

ORDINANCE NO: 2024-02B

AN ORDINANCE OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, CALLING FOR A GENERAL ELECTION FOR THE OFFICES OF MAYOR, ALDERMAN PLACE 1, AND ALDERMAN PLACE 2; SUCH GENERAL ELECTION TO BE HELD ON SATURDAY MAY 4, 2024; ESTABLISHING PROCEDURES FOR THE ELECTION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Dalworthington Gardens, Texas (“City”) is a Type A General Law Municipality located in Tarrant County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the general election for Mayor and Aldermen of the City of Dalworthington Gardens is required to be held on May 4, 2024, a uniform election date, at which time the voters will elect persons to fill the offices of Mayor, Alderman Place 1 and Alderman Place 2; and

WHEREAS, the City will enter into a Joint Election Agreement and Contract for Election Services with Tarrant County (the “Agreement”);

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, THAT:

**Section 1.
General Election Called**

An election is hereby called to elect the offices of Mayor, Alderman Place 1, and Alderman Place 2 to serve from May 2024 until May 2026 or until their successors are duly elected and qualified. The election shall be held on May 4, 2024 between the hours of 7:00 a.m. and 7:00 p.m. at 2600 Roosevelt, Dalworthington Gardens, Texas 76016 and locations set forth in the Agreement. The City shall constitute a single precinct for said election.

**Section 2.
Joint Election Agreement Approved**

Prior to the election, the City anticipates that it will enter into a joint election agreement and contract for election services with Tarrant County, conducted under the authority of Chapter 271 of the Election Code (the “Agreement”).

**Section 3.
Application for Place on Ballot for General Election**

Qualified persons may file as candidates for the General Election by filing applications in the office of the City Secretary located at 2600 Roosevelt, Texas 76016 from 8:30 a.m. to 5:00 p.m., on all regular business days from January 12, 2024 through February 16, 2024.

**Section 4.
Early Voting**

a. Early voting by personal appearance. Early voting by personal appearance shall commence April 22, 2024 and shall continue until April 30, 2024. An early voting site shall be located at Bob Duncan Center, 2800 S. Center Street, Arlington, TX 76014. Specific days, times and locations shall be designated in the Agreement and shall be in compliance with state law. On at least two weekdays during the early voting period, the location for early voting shall be open for at least twelve (12) hours as mandated by state law.

b. Early voting by mail. The Tarrant County Election Administrator (“Elections Administrator”) is hereby designated as Early Voting Clerk for the general election, as indicated in the Agreement. Applications for early voting by mail may be delivered to the Elections Administrator at the following address: Early Voting Clerk, 2700 Premier Street, Fort Worth, Texas 76111, FAX: 817-831-6118, email: votebymail@tarrantcounty.com, not later than the close of business on April 23, 2024. Early voting by ballots shall be mailed to the Elections Administrator at the same address. The City Secretary is directed to forward applications and ballots she may receive to the Elections Administrator, as provided in this Agreement.

c. Early voting by 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 election judge, alternate election judge, and ballot board will be appointed by the Elections Administrator, as permitted by law. The presiding judge shall appoint elections clerks as may be necessary for the proper conduct of the election. The election judge, or the alternate election judge in the absence of the election judge, and the election clerks shall constitute the early voting ballot board to process early voting results from the election. The election judge, and alternate election judge, and election clerks shall be qualified voters of the City. To the extent required by law, those persons designated by Tarrant County as election officers and clerks are hereby appointed by the City.

**Section 5.
Method of Voting**

Early voting and Election Day voting shall be conducted by Tarrant County in accordance with the Agreement. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Agreement, and applicable law. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary pursuant to state law. Notice of the time and place for such drawing shall be given in accordance with the Texas Election Code.

**Section 6.
Governing Law and Qualified Voters**

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

**Section 7.
Publication and Posting of Notice of Election**

Notice of said elections shall be published in English, Spanish and in Vietnamese, at least once, not earlier than the 30th day and later than the 10th day before Election Day in a newspaper published in the City. A copy of the Notice of Election shall also be posted on the city's board used for posting notices of City meetings not later than the 21st day before Election Day.

**Section 8.
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 Texas Election Code in carrying out and conducting the elections, whether or not expressly authorized herein.

**Section 9.
Severability Clause**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this order are severable and if any phrase, clause, sentence, paragraph, or section shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this order, since the same would have been enacted by the City Council without the incorporation in this order of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

**Section 10.
Effective Date**

This ordinance shall be effective upon its adoption.

PASSED AND APPROVED this 15th day of February, 2024.

**CITY OF DALWORTHINGTON
GARDENS, TEXAS**

Laura Bianco

Laura Bianco, Mayor

ATTEST:

Sandra Ma

Sandra Ma, City Secretary

