

ORDINANCE NO. 04-2021-424

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, CALLING FOR AND ORDERING A SPECIAL ELECTION TO FILL A VACANCY TO BE HELD ON JUNE 19, 2021 FOR THE PURPOSE OF ELECTING A COUNCIL MEMBER TO PLACE 6 FOR THE UNEXPIRED TERM ENDING MAY 2023; APPOINTING AN ELECTION ADMINISTRATOR, VOTING CLERK, ELECTION JUDGE AND ALTERNATE ELECTION JUDGE; DESIGNATING THE LOCATION OF POLLING PLACE; PROVIDING FOR DATES; PRESCRIBING THE HOURS; PROVIDING FOR AN EARLY VOTING BALLOT BOARD; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Crowley, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Crowley Charter provides that City Elections shall be held in accordance with the laws of the State of Texas; and

WHEREAS, pursuant to Article XI, Section 11, of the Texas Constitution and Article III The City Council, Section 3.06 Vacancies and Forfeiture of Office, of the City of Crowley's Home Rule Charter, stating "Any city, whether home rule or general law, that has increased its terms of office to three (3) years or four (4) years must fill vacancies by a majority vote at a Special Election within 120 days after the vacancy occurs."; and

WHEREAS, pursuant to the City Charter as amended in 2013 the offices of the Mayor and Council Members are for 3-year terms, and

WHEREAS, the City Council of Crowley hereby calls a Special Election to fill a Vacancy for the purpose of electing a Council Member to Place 6 for the remainder of the term expiring May 2023; and

WHEREAS, it is the intention of the City Council to designate polling places for the election, to appoint the necessary election officers, and to establish and set for the procedures for conducting the election; and

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

Section 1. Special Election Called. An election is hereby called to elect for the position of City Council Place 6 to serve the remainder of the three (3) year term expiring May 2023 or until their successors are duly elected and qualified. The election shall be held on June 19, 2021 between the hours of 7:00 a.m. and 7:00 p.m. at locations set forth in the Notice of Election.

Section 2. Election Agreements. The Mayor is authorized to enter into election agreements as authorized in the Texas Election Code. In the event of a conflict between this ordinance and the Agreement(s), the Agreement(s) shall control.

Section 3. Application for Place on Ballot. Qualified persons may file as candidates for the Special Election by filing applications in the office of the City Secretary, Monday- Friday from 8:00 a.m. to 5:00 p.m., beginning April 16, 2021 and ending May 10, 2021.

Section 4. Appointment of Election Administrator and Voting Clerk. For both Tarrant County and Johnson County Voters, Carol Konhauser, City Secretary, ("Elections Administrator") is hereby designated as the Voting Clerk for both Early Voting and Election Day Voting, and she may appoint the necessary deputy clerks as required.

Section 5. Appointment of Election Judge and Alternate Election Judge. The following named individuals are hereby appointed to serve as election officer for the Election and Early Voting Ballot Board for the June 16, 2021, Special Election:

Presiding Election Judge
Alternate Presiding Judge/Clerk

Theresa Freihage
Erin Hoffman and Santa Gutierrez

Section 6. Early Voting.

a. **Early voting by personal appearance.** The location for early voting shall be, for both Tarrant County and Johnson County, City of Crowley voters:

Crouch Event Center in Bicentennial Park
900 E Glendale St
Crowley TX 76036

Early voting by personal appearance shall commence June 7, 2021 and end on June 15, 2021 during the below listed hours.

Monday, June 7, 2021	8:00 a.m. until 5:00 p.m.
Tuesday, June 8, 2021	8:00 a.m. until 5:00 p.m.
Wednesday, June 9, 2021	8:00 a.m. until 5:00 p.m.
Thursday, June 10, 2021	8:00 a.m. until 5:00 p.m.
Friday, June 11, 2021	8:00 a.m. until 5:00 p.m.
Monday, June 14, 2021	7:00 a.m. until 7:00 p.m.
Tuesday, June 15, 2021	7:00 a.m. until 7:00 p.m.

b. **Early voting - *Ballot to be Voted by Mail.*** Applications for ballot to be voted by mail may be delivered to the respective County Elections Administrator by **US Postal Service, common or contract carrier, telephonic facsimile machine, or email**, not later than close of business on Tuesday, **June 8, 2021**. Applications for ballot to be voted by mail may also be delivered **in person** to the address listed below by the end of business on Friday, **June 4, 2021**.

Tarrant County (USPS):
Tarrant County Elections
P.O Box 961011
Fort Worth, TX 76161

(Express Courier)
Tarrant County Elections
2700 Premier St
Fort Worth, TX 76111

Tarrant County Fax: (817) 831-6118
Tarrant County Email: votebymail@tarrantcounty.com

Johnson County
Johnson County Elections Office
103 S Walnut St
Cleburne TX 76033

Johnson County Email: vote@johnsoncountytexas.org

Ballots to be voted by mail will be mailed to voters not later than the seventh (7) calendar day after verification by the voting clerk or the date the ballots become available for mailing, whichever occurs later.

The voting clerk must physically receive marked ballots by the last mail delivery on Election Day which is Saturday, June 19, 2021. If the ballot is being mailed from outside of the US, the ballot must be received by the last mail delivery on the fifth (5th) calendar day following the election which would be Thursday, June 24, 2021. Marked ballots may also be delivered in person **ONLY** on Election Day, June 19, 2021, while polls are open.

c. **Early voting Ballot Board.** Early voting, both by personal appearance and by mail shall be canvassed by the Early Voting Ballot Board which is hereby created. The Presiding Election Judge and Alternate Presiding Election Judge, appointed herein, shall serve as the presiding officer and alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board.

Section 7. Runoff Election. In accordance with Section 2.015 of the Texas Election Code, in the event no candidate receives a majority of votes for an office, there shall be a runoff election held on, Saturday, July 31, 2021. The polling place on Election Day for the runoff election shall be at the same polling place as 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 location set out in Section 6, beginning on July 19, 2021 and continuing through July 27, 2021 at the times listed below.

Monday, July 19, 2021	8:00 a.m. until 5:00 p.m.
Tuesday, July 20, 2021	8:00 a.m. until 5:00 p.m.
Wednesday, July 21, 2021	8:00 a.m. until 5:00 p.m.
Thursday, July 22, 2021	8:00 a.m. until 5:00 p.m.
Friday, July 23, 2021	8:00 a.m. until 5:00 p.m.
Monday, July 26, 2021	7:00 a.m. until 7:00 p.m.
Tuesday, July 27, 2021	7:00 a.m. until 7:00 p.m.

Section 8. Method of Voting. The City Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct the Election, in accordance with this Ordinance. Early Voting by personal appearance and Election Day voting shall be conducted by using the M100 Optical Scan Voting System or AutoMark Accessibility Unit and shall be conducted in accordance with the Election Code.

Section 9. Governing Law and Qualified Voters. The election shall be held in accordance with the Constitution of the State of Texas and the Texas Election Code, and all resident qualified voters of the City shall be eligible to vote at the election.

Section 10. Publication and Posting of Notice of Election. Notice of the election shall be given as required by the Texas Election Code.

Section 11. Delivery of Returns. Immediately after the closing of the polls on the day of the election, the election officers named in this ordinance shall make and deliver the returns of the election in accordance with the Texas Election Code.

Section 12. Submissions to the Texas Secretary of State or United States Justice Department. The City Secretary of the City of Crowley or her designee is authorized to make such submissions as are necessary to the Texas Secretary of State or the United States Justice Department, if any, to seek pre-clearance for any changes in voting practices.

Section 13. Necessary Actions. The Mayor and the City Secretary of the City, in consultation with the City Attorney are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Section 14. Effective Date. This ordinance shall be effective upon its adoption.


PASSED AND APPROVED ON THIS 15th **DAY OF** April, 2021.

CITY OF CROWLEY, TEXAS




Billy P. Davis
MAYOR

ATTEST:



Carol C. Konhauser
CITY SECRETARY

APPROVED AS TO FORM:



Rob Allibon
CITY ATTORNEY