

RESOLUTION NO. RE-4236-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2024 FOR PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF MANSFIELD THE FOLLOWING MEASURE; LEGALIZING THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION ONLY; APPOINTING EARLY VOTING CLERK AND DESIGNATING MAIN EARLY VOTING POLLING PLACE; ESTABLISHING THE TIME, MANNER AND PROCEEDURES FOR THAT ELECTION; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE

WHEREAS, The City of Mansfield (City) is a home rule municipality operating under and governed by the laws and Constitution of the State of Texas; and,

WHEREAS, pursuant to and consistent with Chapter 501 of the Texas Election Code, the City of Mansfield, Texas, received a petition requesting a local option election to be held to consider the legal sale of all alcoholic beverages for off-premise consumption only; and,

WHEREAS, pursuant to Sections 501.301 and 501.109 of the Texas Election Code, the City Secretary did cause the petition submitted to be verified through Tarrant County Election, and determined the petition contained the requisite number of signatures of eligible voters of the City; and,

WHEREAS, the city council must order an election at its next regular session occurring 30 days on or after the petition is filed with the city secretary; and,

WHEREAS, the petition was filed with the city secretary on July 1, 2024; and,

WHEREAS, state law has established the 1st Tuesday after the 1st Monday in November as a uniform election date for general and special elections; and,

WHEREAS, Section 3.005(c) of the Texas Election Code requires the City to call the election at least 78 days before the uniform election date; and,

WHEREAS, by this resolution, it is the intention of the City Council to order a 2024 special election, appointing early voting clerk, designating main early voting polling locations; and establishing and setting forth procedures for conducting the election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:

**SECTION 1.
Special Election Called**

A special election shall be held in the City of Mansfield, Texas, on Tuesday, November 5, 2024, for the purpose of submitting to the qualified voters of the City of Mansfield a measure legalizing:

The legal sale of all alcoholic beverages for off-premise consumption only.

The official ballot to be used in the special election shall be prepared in accordance with Sections 52.072 and 501.035 of the Texas Election Code. The ballots shall permit the voters to vote “For” or “Against” the measure.

SECTION 2.

Agreement with Tarrant, Johnson and Ellis Counties

Prior to the election, the City anticipates that it will enter into an agreement for election services with Tarrant County, Johnson County and Ellis County (the “Agreement”). The Mayor, City Manager or their designee is authorized to execute the joint agreement.

SECTION 3.

Election Day Polling Places

- A. Election Day Polling Place – Tarrant County:** Precinct 1 shall be comprised of all portions of Mansfield located in Tarrant County. The polling places for Election Day in the City of Mansfield, Precinct 1, Tarrant County shall be as follows as part of the countywide polling plan, with additional polling locations throughout Tarrant County:

Dr. Jim Vaszauskas Center for the Performing Arts
1110 West Debbie Lane
Mansfield, Texas 76063

J.L. Boren Elementary School
1401 Country Club Drive
Mansfield, Texas 76063

Mansfield Sub-Courthouse
1100 East Broad Street
Mansfield, Texas 76063

Vernon Newsom Stadium
3700 East Broad Street
Mansfield, Texas 76063

Bethlehem Baptist Church
1188 West Broad Street
Mansfield, Texas 76063

Brooks Wester Middle School
1520 North Walnut Creek
Mansfield, Texas 76063

Linda Jobe Middle School
2491 Gertie Barrett Road
Mansfield, Texas 76063

Roberta Tipps Steam Academy
3001 North Walnut Creek drive
Mansfield, Texas 76063

- B. Election Day Polling Place – Johnson County:** Precinct 2 shall be comprised of all portions of Mansfield located in Johnson County. The polling places for Election Day in City of Mansfield, Precinct 2, Johnson County shall be as follows:

First Baptist Church of Lillian
10552 CR 519
Lillian, TX 76061

New Hope Community Church
11965 CR 506
Venus, TX 76084

Countryside Baptist Church
1390 S. Main St.
Mansfield, TX 76063

- C. Election Day Polling Place – Ellis County:** Precinct 3 shall be comprised of all portions of Mansfield located in Ellis County. The polling place for Election Day in the City of Mansfield, Precinct 3, Ellis County shall be as follows as part of the countywide polling plan, with additional polling locations throughout Ellis County:

~~Ellis County Woman's Building (Davis Hall)~~
~~407 W. Jefferson St.~~
~~Waxahachie, TX 75119~~

Ellis County Sub-Courthouse (Conf. Room)
207 S. Sonoma Trail
Ennis, TX 75119

Midlothian Conference Center (Ballrooms)
1 Community Circle Dr.
Midlothian, TX 76065

Palmer ISD Annex Bldg. (Portable Bldg.)
303 Bulldog Way
Palmer, TX 75152

Red Oak Municipal Center (Ballrooms)
200 Lakeview Pkwy
Red Oak, TX 75154

SECTION 4.
Appointment of Election Judges and Alternate Election Judges

Election Judges for the special election shall be appointed by Tarrant County, Johnson County, and Ellis County as authorized by Chapter 271, of the Texas Election Code.

SECTION 5.
Early Voting and Ballots by Mail

A. Early Voting – Tarrant County: Clinton Ludwig, Elections Administrator, is hereby designated as the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

Early voting by personal appearance shall be conducted in accordance with the Texas Election Code. Tarrant County Elections Center, 2700 Premier St., Fort Worth, Texas 76033 is hereby designated as the Main Early Voting location. Early voting by personal appearance shall be as follows:

October 21 – 25	Monday – Friday	8:00 a.m. – 5:00 p.m.
October 26	Saturday	7:00 a.m. – 7:00 p.m.
October 27	Sunday	10:00 a.m. – 4:00 p.m.
October 28 – November 1	Monday – Friday	7:00 a.m. – 7:00 p.m.

Additional early voting will be conducted throughout Tarrant County as established by the Agreement. If there is any discrepancy between this Resolution and the Agreement as to early voting locations or times, the Agreement shall control.

Early voting both by personal appearance and by mail for Tarrant County shall be by electronic voting machines and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the 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 for the election. The Central Count/Ballot Board Judge and additional personnel shall be appointed as stated in the Agreement

Voting by Mail – Applications for a ballot by mail may be delivered to the Early Voting Clerk for each county no later than the close of business on October 25, 2024. Early Voting ballots for Tarrant County shall be mailed to Clinton Ludwig, Early Voting Clerk, P.O. Box 961011, Fort

Worth, Texas, 76161-0011. The City Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the agreement.

- B. Early Voting – Johnson County:** Joyce Adams, Interim Elections Administrator, is hereby designated as the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

Early Voting by personal appearance shall be conducted in accordance with the Texas Election Code. Johnson County Elections, 103 S. Walnut St., Cleburne, TX 76033 is hereby designated as the Main Early Voting location. Early voting by personal appearance shall be as follows:

October 21 – 25	Monday – Friday	8:00 a.m. – 5:00 p.m.
October 26	Saturday	7:00 a.m. – 7:00 p.m.
October 27	Sunday	10:00 a.m. – 4:00 p.m.
October 28 – November 1	Monday – Friday	7:00 a.m. – 7:00 p.m.

Additional early voting will be conducted throughout Johnson County as established by the Agreement. If there is any discrepancy between this Resolution and the Agreement as to early voting locations or times, the Agreement shall control.

Early voting both by personal appearance and by mail for Johnson County shall be by paper ballot and an ES&S Express Vote Marking Device approved by the Secretary of State in accordance with the Texas Election Code by HAVA compliance and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the 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 for the election.

Voting by Mail – Applications for a ballot by mail may be delivered to the Early Voting Clerk for each county no later than the close of business on October 25, 2024. Early Voting ballots for Johnson County shall be mailed to Joyce Adams, Early Voting Clerk, P.O. Box 895, Cleburne, Texas, 76033. The City Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the agreement.

- C. Early Voting – Ellis County:** Jana Onyon, Elections Administrator, is hereby designated as the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Agreement.

Early Voting by personal appearance shall be conducted in accordance with the Texas Election Code. Ellis County Woman’s Building (Davis Hall), 407 W. Jefferson St., Waxahachie, TX 75167 is hereby designated as the Main Early Voting Location. Early voting by personal appearance shall be as follows:

October 21 – 25	Monday – Friday	8:00 a.m. – 6:00 p.m.
October 26	Saturday	7:00 a.m. – 7:00 p.m.
October 27	Sunday	1:00 p.m. – 7:00 p.m.

October 28 – November 1 Monday – Friday 7:00 a.m. – 7:00 p.m.

Additional early voting will be conducted throughout Ellis County as established by the Agreement. If there is any discrepancy between this Resolution and the Agreement as to early voting locations or times, the Agreement shall control.

Early voting both by personal appearance and by mail for Ellis County shall be by paper ballot and an ES&S Express Vote Marking Device approved by the Secretary of State in accordance with the Texas Election Code by HAVA compliance and shall be canvassed by Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the 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 for the election.

Voting by Mail – Applications for a ballot by mail may be delivered to the Early Voting Clerk for each county no later than the close of business on October 25, 2024. Early Voting ballots for Ellis County shall be mailed to Jana Onyon, Early Voting Clerk, 204 E. Jefferson Street, Waxahachie, Texas, 75165. The City Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the agreement.

SECTION 6.

METHOD OF VOTING: The Hart InterCivic Verity System v. 2.3.1 shall be used for voting by personal appearance on Election Day and the Hart InterCivic Verity System v. 2.3.1 for early voting by personal appearance and Election for the Tarrant County portion of the election. The City Council hereby adopts the Hart InterCivic Verity System v. 2.3.1 for early voting and Election Day. 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 Election Code.

The ES&S Express Vote Marking Device shall be used for voting by personal appearance on Early Voting by personal appearance and Election Day for the Johnson County portion of the election. The City Council hereby adopts the ES&S Express Vote Marking Device for early voting and Election Day. 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 Election Code.

The ES&S Express Vote Marking Device shall be used for voting by personal appearance on Early Voting by personal appearance and Election Day for the Ellis County portion of the election. The City Council hereby adopts the ES&S Express Vote Marking Device for early voting and Election Day. 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 Election Code.

SECTION 7.

GOVERNING LAW AND QUALIFIED VOTERS: The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

SECTION 8.

PUBLICATION AND POSTING OF NOTICE OF ELECTION: Notice of the election shall be published in accordance with Chapter 4 of the Election Code.

SECTION 9.

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 10.

It is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 11.

This Resolution shall be effective from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD THIS 12TH DAY OF AUGUST, 2024.



Michael A. Evans, Sr.

Michael Evans, Mayor

ATTEST:

Susana Marin

Susana Marin, City Secretary