

ORDINANCE NO. 2025-05

AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 4, 2025, FOR THE PURPOSE OF AMENDING THE CITY CHARTER; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROVIDING FOR ELECTION PROCEDURES; AUTHORIZATION TO ENTER INTO ELECTION AGREEMENTS WITH CAMERON COUNTY, TEXAS; PROVIDING FOR EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING FOR DEADLINE FOR APPLICATION FOR ABSENTEE BALLOT; PROVIDING FOR SEVERABILITY; ADDRESSING RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, at an election held on November 7, 1989, the voters of the City of La FERIA, Texas (sometimes the "City"), approved the adoption of the La FERIA Home Rule Charter, which was subsequently amended and reorganized at an election held May 12, 2007, and certified by Resolution No. 2007-20; and

WHEREAS, pursuant to its authority under Art. 11, Sec. 5 of the Texas Constitution, the City Commission has considered and wishes to amend its Home Rule Charter, by increasing the City Commissioners' terms of office as provided therein from three- to four-year terms; and

WHEREAS, the City Commission finds that the extension of commissioner terms from three to four years would result in fewer elections over time, thereby reducing the administrative and financial burden on the City and its staff, and reducing the costs to taxpayers; and

WHEREAS, the City Commission hereby finds that submitting the proposed Charter amendment as stated herein to the voters for consideration is in the best interests of the City of La FERIA;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS:

Section 1 - Special Election Ordered

A special election is ordered to be held in the City on November 4, 2025, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of considering the Charter amendments stated herein.

Section 2 – Measure and Proposition

The following Measure, with underlined language being additions (added) to the Charter and strike-through language being deletions (deleted) from the Charter, shall be submitted to the qualified voters of the City, in the form of the associated Proposition, and in accordance

with Section 9.004 of the Texas Local Government Code and other applicable laws.

The official ballots for said special election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the Proposition with such Measures to be expressed as follows:

Proposition A

Length of Terms

Shall the City of La Feria Home Rule Charter be amended to extend the terms of the Mayor and City Commissioners from three years to four years?

FOR _____ AGAINST _____

Measure A

Section 2.02

SECTION 2.02 -TERMS: The term of office of the Mayor and each City Commissioner shall be ~~three~~ **four** years elected in accordance with Article II, Section 2.05 and Article IV. For purposes of transitioning to four-year terms, within thirty (30) days of the City Commission entering an order into the records of the City declaring the four-year terms adopted, the Mayor and all City Commissioners shall immediately hold a term of office of four years

SECTION 2.04 – MAYOR: The voters of the City shall elect a mayor at large for a term of ~~three~~ **four** years in accordance with Article IV, Section 4.06.

Section 4.06

SECTION 4.06 - ELECTION AND TERM OF OFFICE: At the regular municipal election of the City of La Feria to be held in ~~2007~~ **2027** and every ~~three (3)~~ **four (4)** years thereafter an election shall be held for the election of candidates to hold the office of ~~City Commissioner No. 1, City Commissioner No. 2, and the Mayor.~~ **City Commissioner Place 3, City Commissioner Place 4, and City Commissioner Place 5** At the regular municipal election to be held in ~~2008~~ **2029** and every ~~three (3)~~ **four (4)** years thereafter, an election shall be held for the election of the ~~City Commissioner No. 3, City Commissioner No. 4, and City Commissioner No. 5~~ **City Commissioner Place 1, City Commissioner Place 2, and the Mayor**. At all elections held pursuant to this section each candidate shall designate in writing on or before the applicable filing deadline prescribed by the Texas Election Code which office the candidate seeks. The candidate for each of the five (5) places, respectively, receiving a majority of the votes cast for City Commissioner of that place at the elections shall be elected City Commissioner of that place and each shall hold office for a term of

~~three (3)~~ **four (4)** years and until his or her successor is elected and qualifies. The candidate for Mayor receiving a majority of the votes cast for Mayor at the elections shall be elected Mayor and shall hold office for a term of ~~three (3)~~ **four (4)** years and until his or her successor is elected and is sworn into office. As used in this section, the word "majority" shall be defined as any percentage of all votes cast for a particular office which exceeds fifty (50) ~~per cent~~ **percent** of all votes cast for that office. In the event no candidate for Mayor receives a majority of votes cast and/or in the event no candidate for City Commissioner of a particular place receives a majority of votes cast or in the event of a tie vote for Mayor and/or a tie vote for City Commissioner of any place, there shall be a run-off election, to be conducted in accordance with the Texas Election Code, between the two candidates receiving the highest number of votes or tied for Mayor and/or City Commissioner of a particular place. The candidate receiving the majority of votes for the respective office at the runoff election shall be elected. Nothing written here shall be construed as prohibiting any office holder from being a candidate for re-election. The City Commission shall be the judge of the election and the qualifications of its members. Each candidate elected to the office of ~~Mayor or~~ City Commissioner at the regular municipal election of the City of La Feria to be held in ~~2007~~ **2027** and at every regular municipal election thereafter shall serve for a term of ~~three (3)~~ **four (4)** years and until his or her successor is elected and qualifies; unless sooner removed from office as described in this Charter. ~~Nothing here shall alter the term of office of any such office holder elected prior to the regular municipal election of 2007.~~

Section 3. Notice of Election.

Notice of the election shall be given in the manner as provided in the *Texas Election Code*, *Chapter 9, Texas Local Government Code*, and the *City Charter*. The notice of election shall be posted on the bulletin board used for posting notice of meetings of the governing body at City Hall and at other locations required by state law not later than the twenty-first (21st) day before the election, and by publishing said notice of election at least twice on the same day in each of two successive weeks in English and Spanish in a newspaper of general circulation, with the first such publication occurring before the fourteenth (14th) day before the date of the election and not earlier than thirty (30) days nor later than ten (10) days prior to said election. The Cameron County Elections Administrator is authorized and shall give all notices for the jurisdictions required for the election.

Section 4. Conduct of Election.

The Cameron County Elections Administrator is hereby authorized to appoint the Election Presiding Judge and staff for said election and any further election staff appointments for this election shall be done in accordance with the provisions of the Texas Election Code and any Election Services Contract between the City of La Feria and Cameron County. The election shall be held and conducted in compliance with the City Charter, state law, and the respective Election Services Contracts. In accordance with Sec. 123.001 of the Texas Election Code, the use of the paper ballot is hereby adopted for the early voting and regular voting for the special election of November 4, 2025. The Cameron County Elections Administrator shall serve as the General Custodian of election records for voting precincts.

Section 5. Joint Election.

The City agrees to conduct a joint election with other political subdivisions within Cameron County, provided that such political subdivisions hold an election on November 4, 2025, in all or part of the same territory as the City (the "Political Subdivisions"). The joint election for Political Subdivisions will be conducted in accordance with state law, this ordinance, and the respective Election Services Contracts.

Section 6. Election Precincts and Election Day Polling Places.

Election Day will be on November 4, 2025, with voting to take place during the hours of 7:00 AM to 7:00 PM. The election precincts for the election shall be established by Cameron County for the territorial boundaries of the City. The election shall be held at:

American Legion Post 439
219 E. Commercial Ave.,
La Feria, Texas

The Cameron County Elections Administrator shall tabulate and provide the election returns for votes cast in this election.

Section 7. Early Voting.

Early voting shall commence on Monday, October 20, 2025, and continue through Friday, October 31, 2025, and early voting polls shall remain open for the time specified by the *Texas Election Code* and the Elections Administrator. Ballot applications and ballots voted by mail are to be sent via regular mail or e-mail to the Early Voting Clerk, to the address of:

Cameron County Elections Department
PO Box 3587
Brownsville, Texas 78523

The period to apply for a ballot by mail is September 5, 2025, through October 24, 2025. An application for ballot by mail (ABBM) must be received by the Early Voting Clerk no later than the close of business on October 24, 2025. The period to apply for a federal postcard application (FPCA) is September 1, 2025, through October 24, 2025. An FPCA must be received by the Early Voting Clerk no later than the close of business on October 24, 2025.

The main early voting location for qualified voters of the City residing in the City of La Feria is: American Legion Post 439, 219 E. Commercial Ave., La Feria, Texas. Early voting for qualified voters of the City residing in Cameron County shall be held at the dates, times, and location authorized by the Cameron County Elections Administrator. Any early voting polling place may be added or changed by the Administrator upon compliance with applicable law.

Section 8. City Secretary Assistance.

The City Secretary is hereby authorized and instructed to aid the Cameron County Elections Administrators in the acquisition and furnishing of all election supplies and materials necessary to conduct the election. The City Secretary is further authorized to assist with the giving of notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Texas Election Code* and *Chapter 9, Texas Local Government Code*; provided that, pursuant to the Election Services Contracts between the City and the Cameron County Elections Administrator, the Cameron County Elections Administrators shall have the duty and be responsible for organizing and conducting the election in compliance with the *Texas Election Code*; and for providing all services specified to be provided in the Election Services Contracts.

Section 9. Necessary Actions.

The Mayor and the City Secretary of the City, in consultation with the City's Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein, including but not limited to making changes or additions to polling places, ballot language, or procedures to the extent required or desirable or as may become necessary due to circumstances arising after the date of this Ordinance. The City Manager is further authorized to give notice of the election as provided in Section 451.607, Texas Election Code.

Section 10. General.

The special election shall be held and conducted by the Cameron County Elections Administrator in compliance with the *Tex. Elec. Code, Chapter 9, Texas Local Government Code*, and, to the extent not inconsistent therewith, the *City Charter*, and only resident qualified voters of the City shall be eligible to vote at the election. The Election Officers are hereby authorized and instructed to provide and furnish all necessary election supplies, materials, and equipment to conduct said election. Returns of the election shall be made known as soon as possible after the closing of the polls; and the election returns shall be canvassed by the City Council not earlier than November 7, 2025 nor later than November 18, 2025.

Section 11. Authorization to Execute.

The Mayor is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the City Commission; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 12. Effective Date; Election Code; Preamble.

This ordinance shall be in full force and effect from and after its passage on the date shown below; provided that if any term or provision of this Ordinance conflicts with, or is inconsistent with, the Texas Elections Code, the Texas Election Code shall govern and

control and the Cameron County Elections Administrator shall comply with the Texas Elections Code. The recitals contained in the preamble hereof and are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes as part of the findings of counsel.

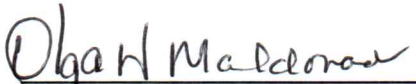
Section 13. Severability.

If any provision , section of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 14. Open Meetings.

It is officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required *Chapter 551, Tex. Gov't. Code*.

PASSED, ADOPTED AND APPROVED on this the 29th day of July 2025.



Olga H. Maldonado, Mayor

ATTEST:



Amanda Morales, City Secretary