

**TOWN OF FLOWER MOUND**

**RESOLUTION NO. 04-21**

**A RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 1, 2021, FOR THE OFFICES OF MAYOR, AND TOWN COUNCIL, PLACE 4, ESTABLISHING PROCEDURES FOR THOSE ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Flower Mound 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**, 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 of a town may be held on such day; and,

**WHEREAS**, state law and the charter of the Town of Flower Mound require that a general election be held; and,

**WHEREAS**, by this Resolution, it is the intention of the Town Council to officially call the general election and establish the election procedures for that election.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:**

**SECTION 1**

**GENERAL ELECTION CALLED:** A general election shall be held in the Town of Flower Mound, Texas, on Saturday, May 1, 2021, between the hours of 7:00 a.m. and 7:00 p.m. at which the following officers will be elected:

**MAYOR** – For a three-year term ending May, 2024

**COUNCIL MEMBER, PLACE 4** – For a three-year term ending May, 2024

**SECTION 2**

**APPLICATION FOR A PLACE ON THE BALLOT:** Any eligible and qualified person shall have their name printed upon the official ballot as a candidate for the offices herein set forth by filing their sworn application with the Town Secretary not earlier than January 13, 2021, and not later than 5:00 p.m. February 12, 2021. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the Town Secretary. Notice of the time and place for such drawing shall be given in accordance with the Code.

### SECTION 3

**AGREEMENT WITH DENTON AND TARRANT COUNTIES:** Prior to the election, the Town anticipates that it will enter into an agreement for election services with Denton and Tarrant Counties. The Mayor is hereby authorized to execute agreements with Denton County and Tarrant County for the conduct of the election in accordance with Chapter 31, Subchapter D of the Texas Election Code and other applicable statutes and laws.

### SECTION 4

**APPOINTMENT OF ELECTION JUDGES AND ALTERNATE ELECTION JUDGES:** Election judges for the general election shall be appointed by Denton County and Tarrant County, respectively, as authorized by Chapter 271 of the Texas Election Code.

### SECTION 5

(a) **EARLY VOTING- DENTON COUNTY:** The Denton County Elections Administrator is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Denton County Joint Election Agreement (“Denton Agreement”).

(1) Early Voting by personal appearance shall be conducted beginning on April 19, 2021, and continuing through April 27, 2021, at the Denton County Main Early Voting site located at 701 Kimberly Dr., Ste. A111, Denton, Texas, 76208, on the following days and times:

Date	Time
April 19-24 (Monday – Saturday)	8:00 a.m. – 5:00 p.m.
April 25 (Sunday)	11:00 a.m. – 4:00 p.m.
April 26-27 (Monday – Tuesday)	7:00 a.m. – 7:00 p.m.

Any eligible Denton County Registered Voter may cast their vote at any additional early voting location throughout Denton County as established by the Denton Agreement. If there is any discrepancy between this resolution and the Denton Agreement as to early voting locations or times, the Denton Agreement shall control.

(2) Applications for early voting by mail in Denton County may be delivered to the Early Voting Clerk, P.O. Box 1720, Denton, Texas, 76202; Fax: 940.349.3201; email: elections@dentoncounty.gov to be received not later than the close of business on April 20, 2021. The Town Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Denton Agreement.

(b) **EARLY VOTING - TARRANT COUNTY:** The Tarrant County Elections Administrator is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Tarrant County Joint Election Agreement (“Tarrant Agreement”).

(1) Early Voting by personal appearance shall be conducted beginning on April 19, 2021, and continuing through April 27, 2021, at the Tarrant County Main Early Voting site located at 2700 Premier Street, Fort Worth, Texas, 76111, on the following days and times:

Date	Time
April 19-23 (Monday – Friday)	8:00 a.m. – 5:00 p.m.
April 24 (Saturday)	7:00 a.m. – 7:00 p.m.
April 25 (Sunday)	11:00 a.m. – 4:00 p.m.
April 26-27 (Monday – Tuesday)	7:00 a.m. – 7:00 p.m.

Any eligible Tarrant County Registered Voter may cast their vote at any additional early voting location throughout Tarrant County as established by the Tarrant Agreement. If there is any discrepancy between this resolution and the Tarrant Agreement as to early voting locations or times, the Tarrant Agreement shall control.

(2) Applications for early voting by mail in Tarrant County may be delivered to the Early Voting Clerk, 2700 Premier Street, Fort Worth, Texas, 76111; Fax: 817.831.6118; email: [votebymail@tarrantcounty.com](mailto:votebymail@tarrantcounty.com) to be received not later than the close of business on April 20, 2021. or mailed to Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas, 76161-0011. The Town Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Tarrant Agreement.

(c) 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 the Alternate Presiding Judge will be appointed by the Denton and Tarrant County Election Administrators as permitted by law. The Presiding Election Judge shall appoint elections clerks as may be necessary for the proper conduct of the election. The Presiding Election Judge, or the Alternative Election Judge, in the absence of the Presiding Election Judge, and the election clerks shall constitute the Early Voting Ballot Board to process early voting results from the election. The Presiding Election Judge and the Alternate Election Judge must be eligible to serve in accordance with state law, and the election clerks shall be qualified voters of the Town. To the extent required by law, those persons designated by Denton and Tarrant Counties as election officers and clerks are hereby appointed by the Town.

## SECTION 6

(a) **METHOD OF VOTING - DENTON COUNTY:** Voting in Denton County shall be conducted using Denton County’s Hart InterCivic Verity Voting System. All expenditures necessary for the conduct of the election, the purchase of materials therefor, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Texas Election Code.

(b) **METHOD OF VOTING - TARRANT COUNTY:** Voting in Tarrant County shall be conducted using Tarrant County’s Hart InterCivic Verity Voting System. All expenditures necessary for the conduct of the election, the purchase of materials therefor, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Texas 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 Town 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 (Sec 4.003) of the Texas Election Code.

**SECTION 9**

**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 Saturday, June 5, 2021.

**SECTION 10**

**NECESSARY ACTIONS:** The Mayor and the Town Secretary of the Town, in consultation with the Town 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.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, ON THIS THE 1ST DAY OF FEBRUARY, 2021.**

**APPROVED:**

*Jim Engel*

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**Jim Engel, MAYOR PRO TEM**

**ATTEST:**

*Theresa Scott*

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**Theresa Scott, TOWN SECRETARY**