

ORDINANCE 806

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON THE 4TH DAY OF MAY, 2024 IN THE CITY OF EVERMAN FOR THE PURPOSE OF ELECTING THE MAYOR, COUNCILMEMBER PLACE 2, COUNCILMEMBER PLACE 4, AND COUNCILMEMBER PLACE 6; DESIGNATING POLLING PLACES; ORDERING NOTICES OF ELECTION TO BE GIVEN; AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT WITH TARRANT COUNTY ELECTIONS DEPARTMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the general laws and Constitution of the State of Texas and the Charter of the City of Everman, Texas, a General City Election for municipal officers shall be conducted on the first Saturday in May, 2024; and

WHEREAS, the City Council desires to enter into a Joint Election Agreement and Election Services Contract with Tarrant County Elections Department and other political subdivisions to conduct a Joint Election for the benefit of the City and its citizens.

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

SECTION 1. General Election Called and Ordered. A General Election for municipal officers is hereby ordered to be conducted on May 4, 2024, at which election all qualified voters of the City may vote for the purpose of electing a person to serve in the offices of the Mayor, Councilmember for Place 2, Councilmember for Place 4, and Councilmember for Place 6.

SECTION 2. Term of Office. In accordance with the City Charter, the candidate for each office receiving a plurality of all votes cast for the office shall be declared elected to a four-year term beginning May 2024 and ending May 2028 or until a successor is duly elected and qualified.

SECTION 3. Publication and Posting of Notice. The City Secretary is hereby directed to cause notice to be given of said election by publication in the official newspaper of the City of Everman, Texas, not earlier than the 30th day or later than the 10th day before Election Day. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice. Notice shall be posted on the bulletin board used to post notice of City Council meetings no later than the 21st day before election day in accordance with Texas Election Code Section 4.003 and the person posting the notice shall make a record at the time of posting stating the date and place of posting in accordance with the Texas Election Code. Notice

shall also be posted to the City's website in accordance with the Government Code.

SECTION 4. Application for Place on the Ballot. The first day for a candidate to file an application for a place on the ballot with the City Secretary for the General Election is no earlier than January 17, 2024, at 9 a.m., with the last day for filing to be no later than February 16, 2024, at 5:00 p.m., in accordance with Sections 143-006 and 143-007 of the Election Code.

SECTION 5. Joint Election Agreement and Election Services Contract Authorized. The City Manager is hereby authorized to negotiate and execute a Joint Election Agreement and the Election Services Contract (the "Contract") with Tarrant County for the conduct of a Joint Election to be held Saturday, May 4, 2024. The City Manager shall have further authority to approve any minor modifications as may be necessary in the best interest of the City. All expenditures necessary for the conduct of the election, the purchase of materials therefor, and the employment of all election officials are hereby authorized and shall be conducted in accordance with the Contract and the Texas Elections Code.

SECTION 6. Appointment of Election Judge and Alternate Election Judge. The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed by Tarrant County as indicated in the Contract and authorized by Chapter 271 of the Texas Election Code.

SECTION 7. Election Day Polling Place. The Election Day polling place for the general election shall be at any designated polling location in Tarrant County between the hours of 7:00 a.m. and 7:00 p.m. I

SECTION 8. Early Voting: The Tarrant County Elections Administrator, acting pursuant to Texas Government Code section 601.002 ("Elections Administrator") is hereby designated as the Early Voting Clerk for the election, as so indicated in the Contract. Deputy Early Voting Clerks shall be appointed as needed to process early voting mail and to conduct early voting by personal appearance at branch locations. An Early Voting Ballot Board shall be created to process early voting results in accordance with Section 87.001 of the Texas Election Code, The Early Voting Ballot Board shall be members appointed in the manner stated in the agreement and the Presiding Judge and Alternate Presiding Judge of the Early Voting Board shall be the election officials listed in the agreement.

- a. Early voting by personal appearance.** Early voting by personal appearance shall commence April 22, 2024 and shall continue until April 30, 2024 at the locations established by Tarrant County on the dates and times as follows or as may be amended by Tarrant County:

April 22 – April 26	Monday – Friday	8:00 a.m. – 5:00 p.m.
April 27	Saturday	7:00 a.m. – 7:00 p.m.
April 28	Sunday	10:00 a.m. – 4:00 p.m.

April 29 – April 30 Monday – Tuesday 7:00 a.m. – 7:00 p.m.

The main early voting location shall be at:

Tarrant County Elections
2700 Premier Street
Fort Worth, Texas 76111
electionsinfo@tarrantcountytx.gov
www.tarrantcounty.com
817-831-8683

Early voting location in Everman shall be located at:

b. Early voting by mail. The Elections Administrator shall be responsible for the Early Voting applications and ballots. Applications for ballot by mail shall be mailed to:

Mailing address:

Tarrant County Elections
Post Office Box 961011
Fort Worth, Texas 76161-0011
Attention: Early Voting Clerk

Physical address:

Tarrant County Elections
2700 Premier Street
Fort Worth, Texas 76111-3011

Telephone: 817-831-8683

Email address: votebymail@tarrantcountytx.gov

Applications for Ballots by Mail (ABBM)s must be received no later than the close of business on April 23, 2024.

Federal Post Card Applications (FPCAs) must be received no later than the close of business on April 23, 2024.

SECTION 9. Runoff Election. Should a run-off election become necessary, the Tarrant County Elections Department will conduct the run-off election on June 15, 2024. In the event any candidate for any one of said offices fails to receive a plurality of all votes cast for all the candidates for such office, a run-off election shall be called as provided for by the agreement. The polling place on Election Day for the runoff election shall be at the same polling places as those of the original election and the hours of voting shall be

between 7:00 a.m. and 7:00 p.m. Early voting by personal appearance shall be held at the same locations as set out in Section 8 on the dates and times as follows or as may be amended by Tarrant County:

June 3 – June 7	Monday – Friday	8:00 a.m. – 5:00 p.m.
June 8	Saturday -	7:00 a.m. – 7:00 p.m.
June 9	Sunday -	10:00 a.m. – 4:00 p.m.
June 10 – June 11	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

SECTION 9. Necessary Actions. The City Manager and the City Secretary, in consultation with the City Attorney as may be necessary, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Elections Code and the Contract in conducting the election, whether or not expressly authorized herein. The City Secretary is also hereby authorized to appoint person(s) as appropriate to perform duties relating to this election in her absence, including, but not limited to, acceptance of candidate filings, in accordance with the Texas Election Code.

SECTION 10. All provisions of the Code of Ordinances of the City of Everman, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 11. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 12. This ordinance shall take effect immediately from and after its passage and publication of the caption, as the law and Charter in such case provide.

IT IS ACCORDINGLY SO ORDAINED.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS ON THIS THE _____ DAY OF FEBRUARY, 2024.

APPROVED:

Ray Richardson, Mayor

ATTEST:

Mindi Parks, City Secretary

APPROVED AS TO FORM:

Lan'Tiqua Burks, Asst. City Attorney
4856-1744-9889, v. 1