

**CITY OF GODLEY, TEXAS
ORDINANCE NO. 01-2024-108**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GODLEY, TEXAS, AUTHORIZING AND CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 4, 2024 AND, IF REQUIRED, A RUNOFF ELECTION ON JUNE 15, 2024, FOR THE PURPOSE OF ELECTING ONE CITY COUNCIL MEMBER (ALDERMAN) TO THE CITY COUNCIL AND THE OFFICE OF THE MAYOR; ORDERING A SPECIAL LOCAL OPTION ELECTION TO BE HELD ON MAY 4, 2024 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF GODLEY THE FOLLOWING ISSUE: THE SALE OF ALL ALCOHOLIC BEVERAGES, INCLUDING MIXED BEVERAGES, IN THE CITY OF GODLEY; PRESCRIBING THE TIME AND DESIGNATING THE LOCATION(S) AND MANNER OF CONDUCTING THE ELECTION; AUTHORIZING THE METHOD OF VOTING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Godley, Texas (“City”), is a Type A general law municipality located in Johnson County, Texas, 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, a vacancy exists for the Office of the Mayor and one City Council Member (Alderman) position; and

WHEREAS, Section 41.001 of the Texas Election Code (the “Code”) specifies that the first Saturday in May shall be a “uniform election date” and that a general election may be held on such day; and

WHEREAS, state law requires that a general election be held; and

WHEREAS, the regular election for City Council members and Office of the Mayor of the City is required to be held on May 4, 2024, at which time the voters will elect persons to fill the offices of City Council (Alderman) and Mayor; and

WHEREAS, a petition for Local Option Election (“Petition”) was presented to the City Secretary on December 21, 2023, and the City Secretary verified that the Petition bears the actual signatures of a number of qualified voters of the political subdivision equal to at least thirty five (35%) percent of the registered voters in the City who voted in the most recent gubernatorial election for the ballot issue that permits voting for or against “the legal sale of all alcoholic beverages, including mixed beverages;” and

WHEREAS, as set forth in the Code, the City Council, on February 6, 2024, its next regular session on or after the thirtieth (30th) day after the date the Petition is filed, shall order a local option election to be held on the issue set forth in the Petition; and

WHEREAS, the intention of the City Council, via adoption of this Ordinance, is to call an election; designate a polling place; appoint necessary election officers; establish procedures for conducting the election; and authorize the City Secretary to execute a voting machine lease agreement with Johnson County for an AutoMARK Direct Recording Electronic (DRE) Voting System.

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

SECTION 1.

INCORPORATION. The facts and recitations contained in the above preamble of this Ordinance are incorporated herein for all purposes.

SECTION 2.

GENERAL ELECTION CALLED. The City Council hereby calls and orders a General Uniform Election to be held on May 4, 2024, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of electing one Council Member (Alderman) to the City Council and a Mayor, for a two-year (2) term each, ending May 2026, or until their successor is duly elected, or appointed, and qualified. Such election shall be conducted in accordance with the provisions of the Code.

SPECIAL LOCAL OPTION ELECTION ORDERED. A special local option election is hereby ordered to be held on Saturday, May 4, 2024, for the purpose of considering the legalization of the following in the City:

The sale of all alcoholic beverages, including mixed beverages.

SECTION 3.

BALLOT. The official ballot to be used in the election shall be prepared in accordance with Sections 52.072 and 501.035 of the Code. The ballots shall permit the voters to vote "For" or "Against" the aforementioned proposition and shall be set forth in the following form:

City of Godley Proposition A
Ciudad de Godley Propuesta A

To legalize the sale of all alcoholic beverages, including mixed beverages.
La venta legal de todas bebidas alcoholicas, inciuyendo bebidas mixtas.

- For (A favor)
 Against (En contra)

SECTION 4.

APPLICATION FOR A PLACE ON THE BALLOT. Eligible persons wishing to file as candidates must file an application with the City Secretary of the City at 200 W. Railroad Street, Godley, Texas 76044, and may do so beginning at 8:00 a.m., January 17, 2024, and continuing through 5:00 p.m. on February 16, 2024. Each application shall be on a form meeting the requirements of Section 141.031 of the Code. 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. Notice of the time and place for such drawing shall be given in accordance with state law.

SECTION 5.

APPOINTMENT OF ELECTION JUDGES AND ALTERNATE ELECTION JUDGES. Election judges for the general election and special local option election shall be appointed by the City Council, as authorized by Chapter 32 of the Code.

SECTION 6.

(a) **EARLY VOTING.** The City Secretary is designated as the Early Voting Clerk and may appoint the necessary deputy clerks as required for early voting.

- (1) Early Voting by personal appearance shall be conducted beginning on April 22, 2024, and continuing through April 30, 2024, at the City of Godley City Hall located at 200 W Railroad St. Godley, Texas 76044, on the following dates and times:

Date	Time
Monday, April 22 - Friday, April 26	8:00 a.m. - 5:00 p.m.
Saturday, April 27	7:00 a.m. - 7:00 p.m.
Sunday, April 28	10:00 a.m. - 4:00 p.m.
Monday, April 29 - Tuesday, April 30	7:00 a.m. - 7:00 p.m.

Applications for early voting by mail shall be delivered to the City Secretary at the same address not later than the close of business on Tuesday, April 23, 2024.

SECTION 7.

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. The ES&S AutoMARK Direct Recording Electronic (DRE) Voting System shall be used for early voting by personal appearance and for voting by personal appearance on Election Day. The ES&S AutoMARK Direct Recording Electronic (DRE) Voting System

will be leased from Johnson County. All expenditures necessary for the conduct of this Election, the purchase of materials therefore, and the employment of all election officials is hereby authorized, and shall be conducted in accordance with the Code.

SECTION 8.

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 9.

PUBLICATION AND POSTING OF NOTICE OF ELECTION. Notice of the election shall be published in accordance with Chapter 4 (Section 4.003) of the Code.

SECTION 10.

RUN-OFF ELECTION. In the event no candidate receives a majority of votes for an office, there shall be a run-off election held on June 15, 2024.

SECTION 11.

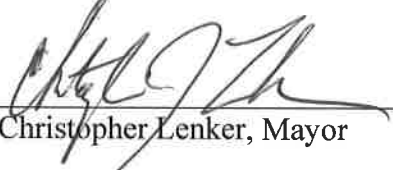
NECESSARY ACTIONS. The Mayor and the City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of federal and state law in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 12.

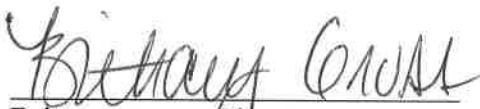
EFFECTIVE DATE. This Ordinance shall be effective immediately upon adoption.

PASSED AND APPROVED by the City Council of the City of Godley, Texas, this 6th day of February, 2024.

APPROVED:


Christopher Lenker, Mayor

ATTEST:


Brittany Gross, City Secretary



APPROVED AS TO FORM:



Dean Roggia, City Attorney