

ORDINANCE NO. 2024- _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, PROPOSING THE CREATION OF A CRIME CONTROL AND PREVENTION DISTRICT; CREATING A TEMPORARY BOARD OF DIRECTORS; APPOINTING PERSONS TO SERVE AS A TEMPORARY DIRECTORS OF THE PROPOSED DISTRICT; AND PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Montgomery, Texas (“City”) is authorized to propose the creation of a Crime Control and Prevention District (“District”) in the City pursuant to the Crime Control and Prevention District Act (the “Act”), codified at Chapter 363 of the Texas Local Government Code; and

WHEREAS, the City Council desires to propose the creation of the District to cover all of the corporate boundaries of the City, as they exist or may be amended; and

WHEREAS, the City Council desires to appoint a temporary board of directors and finds that this Ordinance complies with all other applicable requirements of the Act.

NOW, THEREFORE, BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS:

SECTION 1: The City Council hereby proposes the creation of a Crime Control and Prevention District under the Act. This proposal is subject to a confirmation election held pursuant to the Act.

SECTION 2: The City Council hereby establishes a temporary board of directors of the proposed District. The board shall be designated as the Montgomery Temporary Crime Control and Prevention District Board (“Temporary Board”) and shall be comprised of seven persons who reside within the corporate limits of the City.

SECTION 3: The Temporary Board is established pursuant to the authority granted in Section 363.052 of the Act and the terms set forth therein are hereby adopted to govern the operation and duties of the temporary board.

SECTION 4: The Temporary Board is charged with formulating and approving a two-year crime control plan and a two-year budget plan in compliance with Section 363.061 of the Act. After a majority of the temporary directors have approved the budget plan and crime control plan, a majority of the temporary directors may order that an election authorizing the creation of the District be held.

SECTION 5: The following persons are hereby appointed to serve as temporary directors of the proposed District:

SECTION 7: The temporary board is required to conduct an organization meeting and elect one of its members as presiding officer not later than the seventy-fifth (75th) day after the effective date of this ordinance.

SECTION 8: All provisions of any ordinance in conflict with this ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 9: Should any section, subsection, sentence, clause or phrase of this ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portion of this ordinance shall remain in full force and effect. The City Council hereby declares that if would have passed this ordinance, and each section subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 10: This ordinance shall be effective immediately upon adoption.

PASSED AND APPROVED by the City Council of the City of Montgomery, Texas on the _____ day of _____, 2024.

CITY OF MONTGOMERY, TEXAS

Sara Countryman, Mayor

ATTEST:

Nici Browe, City Secretary

APPROVED AS TO FORM:

Alan P. Petrov, City Attorney