

ORDINANCE NUMBER 933

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS CANVASSING THE ELECTION RETURNS OF THE SPECIAL CALLED ELECTION HELD IN THE CITY OF BURKBURNETT, TEXAS, ON MAY 5, 2018; FOR ADOPTION OR REJECTION, PROPOSED AMENDMENTS TO THE EXISTING CHARTER OF THE CITY OF BURKBURNETT, TEXAS, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners of the City of Burkburnett, Texas has heretofore called for a Special Called Election to be held in said City on May 5, 2018 to amend the City Charter; and

WHEREAS, said Board of Commissioners has investigated all matters pertaining to said election, including the ordering, giving notice, appointing of officers, holding and making returns of said election; and

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to said Board of Commissioners; and

WHEREAS, there came to be considered the returns of a special called election held on the 5th day of May 2018 for the purpose of amending the City Charter, and it appears from said returns, duly and legally made, that there were cast at said election 853 valid and legal votes (561 Early and 292 Election Day); and

WHEREAS, after canvassing the returns of said election pertaining to the propositions hereinafter described, it was found to be duly and legally held in all respects; and

That 830 voters voted in said election with respect to City of Burkburnett Proposition A as follows:

City of Burkburnett Proposition A

Shall Article IV, Sections 2, 6, 7 and 12 of the Burkburnett City Charter be amended to change the election and appointment of the members of the Board of Commissioners by: (1) electing the mayor at-large by the qualified voters of the City, (2) changing the term of office for the mayor and commissioners to three years instead of two years, (3) establishing a place system for the election of the six commissioners through an at-large election by the qualified voters of the City, (4) establishing a transition schedule from two year terms to three year terms for the mayor and commissioners and (5) establishing that the filling a vacancy on the Board of Commissioners for an unexpired term of 12 months or less shall be by an

affirmative vote of at least four of the remaining members of the Board of Commissioners and that all other vacancies will be filled by a special called election?

	Early	Election	Total
For	<u>405</u>	<u>196</u>	<u>601</u> Votes
Against	<u>139</u>	<u>90</u>	<u>229</u> Votes;

That 827 voters voted in said election with respect to City of Burkburnett Proposition B as follows:

City of Burkburnett Proposition B

Shall Article IV, Section 5 of the Burkburnett City Charter be amended so that there are no term limits for the members of the Board of Commissioners?

	Early	Election	Total
For	<u>115</u>	<u>46</u>	<u>161</u> Votes
Against	<u>432</u>	<u>234</u>	<u>666</u> Votes;

That 799 voters voted in said election with respect to City of Burkburnett Proposition C as follows:

City of Burkburnett Proposition C

Shall Article VIII, Section 8 of the Burkburnett City Charter be amended so that the requirement for calling an election for franchises within the City is consistent with the Texas Transportation Code?

	Early	Election	Total
For	<u>435</u>	<u>222</u>	<u>657</u> Votes
Against	<u>90</u>	<u>52</u>	<u>142</u> Votes;

That 793 voters voted in said election with respect to City of Burkburnett Proposition D as follows:

City of Burkburnett Proposition D

Shall Article IX, Section 7 of the Burkburnett City Charter be amended to cite the specific Tax Code provision for securing a tax warrant?

	Early	Election	Total
For	<u>411</u>	<u>198</u>	<u>609</u> Votes
Against	<u>113</u>	<u>71</u>	<u>184</u> Votes;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, THAT:

SECTION 1. The Board of Commissioners finds that said election was in all respects legally held in accordance with the laws of the State of Texas and the Charter and the Ordinances of the City of Burkburnett.

SECTION 2. The Board of Commissioners hereby declares that City of Burkburnett Propositions A, C, and D which were submitted to the voters in this election have been approved by a majority of the voters who voted in said election and are hereby adopted effective on the date of this ordinance.

SECTION 3. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law.

SECTION 4. This Ordinance shall be in full force and effect immediately upon passage.

PASSED AND APPROVED this 14th day of May 2018.

Michael R. Tugman, Mayor

ATTEST:

Janelle Stahr, City Clerk