



## CITY OF SACHSE

THE STATE OF TEXAS X

COUNTIES OF COLLIN & DALLAS X

### CERTIFICATION

I, Terry Smith, City Secretary of the City of Sachse, Texas, do hereby certify that the attached is a true and correct copy of:

Ordinance No. 1343 calling the May 4, 1996 City Council/Charter Amendment Election and minutes of the May 6, 1996 City Council meeting.

WITNESS MY HAND and Official Seal of the City of Sachse, Texas, this the 10th day of May, 1996.

  
Terry Smith, City Secretary  
City of Sachse, Texas

MINUTES OF THE SPECIAL MEETING  
OF THE  
CITY COUNCIL OF THE CITY OF SACHSE

MAY 6, 1996

The City Council of the City of Sachse held a Special Meeting on Monday, May 6, 1996 at 6:30 p.m. at the Sachse City Hall after proper notice. The following were present:

*Mayor Larry Holden  
Mayor Pro Tem Pat Boyd  
Councilmember Jim Szot  
Councilmember Bob Jones  
City Manager Lloyd Henderson  
City Secretary Terry Smith*

1. Open Special Meeting: Mayor Holden opened the special meeting.

2. Canvass results of the May 4, 1996 City Officers' and Charter Amendment Election: Mayor Holden read the election results:

|                            |               |           |
|----------------------------|---------------|-----------|
| Place 2,<br>Unexpired term | Pat Boyd      | 233 votes |
| Place 3                    | Bob Jones     | 215       |
| Place 4                    | Marc Hibbs    | 157       |
|                            | Doug Fritz    | 186       |
| Place 6                    | Mark Phillips | 180       |
| Unexpired term             | James G. Cron | 135       |

Charter Amendments:

- |    |                                                                                                            |     |     |
|----|------------------------------------------------------------------------------------------------------------|-----|-----|
| 1. | The amendment providing for runoff elections for the office of mayor or councilmember.                     | Yes | 278 |
|    |                                                                                                            | No  | 46  |
| 2. | The amendment providing for filling a vacancy in the office of mayor or councilmember by special election. | Yes | 299 |
|    |                                                                                                            | No  | 30  |

Mayor Pro Tem Boyd moved to accept the election results for the City Council and Charter Amendment Election of May 4, 1996. The motion was seconded by Councilmember Szot and carried unanimously.

Page 2, Minutes of the May 6, 1996 Special Meeting

There being no further business Mayor Pro Tem Boyd moved to adjourn. The motion was seconded by Councilmember Szot and carried unanimously.

The meeting adjourned at 6:38 p.m.

APPROVED:

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MAYOR

ATTEST:

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CITY SECRETARY

ORDINANCE NO. 1343

AN ORDINANCE ESTABLISHING CERTAIN PROCEDURES FOR THE MAY 4, 1996 GENERAL ELECTION; CALLING AN ELECTION FOR MAY 4, 1996, FOR THE QUALIFIED VOTERS OF THE CITY OF SACHSE TO ELECT TWO (2) CITY COUNCILMEMBERS, TO ELECT TWO ADDITIONAL COUNCILMEMBERS TO FILL VACANCIES FOR THEIR UNEXPIRED TERMS CREATED BY RESIGNATIONS, AND TO CONSIDER CERTAIN PROPOSED AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY OF SACHSE; PROVIDING FOR A RUNOFF ELECTION (IF NECESSARY) FOR JUNE 1, 1996; PROPOSING AN AMENDMENT TO SECTION 3.01 OF ARTICLE III OF THE CHARTER PROVIDING FOR RUNOFF ELECTIONS; PROPOSING AN AMENDMENT TO SUBSECTION (4) OF SECTION 3.06 OF ARTICLE III OF THE CHARTER PROVIDING FOR FILLING VACANCIES IN THE POSITION OF MAYOR OR COUNCILMEMBER BY SPECIAL ELECTION; PROVIDING FOR THE REPEAL OF SUBSECTIONS (5), (6) AND (7) OF SECTION 3.06 OF ARTICLE III OF THE CHARTER; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 5, 1986, the qualified voters of the City of Sachse, Texas, approved a Home Rule Charter for the city; and

WHEREAS, the City Council of the City of Sachse has determined that various portions of the Charter may be in need of change; and

WHEREAS, the City Council, by resolution dated January 29, 1996, appointed a Charter Review Committee to analyze the existing Charter and make recommendations for any changes thereto; and

WHEREAS, the Charter Review Committee has completed its analysis and review, and has recommended to the City Council that certain amendments to the Charter should be made; and

WHEREAS, the City Council has reviewed the recommendations of the Charter Review Committee and has determined that certain proposed amendments to the Charter should be submitted to the qualified voters of the City of Sachse for their approval or disapproval; and

WHEREAS, Councilman Paul Myrick, Councilmember to Place 2, has resigned from the City Council, and the vacancy thereby created should be filled by electing a councilmember to fill his unexpired term; and

WHEREAS, Councilman Randy Glover, Councilmember to Place 6, has resigned from the City Council, and the vacancy thereby created should be filled by electing a councilmember to fill his unexpired term; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS:

#### **SECTION 1.**

That election be held in the City of Sachse, Texas, on the 4th day of May, 1996, the same being the first Saturday of said month, for the purpose of electing a councilmember to Place 3, for the purpose of electing a councilmember to Place 4, for the purpose of filling a vacancy (for the unexpired term) in Place 2 created by the resignation of Councilmember Paul Myrick, for the purpose of filling a vacancy (for the unexpired term) in Place 6 created by the resignation of Councilmember Randy Glover, and for the purpose of voting on proposed amendments to the Home Rule Charter as provided herein.

#### **SECTION 2.**

That, should a runoff election be required for the election of a councilmember, such runoff election be held on the 1st day of June, 1996.

#### **SECTION 3.**

That the polling place for said election (and runoff election, if necessary) shall be the Sachse City Hall, 3033 Sixth Street, Sachse, Texas for all county precincts in the City of Sachse, Texas.

#### **SECTION 4.**

That none but legally qualified voters of the City shall be entitled to vote at said election or runoff election. Legally qualified voters shall be those persons having a current voter's registration and shall be residents of the City of Sachse for a period of thirty (30) days prior to the election date.

#### **SECTION 5.**

That notice of said May 4, 1996 election (and June 1, 1996 runoff election, if necessary) shall be posted in three public places within the limits of the City at least thirty (30) days prior to the election day. A return of such posting shall be made by affidavit of the City Secretary.

#### **SECTION 6.**

That the city manager and city secretary are authorized to sign an agreement for a Joint Election with Dallas County Election Department and others. Such agreement shall provide for all election appointments, absentee polling places and open hours, payments for election appointments, Saturday absentee voting (if applicable), and a June 1, 1996 runoff election (if necessary).

#### **SECTION 7.**

That Exhibit "A", attached hereto and made a part hereof for all purposes, contains the agreement for a Joint Election with Dallas County Election Department and prescribes the absentee voting places and hours of operation and other information regarding the May 4, 1996 election (and June 1, 1996 runoff election, if necessary) according to the Texas Election Code.

#### **SECTION 8.**

That, after holding said election, the Presiding Judge shall promptly make his or her return to the City Secretary and to the Mayor, and the City Secretary shall thereafter present such returns to the City Council for the canvassing of said election.

#### **SECTION 9.**

That, pursuant to the provisions of Article 11, §5 of the Constitution of the State of Texas, Chapter 9 of the Local Government Code, Article XI of the Charter of the City of Sachse, and other applicable statutes and rules, the City Council of the City of Sachse does hereby call an election so that the qualified voters of the City of Sachse may approve or disapprove those amendments to the Charter as are set forth herein. The election shall be held concurrently with, and pursuant to the same provisions as, the general election provided for above. The election shall be held in compliance with the ordinances of the City of Sachse, Texas, the Texas Election Code, the Local Government Code, and other applicable law. The results of the election shall be canvassed and certified by the City Council on May 6, 1996, at 7:30 o'clock-p.m. The City Manager and the City Secretary are hereby directed to give such notice of the charter amendment election as is required by the Texas Election Code, the Local Government Code, and other applicable statutes and ordinances.

#### **SECTION 10.**

That, upon approval of a majority of the qualified voters of the city who vote in the election, Section 3.01, "COMPOSITION", of ARTICLE III, "CITY COUNCIL", of the Sachse City Charter shall be amended to read as follows:

"The council shall be composed of a mayor and six (6) councilmembers. Each council position shall be designated as a Place, to be determined as set forth in Sec. 3.02 of this Article. The Mayor and councilmembers shall be elected at large, and shall serve for a term of three (3) years as prescribed by the Texas Election Code and until his or her successor has been elected and duly qualified. Elections for two Places shall be held each year, and the election for mayor

shall be held every three years. If the candidate with the highest number of votes in an election receives less than a majority vote, then a runoff election shall be held between the candidate receiving the highest number of votes and the candidate receiving the next highest number of votes. Such runoff election shall be held pursuant to the provisions of the Texas Election Code and applicable ordinances."

The question on the ballot to be submitted to the voters concerning the amendments specified in SECTION 10 of this ordinance shall read:

"The amendment providing for runoff elections for the office of mayor and councilmember."

#### **SECTION 11.**

That, upon approval of a majority of the qualified voters of the city who vote in the election, subsection (4) of Section 3.06, "VACANCIES, FORFEITURES AND FILLING OF VACANCIES", of ARTICLE III, "CITY COUNCIL", of the Sachse City Charter shall be amended to read as follows:

"(4) A vacancy or vacancies in the position of mayor or councilmember shall be filled by majority vote of the qualified voters at a special election called for such purpose within one hundred twenty (120) days after such vacancy or vacancies occur. If the candidate with the highest number of votes in such special election receives less than a majority vote, then a runoff election shall be held between the candidate receiving the highest number of votes and the candidate receiving the next highest number of votes. Such special elections and runoff elections shall be held pursuant to the provisions of the Texas Election Code and applicable ordinances."

#### **SECTION 12.**

That, upon approval of a majority of the qualified voters of the city who vote in the election, subsections (5), (6) and (7) of Section 3.06, "VACANCIES, FORFEITURES AND FILLING OF VACANCIES", of ARTICLE III, "CITY COUNCIL", of the Sachse City Charter shall be repealed.

The question on the ballot to be submitted to the voters concerning the amendments specified in SECTIONS 11 and 12 of this ordinance shall read:

"The amendment providing for filling a vacancy in the office of mayor or councilmember by special election."

**SECTION 13.**

That the provisions of this Ordinance are severable, so that the invalidity of one or more provisions shall not affect the validity of those valid portions.

**SECTION 14.**

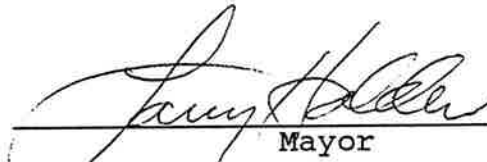
That this Ordinance shall become and be effective immediately upon its adoption and publication as required by law, and it is accordingly so ORDAINED.

**PASSED AND APPROVED** this 4th day of March, 1996.

**ATTEST:**

**THE CITY OF SACHSE, TEXAS**

  
\_\_\_\_\_  
City Secretary

  
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Mayor

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