.006, 85.007).

NOTE for Counties: Deadline to file a [petition \(PDF\)](#) to require the county early voting clerk to conduct extended early voting on Sunday, April 30, 2023 (Sec. 85.006(d)). [Notice of weekend voting \(PDF\)](#) must be posted beginning no later than Thursday, April 27, 2023, and continuing through Saturday, April 29, 2023. (Sec. 85.007(c)).

Thursday, April 27, 2023 (9th day before election day)

Counties – Weekend Early Voting Hours – Notice Requirement: Last day to post notice on bulletin board used for posting notice of meetings of commissioners court, if early voting will be conducted on Sunday, April 30, 2023. (Sec. 85.007). Notice must be posted at least 72 hours before early voting begins on a Saturday or Sunday. Notice (including the days and hours of early voting) must also be posted to the political subdivision’s website, if one is maintained.

May

Monday, May 1, 2023 (5th day before election day, day before last day of early voting, 4th business day after the deadline to apply for a ballot by mail)

A voter is eligible to vote a late ballot if they will be out of the county of residence on election day due to a death in the immediate family (related within 2nd degree of consanguinity or affinity) that occurs on or after this day. The voter may submit the [Application for Emergency Early Ballot Due to Death in Family](#) starting Wednesday, May 3, 2023 (the day after early voting in person ends). (Secs. 103.001, 103.003(b)). An application may be submitted after the last day of the period for early voting by personal appearance and before the close of business on the day before election day. (Sec. 103.003).

Deadline for the early voting clerk to receive, by mail, the original of an ABBM that was faxed or emailed or an FPCA that was faxed on the deadline to apply for a ballot by mail, Tuesday, April 25, 2023.

A voter who faxed or emailed their ABBM or faxed their FPCA must mail the original to the early voting clerk so that the early voting clerk **receives the original no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA**. For more information, see the [entry](#) under Tuesday, April 25, 2023 and [Note 17](#).

Last day to publish [notice](#) of public test of automatic tabulating equipment, if test will be held on Wednesday, May 3, 2023, and testing was not already completed. The public notice of the test of automatic tabulating equipment must be published at least 48 hours before the test begins. (Sec. 127.096).

Tuesday, May 2, 2023 (4th day before election day)

Last day to vote early by personal appearance. (Sec. 85.001(e)).

5:00 PM – Deadline to submit a [Request for Election Inspectors](#) for election day, Saturday, May 6, 2023 to the Secretary of State. (Sec. 34.001).

Early voting clerk must post [Notice of Delivery of Early Voting Balloting Materials](#) to the early voting ballot board if materials are to be delivered to the board on Wednesday, May 3, 2023. Notice must be posted continuously for 24 hours preceding each delivery to the board. (Secs. 87.0221, 87.0222, 87.023, 87.024, 87.0241).

The Notice of Delivery of Early Voting Balloting Materials serves as notice of the convening of the early voting ballot board. Your entity should also post notice every time the early voting ballot board reconvenes.

Wednesday, May 3, 2023 (3rd day before election day; day after early voting in person ends)

Counties with a population of 100,000 or more (or local subdivisions conducting a joint election with such a county or conducting an election through a contract for election services with such a county):

First day those counties and political subdivisions may convene their early voting ballot board and begin **counting** ballots; **however, the results may not be announced until after the polls close.** (Secs. 87.0222, 87.0241).

NOTE - If a county with a population of 100,000 or more (or a local subdivision conducting a joint election with such a county or conducting an election through a contract for election services with such a county) is convening their early voting ballot board early to begin **counting** ballots, the test of the tabulation equipment will need to be completed at least 48 hours before the equipment is used to count ballots. (Secs. 87.0222, 87.0241, 127.096).

Counties with a population less than 100,000 (or local subdivisions who are **NOT** conducting a joint election with a county with a population of 100,000 or more or conducting an election through a contract for election services with such a county):

First day those counties and political subdivisions may convene their early voting ballot board for **processing** and **qualifying** mail ballots, but cannot begin counting the ballots until the polls open on election day. The early voting clerk shall continuously post notice for 24 hours preceding each delivery of voting materials that is to be made before the time for opening the polls on election day. (Secs. 87.0221, 87.023, 87.024, 87.0241). See [Notice of Delivery of Early Voting Balloting Materials \(PDF\)](#).

NOTE - The county elections officer must ensure that photocopies or electronic recordings of annual applications for ballot by mail have been delivered to the early voting clerk of every political subdivision holding an election before the ballots by mail are delivered to the early voting ballot board.

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) added Section 87.0411 to provide a procedure by which a voter can correct certain defects in their carrier envelope containing their voted ballot. Not later than the second business day after an **early voting ballot board** discovers the defect and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the board shall: (1) determine if it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day; and (2) return the carrier envelope to the voter by mail, if the board determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day. If the board determines that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the board may notify the voter of the defect by phone or email and inform the voter that the voter may cancel their mail ballot in accordance with Section 84.032 or come to the early voting clerk’s office in person not later than the sixth day after election day to correct the defect. If the ballot board takes one of the actions described above, the board must take that action with respect to each ballot in the election that to which these options apply. (Sec. 87.0411). See [Note 18](#).

First day to submit an [Application for Emergency Early Ballot Due to Death in Family](#) to vote a late ballot because of a death in the immediate family that occurred on or after Monday, May 1, 2023, and will require absence from the county on election day. (Secs. 103.001, 103.003(b)).

Last day to conduct public test of automatic tabulation equipment. Per Section 127.093, the test shall be conducted at least 48 hours before the automatic tabulating equipment is used to count ballots voted in an election and was not previously tested. We highly **recommend** that this test is done on an earlier date to allow time for corrections to programming, if necessary. (See [Note 15](#), above).

Friday, May 5, 2023 (day before election day)

Last day to submit an [Application for Emergency Early Ballot Due to Death in Family](#). The application must be submitted by the close of business on this day. (Sec. 103.003(b)).

Last day for early voting clerk to mark the precinct list of registered voters with a notation beside each name of voter who voted early, and deliver list to election judges. The early voting clerk must also deliver the precinct early voting list. (Sec. 87.122). This may be delivered electronically if your county is using an e-pollbook.

Delivery of Provisional Ballots and Forms: If the voter registrar wants to take possession of the provisional ballots and forms on election night, the voter registrar must inform the custodian of the election records and post a [Notice of Election Night Transfer](#) no later than Friday, May 5, 2023, 24 hours before election day. (1 T.A.C. § 81.174(d)(3)). However, under this type of delivery, the county voter registrar **must** go to the office of the custodian of election records and pick up the provisional ballots and forms.

NOTE: The general custodian of election records (or the early voting clerk, if applicable) must also post a [Notice of Delivery of Provisional Ballots](#) at least 24 hours before delivery will occur. (1 T.A.C. § 81.174(b)(1)).

NOTE FOR MAY 2024 ELECTION: Chapter 2051 of the Government Code requires any political subdivision with the authority to impose a tax that maintained a publicly available Internet website at any time on or after January 1, 2019, to post on that website the requirements and deadline for filing for candidacy of each elected office of the political subdivision continuously for one year before the election day for that office. See [Tex. Sec’y of State Election Advisory No. 2019-19](#).

Saturday, May 6, 2023 (Election Day)

<p>7:00 AM – 7:00 PM</p>	<p>Polls open. (Sec. 41.031).</p> <p>Voter registrar’s office is open. (Sec. 12.004(c)).</p> <p>Early voting clerk’s office is open for early voting activities. (Sec. 83.011). A voter may deliver a marked ballot by mail to the early voting clerk’s office while the polls are open on election day. The voter must provide an acceptable form of identification under Section 63.0101 upon delivery. The identification procedure is the same as that used for personal appearance voting. (Secs. 63.0101, 86.006).</p> <p>A voter may vote at the main early voting polling place if electronic voting systems are used at regular polling place(s) on election day and the voter has a sickness or physical condition that prevents the voter from voting in the regular manner without personal assistance or a likelihood of injuring the voter’s health. (Secs. 104.001, 104.003). However, if the early voting ballots by mail are processed at a location other than the main early voting polling place, the early voting clerk may require the voting to be conducted at that location. (Sec. 104.003).</p>
<p>5:00 PM</p>	<p>Deadline for receiving Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability for late ballots to be voted by persons who became sick or disabled on or after Monday, April 26, 2023. (Sec. 102.003(b)).</p>
<p>7:00 PM</p>	<p>Regular deadline for receiving early voting ballots by mail. BUT see entry for Monday, May 8, 2023 on “late domestic ballots,” entry for Thursday, May 12, 2023, and entry for Friday, May 12, 2023 on other “late” ballots.</p> <p>This is also the deadline for receiving late ballots cast by voters who became sick or disabled on or after Monday, April 26, 2023. (Secs. 86.007(a), 102.006(c)).</p>

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) amended Section 61.002 to provide that immediately before the opening of the polls on election day, the presiding judge or alternate judge shall confirm that the public counters on each voting machine are set to zero and shall print the tape that shows that there are zero votes for each candidate or measure on the ballot. Immediately after the closing of the polls on election day, the presiding judge or alternate judge shall print the tape to show the number of votes cast for each candidate or measure. Each election judge and alternate judge shall sign the printed tapes. (Sec. 61.002).

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) requires the presiding judge of the central counting station to provide and attest to a [written reconciliation](#) of votes and voters at the close of tabulation for election day and again after the central counting station meets for the last time to process late-arriving ballots by mail and provisional ballots. (Sec. 127.131).

NOTE: Receipt of Mail Ballots: All early voting ballots sent by mail from inside the United States that are received by 7:00 PM on election day, May 6, 2023, **must be counted on election night**. If the carrier envelope does not bear a cancellation mark or a receipt mark, the ballot must arrive before the time the polls are required to close **on election day**. (Sec. 86.007(a)(1)). If the early voting clerk cannot determine whether a ballot arrived before that deadline, the ballot is considered to have arrived at the time the place at which the carrier envelopes are deposited was last inspected for removal of returned ballots. (Sec. 86.007(b)). The early voting clerk **must** check the mailbox for early voting mail ballots at least once after the time for regular mail delivery. (Sec. 86.007(b)).

NOTE: An early voting mail ballot that is not received by 7:00 pm on election day may not be counted unless the ballot may be counted late, which applies to late domestic ballots (Sec. 86.007(a)(2)), ballots mailed from outside the United States (Sec. 86.007(d)), and ballots from members of the armed forces and merchant marine of the United States, Texas National Guard or the National Guard of another state or members of the Reserves, as well as their spouses and dependents (Sec. 101.057). See [entry](#) for Monday, May 8, 2023 on “late domestic ballots,” [entry](#) for Thursday, May 11, 2023, and [entry](#) for Friday, May 12, 2023 on other “late” ballots. See [Tex. Sec’y of State Election Advisory No. 2018-02](#).

NOTE: Delivery of Early Voting by Personal Appearance and Mail Ballots: The early voting clerk delivers the voted ballots, the key to the double-locked ballot box, etc., to the early voting ballot board at the time or times specified by the presiding judge of the early voting ballot board, during the hours the polls are open or as soon after the polls close, as practicable. (Secs. 87.021, 87.022). The custodian of the key to the second lock of the double-locked early voting ballot box delivers his or her key to the presiding judge of the early voting ballot board on request of the presiding judge. (Secs. 85.032(d), 87.025). The custodian is the chief of police or city marshal for city elections, the constable of the justice precinct in which the office of the political subdivision governing body’s main office is located (or the sheriff, if there is no constable) for an election ordered by an authority of a political subdivision other than a county or city, and the sheriff for an election ordered by the Governor or a county authority. (Sec. 66.060). If ballots are to be delivered before election day, the early voting clerk must post notice at least 24 hours before each delivery at the main early voting polling place. [Form AW6-6](#)

Note on Delivery of Early Voting Ballot to Early Voting Ballot Board Before Election Day: Early voting ballots may be delivered to the early voting ballot board at any time after early voting by personal appearance ends. Mail ballots may be qualified and processed (signatures verified, carrier envelopes opened, and the secrecy envelope containing the ballot placed in a secure location), but they may not be counted until election day. (Secs. 87.0221, 87.0222, 87.023, 87.024, 87.0241). If ballots are to be delivered before election day, the early voting clerk must post notice at least 24 hours before each delivery at the main early voting polling place. [Form AW6-6](#)

Exception: Counties with a population of 100,000 or more, or entities that are having joint elections with counties with a population of 100,000 or more or who are conducting an election through a contract for election services with such a county, may process the mail ballots (i.e., qualify, and accept or reject, but not count) as early as the 8th day before the end of the early voting period; in such an election, votes may be counted no earlier than the end of the period for early voting by personal appearance; the results may not be released until the polls close on election day. (Secs. 87.0221, 87.0222, 87.023, 87.024, 87.0241(b), 87.042). If ballots are to be delivered before Election Day, the early voting clerk must post [notice \(PDF\)](#) at least 24 hours before each delivery at the main early voting polling place. (Secs. 87.0221(b), 87.023(b), 87.024(b)).

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) amended Section 127.1232 to provide that in counties with a population of 100,000 or more (or political subdivisions contracting with a county with a population of 100,000 or more), the general custodian of election records shall implement a video surveillance system that retains a record of all areas containing voted ballots: (1) from the time the voted ballots are delivered to the central counting station until the canvass of the precinct election returns; and (2) from the time the voted ballots are delivered to the signature verification committee or early voting ballot board until the canvass of precinct election returns. Video from the surveillance system shall be made available to the public by live stream. The recorded video is considered an election record and shall be retained by the general custodian until the end

of the calendar year in which an election is held or until an election contest filed in the county has been resolved, whichever is later. (Sec. 127.1232).

NOTE: Manual Examination of Ballots Before Processing on Automatic Counting Equipment: The central counting station manager shall direct the manual examination of all electronic voting system ballots to ascertain whether the ballots can be processed in the usual manner or if the ballots need to be duplicated to clearly reflect the voter's intent. (Sec. 127.125).

NOTE: Testing of Tabulating Equipment: The second test of automatic tabulating equipment used for counting ballots at a central counting station must be conducted immediately before the counting of ballots with equipment begins. The third test must be conducted immediately after the counting is completed. (Secs. 127.093, 127.097, 127.098).

Transfer of Provisional Ballots to Voter Registrar on Election Night: The county voter registrar may take possession of the ballot box(es) or transfer case(s) containing the provisional ballots (or provisional ballot affidavits when DRE systems are used) on election night (instead of on the next business day) by informing the custodian of election records and posting a notice of such election night transfer no later than 24 hours before election day. Under this type of delivery, the voter registrar must go to the office of the custodian and pick up the ballot box(es) or transfer case(s) and associated forms. (Sec. 65.052; 1 T.A.C. §§ 81.172 – 81.174 & 81.176). [Form AW8-19](#)

After the polling place is officially closed and the last person has voted, the presiding judge may from time to time make an unofficial announcement of the total number of votes counted for each candidate and/or for or against each proposition in the order that they appear on the ballot. (Sec. 65.015(a)). The announcement shall be made at the entrance to the polling place. (Sec. 65.015(c)).

NOTE: The authority conducting the election may require or prohibit such announcements. (Sec. 65.015(b)). Unofficial election results must be released by the central counting station as soon as they are available after the polls close, but the presiding judge of the central counting station, in cooperation with the county election officer, may choose to withhold the release of vote totals until the last voter has voted. (Sec. 127.1311).

NOTE: Precinct election returns are delivered to the appropriate authorities after completion. (Secs. 66.053(a), 127.065, 127.066, 127.067).

Last day to post notice of governing authority's meeting to canvass returns of election if canvass is to take place on Tuesday, May 9, 2023 (3rd day after election). (Sec. 67.003(b)). This notice must be posted at least 72 hours before the scheduled time of the meeting. (Secs. 551.002, 551.041, 551.043, Texas Government Code).

NOTE - Section 67.003 provides that, except as provided by Section 67.003(c), each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not later than the 11th day after election day and not earlier than the later of:

1. the **third day after election day**;
2. the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or
3. the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

Counties, Cities, and School Districts: NEW LAW: SB 1116 (2021, R.S.) amended Chapter 65 of the Election Code by adding Section 65.016 of the Code regarding election results information which must be posted on county, city, and school district websites. A county that holds an election or provides election services for an election for a public entity must post certain information regarding election results on their website after the election. A city or independent school district that holds an election and maintains an Internet website must also post certain information on their website related to election results, even if the county is also posting. All entities must post the required information **as soon as practicable after the election**. The required information includes:

1. the results of each election;
2. the total number of votes cast;
3. the total number of votes cast for each candidate or for or against each measure;

4. the total number of votes cast by personal appearance on election day;
5. the total number of votes cast by personal appearance or mail during the early voting period; and
6. the total number of counted and uncounted provisional ballots cast. (Sec. 65.016).

Monday, May 8, 2023 (1st business day after election day)

5:00 PM – Deadline to receive “late domestic ballots” mailed **within** the United States from **non-military voters and from any military voters** who submitted an **Application for Ballot by Mail** (“ABBM”) (**not** a Federal Postcard Application – “FPCA”), if the carrier envelope was placed for delivery by mail or common or contract carrier **AND** bears a cancellation mark of a postal service or a receipt mark of a common or contract carrier or a courier indicating a time not later than **7:00 PM** at the location of the election on election day, May 6, 2023. (Secs. 86.007, 101.057 and 101.001). A late domestic ballot cannot be counted if it does not bear a cancellation mark or a receipt mark.

NOTE: Because of the deadline to receive “late domestic ballots,” it is imperative that you check your mail at 5:00 PM.

NOTE: Section 86.007 provides that a marked ballot voted by mail that a voter received due to submitting an ABBM may arrive at the address on the carrier envelope not later than 5:00 PM on the day **after** election day, if the carrier envelope was placed for delivery by mail or common or contract carrier from **within** the United States **and** bears a cancellation mark of a postal service or a receipt mark of a common or contract carrier or a courier from **not later than 7:00 PM** at the location of the election on election day.

NOTE: This deadline does **not** apply to ballots sent by non-military voters who are overseas but who applied for a ballot using an ABBM or FPCA; these voters have until the 5th day after election day to return their ballots (or the next business day if the 5th day falls on a weekend or legal state or federal holiday). This deadline also does **not** apply to ballots mailed (domestically or from overseas) by certain members of the military who applied for a ballot using an FPCA, as well as members of the Texas National Guard or the National Guard of another state, or members of the Reserves, as well as their **spouses and dependents**; those voters have until the 6th day after election day to return their ballots. See the [entry for Thursday, May 11, 2023](#), and the [entry for Friday, May 12, 2023](#).

Unless the county voter registrar has already taken possession of the provisional ballots prior to this date, the general custodian of election records must deliver the ballot box(es) or transfer case(s) containing the provisional ballots (or provisional ballot affidavits when DRE systems are used), along with the Summary of Provisional Ballots and the List of Provisional Voters for each precinct to the voter registrar by this day. The general custodian of election records makes this delivery to the voter registrar during the voter registrar office’s regular business hours. (Secs. 65.052, 65.053; 1 T.A.C. §§ 81.172 – 81.174 & 81.176).

NOTE: Political Subdivisions Located in More than One County: A political subdivision will have to make delivery of the provisional ballots and forms to the county voter registrar in each county in which the political subdivision is located. (1 T.A.C. §§ 81.172 – 81.174).

NOTE: If the county voter registrar wants to take possession of the provisional ballots and forms on election night (Saturday, May 6, 2023), the county voter registrar must inform the custodian of the election records and post a notice of the transfer no later than 24 hours before Election Day. However, under this type of delivery, the county voter registrar **must** go to the office of the custodian of election records and pick up the provisional ballots and forms. Also, note that the county voter registrar may take possession of provisional ballots prior to election night if ballots are kept separate and may be provided without unlawful entry into ballot box. (1 T.A.C. §§ 81.172 – 81.174).

Tuesday, May 9, 2023 (3rd day after election day)

Last day to begin the **partial manual count** for entities using electronic voting systems for the counting of ballots. This is the last day to **begin** manual recount of ballots in three precincts or one percent of precincts, whichever is greater. (Sec. 127.201(a), (g)). The count must be completed not later than the 21st day after election day. Results of the manual count must be delivered to Secretary of State not later than the 3rd day after the manual count is

completed. (Sec. 127.201(e)). No partial manual count needs to be done of ballots cast on DRE voting machines, but partial manual count must be completed for mail ballots. (Sec. 127.201(g)).

NOTE: For information on how to begin the partial manual count, please see [Tex. Sec'y of State Election Advisory No. 2018-30](#).

The first possible day to conduct official local canvass of returns by governing authority of the political subdivision. However, the canvass may not be conducted until the ballot board has verified and counted **all** provisional ballots, if a provisional ballot has been cast in the election, **AND counted all timely received mailed domestic ballots cast from addresses within the United States, and all timely received mailed ballots cast from addresses outside the United States. (Secs. 67.003 and 86.007)**. Notice of canvass must be posted at least 72 hours continuously before the canvass is conducted.

NOTE: If a recount petition has been filed and a winning candidate's race is involved in the recount, the certificate of election cannot be issued for that race until the recount has been completed. (Secs. 67.016, 212.0331).

Cities, Schools, and Other Political Subdivisions: First day that newly-elected local officers may qualify and assume the duties of their offices. Please note that the canvass must have been completed **before** an officer can assume office. (Sec. 67.016). If a political subdivision was able to **cancel** its election, this is the first day its elected officials can be issued a certificate of election and take the oath of office. (Secs. 2.053(e), 67.003, 67.016). For information on who can administer an oath, please see Chapter 602 of the Government Code.

NOTE: This does not apply to officers of a Type A general law city, who cannot qualify until the 6th day after election day. See entry on Friday, May 12, 2023.

Thursday, May 11, 2023 (5th day after election day)

Last day to receive ballots from **non-military and any military voters** casting ballots from **outside of the United States**, who submitted an **ABBM** (not an FPCA) **AND** who placed their ballots in delivery by 7:00 PM on election day, Saturday, May 6, 2023, as evidenced by a postal service cancellation mark or a receipt mark of a common or contract carrier or a courier. (Secs. 86.007, 101.057, 101.001). A late overseas ballot sent by a voter who applied for a ballot using an ABBM (not a military FPCA) **cannot be counted** if it does **not** bear a cancellation mark or a receipt mark. (Sec. 86.007(c), (e), (f)). For military voters casting ballots who submitted an FPCA, please see [entry](#) for Friday, May 12, 2023.

NOTE: Section 86.007 provides that a marked ballot voted by mail from **outside** of the United States by a voter who received the ballot due to submitting an ABBM is considered timely if it is received at the address on the carrier envelope not later than **the fifth day** after the date of the election. Further, the delivery is considered timely if the carrier envelope or, if applicable, the envelope containing the carrier envelope is properly addressed with postage or handling charges prepaid **and** bears a cancellation mark of a recognized postal service or a receipt mark of a common or contract carrier or a courier indicating a time **by 7:00 PM** on election day.

Last day to receive ballots from **non-military voters** casting ballots from **overseas**, who submitted an **FPCA**, **AND** who placed their ballots in delivery by 7:00 PM on election day, Saturday, May 6, 2023. (Sec. 86.007(d) and (e)).

Friday, May 12, 2023 (6th day after election day)

First day that newly elected officers of Type A general law city may qualify and assume duties of office (per Sec. 22.006, Local Government Code), but see **NOTE**, below.

Council members may take office anytime following the canvass. Section 22.006 of the Texas Local Government Code states that a newly-elected municipal officer of a Type A city may exercise the duties of office beginning the fifth day after the date of the election, excluding Sundays. However, **no newly elected official may qualify for office before the official canvass of the election has been conducted** (or would

have been conducted, in the event of a cancelled election). Section 22.036 of the Texas Local Government Code further requires that the newly-elected governing body of the municipality “meet at the usual meeting place and shall be installed.”

If a recount petition has been filed and a winning candidate’s race is involved in the recount, the certificate of election cannot be issued for that race until the recount has been completed. (Secs 67.016, 212.0331).

NOTE: If a Type-A municipal officer-elect fails to qualify for office within 30 days after the date of the officer’s election, the office is considered vacant. (Sec. 22.007, Local Government Code). See Monday, June 5, 2023 entry.

Last day to receive carrier envelopes mailed domestically (within the United States) OR overseas from voters who submitted a **FPCA AND** who are **members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine**, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves. (Secs. 101.057 and 101.001).

NOTE - Section 101.057 provides that carrier envelopes mailed domestically or overseas from certain **military voters** (members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves) who submitted a **Federal Post Card Application (FPCA)** may arrive on or before the 6th day after election day. (Secs. 86.007, 101.057 and 101.001).

NOTE: The carrier envelope or, if applicable, the envelope containing the carrier envelope sent by the military members listed above who applied to vote by mail using the FPCA does NOT need to bear a cancellation or receipt mark in order to be counted.

Deadline for ID related provisional voter to: (1) present acceptable photo identification to county voter registrar; or (2) if the voter does not possess and cannot reasonably obtain acceptable photo identification, follow the Reasonable Impediment Declaration procedure at the county voter registrar’s office; or (3) execute an affidavit relative to “natural disaster” or “religious objection” in presence of county voter registrar, if applicable; or (4) qualify for the disability exemption, if applicable, with the county voter registrar. (Secs. 65.054, 65.0541).

Deadline for voter registrar to complete the review of provisional ballots. (1 T.A.C. § 81.175(a)(1)).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 65.052 of the Code to provide that, for the general election for state and county officers, the voter registrar will now have 10 days to review a provisional voter’s eligibility. **Please note this extended deadline does not apply to the May uniform election.** (Sec. 65.052).

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.): Last day a voter may come to the early voting clerk’s office in person to correct certain defects on their carrier envelope. (Secs. 87.0271, 87.0411). See Note 18.

Monday, May 15, 2023 (9th day after election day)

Deadline for custodian of election records or presiding judge of the early voting ballot board to retrieve provisional ballots from county voter registrar. (Sec. 65.051(a)).

Last day for **early voting ballot board** to convene to qualify and count:

1. any late **domestic** ballots (from non-military and from any military voters who submitted an ABBM)) that bear a cancellation mark or receipt mark indicating they were placed for delivery by mail or common or contract

carrier not later than 7:00 PM on election day, May 6, 2023, and were received not later than 5:00 PM on the first business day after election day, Monday, May 8, 2023. (Secs. 86.007(a) & (d-1), 87.125(a)).

2. any late ballots that were submitted from outside the United States by voters who applied for the ballot using an ABBM or by non-military voters who applied for the ballot using an FPCA, and which were received by the 5th day after election day, Thursday, May 11, 2023. (Secs. 86.007(d), 87.125(a)).
3. any ballots received by the 6th day after election day, Friday, May 12, 2023, from voters who are members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves, and who applied for a ballot using an FPCA. (Secs. 101.057, 87.125(a)).
4. any provisional ballots that have been reviewed by the voter registrar. (Sec. 65.051(a)).

NOTE: Ballots that do not qualify under 1-3 above should be treated as ballots not timely returned and should not be delivered to the ballot board.

NOTE: If the early voting ballot board needs to meet after this date, it will require a court order to do so

The time the board reconvenes is set by the presiding judge of the early voting ballot board. (Secs. 86.007(d), 87.125).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Chapter 65 of the Election Code by adding Section 65.0581 to provide that provisional voting records do not become public information until after the provisional ballots and other voting records have been delivered back to the custodian of election records. (Sec. 65.0581).

NOTE – NEW LAW: SB 1 (2021, 2nd C.S.) requires the presiding judge of the central counting station to provide and attest to a [written reconciliation](#) of votes and voters at the close of tabulation for election day and again after the central counting station meets for the last time to process late-arriving ballots by mail and provisional ballots. (Sec. 127.131).

Tuesday, May 16, 2023 (10th day after election day)

The presiding judge of the EVBB shall mail a [Notice of Rejected Ballot \(PDF\)](#) to voters whose mail ballots were rejected no later than the 10th day after election day or as soon as practicable, depending on when the EVBB last convenes. (Sec. 87.0431).

Wednesday, May 17, 2023 (11th day after election day)

Last day for official canvass of returns by the governing body of the political subdivision. (Sec. 67.003).

NOTE: If a recount petition has been filed and a winning candidate's race is involved in the recount, the certificate of election cannot be issued for that race until the recount has been completed. (Secs. 67.016, 212.0331).

Sunday, May 21, 2023 (15th day after election day)

Election records from the May 6, 2023 election must be available in an electronic format no later than this day, for a fee of not more than \$50.00. (Sec. 1.012(e)).

NOTE: For information on when voted ballots may be inspected and produced, please see Texas Attorney General Opinion No. [KP-0411 \(PDF\)](#). You should also consult with your county attorney (or attorney for your local political subdivision) and any records management officers from your local entity when responding to public information requests. Additionally, the OAG has a hotline you can call for questions related to open government issues, including the Public Information Act. That number is (877) OPEN-TEX (673-6839).

Monday, May 29, 2023 – Monday, July 3, 2023 (20th day after the canvass through the 47th day after the canvass; 23rd day after election day; 12th day after last canvass date)

Possible period for runoff election, depending on the date of the official canvass unless a charter provides for a later date. If Monday, May 29, 2023 (Memorial Day) is the first possible day, it does not move, since it is not the last possible day to hold a runoff election. If the 45th day is Saturday, July 1, 2023, that deadline will move to the next regular business day, Monday, July 3, 2023, under Section 1.006.

NOTE: The order of the names on the runoff ballot should be in the same relative order as they appeared on the general election ballot, so no ballot drawing is required for the runoff ballot. (Sec. 52.094).

Tuesday, May 30, 2023 (24th day after election day; extended from 21st day, Saturday, May 27, 2023, Sec. 1.006)

Last day for the presiding judge of the early voting ballot board to mail [Notice of Outcome to Provisional Voter \(PDF\)](#) to provisional voters, if the canvass was held on Wednesday, May 17, 2023. Such notices must be delivered to provisional voters by the presiding judge no later than the 10th day after the local canvass. (The deadline falls on Saturday, May 27, 2023, and is extended to Tuesday, May 30, 2023 under Section 1.006.) (Sec. 65.059; 1 T.A.C. § 81.176(e)).

Last day to complete the partial manual count, which is first business day after the 21st day after the election. (Secs. 1.006, 127.201(a)).

June

Monday, June 5, 2023 (30th day after election day)

If a Type A municipal officer-elect fails to qualify for office within 30 days after the date of the officer's election, the office is considered vacant. (Sec. 22.007, Local Government Code).

Last day to file **electronic** precinct-by-precinct returns with the Secretary of State. (Sec. 67.017).

NOTE - Local political subdivisions no longer have to submit this information to the Secretary of State.

Last day for the general custodian of election records to electronically submit to the Secretary of State the record of each voter participating in the election. (Sec. 18.069).

NOTE-NEW LAW: HB 3107 (2021, R.S.) amended Section 18.069 of the Code by changing who is responsible for submitting voter history to the Secretary of State from the voter registrar to the general custodian of election records (early voting clerk). (Sec. 18.069).

Thursday, June 15, 2023 (40th day after election day)

Last day of the period for mandatory office hours. See [entry](#) for Friday, March 17, 2023. (Sec. 31.122).

July

Thursday, July 6, 2023 (61st day after election day)

First day that ballot box(es) may be unlocked and its voted ballots may be transferred to another secure container for the remainder of the preservation period. (Sec. 66.058(b)).

NOTE: For information on when voted ballots may be inspected and produced, please see Texas Attorney General Opinion No. [KP-0411 \(PDF\)](#). You should also consult with your county attorney (or attorney for your local political subdivision) and any records management officers from your local entity when responding to public information requests. Additionally, the OAG has a hotline you can call for questions related to open government issues, including the Public Information Act. That number is (877) OPEN-TEX (673-6839).

NOTE - For guidance on retention of electronic voting system media please see [Tex. Sec'y of State Election Advisory No. 2019-23](#).

2024-2025

Monday, January 1, 2024 (1st day after the end of the calendar year in which the election was held)

First day that surveillance video of areas containing voted ballots from the May 6, 2023 election may be destroyed IF there is no unresolved election contest.

NEW LAW: SB 1 (2021, 2nd C.S.): amended Section 127.1232 to provide that in counties with a population of 100,000 or more (or political subdivisions contracting with a county with a population of 100,000 or more), the general custodian of election records shall implement a video surveillance system that retains a record of all areas containing voted ballots: (1) from the time the voted ballots are delivered to the central counting station until the canvass of the precinct election returns; and (2) from the time the voted ballots are delivered to the signature verification committee or early voting ballot board until the canvass of precinct election returns. Video from the surveillance system shall be made available to the public by live stream. The recorded video is considered an election record and shall be retained by the general custodian until the end of the calendar year in which an election is held or until an election contest filed in the county has been resolved, whichever is later. (Sec. 127.1232).

Friday, March 7, 2025 (day after 22 months after May 6, 2023 election day)

Contents of ballot box(es) may be destroyed IF no contest or criminal investigation has arisen (Secs. 1.013, 66.058), and IF no open records request has been filed ([Tex. Att'y Gen. ORD-505 \(1988\)](#)).

All election records must be preserved for 22 months from election day, even when there is no federal office on the ballot. (Sec. 66.058).

Notable Exceptions:

Permanent Records: Election results must be permanently maintained in the election register. (Sec. 67.006).

Electronic Voting Systems: See advisories on our website for preservation procedures for electronic voting systems. (See [Tex. Sec'y of State Election Advisory No. 2019-23](#).)

Wednesday, May 7, 2025 (day after Two Years after May 6, 2023 election day)

NOTE: Retention of Voter Registration List: County voter registrar must maintain **copy** of each voter list prepared for each countywide election for 2 years (24 months) after election day. (Sec. 18.011).

NOTE: Retention of Candidate Applications: Candidate applications must be retained by the governing body for **two** years after date of election. (Sec. 141.036).

TO: The Honorable Mayor and Members of the City Council

FROM: Bobby Pennington; City Administrator

MEETING DATE: December 19, 2022

SUBJECT: Discuss and Possible Action - Resolution No. 2022.12.19B - A Resolution of the City Council of the City of Piney Point Village, Texas, appointing members to the Board of Adjustment.

Agenda Item: 6

Informational

The Board of Adjustment (BOA) holds quasi-judicial public hearings to determine requests made by property owners in the City of Piney Point for special exceptions, variances and appeals of administrative interpretations or decisions, as authorized by state law and local ordinance.

The Board of Adjustment consists of five members, including a chairman. Each member is appointed by the city council for a term of two years, removable for cause. Exhibit "A" list current members and alternates to the board.

Recommendation

Action on Resolution No. 2022.12.19B will fulfill City Council's requirement to appoint and/or reappoint members to the Board of Adjustment for a term of two years, commencing January 1, 2023, through December 31, 2024. Staff recommends Council to approve the biannual appointment / reappointment of members eligible and suitable for the responsibilities of this post.

EXHIBIT "A"

Current members and alternates to the Piney Point Village Board of Adjustment.

Members of the Board of Adjustment

Lawrence Chapman	Chairman (1)
Vickie Driscoll	Member (2)
Roland Sauermann	Member (3)
Kevin F. Risley	Member (4)
Michael Cooper	Member (5)
John Brennan	Alternate Member (Alt-1)
Zeb Nash	Alternate Member (Alt-2)
Britton Holland	Alternate Member (Alt-3)
Scott Bender	Alternate Member (Alt-4)

RESOLUTION NO. 2022.12.19B

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS, APPOINTING MEMBERS TO THE BOARD OF ADJUSTMENT.

* * * * *

WHEREAS, the City Council of the City of Piney Point Village created a board of adjustment, consisting of five members (including a chairman), each to be appointed by the city council for a term of two years and removable for cause by the appointing authority; and

WHEREAS, there shall likewise be appointed four alternate members of the board of adjustment, who shall serve in the absence of one or more regular members when requested to do so by the mayor; and

WHEREAS, the four alternate members shall serve for the same period as the regular members, their vacancies shall be filled in the same manner, and they shall be subject to removal as the regular members; and

WHEREAS, the board of adjustment shall have the power granted by and controlled by the provisions of V.T.C.A., Local Government Code, § 211.009; now therefore,

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

Section 1. The facts and recitals set forth in the preamble of this resolution are hereby found to be true and correct.

Section 2. The City Council of the City of Piney Point does hereby cast a vote for designated members to fill assigned positions on the board of adjustment for a term of two years and removable for cause by the appointing authority.

PASSED, APPROVED, AND RESOLVED this 19th day of December 2022.

Mark Kobelan
Mayor

ATTEST:

Robert Pennington
City Administrator / Secretary

TO: The Honorable Mayor and Members of the City Council

FROM: Bobby Pennington; City Administrator

MEETING DATE: December 19, 2022

SUBJECT: Discuss and possible action on the interlocal agreement between the City of Bunker Hill Village and the City of Piney Point Village for animal control services.

Agenda Item: 7

Informational

The City of Piney Point Village entered an interlocal agreement in February 2018 that utilizes Bunker Hill's animal control officer and facilities to provide animal control services for Piney Point. A revised agreement authored by Bunker Hill is comparable to the original but confirms responsibilities of daily costs associated with callouts and the sheltering of an animal, specifically for multiple days.

Note that the agreement states that payments for animal services provided in 2022 will be reconciled and billed based on these rates.

Exhibit "A" provides breakout of cost associated with this agreement. Exhibit "B" is the 2018 interlocal agreement. Exhibit "C" is the proposed 2022 interlocal agreement.

Recommendation

Staff recommends Council to approve the interlocal agreement between the City of Bunker Hill Village and the City of Piney Point Village for animal control services.

EXHIBIT "A"

Interlocal agreement for animal control services with Bunker Hill Village.

RATE/FEE	Cost	Explanation
Daily Rate	\$200.00	Time expended by its Bunker Hill animal control officer in responding to calls for animal control services for Piney Point. This amount includes typical staff time, transportation, food, kennel use, and county processing.
Daily Rate - Outside Regular Hours	\$300.00	Time called in outside working hours, which is based on a three (3) hour minimum for each call, for time expended by its animal control officer in responding to calls for animal control services for Piney Point. This amount includes staff time, transportation, food and shelter
Additional Reimbursement	\$	For any and all additional costs incurred by Bunker Hill while performing work for Piney Point pursuant to this Agreement including, but not limited to, repairs to equipment or facilities, damages for personal injuries suffered by Bunker Hill employees, legal fees, insurance deductibles, claims for damages from third parties, any veterinarian costs, and any other costs
Impound Daily Fee	\$	Pay to Bunker Hill the City's impound and daily fee as included in the City's Fee Schedule if Piney Point chooses to utilize the City's kennel (prior notification must be provided) for housing animals that Piney Point has collected. The City of Bunker Hill Village has currently established the following fee schedule for redemption of impounded animals. Impound Fee (per animal) = \$50; Boarding fee = \$10/per day.

2018 INTERLOCAL AGREEMENT

EXHIBIT "B"

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

INTERLOCAL AGREEMENT BETWEEN THE CITY OF BUNKER HILL VILLAGE AND
THE CITY OF PINEY POINT VILLAGE FOR ANIMAL CONTROL SERVICES

This Interlocal Agreement is made and entered into by and between the City of Bunker Hill Village, Texas, hereinafter referred to as “Bunker Hill,” and the City of Piney Point Village, Texas, hereinafter referred to as “Piney Point.”

WHEREAS, Bunker Hill employs an animal control officer to provide animal control services for its citizens; and

WHEREAS, Bunker Hill has entered into an evergreen agreement with Harris County (“County”) executed in 2006 (the “County Agreement”) whereby the County agrees to house and quarantine animals found within the city limits of Bunker Hill; and

WHEREAS, Piney Point desires that Bunker Hill assist it in the provision of animal control services within Piney Point, including animal control officer services and the sheltering, maintenance, and disposition of certain animals impounded on behalf of Piney Point in the enforcement of its animal control regulations; and

WHEREAS, Bunker Hill desires to assist Piney Point in the provision of animal control services; and

WHEREAS, the governing bodies of Bunker Hill and Piney Point have duly authorized this Agreement; and

WHEREAS, this Agreement is made pursuant to and under the provisions of the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code, as amended; now therefore,

For and in consideration of the mutual promises, obligations, and benefits hereinafter set forth, Bunker Hill and Piney Point hereby agree as follows:

1. Bunker Hill shall:

- (a) use all reasonable efforts to provide Animal Control Officer services, on an “as call” basis, between the hours of 7:30 a.m. and 4:00 p.m., Monday through Friday, other than holidays, within the corporate limits of Piney Point, provided such request for service is made from a city official of Piney Point. Bunker Hill will provide services pursuant to this Agreement before 7:30 a.m. or after 4:00 p.m. Monday through Friday or on weekends or official holidays recognized by Bunker Hill at the rates noted;
- (b) through its Animal Control Officer, provide Piney Point information pertaining to all animals delivered to the County, including the name of the owner, if known, the approximate time and location where an animal was picked up, and other pertinent information such as needs for medical care or special attention;
- (c) dispose of all seriously sick or injured animals as soon after arrival as possible; and
- (d) submit to Piney Point on a monthly basis an invoice for all fees and charges for which Piney Point is responsible hereunder.

2. Piney Point shall:

- (a) pay to Bunker Hill the rate of \$300.00 per hour, with a one (1) hour minimum for each call, for time expended by its animal control officer in responding to calls for animal control services for Piney Point; and
 - (b) pay to Bunker Hill the rate of \$450.00 per hour during time called in outside working hours, with a two (2) hour minimum for each call, for time expended by its animal control officer in responding to calls for animal control services for Piney Point; and
 - (c) pay all other fees and costs for which Bunker Hill may be held responsible due to requirements of the County Agreement, state law, county regulations, or city ordinance; and
 - (d) reimburse Bunker Hill for any and all additional costs incurred by Bunker Hill while performing work for Piney Point pursuant to this Agreement including, but not limited to, repairs to equipment or facilities, damages for personal injuries suffered by Bunker Hill employees, legal fees, insurance deductibles, claims for damages from third parties, and any other costs; and (e)
-
- (e) make all payments due to Bunker Hill pursuant to this Agreement within thirty (30) days of the receipt of an invoice from Bunker Hill therefor.

3. All payments made by Piney Point pursuant to this Agreement shall be made from current revenues available to Piney Point.

4. The rates set forth in Sections 2 a.and b. of this agreement may be subject to change by action of the Bunker Hill City Council upon ninety (90) days written notice to Piney Point. Notwithstanding any other provision of this Agreement, Piney Point may terminate this

Agreement upon written notice to Bunker Hill provided no less than thirty (30) days following such rate change.

5. Bunker Hill may refuse, in accordance with the County Agreement, to transport animals when conditions at the County's facility would not be conducive to the proper care of the animals. Every effort to accept an animal for quarantine shall be made.

6. Solutions to problems encountered shall follow each responsive City's chain of command.

7. The initial term of this Agreement shall be for a period of one year, beginning on the date of execution hereof; provided, however, this Agreement shall be automatically renewed for successive one-year terms unless written notice of non-renewal is given by either party to the other at least thirty (30) days prior to the expiration of the initial or any renewal term hereof. Provided further, either party may terminate this Agreement by giving ninety (90) days advance written notice thereof to the other.

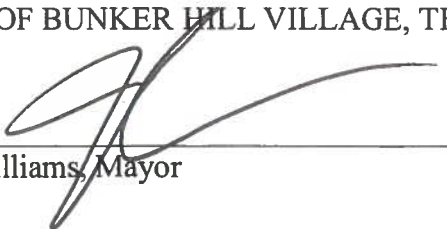
8. To the extent permitted by law, Piney Point agrees to indemnify and hold harmless Bunker Hill from and against any and all suits, actions, or claims brought or made for or on account of any injuries or damages received or sustained by any person, persons, or property arising out of, or occasioned by, the acts or omissions of Bunker Hill or its officers or employees, or the acts or omissions of Harris County or its officers or employees relating to Piney Point's use of the Animal Shelter pursuant to this Agreement. To provide for such indemnity Piney Point agrees to procure and maintain during the term hereof contractual indemnity insurance for the benefit of Bunker Hill.

Executed as of the 20th day of February, 2018.

ATTEST:


Britique Williams, City Secretary

CITY OF BUNKER HILL VILLAGE, TEXAS


Jay Williams, Mayor

ATTEST:


Karen Farris, City Secretary

CITY OF PINEY POINT VILLAGE, TEXAS


Mark Kobelan, Mayor

2022 INTERLOCAL AGREEMENT

EXHIBIT "C"

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

INTERLOCAL AGREEMENT BETWEEN THE CITY OF BUNKER HILL VILLAGE AND
THE CITY OF PINEY POINT VILLAGE FOR ANIMAL CONTROL SERVICES

This Interlocal Agreement is made and entered into by and between the City of Bunker Hill Village, Texas, hereinafter referred to as “Bunker Hill,” and the City of Piney Point Village, Texas, hereinafter referred to as “Piney Point.”

WHEREAS, Bunker Hill employs an animal control officer and has facilities to provide animal control services for its citizens; and

WHEREAS, Bunker Hill has entered into an evergreen agreement with Harris County (“County”) executed in 2006 (the “County Agreement”) whereby the County agrees to house and quarantine animals found within the city limits of Bunker Hill; and

WHEREAS, Piney Point desires that Bunker Hill assist it in the provision of animal control services within Piney Point, including animal control officer services and the sheltering, maintenance, and disposition of certain animals impounded on behalf of Piney Point in the enforcement of its animal control regulations; and

WHEREAS, Bunker Hill desires to assist Piney Point in the provision of animal control services; and

WHEREAS, the governing bodies of Bunker Hill and Piney Point have duly authorized this Agreement; and

WHEREAS, this Agreement is made pursuant to and under the provisions of the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code, as amended; now therefore,

For and in consideration of the mutual promises, obligations, and benefits hereinafter set forth, Bunker Hill and Piney Point hereby agree as follows:

1. Bunker Hill shall:
 - (a) use all reasonable efforts to provide Animal Control Officer services, on an “as call” basis, between normal working hours which include 7:00 a.m. and

4:00 p.m., Monday through Thursday and 7:00 a.m. to 12:00 noon on Friday, other than holidays, within the corporate limits of Piney Point, provided such request for service is made from a city official of Piney Point. Bunker Hill will provide services pursuant to this Agreement outside of these normal working hours or on weekends or official holidays recognized by Bunker Hill at the rates noted;

- (b) through its Animal Control Officer, provide Piney Point information pertaining to all animals delivered to the City's kennel and/or the County, including the name of the owner, if known, the approximate time and location where an animal was picked up, and other pertinent information such as needs for medical care or special attention;
- (c) dispose of all seriously sick or injured animals as soon after arrival as possible; and
- (d) submit to Piney Point on a monthly basis an invoice for all fees and charges for which Piney Point is responsible hereunder.

2. Piney Point shall:

- (a) pay to Bunker Hill the daily rate of \$ 200.00 per day for normal working hours , for time expended by its animal control officer in responding to calls for animal control services for Piney Point. This amount includes typical staff time, transportation, food, kennel use, and county processing and
- (b) pay to Bunker Hill the daily rate of \$ 300.00 per day during time called in outside working hours, which is based on a three (3) hour minimum for each call, for time expended by its animal control officer in responding to calls for animal control services for Piney Point. This amount includes staff time, transportation, food and shelter; and

- (c) reimburse Bunker Hill for any and all additional costs incurred by Bunker Hill while performing work for Piney Point pursuant to this Agreement including, but not limited to, repairs to equipment or facilities, damages for personal injuries suffered by Bunker Hill employees, legal fees, insurance deductibles, claims for damages from third parties, any veterinarian costs, and any other costs; and
- (d) pay to Bunker Hill the City's impound and daily fee as included in the City's Fee Schedule if Piney Point chooses to utilize the City's kennel (prior notification must be provided) for housing animals that Piney Point has collected; and
- (e) payments for animal services provided in 2022 will be reconciled and billed based on these rates; and
- (f) make all payments due to Bunker Hill pursuant to this Agreement within thirty (30) days of the receipt of an invoice from Bunker Hill therefor.

3. All payments made by Piney Point pursuant to this Agreement shall be made from current revenues available to Piney Point.

4. The rates set forth in Sections 2 a. and b. of this agreement may be subject to change by action of the Bunker Hill City Council upon ninety (90) days written notice to Piney Point. Notwithstanding any other provision of this Agreement, Piney Point may terminate this Agreement upon written notice to Bunker Hill provided no less than thirty (30) days following such rate change.

5. Bunker Hill may refuse, in accordance with the County Agreement, to transport animals when conditions at the County's facility would not be conducive to the proper care of the animals. Every effort to accept an animal for quarantine shall be made.

6. Solutions to problems encountered shall follow each responsive City's chain of command.

7. The initial term of this Agreement shall be for a period of one year, beginning on the date of execution hereof. A one year review will be conducted at the end of the initial term. The Agreement shall be renewable for successive one-year terms based on the initial one year review. Either party may terminate this Agreement by giving ninety (90) days advance written notice thereof to the other.

8. To the extent permitted by law, Piney Point agrees to indemnify and hold harmless Bunker Hill from and against any and all suits, actions, or claims brought or made for or on account of any injuries or damages received or sustained by any person, persons, or property arising out of, or occasioned by, the acts or omissions of Bunker Hill or its officers or employees, or the acts or omissions of Harris County or its officers or employees relating to Piney Point's use of the Animal Shelter pursuant to this Agreement. To provide for such indemnity Piney Point agrees to procure and maintain during the term hereof contractual indemnity insurance for the benefit of Bunker Hill.

Executed as of the _____ day of _____, 2022.

ATTEST:

CITY OF BUNKER HILL VILLAGE, TEXAS

Karen H. Glynn,
Acting City Secretary

Robert P. Lord
Mayor

ATTEST:

CITY OF PINEY POINT VILLAGE, TEXAS

Robert Pennington,
City Administrator/Secretary

Mark Kobelan,
Mayor

TO: Members of the City Council

FROM: Mayor Mark Kobelan

MEETING DATE: December 19, 2022

SUBJECT: Discuss and take possible action on the Mayor's Monthly Report, including, but not limited to, selected items.

Agenda Item: 8

This agenda item includes reports from the mayor, including, but not limited to, the status of various projects:

- A. Landscape Improvements.
 - a. Landscape Crosswalk area on Blalock/Quail Hollow by Bright Landscape Designs, Inc.; Project Estimate of \$6,755. A portion of the project is to be supported by donations to account for work outside the ROW.
 - b. Irrigation for Crosswalk area on Blalock/Quail Hollow by Blue Water Irrigation; Total for all work is \$2,827. A portion of the project is to be supported by donations to account for work outside the ROW.

Bright Landscape Designs, Inc

Estimate

9302 Reid Lake Drive
Houston, TX 77064

DATE	ESTIMATE #
6/29/2022	12740

City of Piney Point Village
7676 Woodway Drive Suite 300
Houston, TX 77024

PROJECT
July 2022

DESCRIPTION	SIZE	QTY	COST	TOTAL
CLEMONS PROPERTY AND CITY OF PINEY POINT VILLAGE - CROSSWALK AREA ON BLALOCK/QUAIL HOLLOW				
Crape Myrtle - multi Trunk (7'-8') OR 1-30g Crape Myrtle -single trunk (7'-8') @ \$289.52 OR 1-45g-Crape Myrtle-multi trunk (7.5'-8.5') @ \$621.00 OR 1-45g Crape Myrtle - single trunk (9'-10') @ \$873.00	30 gal	1	288.00	288.00
Ligustrum Shrub (3.5'-4.5')	15g	2	198.00	396.00
Yaupon - Dwarf (10"-12")	3 gal	20	27.72	554.40
Asian Jasmine	1 gal	48	4.23	203.04
Bendaboard-Brown - 4" X 20' - includes stakes and screws	4" X 20' piece	7	68.05571	476.39
Premium Mix Compost	cy	2	49.50	99.00
Pine Deco Mulch	cy	1	42.00	42.00
Metal Tree Stake with strap 6'	each	2	13.65	27.30
Moss Rock Boulder -	lb	500	0.15	75.00
Cambridge Cobble Pavers	sf	44	5.025	221.10
Crushed Granite Gravel	cy	1	112.50	112.50
Sharp Sand	cy	0.25	63.00	15.75
Concrete -80# bag	80# bag	2.5	15.616	39.04
St Augustine Raleigh Sod	sq yd	5	6.93	34.65
Landscape Fabric 150 sq ft	150 sq ft roll	0.33	47.90909	15.81
Landscape Fabric Staples	box/500	0.01	83.00	0.83
TOTAL PLANTS & MATERIALS				2,600.81
LABOR, PICKUP, DELIVERY, DISPOSAL, INVENTORY ITEMS, ETC.				4,741.21

Phone #
2814963576

E-mail
carol@brightlandscapedesigns.com

Bright Landscape Designs, Inc

Estimate

9302 Reid Lake Drive
Houston, TX 77064

DATE	ESTIMATE #
6/29/2022	12740

City of Piney Point Village
7676 Woodway Drive Suite 300
Houston, TX 77024

PROJECT
July 2022

DESCRIPTION	SIZE	QTY	COST	TOTAL
Subtotal				7,342.02
REPEAT CUSTOMER DISCOUNT			-5.00%	-367.10
COURTESY DISCOUNT			-3.00%	-220.26
Subtotal				6,754.66
TRIM BOTTOM PART OF LIGUSTRUM TREE HANGING OVER WALL.				
NOTE: SOD IS NOT COVERED BY GUARANTEE				
NOTE: ESTIMATE DOES NOT INCLUDE ANY SPRINKLER SYSTEM ADJUSTMENTS				
Notes: 1) This estimate is based upon the above plants and materials and condition of property at time of site inspection by Bright Landscape Designs, Inc. Deviations from original accepted estimate/design for plants, materials and labor will be adjusted at retail cost for plants and materials and at \$51 per man hour. 2) Please turn sprinkler system off if set to run the afternoon before or morning of scheduled work. 3) Any main line or water lines that run under area where we will be installing patio it is recommended that it be moved. But cost is not included in estimate. 4) Unless specified sprinkler adjustments/repairs or additions are not included in estimate. 5)Options are not included in bottom line of estimate. 6) There is no guarantee on seasonal color. 7) There is no guarantee on Sod				

Phone #
2814963576

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Bright Landscape Designs, Inc

Estimate

9302 Reid Lake Drive
Houston, TX 77064

DATE	ESTIMATE #
6/29/2022	12740

City of Piney Point Village
7676 Woodway Drive Suite 300
Houston, TX 77024

PROJECT
July 2022

DESCRIPTION	SIZE	QTY	COST	TOTAL
<p>Payment Terms: 1) 40% deposit due at time customer signs and returns estimate to Bright Landscape Designs, Inc. 2) Remaining balance (adjusted for changes made at time of installation) due upon receipt of invoice. 3) If job takes more than 2 weeks, there will be an intermediate draw of 35% of remaining balance.</p> <p>WANT TO EARN YOUR BONUS POINTS? WE NOW ACCEPT MASTERCARD/VISA/DISCOVER</p>				

PLEASE INITIAL BELOW AND SIGN THE ATTACHED (IF APPLICABLE) AND RETURN TO BRIGHT LANDSCAPE DESIGNS, INC. PRIOR TO COMMENCEMENT OF WORK.

TOTAL BEFORE SALES TAXES

\$6,754.66

Sales Taxes (8.25%)

\$0.00

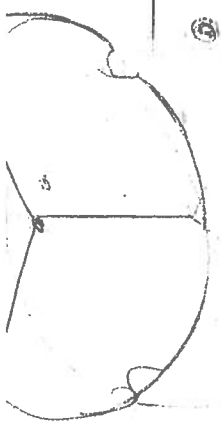
TOTAL

\$6,754.66

Phone #
INITIALS
2814963576

E-mail
carol@brightlandscapedesigns.com

DIGITAL LANDSCAPE
DESIGNS, INC.



LAWN

AUG. 11, 2024
DEC. 7, 2024

EX. GR. GRAVEL

TREE WAX
LIQUSTRUM

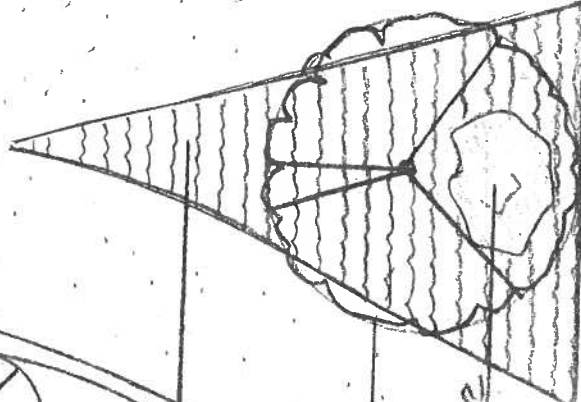
DWIF. YAUPONS

ASIAN
JASMINE

CREPE MYRTLE

PAVING
POLE

BOLLER



ALT.

CONC.
(DRAIN)

POST

LEONC.

EXISTING
LIQUSTRUM
TREE

CLEMONS

PROPERTY

BULLDOG

DWIF YAUPONS

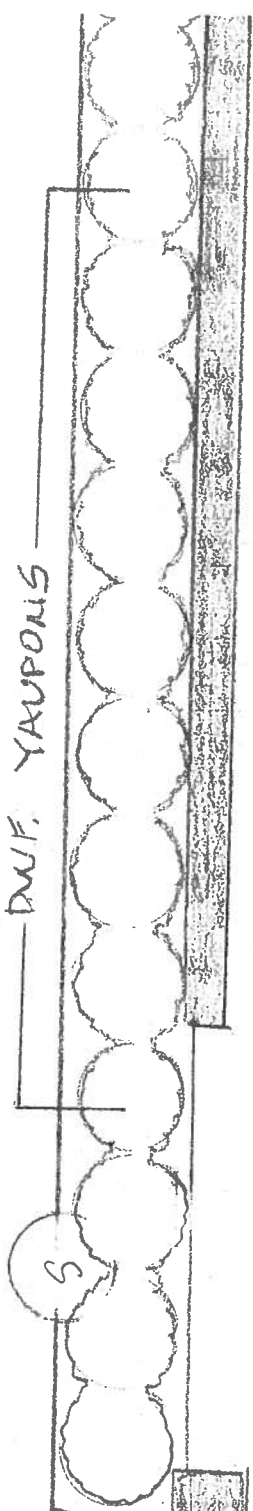
WATER FOUNTAIN

A W N

P. POLES

C I T Y S I D E W A L K

DWIF YAUPONS



LAWN

12/19/22 Agenda Packet (122)

B L A L O C K R D.
SCALE: 1" = 4' 0"

**BLUE WATER IRRIGATION
 1636 CRESTDALE
 HOUSTON, TX. 77080
 713-661-0312**

Date:
 12/13/2022

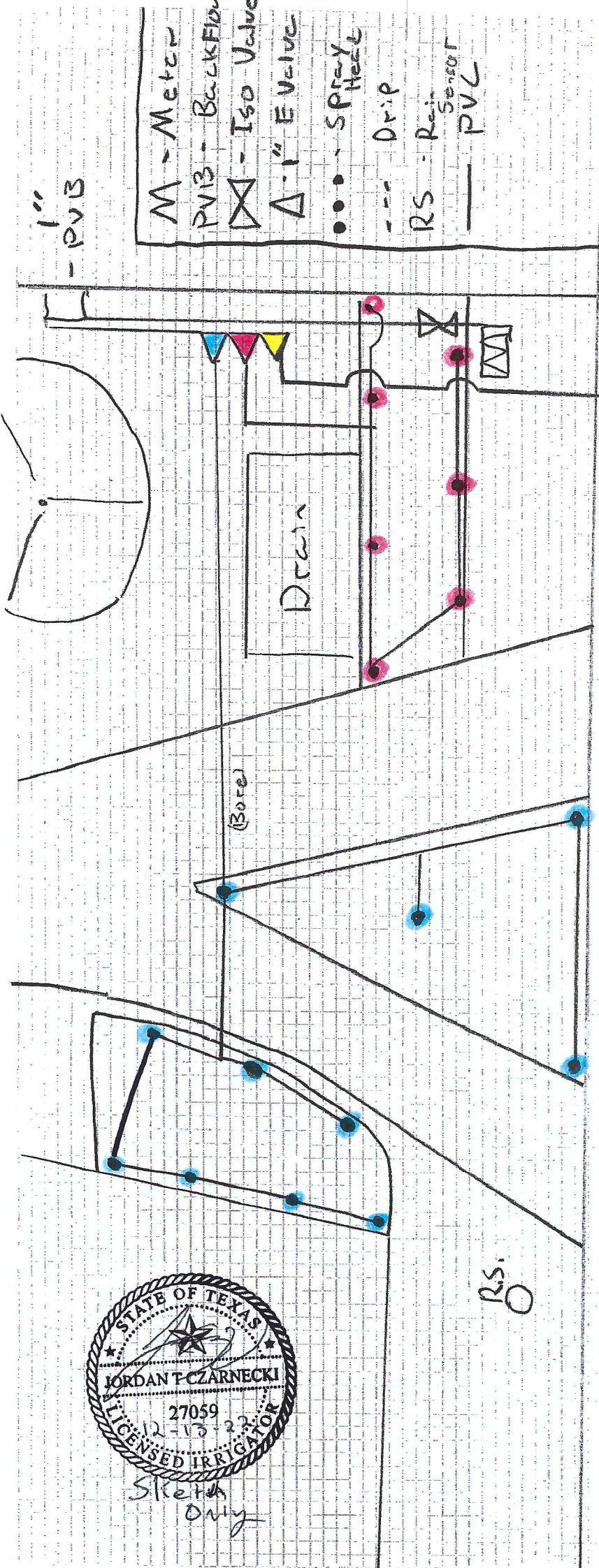
Proposal for:
 City of Piney Point

We submit for your consideration our proposal and agreement for irrigation install :

Description	Quantity
6" Hunter spray heads for flower beds	18
1" electric valve	3
1" Pressure Vacuum Breaker	1
Hunter Node-BT / 4 stations (controller)	1
Connect to water meter 5/8th	1
Direct burial cable in conduit	100'
Low volume drip tubing .9 GPH	100'
PVC Main line 1 1/4"	80'
Rain Sensor	1
Flexible joint connections	18
Total for all work	\$2,827

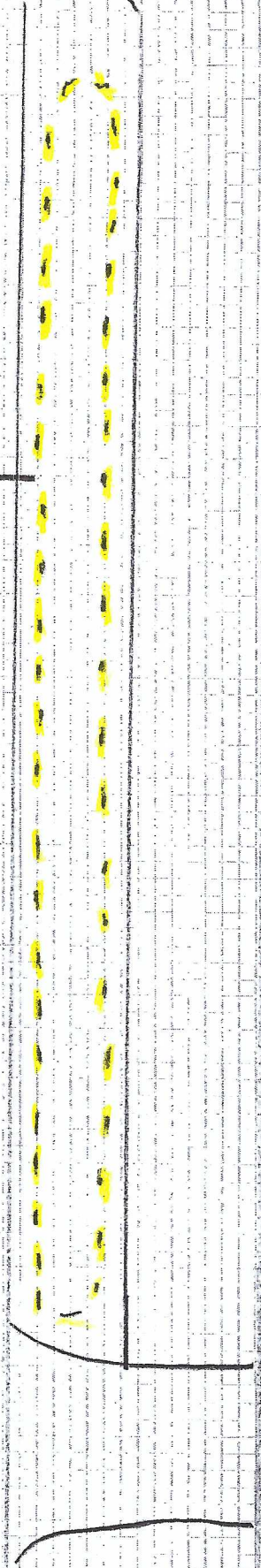
For the sum shown above, we will provide all labor, equipment and materials necessary to complete the work represented above. Terms of payment are:20% deposit:80% due upon completion. Prices are valid for 90 days. When you are ready to proceed with this work, sign in the space below indicating you accept this proposal and have read the warranty information; then, send in this form with any applicable deposit to us.

Approved and accepted



M - Meter
 PVB - Backflow
 X - Iso Valve
 Δ - 1" Valve
 ... - Spray Head
 --- Drip
 RS - Rain Sensor
 — PVC

C I + Y S I D E W A B I K



STATE OF TEXAS
 JORDAN T CZARNECKI
 27059
 LICENSED IRRIGATOR
 12-13-22
 Sketch Only

RS

Customer: City of Pincey Point
 Phone: _____
 Salesman: Jordan
 Date: 12-13-22

BLUE WATER IRRIGATION

713-661-0312

service@bluewaterirrigation.com
12/19/22 Agenda Packet (124)

TO: The Honorable Mayor and Members of the City Council

FROM: Bobby Pennington; City Administrator

MEETING DATE: December 19, 2022

SUBJECT: Discuss and take possible action on the City Administrator's Monthly Report, including, but not limited to, selected items.

Agenda Item: 9

The City Administrator will provide information for Council and the community that contains updates on important city initiatives that are not generally included on a city council agenda for action. These updates represent important city activities that should be of interest to local elected leaders, community leaders, and residents. However, some items listed may call for Council approval and/or delegate authorization under the direction of Council. Note the following items:

- A. Financial Report: With the timing of this Agenda, November financials remain open; therefore, this report serves as a preliminary statement providing cash accounting for November 30, 2022. Item includes September property tax report as well as November tax report that is deferred for fiscal year 2023.
- B. Cost Share for 11321 Greenvale: Thompson Homes designed, permitted, and paid 100% of the cost to fill in the ditch at 11321 Greenvale. The project was complete late summer. With the discussion of City/resident cost sharing for similar projects, including next door at 11317 Greenvale, the question was raised about cost sharing for the work done at 11321 Greenvale. A cost share agreement for 11321 Greenvale has not been formally approved by Council and will need approval before the invoice is paid.
- C. Discuss Residential Setbacks: Several residents are voiced concern over a corner lot building setbacks and enforcement of deed restrictions. There are no city restrictions on which way a house can face. A lot must have a front yard, a backyard and two side yards. The City cannot enforce restrictive covenants (private deed restrictions). If an applicant satisfies all the City requirements, then the City is legally obligated to issue a building permit, regardless of compliance with deed restrictions. The city typically notifies the HOA (if applicable) when plans are received, and when we are aware of a Homeowner Association but not a legal requirement. In a recent case, the builder represented that there was no active HOA. The burden is on the builder or owner to comply with neighborhood restrictions.

D. Update on Specific Use Permit Projects: The purpose of this listing is to share any current information or progress on these major construction programs.

- Memorial Drive Elementary School Update: A special use permit for the new elementary was approved on November 28 with agreed non-substantive changes:
 - i. Reference the size of the drainage pipe within the SUP Ordinance within Sec. 3, (c.), (iii.), for oversized pipes as reference in the city drainage plan.
 - ii. Reference lighting within Sec. 12, for proposed operations for exterior and interior lighting as provided in Exhibit ‘L.’”
 - iii. Include changes to Exhibit “L” for a summer lighting schedule.
 - iv. Authorizing staff along with the mayor to approve the exhibit addition as to what constitutes “flashing” for purposes of the monument sign and limiting the electronic display to an established level or interval.
- St. Francis Episcopal Church Specific Use Permit: On May 2, 2022, Council unanimously approved the St. Francis Episcopal Church Specific Use Permit.
 - i. Staff is scheduled to meet with adjacent resident(s) on January 5, regarding drainage tie-ins to SFEC.
- The Kinkaid School Specific Use Permit: On May 2, 2022, Council unanimously approved The Kinkaid School Specific Use Permit on the proposed new Upper and Lower School, Administration Building, and other related improvements. The purpose of this listing is to share any current information or progress on this major construction program.



CITY OF PINEY POINT VILLAGE FINANCIAL REPORT

NOVEMBER 2022 PRELIMINARY REPORT

The month of November 2022 remains open at the time of this scheduled report to Council. However, this preliminary report provides actual cash, reserves, and investments as of the end of November with a comparison of cash held November 2021.

CASH

Total cash and investments for all funds total \$7,645,012, of which \$1,212,757 is considered operating and available with \$6,432,255 invested or reserved. An improvement of \$2,335,807 in total cash and investments from November 2021. This increase in cash is mainly related to improvements in property tax collection, sales tax collection, permitting, Kinkaid contribution, and ARPA funds. Total Revenues for October end were reported at 115.6% of budget due all revenue categories being higher than last year to date. Attached is the detail on the account holdings.

	<u>FY2022</u>	<u>FY2021</u>	<u>Change</u>
General Fund	\$3,668,132.33	\$2,724,418.44	\$943,713.89
Special Revenue - Safety	\$35,110.78	\$31,552.37	\$3,558.41
Debt Service	\$3,941,768.40	\$2,553,233.30	\$1,388,535.10
	<u>\$7,645,011.51</u>	<u>\$5,309,204.11</u>	<u>\$2,335,807.40</u>

PROPERTY TAX COLLECTION

The portion pledged to M&O is \$6,082,440, with current levy at \$6,023,078, delinquent at \$14,168.70 and all other fees at \$45,194. The M&O collection is \$299,322 or 5.2% higher than the prior YTD and is at 100.6% of budget. A portion of property tax is collected and deferred for fiscal year 2023 is reported at \$625,784 and represents 8.4% percent of the adjusted levy for next year. Detail for both tax years is attached.

Maintenance and Operating (9/30/22):

Property Tax Detail (M&O)	
Current (2021 Tax Year)	\$6,023,077.88
Delinquent	\$14,168.70
Penalty & Interest	32,737.30

Attorney Fees	11,965.11
Inventory Tax	491.36
Total:	\$6,082,440.34

Interest and Sinking (9/30/22):

Property Tax (I&S)	
Current (2021)	\$863,138.69
Delinquent	\$2,030.45
Penalty & Interest	\$4,691.43
Attorney Fees	\$1,714.66
Other	\$70.41
	<u>\$871,645.65</u>

SALES TAX COLLECTION

The Texas Comptroller’s Office posted the latest results in December. The results are dependent upon the timeliness and accuracy of sales taxpayers’ returns. This payment from the State represents taxes collected on sales that occurred primarily for, *and thru*, the month of October. City’s net payment for sales tax collections was up \$8,716 or 2.8% compared to this month last year. Year to Date, the city has collected \$389,555, 49.8% or \$129,555 higher than the adopted budget of \$260,000.

	Last Fiscal	Adopted Budget	Current Fiscal	\$ Actual Variance	% Actual Variance	\$ Budget Variance	% Budget Variance
YTD	\$315,340	\$260,000	\$389,555	\$74,215	23.5%	\$129,555	49.8%

FOR MORE INFORMATION: This summary report is based on detailed information generated by the City’s Administration. If you have any questions or would like additional information on this report, please contact city administration at 713-230-8703.

CASH ACCOUNTS

	FY2022	FY2021	Change
Amegy General Fund (*283)			
Previous Balance (10/31)	\$1,745,226.97	\$1,129,825.73	\$615,401.24
Deposit/Credits	\$235,591.94	\$1,147,211.26	(\$911,619.32)
Charges/Debits	(\$455,982.96)	(\$388,918.82)	(\$67,064.14)
Checks Processed	(\$312,079.00)	(\$313,839.00)	\$1,760.00
Current Balance (11/30)	\$1,212,756.95	\$1,574,279.17	(\$361,522.22)
	FY2022	FY2021	Change
Amegy Safety Fund (*132)			
Previous Balance (10/31)	\$34,807.95	\$31,262.89	\$3,545.06
Deposit/Credits	\$302.83	\$289.48	\$13.35
Charges/Debits	\$0.00		\$0.00
Checks Processed	\$0.00		\$0.00
Current Balance (11/30)	\$35,110.78	\$31,552.37	\$3,558.41
	FY2022	FY2021	Change
TexPool General Fund (*001)			
Previous Balance (10/31)	\$194,104.66	\$80,450.56	\$113,654.10
Deposit/Credits	\$454,075.39	\$302,188.92	\$151,886.47
Charges/Debits	\$0.00		\$0.00
Checks Processed	\$0.00		\$0.00
Current Balance (11/30)	\$648,180.05	\$382,639.48	\$265,540.57
	FY2022	FY2021	Change
TexPool Debt Service (*002)			
Previous Balance (10/31)	\$36,216.63	\$105,905.38	(\$69,688.75)
Deposit/Credits	\$62,850.42	\$71,811.00	(\$8,960.58)
Charges/Debits	\$0.00		\$0.00
Checks Processed	\$0.00		\$0.00
Current Balance (11/30)	\$99,067.05	\$177,716.38	(\$78,649.33)
	FY2022	FY2021	Change
Texas Class General Fund (*001)			
Previous Balance (10/31)	\$1,801,479.50	\$767,455.98	\$1,034,023.52
Deposit/Credits	\$5,715.83	\$1,000,043.81	(\$994,327.98)
Charges/Debits		(\$1,000,000.00)	\$1,000,000.00
Checks Processed			\$0.00
Current Balance (11/30)	\$1,807,195.33	\$767,499.79	\$1,039,695.54
	FY2022	FY2021	Change
Texas Class Debt Service (*002)			
Previous Balance (10/31)	\$3,830,547.86	\$3,375,378.92	\$455,168.94
Deposit/Credits	\$12,153.49	\$138.00	\$12,015.49
Charges/Debits		(\$1,000,000.00)	\$1,000,000.00
Checks Processed			\$0.00
Current Balance (11/30)	\$3,842,701.35	\$2,375,516.92	\$1,467,184.43
	FY2022	FY2021	Change
General Fund	\$3,668,132.33	\$2,724,418.44	\$943,713.89
Special Revenue - Safety	\$35,110.78	\$31,552.37	\$3,558.41
Debt Service	\$3,941,768.40	\$2,553,233.30	\$1,388,535.10
	\$7,645,011.51	\$5,309,204.11	\$2,335,807.40

**City of Piney Point Village
Monthly Tax Office Report
November 30, 2022**

Prepared by: Elizabeth Ruiz, Tax Assessor/Collector

A. Current Taxable Value \$ 2,907,815,119

B. Summary Status of Tax Levy and Current Receivable Balance:

	Current 2022 Tax Year	Delinquent 2021 & Prior Tax Years	Total
Original Levy 0.25514	\$ 6,994,791.16	\$ 6,721,599.59	\$ 13,716,390.75
Carryover Balance	-	184,995.06	184,995.06
Adjustments	424,208.33	207,907.95	632,116.28
Adjusted Levy	7,418,999.49	7,114,502.60	14,533,502.09
Less Collections Y-T-D	625,784.25	6,966,617.92	7,592,402.17
Receivable Balance	<u>\$ 6,793,215.24</u>	<u>\$ 147,884.68</u>	<u>\$ 6,941,099.92</u>

C. COLLECTION RECAP:

	Current 2022 Tax Year	Delinquent 2021 & Prior Tax Years	Total
Current Month:			
Base Tax	\$ 602,254.90	\$ (2,464.83)	\$ 599,790.07
Penalty & Interest	-	-	-
Attorney Fees	-	-	-
Other Fees	-	-	-
Total Collections	<u>\$ 602,254.90</u>	<u>\$ (2,464.83)</u>	<u>\$ 599,790.07</u>

	Current 2022 Tax Year	Delinquent 2021 & Prior Tax Years	Total
Year-To-Date:			
Base Tax:	\$ 625,784.25	\$ 6,966,617.92	\$ 7,592,402.17
Penalty & Interest	-	68,124.30	68,124.30
Attorney Fees	-	14,661.22	14,661.22
Other Fees	-	561.77	561.77
Total Collections	<u>\$ 625,784.25</u>	<u>\$ 7,049,965.21</u>	<u>\$ 7,675,749.46</u>

Percent of Adjusted Levy	<u>8.43%</u>		<u>103.46%</u>
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**City of Piney Point Village
Monthly Tax Office Report
September 30, 2022**

Prepared by: Elizabeth Ruiz, Tax Assessor/Collector

A. Current Taxable Value \$ 2,741,550,202

B. Summary Status of Tax Levy and Current Receivable Balance:

	Current 2021 Tax Year	Delinquent 2020 & Prior Tax Years	Total
Original Levy 0.25514	\$ 6,721,599.59	\$ -	\$ 6,721,599.59
Carryover Balance	-	184,995.06	184,995.06
Adjustments	217,451.73	(5,420.54)	212,031.19
Adjusted Levy	6,939,051.32	179,574.52	7,118,625.84
Less Collections Y-T-D	6,886,216.57	16,199.15	6,902,415.72
Receivable Balance	\$ 52,834.75	\$ 163,375.37	\$ 216,210.12

C. COLLECTION RECAP:

	Current 2021 Tax Year	Delinquent 2020 & Prior Tax Years	Total
Current Month:			
Base Tax	\$ 12,409.39	\$ (56,788.09)	\$ (44,378.70)
Penalty & Interest	3,204.14	(29,377.13)	(26,172.99)
Attorney Fees	4,044.88	574.27	4,619.15
Other Fees	-	-	-
Total Collections	\$ 19,658.41	\$ (85,590.95)	\$ (65,932.54)

	Current 2021 Tax Year	Delinquent 2020 & Prior Tax Years	Total
Year-To-Date:			
Base Tax:	\$ 6,886,216.57	\$ 16,199.15	\$ 6,902,415.72
Penalty & Interest	31,056.85	6,371.88	37,428.73
Attorney Fees	8,131.18	5,548.59	13,679.77
Other Fees	561.77	-	561.77
Total Collections	\$ 6,925,966.37	\$ 28,119.62	\$ 6,954,085.99

Percent of Adjusted Levy	99.81%	100.22%
--------------------------	--------	---------

11321 Greenvale
Proposed Cost Share

	<u>Actual</u>	<u>Request</u>
Survey	\$ 1,235.00	\$ 617.50
Survey - Additional	\$ 300.00	\$ 150.00
Construction	\$ 41,788.53	\$ 20,894.27
	<u>\$ 43,323.53</u>	<u>\$ 21,661.77</u>

PROBSTFELD & ASSOCIATES

PROFESSIONAL LAND SURVEYORS | PROFESSIONAL CIVIL ENGINEERS

515 PARK GROVE DRIVE ▲ SUITE 102 ▲ KATY, TEXAS 77450

Invoice

DATE	INVOICE NO.
9/21/2021	64161

BILL TO:

Thompson Custom Homes
 Attn: Garrett Patton
 1414 Woodvine Drive
 Houston, TX 77055

PAID
 09/22/2021
Thank you!

Balance Due	\$0.00
DUE DATE	9/21/2021
PAYMENT TERMS	PREPAID

DESCRIPTION	QTY	RATE	P.O. NO.	STATUS	JOB NO.
				Completed	795-107
				JOB COMPLETION	AMOUNT
PLAN & PROFILE ~ FOR DITCH ENCLOSURE • For City of Houston	1	1,200.00		9/21/2021	1,200.00
DELIVER & EMAIL PDF TO BUILDER	1	35.00		9/22/2021	35.00
FOR: THOMPSON CUSTOM HOMES AT: 11321 Green Vale Drive ~ Piney Point Village LGL: Lot 8, Greenvale (.74 ACRE) QUOTE: 2021-608					

Thank you for the privilege to serve you!

**PROFESSIONAL LAND SURVEYING
 CIVIL ENGINEERING • PLATTING SERVICES**

Subtotal	\$1,235.00
Sales Tax (8.25%)	\$0.00
Total	\$1,235.00
Payments/Credits	-\$1,235.00

PHONE: 281.829.0034

FAX: 281.829.0233

landsurveys@probstfeld.com

www.probstfeld.com

PROBSTFELD & ASSOCIATES, INC.
515 Park Grove Dr., Suite 102
Katy, TX 77450

09/22/2021

SALE

Total: \$1,235.00

VISA

xxxxxxxxxxxx4531

Exp. Date: xx / xx
Entry Mode: Keyed
Name: GARRETT PATTON
Auth. Code: 02092G
Trans. ID: MQ0041138142
Terminal ID: -

QuickBooks Trans. No: 11321 GREEN VALE
Merchant No.: 5247710003056405
AID

Thank you for your business

CUSTOMER COPY

PROBSTFELD & ASSOCIATES

PROFESSIONAL LAND SURVEYORS

515 PARK GROVE DRIVE ▲ SUITE 102 ▲ KATY, TEXAS 77450

CUSTOMER CREDIT CARD PAYMENT

If you would like to pay your Invoice(s) by credit card, please complete this form and mail, email or fax to our offices.



PLEASE CHECK CARD TYPE:

4154179840934531

CREDIT CARD NO. (PLEASE PRINT CLEARLY)

04/2023
EXP DATE

413
3-DIGIT
SECURITY
CODE (ON
BACK OF CARD)

Garrett Patton

NAME ON CARD

77055

BILLING ZIP CODE

PLEASE LIST INVOICE(S) TO BE PAID

2021-608

QUOTE

11321 Green Vale

PROJECT ADDRESS

TOTAL AMOUNT OF TRANSACTION \$ **1535.00**

Garrett Patton

PRINTED NAME | AUTHORIZING THIS PAYMENT

9/14/2021

DATE

(720) 618-1832

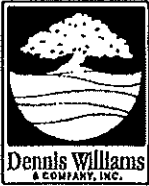
PHONE

FAX

gpatton@thompsoncustomhomes.com

EMAIL

281.829.0034 • 281.829.0233 FAX • LANDSURVEYS@PROBSTFELD.COM



DENNIS WILLIAMS & CO, INC.

1748 OAK TREE DR
HOUSTON, TX 77080

EMAIL: dwilliams.co@sbcglobal.net

Invoice

Date	Invoice #
9/7/2022	66922

Phone #	Fax #
713-465-7231	713-464-3130

BILL TO
THOMPSON CUSTOM HOMES 1414 WOODVINE DR HOUSTON, TX 77055

SUPT / JOB ADDRESS
RESIDENTIAL NEW CONSTRUCTION 11321 GREEN VALE DR PINEY POINT VILLAGE, TX 77024 JOHN N 832-474-1199

WORK PERFORMED	Service Date	Amount
REVISED 09/20/2022 ***REVISED 09/15/2022*** PERFORMED WORK PER ESTIMATE DATED 12-22-21 AS FOLLOWS: INSTALLED REGULAR 172 LF OF 24" R.C.P. PIPE + 4 (30" X 30") BOXES DEMOED OUT 2 DRIVEWAY APPROACHES DEMOED OUT 1 - SAFETY END TREATMENT INSTALLED 1 - SAFETY END TREATMENT SUPPLIED & INSTALLED (4) 30" X 30" INLET PROTECTION BARRIERS	<i>JW</i> <i>2311</i> <i>9/20/22</i>	47,575.70
ADDED 09/15/2022 CREDIT FOR 444 LF OF REINFORCED FILTER FABRIC EROSION CONTROL PREVIOUSLY BILLED ON INVOICE #67139		-1,144.00
ADDED 09/20/2022 10 % DISCOUNT ON SHOWCASE HOME PER DENNIS AND BRIAN'S VERBAL AGREEMENT ON 09/20/2022		-4,643.17

Feel comfortable today, knowing that 25% of the volume of waste from this project, is being recycled at Dennis Williams & Co., Inc.
DUE UPON COMPLETION - PLEASE MAIL CHECK Invoices over 30 days are considered PAST DUE. Past due invoices will be charged 1.5% per month carrying charge.
Customer Total Balance

Total
Payments/Credits
Balance Due



DENNIS WILLIAMS & CO, INC.

1748 OAK TREE DR
HOUSTON, TX 77080

EMAIL: dwilliams.co@sbcglobal.net

Invoice

Date	Invoice #
9/7/2022	66922

Phone #	Fax #
713-465-7231	713-464-3130

BILL TO
THOMPSON CUSTOM HOMES 1414 WOODVINE DR HOUSTON, TX 77055

SUPT / JOB ADDRESS
RESIDENTIAL NEW CONSTRUCTION 11321 GREEN VALE DR PINEY POINT VILLAGE, TX 77024 JOHN N 832-474-1199

WORK PERFORMED	Service Date	Amount
<p>COMPLETED ON 09/03/2022 PERFORMED BY J. JUAREZ</p> <p>PLEASE MAIL CHECK BY SEPTEMBER 23,2022</p> <p>JOHN, WE BID THIS JOB SEPTEMBER 21,2021. OUR PRICES HAVE ESCALATED SINCE 09/21/2021. HOWEVER, BEING A SHOWCASE HOME, WE DID NOT INCREASE OUR PRICE AS OF 08/03/2022. TELL BRYAN OUR MATERIAL ALONE HAS GONE UP MORE THAN 10%, WHICH WAS OUR VERBAL AGREEMENT. I DID NOT KNOW IT HAD BEEN ALMOST A YEAR SINCE WE BID THIS JOB. THANK YOU, DENNIS WILLIAMS</p>		

<p>Feel comfortable today, knowing that 25% of the volume of waste from this project, is being recycled at Dennis Williams & Co., Inc.</p>
<p>DUE UPON COMPLETION - PLEASE MAIL CHECK Invoices over 30 days are considered PAST DUE. Past due invoices will be charged 1.5% per month carrying charge.</p>
<p>Customer Total Balance \$221,637.50</p>

Total	\$41,788.53
Payments/Credits	\$0.00
Balance Due	\$41,788.53

"WORKING TO BUILD A BIGGER AND BETTER AMERICA"

Payment of this invoice may be secured by an M&M Lien under Texas Property Code Sec. 63.001 Et Seq., should default be made. Invoices are due and payable upon receipt at our offices in Houston, Harris County, Texas. PAST DUE invoices will be charged 1.5% per month carrying charge. Dumpsters sitting over 21 days are subject to a daily rental charge not to exceed \$5.00 per day.

TO: The Honorable Mayor and Members of the City Council

FROM: Bobby Pennington, City Administrator

VIA: Joe Moore, City Engineer

MEETING DATE: December 19, 2022

SUBJECT: Discuss and take possible action to ratify the emergency costs associated with the 96-inch Corrugated Metal Pipe of South Piney Point Road Drainage Outfall.

Agenda Item: 10

Informational

OnPar Civil Services has provided a cost to hydro-excavate the 96-inch from the sink hole location to the outfall. This cost also includes pumping of water, disposal of vacuumed material, additional rental of the 350 excavator, operator and additional personnel to lower/hoist PVC pipe into the 96-inch pipe. That cost in addition of the \$54,956.00 approved on 11/30/2022 for excavation and stabilization of the sinkhole including trench box, steel plates, and roadway barriers, will also include the patching of both open 24-inch storm sewer lateral and 96-inch CMP, backfill with cement stabilized sand, backfill of the excavation to restore to the right-of-way to natural ground elevations and hydro-mulch. Traffic control, trench safety, and confined space entry, if necessary, will also be the responsibility of the Contractor. Removal of the downed trees and excavation onsite is not included. It is our thought that those can be removed in March when the replacement project begins to save money.

Information on estimated cost and best options are to be provided at the meeting as additional discovery continues prior to scheduled meeting.

Recommendation

Staff recommends approval of emergency repairs and temporary stabilization of South Piney Point Road Drainage Outfall to safeguard adjacent right-of-way infrastructure improve obstructed drainage.

Moore, Joseph

From: Mark Kobelan <mark@ppvCouncil.org>
Sent: Friday, December 9, 2022 2:02 PM
To: Moore, Joseph
Subject: Re: PPV 96-inch CMP - Temporary Stabilization

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is approved
Mark Kobelan

Sent from my iPhone

On Dec 9, 2022, at 10:55 AM, Moore, Joseph <Joseph.Moore@hdrinc.com> wrote:

Mark,

Per our meeting yesterday, OnPar Civil Services has provided a cost of \$148,935.00 to hydro excavate the 96-inch from the sink hole location to the outfall. This cost also includes pumping of water, disposal of vacuumed material, additional rental of the 350 excavator, operator and additional personnel to lower/hoist PVC pipe into the 96-inch pipe. That cost in addition of the \$54,956.00 approved on 11/30/2022 for excavation and stabilization of the sinkhole including trench box, steel plates, and roadway barriers, will also include the patching of both open 24-inch storm sewer lateral and 96-inch CMP, backfill with cement stabilized sand, backfill of the excavation to restore to the right-of-way to natural ground elevations and hydromulch. Traffic control, trench safety, and confined space entry if necessary will also be the responsibility of the Contractor. Removal of the downed trees and excavation onsite is not included. It is our thought that those can be removed in March when the replacement project begins to save money.

Please confirm that you have no objections to the additional \$148,935.00 for a total of \$203,891 to be spent on the 96-inch to restore capacity and temporarily repair the pipe, and backfill the sinkhole to provide stabilization to the bank and South Piney Point Road.

Feel free to contact us if you have any questions.

Thanks,

Joe Moore, P.E., CFM
P 713.622.9264 D 713.576.3660

hdrinc.com/follow-us

From: Moore, Joseph
Sent: Friday, December 9, 2022 9:57 AM
To: Rogelio Munoz <bidonpar@gmail.com>

Cc: Croley, Aaron <Aaron.Croley@hdrinc.com>; Peterson, John <john.peterson@hdrinc.com>

Subject: RE: PPV 96-inch CMP - Temporary Stabilization

Rogelio,

Understood on tree disposal and hydro-mulch for restoration is okay.

Thanks,

Joe Moore, P.E., CFM
P 713.622.9264 D 713.576.3660

hdrinc.com/follow-us

From: Rogelio Munoz <bidonpar@gmail.com>

Sent: Friday, December 9, 2022 8:37 AM

To: Moore, Joseph <Joseph.Moore@hdrinc.com>

Cc: Croley, Aaron <Aaron.Croley@hdrinc.com>; Peterson, John <john.peterson@hdrinc.com>

Subject: Re: PPV 96-inch CMP - Temporary Stabilization

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Joe,

I confirm this is the pricing and item that will be completed.

Restoration does not include hauling of all trees and at bayou bank that had to be cleared. Hydro-mulching method we will be used for restoration, if sod is required, please add \$12,000.

Rogelio Muñoz
On Par Civil Services
M: 832-642-5469
bidonpar@gmail.com
<https://www.onparcivil.com/>
<https://www.facebook.com/utilityconcrete/>

On Dec 9, 2022, at 8:28 AM, Moore, Joseph <Joseph.Moore@hdrinc.com> wrote:

Rogelio,

Per your email dated 12/7/2022, your price to hydro excavate the 96-inch from the sink hole location to the outfall will cost \$148,935.00. This cost also includes pumping of water, disposal of vacuumed material, additional rental of the 350 excavator, operator and additional personnel to lower/hoist PVC pipe into the 96-inch pipe. Per our discussion on the phone yesterday, the above cost of \$148,835.00 and the \$54,956.00 cost authorized last week will also include the patching of both open 24-inch storm sewer lateral and 96-inch CMP, backfill with cement stabilized sand, and backfill of the excavation to restore to the right-of-way to natural ground elevations. Traffic control, trench safety, and confined space entry if necessary will also be the responsibility of the Contractor.

Please confirm the pricing above. After receipt of your confirmation we will send to the City for review and approvals.

Feel free to contact us if you have any questions.

Thanks,

Joe Moore, P.E., CFM
P 713.622.9264 D 713.576.3660

hdrinc.com/follow-us

From: Moore, Joseph
Sent: Wednesday, November 30, 2022 3:49 PM
To: bidonpar@gmail.com
Cc: Croley, Aaron <Aaron.Croley@hdrinc.com>; Peterson, John <john.peterson@hdrinc.com>
Subject: PPV 96-inch CMP - Temporary Stabilization

Rogelio,

As discussed by phone this afternoon, OnPar Civil Services submit a cost of \$54,956.00 for the emergency excavation and stabilization on the 96-inch CMP on S. Piney Point Road. This cost includes excavation to find the 96-inch CMP and determine the current status of the pipe, if collapsed, place a trench box (10'x20' box with spreader) to stabilize the area immediately around the 96-inch CMP, cut the top of the pipe open to re-establish flow, install 4-8'x20' steel plates and earthwork to step or grade the sinkhole and install cement stabilize sand for armament in efforts to protect and/or reduce sinkhole bank slopes to protect against further erosion. The cost also includes traffic control and installation 50-feet of water filled jersey barriers between the street and sink hole to protect against vehicular traffic. As you noted the above cost includes rental of the following items for one month:

1. Trench Safety - \$7,922.75/month
 1. 1 EA. 10'x20' Box 10' with Spreaders
 2. 4EA. 8x20 Plates
2. Jersey Water Barriers - \$1,773.75/month
 1. 50 LF

Additional costs associated with rental of the above items beyond one month will be bore by the City.

It is anticipated that this work will begin either Thursday 12/1 or Friday 12/2.

Please confirm the above costs and scope of work. After confirmation this will be sent to the City for written approval. Verbal confirmation has already been received as discussed earlier today.

Thanks,

Joe Moore, P.E., CFM
Project Manager

HDR

4828 Loop Central Drive, Suite 800

Houston, TX 77081

P 713.622.9264 **D** 713.576.3660

joseph.moore@hdrinc.com

[hdrinc.com/follow-us](https://www.hdrinc.com/follow-us)

TO: Members of the City Council

FROM: Bobby Pennington, City Administrator

VIA: Joe Moore, City Engineer

MEETING DATE: December 19, 2022

SUBJECT: Discuss and take possible action on the Engineer's Report.

Agenda Item: 11

Summary

The Engineer Status report includes the following:

- 96-inch CMP Sinkhole and Emergency Repair Project
- 96-inch CMP Replacement Project
- North Piney Point Road Washout
- Tokeneke & Country Squires Improvements Project
- Piney Point Circle - Additional Easements
- Bothwell Way
- Greenvale Storm Sewer
- Williamsburg Drainage Improvements
- 11411 Wendover Storm Sewer
- St. Francis & South Cheska
- South Piney Point Road Guardrail
- Future Projects
 - Asphalt Paving Improvement for Innisfree, Williamsburg, and Tokeneke Trail.
 - Potential Storm Sewer Cost Share Projects for Chuckanut, Greenvale, Innisfree, Jamestown, Williamsburg, Wendover, and Piney Point Circle.



Engineer's Status Report

City of Piney Point Village

HDR Engineering, Inc.

City Council Meeting Date: December 19, 2022

Submit to City: December 14, 2022

CURRENT PROJECTS

1. **96-inch CMP Sinkhole and Emergency Repair Project**

On Saturday, November 26th the City reported a large sinkhole formed on the east side of South Piney Point Road just north of the bridge at Buffalo Bayou. The sinkhole appeared to form after the City received heavy rains on Thanksgiving and the following days.



Sinkhole 11-26-2022



Sinkhole 11-27-2022

HDR worked with OnPar Civil Services and Harris County Precinct 3 with the goal of having a Contractor mobilize on-site quickly to determine the cause of the sinkhole and to stabilize the hole to limit additional erosion on the edges of South Piney Point Road. It was determined that Precinct 3 did not have the appropriate equipment with their construction crews to perform this work in-house and offered independent Contractor's they had working for them for assistance. Ultimately it was determined that OnPar already working in the City could mobilize the appropriate equipment, traffic control, and trench safety onsite by the end of the week to begin work. OnPar provided a proposal to the City of \$54,956.00 to complete this work. This cost was presented to the Mayor and approved on an emergency basis. By the week's end, OnPar had excavated down to the top of the existing 96-inch CMP directly below the sinkhole and installed a trench box and steel plating for added trench stability.



Sinkhole Excavation for Trench Box Installation 12-2-2022



Sinkhole Excavation for Trench Box Installation 12-5-2022

OnPar reported that the main cause of the sinkhole appeared to be a failed 24-inch CMP lateral that tied into the 96-inch CMP at the location of the sinkhole. There also appears to be damage on the 96-inch CMP as well. They also reported that the 96-inch CMP was nearly 100% blocked with soil near the sinkhole reducing down to an approximate 50% blockage at the outfall.



24-inch & 96-inch CMP Damage 12-5-2022



96-inch CMP Outfall: Approximately 50% Full of Soil 12-5-2022

HDR prepared two options for temporary solutions with the goal of maintain drainage and limiting South Piney Point Road bank erosion until the entire pipe could be replaced in the upcoming 96-inch CMP Replacement Project, scheduled to break ground in March.

Option 1) Included increase stabilization of the current excavation as photographed above using the steel plates, trench box, and cement stabilized sand and then cutting the top of the 96-inch CMP off allowing storm water to rise through the trench box and sheet flow out to the bayou. This option was estimated to cost \$84,045 which included the \$54,956 mentioned above and then traffic barrier, trench box, and steel plate rentals for January, February, and March until the full replacement project could begin. The concerns with this option are the potential for continued erosion due to stormwater sheet flow caused by restricted flow through the 96-inch CMP.

Option 2) included the cleaning of the sediment from the 96-inch CMP using vac-trucks, repair of the CMP, and backfill of the sinkhole. This option costs an additional \$148,935 on top of the \$54,956 already approved for a total of \$203,891. The benefits of this option are that flow is restored through the 96-inch and backfill of the sinkhole to stabilize South Piney Point Road. After meeting onsite with the Mayor, Bobby, and Dale, the Mayor authorized Option 2 on an emergency basis.

The Contractor has begun work on this option although progress has been limited by rainfall this week. Progress to-date has included shifting of the trench box, additional backfill behind the steel plates to fill in voids near the street, grading to prepare the site for vac-trucks, and installation of a temporary pump to pump water out of the pipe after rain events. It is

estimated that the vac-ing operation can be completed in one week pending weather and bayou water levels.



Site Preparation for Vac-Trucks 12-14-2022

The City received heavy rainfall on Sunday, December 11th. The following photos show the site conditions after the rainfall. These photos demonstrate the impact one rain event can have on the storm sewer and further support the selection of Option 2.



Site During Rainfall Event 12-11-2022



Manhole Cover and Grouted on Ring Blown Off After Rain Event 12-11-2022

HDR is continuing to work on the final design package for the 96-inch CMP replacement project. It is anticipated that the final design plans and updated Opinion of Probable Construction Costs will be presented to City Council at the December meeting. Authorization to advertise and bid will be requested at this meeting and advertising can begin after the holidays in January.

2. 96-inch CMP Replacement Project

HDR has almost completed the final design of the CMP Replacement Project. The environmental team is assessing the site in order to determine the existence of wetlands in the construction area and to document the proposed construction work as being compliant under a USACE Nationwide Permit. Once complete, the plans will be submitted to Harris County Flood Control District (HCFCD) for review. HDR has already communicated with HCFCD

about the sinkhole and HCFCD stated that they will work to expedite the reviews to allow the City to move forward with the permanent replacement. It is anticipated that the project will be approved and ready to advertise for bidding in January, before the next City Council meeting. HDR is requesting permission to advertise and bid the 96-inch CMP Replacement Project in a separate agenda item.

3. North Piney Point Road Washout

On Thursday, December 1st Verizon’s Contractor struck a MVWA water line fire hydrant lead on the east side of North Piney Point at Shady Glen. The water line bust washed out the existing subgrade under the northbound lane of North Piney Point Road and undermined the sidewalk as shown in the following photos.



Verizon Water Line Bust Washout 12-1-2022



Verizon Water Line Bust Washout 12-1-2022

The City and HDR coordinated with Verizon and their Contractors for a temporary overnight lane closure and then temporary backfill to support two-way traffic on the weekend. Verizon has coordinated a repair to the water line with the MVWA and is currently working to schedule a final repair of the pavement and sidewalk per HDR’s email correspondence and details included in their approved plan. HDR and Jose will continue to coordinate with Verizon to verify the proper repairs are completed on the pavement and sidewalk.

4. Tokeneke & Country Squires Improvements Project

OnPar has completed the concrete work on South Country Squire and is completing site restoration. They are currently shifting construction materials to North Country Squire to begin work on the storm sewer at 11115 North Country Squire on Monday, December 19th. HDR will coordinate with the City to provide notice to residents on North Country Squire of the anticipated construction.

On Tokeneke, the Contractor as installed a majority of the storm sewer and inlets on both north and south sides of the pavement. They will be working to complete all yard drain connections, inlet adjustments and grouting, and site restoration on Tokeneke over the next couple of weeks. The water line adjustment planned in the cul-de-sac was cancelled as the Contractor found enough slack in the 2-inch water line to slide the storm sewer pipe underneath the water line. An additional 2-inch water line service conflict was found at #4



Tokeneke. This service was adjusted during the scheduled water line shut down on Wednesday, December 14th, 2022.

The resident at 11125 South Country Squire has requested that a bird bath located at their driveway be addressed. The resident is very concerned about her safety of slipping in the birdbath when trying to retrieve her mail.



Bird Bath 11125 South Country Squire 11-11-2022

This bird bath is on a newer panel (replaced sometime between 2011 and 2014) replaced due to very heavy cracking and is likely a product of the Contractor having to meet existing concrete pavement elevations at the driveway and all three sides of the existing pavement. To improve the bird bath it is anticipated that the 55-foot long, 14-foot wide concrete panel would need to be replaced along with approximately 5-feet of the resident's driveway at an estimated cost of approximately \$15,000. Final costs would have to be negotiated for change order with the Contractor

The Contractor is also working to schedule the two concrete point repairs on the westbound lane of Memorial Drive between North Piney Point Road and Kensington Court around the Christmas holidays when traffic is anticipated to be lower. These two repairs have been change ordered into the Tokeneke & Country Squire project. HDR will continue to coordinate the proposed schedule with the City.



5. Piney Point Circle - Additional Easements

Survey data was received for the western-most 20-feet of 11408/11406 Memorial and HDR CAD the survey to create a drawing. The survey does not appear to include any major structures in the 20 westernmost feet. HDR plans to begin scheduling meetings after the holidays with the each resident on this pipe alignment to discuss a potential easement.

6. Bothwell Way

HDR is working to finalize the design on Bothwell Way. After meeting with the MVWA to discuss the proposed improvements and the close proximity with the MVWA water line, the MVWA provided as-built plans of a water line that complicated the design. HDR is working to finalize the design and will submit to the MVWA for final approval and the Contractor for change order pricing. The change order pricing will be presented to Council at the January meeting. The Opinion of Probable Construction Costs (OPCC) is \$74,500. This OPCC does not include any potential water line work.

7. Greenvale

HDR is completing the design of the proposed storm sewer installation at 11317 Greenvale to eliminate the last remaining ditch on Greenvale. The completed drawings will be reviewed with the MVWA to verify no conflicts with their utilities. The resident at 11317 Greenvale is willing to split construction costs 50/50 with the City. Per previous discussions with Council, HDR anticipates negotiating this project into the Tokeneke project as a change order. It is anticipated that the change order for this additional work could be presented to City Council at the January City Council meeting. The preliminary Opinion of Probable Construction Cost (OPCC) is \$53,000.

8. Williamsburg Drainage Improvements

HDR recently received the signed contract and is beginning work on the design plans. HDR will also continue working with residents to obtain as many participants in the storm sewer 50/50 cost share opportunity as possible.

9. 11411 Wendover Storm Sewer

HDR received television tapes of the cleaning and inspection on the storm sewer line on the south side of Wendover Lane. The TV inspection determined that there is a 30-inch pipe that services Oak Lawn located approximately 5-feet south of the Wendover southern fence line.



Exhibit Provided by Chief Solutions (TV Crew)



Inlet located on 625 Piney Point Property

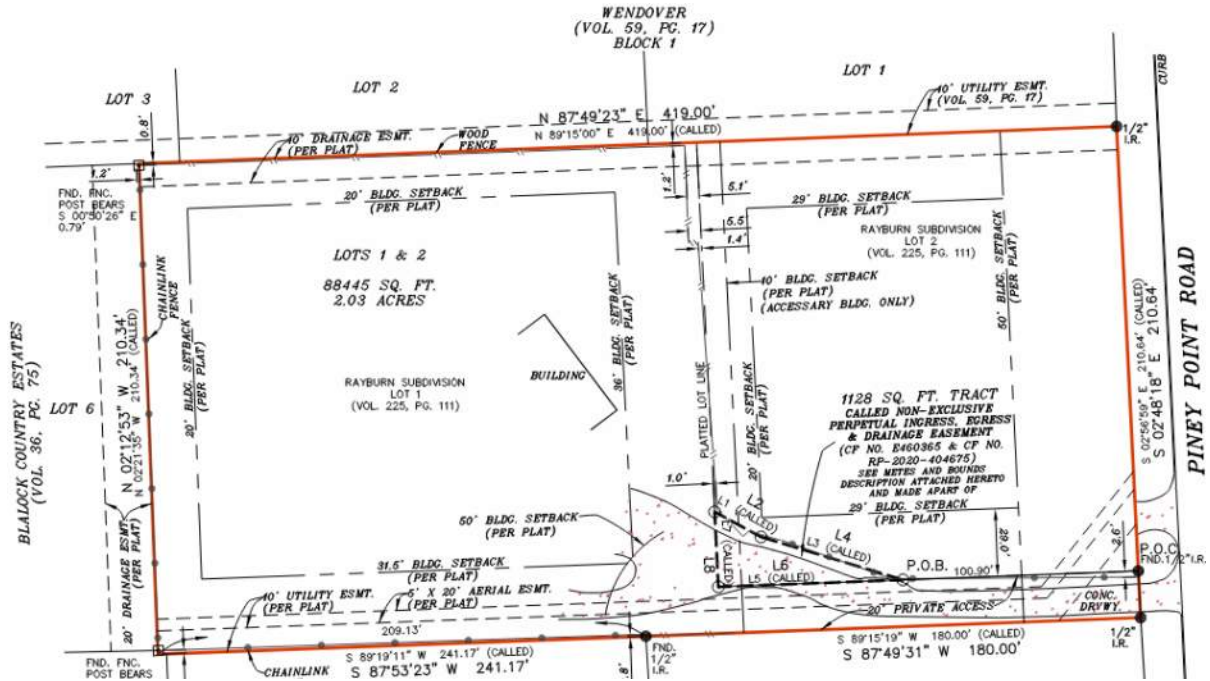


Down View Inlet located on 625 Piney Point Property



TV Tape View of Storm. Swr.

This storm sewer appears to be completely separate from the damaged concrete storm sewer located on the south side of 11411 Wendover Lane's property and located in an easement as shown in a recent plat provided by Brian Thompson (see below).



625 Piney Point Road Plat Provided by Brian Thompson

It appears that the City has no interest in the damaged concrete pipe on the south side of the 11411 Wendover Property. HDR is working to meet with the homeowners of 11419 Wendover who are directly upstream of 11411 Wendover in attempt to determine if they have any yard drains tied into the old concrete pipe. While it appears this is a private matter, knowing what may be draining into the old concrete pipe at 11411 Wendover will help the resident determine what actions that could be taken with the pipe.

10. St. Francis & South Cheska

The City is working to set up a meeting with between St. Francis, adjacent South Cheska residents, HDR, and David Olson to work out the logistics of South Cheska resident tie-ins to the St. Francis system. It is anticipated that this meeting will occur in early January.

11. South Piney Point Road Guardrail

Jose and Luis reported that a portion of the guardrail on South Piney Point Road is damaged (see below photo). HDR will coordinate with Contractors to obtain quotes to repair the guardrail posts.



South Piney Point Road Guardrail

12. 610 Grecian Way

The resident at 610 Grecian Way recently reported a hole that appears to be over the existing storm sewer on Grecian Way. This section of storm sewer was not replaced as part of the improvements project on that street completed in 2021. HDR will investigate the hole and provide updates and recommendations at the January engineering meeting.

FUTURE PROJECTS

13. Lift of Potential Asphalt Paving Improvement Projects:

- **Innisfree**
 - As discussed during the November Engineering Meeting, the pavement on Innisfree, most specifically the cul-de-sac, is in poor condition and in need of repair or replacement.
- **Williamsburg**
 - The pavement was noted as having a higher deterioration level in the 2018 Update to the Street Condition Assessment Document. Since that time a home was constructed on the street and two residents installed storm sewer to replace the existing ditch causing additional wear on the pavement. There is notable heavy cracking near the locations of those improvements. It is recommended that the pavement not be repaired or replaced until after potential storm sewer improvements are completed.



- **Tokeneke Trail**
 - The street has seen considerable construction activity in recent years with two new home constructions and the current storm sewer improvements project. There are two potholes on the west end of the street in need of more immediate repairs.

14. List of Potential Storm Sewer Cost Share Projects

- Chuckanut
- Greenvale
- Innisfree
- Jamestown
- Williamsburg
- Wendover
- Piney Point Circle (if made public)

CURRENT ANTICIPATED PROJECT SCHEDULES:

The following is a summary of anticipated project schedules for projects in various phases throughout the City. Please be aware that the schedules are approximate and subject to the weather, utility company reviews, City and County reviews, and other unforeseen circumstances that may develop as each project progresses. HDR will submit an updated schedule with each engineer's report.

- **Tokeneke & Country Squires Project:**
 - Construction Notice to Proceed: October 3, 2022
 - Contractor Scheduled Completion Date: April 1, 2023
- **96-inch CMP Replacement Project:**
 - Final Design Completion: December 19, 2022
 - Bidding Advertisement: January 2023
 - Bid Opening: February 2023
 - Award Project to Contractor: February 2023
 - Begin Construction: March 2023
 - End Construction: July 2023

TO: The Honorable Mayor and Members of the City Council

FROM: Bobby Pennington; City Administrator

MEETING DATE: December 19, 2022

SUBJECT: Discuss and consider approval of the Minutes for the Regular Session Meeting held on November 21, 2022.

Agenda Item: 12

Informational Summary

The following is the draft of minutes from the regular council meeting held on Monday, November 21, 2022

Recommendation

Staff recommends approval of the minutes from the regular council meeting held on Monday, November 21, 2022.

**MINUTES OF A CITY OF PINEY POINT VILLAGE REGULAR COUNCIL MEETING
HELD ON MONDAY, MONDAY, NOVEMBER 21, 2022, AT 6:00 P.M. AT CITY HALL
CHAMBERS, 7676 WOODWAY DR., SUITE 300, HOUSTON, TEXAS.**

Councilmembers Present: Mayor Mark Kobelan, Dale Dodds, Aliza Dutt, Michael Herminghaus, Brian Thompson, Joel Bender.

City Representatives Present: Bobby Pennington, City Administrator; David Olson, City Attorney; Annette Arriaga, Director of Planning and Development; Joe Moore, City Engineer; Jim Huguenard, Police Commissioner; Zeb Nash, Fire Commissioner; Angelo Vela, Administrative Assistant.

Call To Order

- Mayor Kobelan declared a quorum and called the meeting to order at 6:04 p.m.

Pledge Of Allegiance

- Council led the Pledge of Allegiance to the United States of America Flag.

Citizens Wishing to Address Council

- Charles Chapman, Resident on Summerhill Ln., raised issue regarding the permit process for residential construction at 11219 Claymore. His primary request is to allow a flagpole between the right-of-way and the building line. It was recommended that the Board of Adjustments review his request. Additionally, Mr. Chapman announced that he would volunteer his time to the city.

Agenda

1. Discussed and considered possible action on the Memorial Villages Police Department monthly report.

- Chief Schultz reported the activities of the police department for the month of October.
- No action was taken.

2. Discussed and considered possible action on the Village Fire Department monthly report.

- Commissioner Nash and Chief Foster reported the activities of the fire department for the month of October. Council was further briefed on recent actions of the fire commission and Foster clarified Council's questions on operational and budgetary matters.
- No action was taken.

➤ Item #8 moved from the original order of posted agenda.

8. Discuss and take possible action on the presentation of the City's Online Geographic Information System (GIS) Mapping.

- Joe Moore presented a proposed online GIS system to display street and drainage infrastructure that will improve operational and research efficiency.
- No action was taken.

- 3. Discuss and take possible action on Ordinance 2022.11.21 confirming the designated appointment of Robert Pennington as City Secretary for the City of Piney Point Village.**
 - Councilmember Thompson made a motion to adopt Ordinance No. 2022.11.21 confirming the designated appointment of Robert Pennington as City Secretary for the City of Piney Point Village. Councilmember Bender seconded the motion and it passed unanimously.
- 4. Discuss and consider possible action on the schedule of Observed Holidays for 2023.**
 - Council discussed the Fourth of July 2023 being observed on Monday July 3, 2022. Councilmember Bender made a motion on the schedule of Observed Holidays for 2023 as presented. Councilmember Dodds seconded the motion and it passed unanimously.
- 5. Discuss and consider possible action on the schedule of City Council Regular Meetings for 2023.**
 - Councilmember Bender requested staff update neighborhood signs to reflect the time change of the regular council meetings to 6:00 p.m. Councilmember Bender made a motion on City Council Regular Meetings for 2023. Councilmember Herminghaus seconded the motion and it passed unanimously.
- 6. Discuss and consider possible action on the Mayor's Monthly Report.**
 - Discussed new tree plantings on Memorial Drive.
 - No action was taken.
- 7. Discuss and consider possible action on the City Administrator's Monthly Report, including but not limited to: Financial Report for October 2022; Update on Specific Use Permit Projects; Oaklawn Drive request to landscape right-of-way; Current projects; Community events; Employee Certification - Luis Campos/Zoonosis.**
 - Report included financial report for October, discussed Oaklawn Drive HOA Improvements, update on drinking fountains, and an update was provided on Beautification Committee recommendations.
 - No action was taken.
- 9. Discuss and take possible action on the costs for an additional concrete point repair on Memorial Drive on the west side of the North Piney Point Road intersection.**
 - Council directed Mayor to approve with no formal action.
- 10. Discuss and take possible action on a contract amendment for professional engineering services on the Tokeneke & Country Squires Improvements Project.**
 - Councilmember Dodds made a motion on a contract amendment for professional engineering services on the Tokeneke & Country Squires Improvements Project. Councilmember Bender seconded the motion and it passed unanimously.

11. Discuss and take possible action on the Engineer's Report.

- No action was taken.

12. Discuss and consider approval of the Minutes for the Regular Session Meeting held on October 24, 2022.

- Councilmember Herminghaus made a motion to approve Minutes of the October Regular Council Meeting, as presented. Councilmember Bender seconded the motion and it passed unanimously.

13. Discuss and consider possible action on any future agenda items, meeting dates, and similar matters.

- No action was taken.

14. EXECUTIVE SESSION: The City Council will adjourn into closed executive session pursuant to Section 551.071 of the Texas Government Code (Consultation with Attorney).

- Executive Session was not needed.

15. Discuss and consider possible action on items discussed in Executive Session.

- There was no Executive Session.

16. Adjourn.

- At 8:23 p.m., Councilmember Bender made a motion to adjourn. Councilmember Thompson seconded the motion and it passed unanimously. The meeting adjourned at 8:23 p.m.

PASSED AND APPROVED this 19th day of December 2022.

Mark Kobelan
Mayor

Robert Pennington
City Administrator / City Secretary

TO: The Honorable Mayor and Members of the City Council

FROM: Bobby Pennington; City Administrator

MEETING DATE: December 19, 2022

SUBJECT: Discuss and consider approval of the Minutes for the Special Session Meeting held on November 28, 2022.

Agenda Item: 13

Informational Summary

The following is the draft of minutes from the special council meeting held on Monday, November 28, 2022

Recommendation

Staff recommends approval of the minutes from the special council meeting held on Monday, November 28, 2022.

MINUTES OF A CITY OF PINEY POINT VILLAGE PUBLIC HEARING AND REGULAR COUNCIL MEETING MONDAY, NOVEMBER 28, 2022, AT 6:00 P.M. AT CITY HALL CHAMBERS, 7676 WOODWAY DR., SUITE 300, HOUSTON, TEXAS.

Councilmembers Present: Mayor Mark Kobelan, Dale Dodds, Aliza Dutt, Michael Herminghaus, Brian Thompson, Joel Bender.

City Representatives Present: Bobby Pennington, City Administrator; David Olson, City Attorney; Annette Arriaga, Director of Planning and Development; Joe Moore, City Engineer; Angelo Vela, Administrative Assistant.

Call To Order

- Mayor Kobelan declared a quorum and called the meeting to order at 6:03 p.m.

Pledge Of Allegiance

- Council led the Pledge of Allegiance to the United States of America Flag.

Citizens Wishing to Address Council

- There were no citizens wishing to address council regarding items that are not on the agenda.

Agenda

1. Public Hearing on the Spring Branch ISD Memorial Drive Elementary Specific Use Permit to allow for the rebuild of Memorial Drive Elementary School.

a) Open Public Hearing on Memorial Drive Elementary Specific Use Permit.

- At 6:05 p.m., Mayor Kobelan opened the public hearing on Memorial Drive Elementary specific use permit.
- Gin Kappler-Peeler of Stantec and Travis Stanford of SBISD provided a summary of the project and an update on the SUP process, including modifications to the proposed plan and proposed parameters of the requested SUP.
- An Vivian Chen inquired about the general size, layout, and gathering space for the school.

b) Close Public Hearing on Memorial Drive Elementary Specific Use Permit.

- After providing the public adequate opportunity for the public to voice their position, Mayor Kobelan closed the public hearing at 6:56 p.m.

2. Discuss and take possible action on Spring Branch ISD Memorial Drive Elementary Specific Use Permit.

- Council considered the following:
 - i. Limiting the maximum sound level at the property line to no more than 55 dBA.
 - ii. Requesting SBISD determine appropriate standards for formatting the electronic display board and clarify terms of “static” and “flashing” to a measurable interval, authorizing the staff and mayor to approve the formatting parameters. A majority agreed to permit the lighted portion of the sign to operate 7 days a week, as proposed.

- iii. It was recommended by the City Attorney that the City and SBISD partner for the use of facility space for public meetings outside the perimeters of the SUP ordinance.
 - iv. It was recommended by the City Attorney that the City and SBISD partner to improve sidewalk and signage outside the perimeters of the SUP ordinance.
- Council agreed to the following enumerated changes:
 - i. Councilmember Dodds requested to reference the size of the drainage pipe within the SUP Ordinance and as a non-substantive change, Council agreed to include such language within Sec. 3, (c.), (iii.), for oversized pipes as reference in the city drainage plan.
 - ii. Sec. 12, as a non-substantive change, is to include language within a separate paragraph, “Additional information for proposed operations for exterior and interior lighting as provided in Exhibit ‘L.’”
 - iii. Include changes to Exhibit “L” for a summer lighting schedule, authorizing staff along with the mayor to approve the exhibit addition. SBISD will propose a summer lighting schedule as an addition to referenced lighting exhibit.
 - iv. Authorizing staff along with the mayor to approve the exhibit addition as to what constitutes “flashing” for purposes of the monument sign and limiting the electronic display to an established level or interval.
- Councilmember Bender made a motion to approve Spring Branch ISD Memorial Drive Elementary Specific Use Permit with the enumerated changes to the ordinance. Councilmember Herminghaus seconded the motion and it passed unanimously.

3. EXECUTIVE SESSION: The City Council will adjourn into closed executive session pursuant to Section 551.071 of the Texas Government Code (Consultation with Attorney), and pursuant to Section 551.074 of the Texas Government Code (Personnel), specifically to deliberate employee salary increases.

- Council adjourned into closed session at 7:43 p.m.
- Council reconvened into open session at 8:35 p.m.

4. Discuss and consider possible action on items discussed in Executive Session.

- No action was taken.

5. Adjourn.

- At 8:36 p.m., Councilmember Bender made a motion to adjourn. Councilmember Thompson seconded the motion and it passed unanimously. The meeting adjourned at 8:36 p.m.

PASSED AND APPROVED this 19th day of December 2022.

Mark Kobelan
Mayor

Robert Pennington
City Administrator / City Secretary