



Crime Control and
Prevention District
Board of Directors
Agenda Packet
April 16, 2020
6:15 P.M.

**TELECONFERENCE
MEETING**

**CROWLEY CRIME CONTROL AND PREVENTION
DISTRICT BOARD OF DIRECTORS
Meeting
April 16, 2020
6:15 P.M.**

ATTENDANCE SHEET

Johnny Shotwell, Member	_____
Billy P. Davis, Member	_____
Jesse Johnson, Member	_____
Jerry Beck, Member	_____
Carl Weber, Member	_____
Tina Pace, Member	_____
Christine M. Gilbreath, President	_____
Staff:	
Robert Loftin, City Manager	_____
Kit Long, Police Chief, Staff Liaison	_____
Lori Watson, Treasurer	_____
Carol Konhauser, Board Secretary	_____



**AGENDA
CROWLEY CRIME CONTROL AND
PREVENTION DISTRICT
APRIL 16, 2020
REGULAR SESSION - 6:15 p.m.**

Crowley City Hall
201 E. Main Street
Crowley TX 76028

MEETING WILL BE BY TELECONFERENCE

In compliance with the Texas Open Meetings Act and under the provisions provided by the Governor of Texas in conjunction with the Declaration of Disaster enacted on March 13, 2020, members may be participating remotely.

Notice is hereby given of a meeting of the Crowley Crime Control and Prevention District Board of Directors to be held on Thursday, April 16, 2020 at 6:15 p.m. by teleconference, which can be joined by any member of the public remotely by calling 1-877-309-2073 and entering access code 200-536-533 or by joining online from a computer, tablet or smartphone at <https://global.gotomeeting.com/join/200536533> for the purpose of considering the following:

REGULAR CALLED MEETING – April 16, 2020- 6:15 P.M.

I. CALL TO ORDER / ROLL CALL

II. BUSINESS

1. Discuss and consider approval of the minutes of the Crime Control and Prevention District Board of Directors meeting held on December 5, 2019.
2. Discuss and consider approval of Order No 2020-002, postponing the Referendum to determine whether the voters desire to continue the Crime Control and Prevention District (CCPD) and Sales Tax for 15 years from May 2, 2020 to July 14, 2020, pursuant to the Proclamation issued by Governor Gregory Abbott on April 6, 2020.

III. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Agenda of the April 16, 2020 meeting of the governing body of the Crowley Crime Control and Prevention District is a true and correct copy posted on _____, 2020 at _____ am/ pm at Crowley City Hall, a place convenient and readily accessible to the public at all times.

Carol C. Konhauer, Secretary, Crime Control and Prevention District

THE EDC AND CITY COUNCIL RESERVES THE RIGHT OF THE FOLLOWING:

1. ITEMS DO NOT HAVE TO BE CONSIDERED IN THE SAME ORDER AS SHOWN ON THIS AGENDA;
2. THE COUNCIL MAY CONTINUE OR RECESS ITS DELIBERATIONS TO THE NEXT CALENDAR DAY IF IT DEEMS IT NECESSARY.

The Crowley City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations must be made 48 hours prior to this meeting. Please contact the City Secretary’s Office at (817) 297-2201 ext. 4000, or email ckonhauer@ci.crowley.tx.us for further information.

NOTICE: A quorum of the City Council and Economic Development Board of Directors will be present at this meeting; however neither Board will take action on any items on this posted agenda.



Crowley Crime Control and Prevention District

AGENDA REPORT

Meeting Date: April 16, 2020

Agenda Item: III-1

Staff Contact: Carol Konhauser, Secretary

E-mail: ckonhauser@ci.crowley.tx.us

Phone: 817-297-2201-X4000

SUBJECT: Discuss and consider approval of the minutes from the meeting held on December 5, 2019 of the Crime Control and Prevention District Board of Directors as presented.

BACKGROUND/DISCUSSION

Consider approval of CCPD minutes as presented.

FINANCIAL IMPACT

None.

RECOMMENDATION

Board of Directors consideration is respectfully requested.

the beginning. City Attorney Rob Allibon agreed with the City Manager Loftin and stated the City needed to balance their needs and the desires of the citizens.

Member Jesse Johnson made the motion to approve Order No 2019-001 calling a Referendum to determine whether the voters desire to continue the Crime Control and Prevention District and sales tax for 15 years, second by Member Jerry Beck, the CCPD Board of Directors voted unanimously to approve the motion as presented. Motion carried 7-0.

As there was no further business, President Johnny Shotwell adjourned the meeting at 6:14 p.m.

ATTEST:

Christine Gilbreath, President

Carol Konhauser, Board Secretary



Crowley Crime Control and Prevention District

AGENDA REPORT

Meeting Date: April 16, 2020

Agenda Item: II-2

Staff Contact: Kit Long/Carol Konhauser

E-mail: klong@ci.crowley.tx.us

Phone: 817-297-2276

SUBJECT: Discuss and consider approval of Order No 2020-002, postponing the Referendum to determine whether the voters desire to continue the Crime Control and Prevention District (CCPD) and Sales Tax for 15 years from May 2, 2020 to July 14, 2020, pursuant to the Proclamation issued by Governor Gregory Abbott on April 6, 2020.

BACKGROUND/DISCUSSION

The Crowley Crime Control and Prevention District (CCPD) approved Order No 2019-001 calling for a Referendum to be held on May 2, 2020 to determine whether the citizens of Crowley, Texas, desire to continue the Crime Control and Prevention District and to Continue a Crime Control and Prevention District Sales Tax.

Due to the current situation surrounding the COVID-19 epidemic, the Governor issued an executive order authorizing local governmental agencies to move their May 2, 2020 election date to Nov 3, 2020. Unfortunately, the CCPD will expire on Sep 30, 2020, prior to the Nov 3, 2020 election. Therefore, in accordance with Section 41.0011 of the Texas Election Code, the City submitted a request to the Governor asking to hold an Emergency Special Election on July 14, 2020 for the CCPD referendum. The Governor did approve the City's request on April 6, 2020.

The CCPD now has to approve an Order postponing the Referendum and City Council can then adopt a new Ordinance ordering an Emergency Special Election.

FINANCIAL IMPACT

The ballots and data cards were already ordered for the May 2, 2020 election (est cost approximately \$2,500). This Emergency Special Election will be ONLY for the CCPD proposition. We will then have to hold the General Election for places 5 and 6 on November 3, 2020. Estimated cost of this Emergency Special Election is \$8,500.

RECOMMENDATION

Staff recommends approving the Order.

ATTACHMENTS

- Order No 2020-002

**CROWLEY
CRIME CONTROL AND PREVENTION DISTRICT
BOARD OF DIRECTORS**

ORDER NO. 2020-002

AN ORDER OF THE BOARD OF DIRECTORS OF THE CROWLEY CRIME CONTROL AND PREVENTION DISTRICT, POSTPONING THE REFERENDUM TO DETERMINE WHETHER THE CITIZENS OF CROWLEY, TEXAS, DESIRE TO CONTINUE THE CRIME CONTROL AND PREVENTION DISTRICT AND TO CONTINUE A CRIME CONTROL AND PREVENTION DISTRICT SALES TAX PURSUANT TO CHAPTER 363 OF THE TEXAS LOCAL GOVERNMENT CODE, FROM MAY 2, 2020 TO JULY 14, 2020, PURSUANT TO THE PROCLAMATION ISSUED BY GOVERNOR GREGORY ABBOTT ON APRIL 6, 2020.

WHEREAS, on December 5, 2019, the Crowley Crime Control and Prevention District Board of Directors approved Order No. 2020-001 calling for a Referendum to be held on May 2, 2020, to determine whether the citizens of Crowley, Texas, desire to continue the Crime Control and Prevention District and to Continue a Crime Control and Prevention District Sales Tax; and

WHEREAS, on March 13, 2020, Governor Gregory Abbott certified that the novel coronavirus (COVID-19) posed an imminent threat of disaster and under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster for all counties in Texas; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, on March 18, 2020, Governor Gregory Abbott signed a proclamation suspending certain provisions of the Texas Election Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their elections to the November 3, 2020, uniform election date; and

WHEREAS, the Crowley Crime Control and Prevention District and the one-half (1/2) of one (1) percent sales tax is set to expire on September 30, 2020; and

WHEREAS, Section 41.0011 of the Texas Election Code allows for a Special Election to be held as an emergency election on a date other than a uniform election date if requested by the political subdivision and granted by the Governor of the State of Texas; and

WHEREAS, on April 3, 2020, the Crowley Crime Control and Prevent District Board Chairperson and City of Crowley Mayor requested to hold an Emergency Special Election on July 14, 2020 which was granted by Proclamation by Governor Gregory Abbott on April 6, 2020 attached hereto as Exhibit "A."

NOW, THEREFORE, IT IS ORDERED BY THE BOARD OF DIRECTORS OF THE CROWLEY CRIME CONTROL AND PREVENTION DISTRICT:

**SECTION 1.
REFERENDUM POSTPONED**

The referendum called for Saturday, May 2, 2020, to submit to the voters a proposition to determine whether the crime control and prevention district and sales tax will be continued for a period

of 15 years is postponed to July 14, 2020 between the hours of 7:00 a.m. and 7:00 p.m.

**SECTION 2.
GOVERNING LAW AND NOTICE OF REFERENDUM**

The referendum shall be held in accordance with the Texas Local Government Code, Texas Election Code, and City Charter. Notice of this referendum shall be given in accordance with the governing laws.

**SECTION 3.
TEXAS COMPTROLLER OF PUBLIC ACCOUNTS**

Upon adoption of this Order, the City Secretary is directed to immediately give notice to the Texas Comptroller of Public Accounts, by delivering a copy of this Order via mail.

**SECTION 4.
NECESSARY ACTIONS**

The Mayor and the City Secretary, in consultation with the City Attorney, are authorized and directed to take all actions necessary to comply with the provisions of the Election Code, the City Code and City Charter, and Chapter 327 of the Tax Code in carrying out and conducting the referendum, whether or not expressly authorized by this Order.

**SECTION 5.
EFFECTIVE DATE**

This Order shall be effective upon its adoption.

PASSED AND APPROVED THIS 16th DAY OF April, 2020.

APPROVED:

CHRISTINE GILBREATH, President
Crowley CCPD Board of Directors

ATTEST:

CAROL KONHAUSER, City Secretary

APPROVED AS TO FORM:

ROB ALLIBON, City Attorney

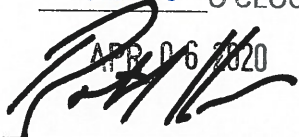


GOVERNOR GREG ABBOTT

April 6, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701


APR 06 2020
Secretary of State

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation allowing the Crowley Crime Control and Prevention District to order a special election on July 14, 2020, as an emergency election.

The original of this proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, on March 13, 2020, the Governor of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster for all counties in Texas; and

WHEREAS, the Commissioner of the Texas Department of State Health Services has determined that, as of March 19, 2020, COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, also on March 19, 2020, and March 31, 2020, the Governor issued executive orders in accordance with the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention, and mandated certain obligations for Texans that are recommended by federal guidelines and aimed at slowing the spread of COVID-19; and

WHEREAS, Section 41.001(a)(2) of the Texas Election Code provides that a general or special election in this state shall be held on a uniform election date, and the next uniform election date is occurring on May 2, 2020; and

WHEREAS, on March 18, 2020, the Governor suspended Sections 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020; and

WHEREAS, on March 20, 2020, the Governor issued a proclamation postponing the runoff primary election date to July 14, 2020, and early voting by personal appearance for the runoff primary election begins on July 6, 2020, in accordance with Section 85.001(b) of the Texas Election Code; and

WHEREAS, Section 41.007(d) of the Texas Election Code provides that no other election may be held on the date of a primary election; and

WHEREAS, Section 41.008 of the Texas Election Code provides that an election held on a date not permitted is void; and

WHEREAS, Section 85.001(a) of the Texas Election Code provides that the period for early voting by personal appearance begins on the 17th day before election day and continues through the fourth day before election day; and

WHEREAS, Section 363.251(a) of the Texas Local Government Code authorizes that a crime control and prevention district created by a political subdivision may hold a referendum on the question of whether to continue the district on the next uniform election date authorized by Section 41.001(a) of the Texas Election Code; and

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

APR 06 2020

WHEREAS, the Crowley Crime Control and Prevention District has ordered a special election on the question of whether to continue the district, and such election was scheduled for May 2, 2020; and

WHEREAS, Section 41.0011 of the Texas Election Code provides that a special election may be held as an emergency election before the appropriate uniform election date if a political subdivision asks the Governor for permission to do so and the Governor determines that an emergency exists; and

WHEREAS, the Crowley Crime Control and Prevention District desires to order a special election as an emergency election on the question of whether to continue the district pursuant to Section 41.0011 of the Texas Election Code and has asked the Governor for permission to hold such election prior to November 3, 2020; and

WHEREAS, an emergency exists under Section 41.0011 of the Texas Election Code due to the circumstances presented by the COVID-19 disaster and because the Crowley Crime Control and Prevention District is not able to wait until November 3, 2020, to hold a special election on the question of whether to continue the district; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, the Governor has the express authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster.

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, under the authority vested in me by the Constitution and laws of the State of Texas, do hereby suspend Sections 41.007(d) and 41.008 of the Texas Election Code to the extent necessary to allow the Crowley Crime Control and Prevention District to order its special election to occur on July 14, 2020, as an emergency election on the question of whether to continue the district pursuant to Section 41.0011(b) of the Texas Election Code. I further suspend Section 85.001(a) of the Texas Election Code to the extent necessary to allow early voting by personal appearance for the special election to begin not earlier than Monday, July 6, 2020, and to run concurrently with the early voting period for the runoff primary election.

The authority ordering the election under Section 3.004 of the Texas Election Code is the authority authorized to make the decision to postpone its election in accordance with this proclamation.

Early voting by personal appearance shall begin on Monday, July 6, 2020, in accordance with Section 85.001(d) of the Texas Election Code so that it runs concurrently with the early voting period for the runoff primary election.

IN TESTIMONY WHEREOF, I have
hereto signed my name and have
officially caused the Seal of State to
be affixed at my office in the City of

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK

APR 06 2020



Austin, Texas, this the 6th day of
April, 2020.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor of Texas

ATTESTED BY:

Handwritten signature of Ruth R. Hughs in black ink.

RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2pm O'CLOCK

APR 06 2020