



**RESOLUTION NO. E 20-11 #2**

**CITY OF NOLANVILLE, TEXAS**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NOLANVILLE, TEXAS, CANVASSING THE ELECTION HELD ON NOVEMBER 3, 2020 BY CERTIFYING THE SPECIAL ELECTION, FOR THE PURPOSE OF CONSIDERING EIGHT (8) PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF NOLANVILLE; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Ordinance No. E 20-08 #2 of the City of Nolanville, Texas adopted on the 6<sup>th</sup> day of August, 2020, a Special Election was duly held on the 3<sup>rd</sup> day of November, 2020, for the consideration of eight (8) proposed amendments to the Charter of the City of Nolanville, Texas;

**WHEREAS**, said election was held with the solemnities and formalities necessary to make it a valid election, all notices having been posted in the manner and for the length of time required by law; and

**WHEREAS**, only duly qualified resident voters of the City of Nolanville, Texas, voted at the General Election called and held on November 3, 2020; and

**WHEREAS**, section 67.003 of the Texas Election Code, as amended, generally provides that each local canvassing authority shall convene not later than the fourteenth (14<sup>th</sup>) day after the General Election date for the purpose of canvassing the election results; and;

**WHEREAS**, section 67.004(a) of the Texas Election Code, as amended, establishes the quorum level required to canvass election results; and

**WHEREAS**, a quorum of the City Council met on Tuesday, November 17, 2020, and duly canvassed the election returns of the above mentioned election and finds that the tabulation of the results of the election is correct, hereby attached as *Exhibit A*.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NOLANVILLE, TEXAS:**

**Section 1.** The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

**Section 2.** That the City Council officially finds and determines an election was duly ordered to be held in the City of Nolanville, Texas on the 3<sup>rd</sup> day of November 2020, for the purpose of considering eight (8) proposed amendments to the Charter of the City of Nolanville, Texas, and that proper notice of said election was duly given; that said election has been made and delivered by Bell County Elections Division; and that the City Council has duly canvassed said returns all in accordance with the Texas Election Code.

**Section 3.** That the City Council officially finds and determines that only qualified resident voters of the City of Nolanville, Texas were allowed to vote at said election, and the following votes were cast at said election, and that the canvass of the votes cast in the said election and returns thereof, which is attached hereto as *Exhibit A*, were made in accordance to the Texas Election Code.

**Section 4.** Pursuant to the applicable provisions of the Texas Local Government Code, Texas Election Code, and the City of Nolanville, Texas the City Council officially finds and determines and declares the results of said election reflects as following:

**PROPOSITION NO. A**

Shall the Nolanville Charter be amended to correct non-substantive grammatical errors, typographical errors, provide consistent capitalizations, and replace gender-specific language?

**1257 FOR  
746 AGAINST**

**PROPOSITION NO. B**

Shall Section 3.02 of the Nolanville Charter be amended to remove the reference to the maximum number of terms that can be served by a Mayor and City Council members, which is addressed in Section 3.09.D? If approved, the section will read:

Section 3.02 Numbers, Selection

The City Council shall be composed of the Mayor and five (5) Council members. The Mayor and Council members shall be elected from the City at large. Each Council member shall occupy a place on the Council, such places being numbered one (1) through five (5). Every even numbered year the Mayor and two (2) Council positions shall be voted in; on odd numbered years three (3) Council positions shall be voted in.

**1428 FOR  
560 AGAINST**

**PROPOSITION NO. C**

Shall Section 3.09.D. of the Nolanville Charter be amended to increase the maximum number of terms that can be served by a Mayor and City Council members to four (4), and clarify the wording? If approved, the section will read:

Section 3.09.D. Term Limits. No person shall serve for more than four (4) consecutive two (2) year terms in any one office.

**1444 FOR  
571 AGAINST**

**PROPOSITION NO. D**

Shall Section 3.12 of the Nolanville Charter be amended to clarify the different scopes of investigatory authority for the City Council and the City Manager? If approved, the section will read:

Section 3.12. Council Investigations. The City Council shall have the power to inquire into the official conduct of any agency, boards, office, officers, or employees appointed by the City Council. For this purpose, the City Council shall have the power to administer oaths, subpoena witnesses, and compel the production of books, papers, and other evidence material to the inquiry. The City Council shall provide, by ordinance, penalties for contempt in failing or refusing to obey any such subpoena or to produce any such books, papers, or other evidence. The City Council shall have the power to punish any such contempt in the manner provided by such ordinances. The City Manager retains the power to inquire into the official conduct of any department or employee appointed by the City Manager.

**1513 FOR  
463 AGAINST**

**PROPOSITION NO. E**

Shall Sections 5.01 [City Manager] and 5.02 [Other Departments, Offices, and Agencies] of the Nolanville Charter be amended to clarify that it is the role of the City Manager to supervise and discipline employees hired by the City Manager? If approved, the sections will read:

Section 5.01.C. Powers and Duties. The City Manager shall have the following powers and duties:

1. The City Manager shall appoint and, when the City Manager deems it necessary for the good of the City, may suspend or remove any City Department head, except as otherwise provided by law, this Charter, or personnel rules adopted pursuant to this Charter. The City Manager may authorize any employee, who is subject to the City Manager's discretion and supervision, to exercise these powers with respect to their subordinates in the officer's respective department, office, or agency.

2. Direction by City Manager. All departments, offices and agencies under the direction and supervision of the City Manager shall be administered by an employee appointed by the City Manager and subject to the direction and supervision of the City Manager. With the consent of Council, the City Manager may serve as the head of one or more such departments, offices, or agencies or may appoint one person to serve as the head of two or more of them in accordance with state and federal laws.

**1492 FOR**  
**458 AGAINST**

#### **PROPOSITION NO. F**

Shall Section 9.06 [Certificate of City Secretary; Amendment; Presentation to Council; Council Review] of the Nolanville Charter be amended to conform the requirements for supplementing a petition to be consistent with Chapter 277 of the Texas Election Code. If approved, the section will read:

Section 9.06. B. Amendment. A petition requiring a certain number of valid signatures can be amended in accordance with Chapter 277 of the Texas Election Code after having been filed with the City Secretary.

**1572 FOR**  
**374 AGAINST**

#### **PROPOSITION NO. G**

Shall Section 10.02 [Prohibitions] of the Nolanville Charter be amended to broaden the scope of those protected from discrimination by the City of Nolanville? If approved, this section will read:

Section 10.02.A.1. "No person shall be appointed to or removed from a City position or appointive administrative office, or in any way favored or discriminated against with respect to any City position on the basis of race, color, ethnicity, national origin (ancestry), religion (creed), gender, sex, sexual orientation, age, disability, political affiliation, marital status, or military status."

**1770 FOR  
221 AGAINST**

**PROPOSITION NO. H**

Shall Section 12.04 [Manner of Submission to the Voters] of the Nolanville Charter be deleted because it is a non-substantive explanatory note from 2010 that is inapplicable and moot. If approved, this section will be deleted:

**Section 12.04 Manner of Submission to Electors**

In preparing this Charter, The Charter Commission finds and decides that it is impractical to segregate each subject so as to permit a vote of "yes" or "no" on the same, for the reason that the Charter is so constructed that in order to enable it to work and function, it is necessary that it should be adopted in its entirety.

**1491 FOR  
419 AGAINST**

**Section 5.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this Resolution of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 6.** This Resolution shall be effective immediately upon its passage.

**PASSED & APPROVED this, the 17<sup>th</sup> day of November, 2020 by vote of 5 (ayes) 0 (nays) to 0 (abstentions) of the City Council of Nolanville, Texas.**

**CITY OF NOLANVILLE:**

  
Andy Williams, Mayor



**ATTEST:**

  
Crystal Briggs, City Secretary

November 3, 2020

Bell County

Precinct 111

**PROPOSITION NO. A City of Nolanville**

Vote For 1

	TOTAL	Election Day	Early Voting	Absentee
For	1,257	287	876	94
Against	746	207	510	29
<b>Total Votes Cast</b>	<b>2,003</b>	<b>494</b>	<b>1,386</b>	<b>123</b>
Overvotes	0	0	0	0
Undervotes	131	27	76	28
Contest Totals	2,134	521	1,462	151

**PROPOSITION NO. B City of Nolanville**

Vote For 1

	TOTAL	Election Day	Early Voting	Absentee
For	1,428	363	978	87
Against	560	133	393	34
<b>Total Votes Cast</b>	<b>1,988</b>	<b>496</b>	<b>1,371</b>	<b>121</b>
Overvotes	0	0	0	0
Undervotes	146	25	91	30
Contest Totals	2,134	521	1,462	151

**PROPOSITION NO. C City of Nolanville**

Vote For 1

	TOTAL	Election Day	Early Voting	Absentee
For	1,444	367	991	86
Against	571	132	399	40
<b>Total Votes Cast</b>	<b>2,015</b>	<b>499</b>	<b>1,390</b>	<b>126</b>
Overvotes	0	0	0	0
Undervotes	119	22	72	25
Contest Totals	2,134	521	1,462	151

**Summary Results Report**  
**20201103\_Bell County\_General Election**  
**November 3, 2020**

**OFFICIAL RESULTS**

**Bell County**

**Precinct 111**

**PROPOSITION NO. D City of Nolanville**

Vote For 1

	TOTAL	Election Day	Early Voting	Absentee
For	1,513	375	1,040	98
Against	463	116	321	26
<b>Total Votes Cast</b>	<b>1,976</b>	<b>491</b>	<b>1,361</b>	<b>124</b>
Overvotes	0	0	0	0
Undervotes	158	30	101	27
Contest Totals	2,134	521	1,462	151

**PROPOSITION NO. E City of Nolanville**

Vote For 1

	TOTAL	Election Day	Early Voting	Absentee
For	1,492	374	1,016	102
Against	458	105	329	24
<b>Total Votes Cast</b>	<b>1,950</b>	<b>479</b>	<b>1,345</b>	<b>126</b>
Overvotes	0	0	0	0
Undervotes	157	42	112	3
Contest Totals	2,107	521	1,457	129

**PROPOSITION NO. F City of Nolanville**

Vote For 1

	TOTAL	Election Day	Early Voting	Absentee
For	1,572	396	1,073	103
Against	374	85	269	20
<b>Total Votes Cast</b>	<b>1,946</b>	<b>481</b>	<b>1,342</b>	<b>123</b>
Overvotes	0	0	0	0
Undervotes	161	40	115	6
Contest Totals	2,107	521	1,457	129



**Summary Results Report**  
**20201103\_Bell County\_General Election**  
**November 3, 2020**

**OFFICIAL RESULTS**

**Bell County**

**Precinct 111**

**PROPOSITION NO. G City of Nolanville**

Vote For 1

	<b>TOTAL</b>	<b>Election Day</b>	<b>Early Voting</b>	<b>Absentee</b>
For	1,770	440	1,212	118
Against	221	56	157	8
<b>Total Votes Cast</b>	<b>1,991</b>	<b>496</b>	<b>1,369</b>	<b>126</b>
Overvotes	0	0	0	0
Undervotes	116	25	88	3
Contest Totals	2,107	521	1,457	129

**PROPOSITION NO. H City of Nolanville**

Vote For 1

	<b>TOTAL</b>	<b>Election Day</b>	<b>Early Voting</b>	<b>Absentee</b>
For	1,491	368	1,020	103
Against	419	110	291	18
<b>Total Votes Cast</b>	<b>1,910</b>	<b>478</b>	<b>1,311</b>	<b>121</b>
Overvotes	0	0	0	0
Undervotes	197	43	146	8
Contest Totals	2,107	521	1,457	129