

CITY OF EVERMAN

ORDINANCE NO. 828

AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS AUTHORIZING AND CALLING FOR THE MAY 3, 2025 SPECIAL MUNICIPAL ELECTION FOR THE PURPOSE OF CONSIDERING PROPOSED AMENDMENTS TO THE HOME RULE CITY CHARTER OF THE CITY OF EVERMAN, TEXAS; AUTHORIZING A JOINT ELECTION WITH OTHER TARRANT COUNTY POLITICAL SUBDIVISIONS; AUTHORIZING A CONTRACT FOR ELECTION SERVICES WITH TARRANT COUNTY; PROVIDING A RUNOFF DATE; PROVIDING AN EFFECTIVE DATE.

Whereas, the City Council has received a report from the 2024-2025 City of Everman Charter Review Commission recommending to the City Council proposed amendments to the Home Rule Charter for the City of Everman; and

Whereas, the City Council has reviewed the report of the Commission and the Home Rule Charter of the City of Everman and has determined that certain amendments are in the best interest of the citizens or are necessary to comply with state law; and

Whereas, the City Council, after due consideration, desires to conduct a special election on proposed amendments to the Home Rule Charter on the uniform election date of May 3, 2025;

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

Section 1. A special municipal election is hereby ordered to be held May 3, 2025 for the hereinafter proposed amendments to the Charter of the City of Everman as set forth in Exhibit "A," attached hereto and made a part of this Ordinance for all purposes, to be submitted to the qualified voters of the City for their approval or disapproval. Such election shall be held at the Daggs Building, 100 North Race Street, Everman, Texas on the 3rd day of May 2025 from 7:00 a.m. until 7:00 p.m.

Section 2. The election will be conducted jointly with other political subdivisions in Tarrant County on May 3, 2025, pursuant to Chapter 31 and 271, Texas Election Code and Joint Election Agreement and Election Services Contract by and between the City of Everman, Tarrant County, and other political subdivisions (the "Joint Elections Agreement").

Section 3. The election precinct and polling place of said election shall be as follows:

City Voting Precinct

Daggs Building
100 North Race Street
Everman, TX 76140

Election polls shall open on Election Day at 7:00 a.m. and close at 7:00 p.m.

Section 4. The following provisions apply to early voting:

A. Early Voting by Personal Appearance.

Early voting by personal appearance will be held jointly with other Tarrant County public entities at the Tarrant County Main Early Voting Sites beginning Monday April 22, 2025 and continuing through Tuesday, April 29, 2025 at the locations and times set forth below:

Main Early Voting Polling Sites

Forest Hill Civic Center
2901 Wichita Street
Forest Hill, Texas 76140

Dates and Times for Early Voting by Personal Appearance

Early voting hours shall be:

Monday, April 22, 2025 through Friday, April 25, 2025; 8:00 a.m. – 5:00 p.m.
Saturday, April 26, 2025 from 7:00 a.m. – 7:00 p.m.
Sunday, April 27, 2025 from 10:00 a.m. – 4:00 p.m.
Monday, April 28, 2025 through Tuesday, April 29, 2025 from 7:00 a.m. – 7:00 p.m.

B. Early Voting by Mail:

The Tarrant County Elections Administrator (“Elections Administrator”) is hereby designated as the Early Voting Clerk for the Special Election. Applications for early voting by mail may be delivered to the Elections Administrator at the following address:

Mailing Address:
Tarrant County Elections
P.O. Box 961011
Fort Worth, Texas 76161-0011

Express Courier Delivery:
Tarrant County Elections
2700 Premier Street
Fort Worth, Texas 76111-3011

Phone : 817-831-8683
Fax : 817-850-2344

Email : votebymail@tarrantcountytx.gov

Website: <https://www.tarrantcountytx.gov/en/elections/voting-by-mail.html>

Applications for Ballots by Mail (ABBM)s must be received no later than the close of business on: April 22, 2025 by 5:00 p.m.

Federal Post Card Applications (FPCAs) must be received no later than the close of business on: April 22, 2025 by 5:00 p.m.

C. Early voting both by personal appearance and by mail shall be canvassed by the Early Voting Ballot Board established by Tarrant County under the terms of the Joint Elections Agreement and Section 87.001 of the Texas Election Code.

Section 5: Appointment of Election Judge and Alternate Election Judge: The Presiding Judge and Alternate Presiding Judge shall be appointed by Tarrant County as authorized by Chapter 271 of the Election Code.

Section 6: The election shall be held in accordance with the Constitution of the State of Texas and the Election Code, and all resident qualified voters of the City shall be eligible to vote at the election.

Section 7. The City Manager is hereby authorized to negotiate and execute a contract for the joint election and election services with Tarrant County.

Section 8. The City Secretary is hereby authorized and directed to file, publish, and/or post, in the time and manner prescribed by law, all notices required to be so filed, published and/or posted in connection with this election.

Section 9. Each proposition submitted must contain only one subject, and the ballot shall be prepared in a manner that the voters may vote “for” or “against” any amendment or amendments without voting “for” or “against” all of said amendments. Each such proposed amendment, if approved by the majority of the qualified voters voting at said election, shall become a part of the Charter of the City of Everman, Texas.

Section 10. The ballot propositions for the proposed amendments to the Charter are as follows:

Proposition A

Shall Article III, Section 3.02 of the Home Rule Charter be amended to provide monthly compensation for the Mayor of \$800.00 per month and monthly compensation for each City Council member of \$300.00 per month?

Proposition B

Shall Article III, Section 3.08 of the Home Rule Charter be amended at subsection C to reflect that a special meeting of the City Council may be called by the City Secretary on the written request of the Mayor or any three City Council members?

Proposition C

Shall Article IV, Section 4.05 of the Home Rule Charter be amended to provide that any person who has been finally convicted of a felony for which the person has not been pardoned or had the resulting disabilities removed shall not be eligible to run for or qualified to hold office on the City Council?

Proposition D

Shall Article VIII, Section 8.01 of the Home Rule Charter be amended at subsection B to clarify that all Board and Commission members are appointed for a two-year term, with no term limits, subject to the City Council’s discretion to remove any member at its discretion at any time?

Proposition E

Shall Article XII, Section 12.10 of the Home Rule Charter be amended to prohibit acceptance of any gift, favor, privilege, or employment valued at \$50 or more, excluding cash, gift cards and negotiable instruments, which cannot be accepted regardless of the value?

Section 11. This Ordinance is effective from and after its passage and approval as may be required by law, by the City Charter or by ordinance. The City Manager is hereby authorized to negotiate and execute a contract for the joint election and election services with Tarrant County.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TARRANT COUNTY, TEXAS THIS THE 11TH DAY OF FEBRUARY, 2025.

Ray Richardson, Mayor

ATTEST:

APPROVED AS TO FORM:

Mindi Parks
City Secretary

Victoria Thomas
City Attorney

EXHIBIT A

ARTICLE III. THE CITY COUNCIL

Section 3.02 Compensation and Expense Reimbursement (PROPOSITION A)

“As monthly compensation, the Mayor will receive the sum of two hundred and fifty (\$250) eight hundred (\$800) dollars and each member of the City Council shall receive the sum of fifty (\$50) three hundred (\$300) dollars for each regularly scheduled City Council meeting duly attended each month. In addition to the above, the City shall, upon receiving receipts and other appropriate documentation for authorized expenditures, reimburse the members of the City Council for other necessary expenses incurred by them in the performance of their official duties.”

Section 3.08 Meetings of the City Council (PROPOSITION B)

C: “Special meetings may be called by the City Secretary on the written request of the Mayor or any three City Council members. All City Council meetings shall be held at City Hall or at such a place that will permit the attendance of the general public.”

ARTICLE IV. MUNICIPAL ELECTION

Section 4.05: Qualifications for Candidacy (PROPOSITION C)

“Each member of the City Council, including the Mayor, shall be at least 21 years old on the date of the election, a qualified voter of the City, and shall have resided in the City for one (1) year before the date of election. The Mayor or any other member of the City Council who ceases to reside in the City shall immediately forfeit office. In addition, any person who is delinquent in payment of taxes to the City shall not be qualified to hold office on the City Council. Any person who is not compliant with city code shall not be qualified to hold office on the City Council. Any person who has been finally convicted of with a felony for which the person has not been pardoned or had the resulting disabilities removed conviction or conviction of an offense involving moral turpitude shall not be eligible to run for or qualified to hold office on the City Council. Persons holding an elective City position whose position is not then currently up for election must first resign their current position before being eligible to file for another City elective position.”

ARTICLE VIII. BOARDS AND COMMISSIONS

Section 8.01 Qualifications for City Board and Commission Members (PROPOSITION D)

B: “The term of office for a member shall not exceed~~Members will for a term of no more than~~ two (2) years from the date of appointment. There are no term

limits. Qualified members ~~persons~~ can ~~still~~ be removed or re-appointed at the City Council's discretion at any time.”

ARTICLE XII GENERAL PROVISIONS

Section 12.10 No Officer or Employee to Accept Gifts (PROPOSITION E)

“No officer or employee of the City of Everman shall ever accept, directly or indirectly, any gift, favor, privilege, or employment valued ~~over twenty-five (25)~~ at fifty (\$50) dollars or more from any firm, individual, or corporation doing business or proposing to do business with the City of Everman, excluding cash, gift cards, and negotiable instruments, which cannot be accepted regardless of value. Any officer or employee of the City who violates the provisions of this section shall be guilty of a misdemeanor and may be punished by any fine that may be prescribed by Ordinance for this offense and shall forthwith be removed from office. This section does not prohibit the giving of gifts where the donor and recipient are kin by blood or marriage.”