

RESOLUTION NO. 2014-11-04 #007

CITY OF NOLANVILLE, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NOLANVILLE, TEXAS, CANVASSING THE ELECTION HELD ON NOVEMBER 4, 2014 BY CERTIFYING THE SPECIAL ELECTION, FOR THE PURPOSE OF CONSIDERING THIRTEEN (13) PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF NOLANVILLE; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. 2014-11-04 #007 of the City of Nolanville, Texas adopted on the 28th day of August, 2014 a Special Election was duly held on the 4th day of November, 2014, for the consideration of thirteen (13) 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 4, 2014; 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 eleventh (11th) 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 Thursday, November 17, 2014, 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 4th day of November 2014, for the purpose of Resolution NO. 2014-11-04 #007

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2014

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considering thirteen (13) 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. 1
Non-Substantive Revisions- Add Section

Section 11.12

The City Council may, without approval of the voters, adopt an ordinance that makes the following types of revisions to the charter:

- (1) Renumbering, revising titles, and rearranging parts thereof;
- (2) Correcting errors in spelling, grammar, cross-references and punctuation;
and
- (3) Revising language to reflect modern usage and style.

A revision adopted under this Section is not intended to and is not to be interpreted as making any substantive change in any Charter provision.

<i>For</i>	<u>345</u>
<i>Against</i>	<u>163</u>

PROPOSITION NO. 2
Compensation

Section 3.05

Members of the Council shall serve without pay or compensation; provided, however, that they shall be entitled to reimbursement for all expenses incurred in the performance of their official duties as approved by the Council.

<i>For</i>	<u>440</u>
<i>Against</i>	<u>63</u>

PROPOSITION NO. 3
Clarify "Quorum"

Section 3.05

- B. The City Council shall by resolution determine its own rules and order of business. Provisions shall be made for the taking of minutes, which shall be a public record. Three (3) Council Members of City Council shall constitute a quorum."

For 334
Against 170

PROPOSITION NO. 4
Term Limits

Section 3.09

- D. **Term Limits.** No person shall serve for more than three (3) consecutive two (2) year terms in any one office, after the adoption of the amendment to this Charter SubSection in 2014."

For 464
Against 39

PROPOSITION NO. 5
Ordinance Reading

Section 3.11

- A. **Passage.** Ordinances shall be introduced to the City Council only in written or printed form and will require one (1) reading prior to final passage, unless otherwise provided by the law of the State of Texas or this Charter. The subject or subjects of all ordinances shall be clearly expressed in the title. Except as may otherwise be prescribed in the Charter, after reading the ordinance or its caption, the City Council will determine whether it shall be passed, rejected or considered at a subsequent City Council meeting. The affirmative vote of three or more members of the City Council is required to enact any ordinance, unless state law or this Charter requires a greater number.

For 439
Against 63

PROPOSITION NO. 6
Ordinance Effective Date

Section 3.11

D. **Effective Date.** Effective date. Every ordinance shall become effective upon adoption or at any later time(s) specified in the ordinance, except that every ordinance imposing any penalty, fine, or forfeiture shall become effective only after the ordinance or a caption that summarizes the purpose of the ordinance and the penalty for violation the ordinance has been published once in a newspaper designated as the official newspaper(s) of the City, or except as otherwise provided by the law of the State of Texas or this Charter.

For 415
Against 83

PROPOSITION NO. 7
Run Off Elections

Section 4.05 Delete this Section, "Run Off Elections"
Reserved.

For 328
Against 106

PROPOSITION NO. 8
Add class of Individuals

Section 10.02

A. Activities Prohibited:

1. No person shall be appointed to or removed from or in any way favored or discriminated against with respect to the City position or appointive City administrative office because of race, national origin, sex, political or religious opinions or affiliations, or sexual orientation.

For 463
Against 44

PROPOSITION NO. 9
Charter Review Committee

Section 10.03

- A. The City Council shall appoint a Charter Review Committee in the third (3rd) year after this Charter is adopted and every sixth (6th)

year thereafter. The Charter Review Committee shall consist of five (5) members, each City Council member appointing one, [...]"

<i>For</i>	<u>446</u>
<i>Against</i>	<u>54</u>

PROPOSITION NO. 10
Uniform Election Date Correction

Section 4.01

Elections

The general City election shall be held annually on the uniform election date in November, or at such other times as may be specified by State Law, at which time officers will be elected to fill those offices which become vacant that year. [...]"

<i>For</i>	<u>483</u>
<i>Against</i>	<u>18</u>

PROPOSITION NO. 11
Filling Vacancies

Section 3.08

C. **Filling of Vacancies.** When a vacancy occurs in the City Council, the remaining members of the City Council may appoint a person meeting the requirements of that position to the vacant seat to serve until the next election. Should more than one (1) year remain on the vacant seat, the City shall call a special election and the candidate who wins the election for the seat shall serve the remainder of the term."

<i>For</i>	<u>408</u>
<i>Against</i>	<u>95</u>

PROPOSITION NO. 12
City Boundaries

Section 2.01 Boundaries

The boundaries of the City of Nolanville shall be the same as have heretofore been established and as they existed on the day of the ratification of this Charter, which boundaries are more full set out and described by the official city map of the City of Nolanville."

The boundaries of the City of Nolanville shall be the same as have heretofore been established and as they existed on the day of the ratification of this Charter, and includes any and all subsequently annexed areas, which boundaries are more fully set out and described by the official city map of the City of Nolanville.”

For 448
Against 51

PROPOSITION NO. 13
Municipal Court Judge(s)

Section 5.02

- C. **Municipal Court; Judge(s).** The City Council shall establish a municipal court and shall appoint a presiding judge(s) and any such other associate judge(s) as are deemed necessary and fix the compensation therefore. The judge(s) of the municipal court shall serve a term of two years in accordance with the Government Code and State law.

For 436
Against 66

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 17th day of November, 2014 by vote of 3 (ayes) 0 (nays) to 0 (abstentions) of the City Council of Nolanville, Texas.

CITY OF NOLANVILLE:

ATTEST:


Dennis Biggs, Mayor




Crystal Briggs, City Secretary

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CHARTER AMENDMENT ELECTION - NOVEMBER 4, 2014 - RESULTS

<u>Proposition</u>	<u>Proposition Summary</u>	<u>For</u>	<u>Against</u>
Proposition No. 1	Non-Substantive Revision - Add Section	345	163
Proposition No. 2	Compensation	440	63
Proposition No. 3	Clarify "Quorum"	334	170
Proposition No. 4	Term Limits	464	39
Proposition No. 5	Ordinance Reading	439	63
Proposition No. 6	Ordinance Effective Date	415	83
Proposition No. 7	Runoff Elections	328	106
Proposition No. 8	Add Class of Individuals	463	44
Proposition No. 9	Charter Review Committee	446	54
Proposition No. 10	Uniform Election Date Correction	483	18
Proposition No. 11	Filling of Vacancies	408	95
Proposition No. 12	City Boundaries	448	51
Proposition No. 13	Municipal Court Judge(s)	436	66

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	TOTAL VOTES	%	EARLY VOTING	ELECTION DAY	PROVISIONAL
City of Nolanville, Proposition No. 8					
VOTE FOR 1					
FOR	463	91.32	135	326	2
AGAINST	44	8.68	13	31	0
City of Nolanville, Proposition No. 9					
VOTE FOR 1					
FOR	446	89.20	136	308	2
AGAINST	54	10.80	12	42	0
City of Nolanville, Proposition No. 10					
VOTE FOR 1					
FOR	483	96.41	143	338	2
AGAINST	18	3.59	6	12	0
City of Nolanville, Proposition No. 11					
VOTE FOR 1					
FOR	408	81.11	119	287	2
AGAINST	95	18.89	31	64	0
City of Nolanville, Proposition No. 12					
VOTE FOR 1					
FOR	448	89.78	133	313	2
AGAINST	51	10.22	13	38	0
City of Nolanville, Proposition No. 13					
VOTE FOR 1					
FOR	436	86.85	126	309	1
AGAINST	66	13.15	23	42	1
Directors Election CHISHOLM TRAIL SUD					
VOTE FOR 2					
Ed Pastor	76	20.27	38	38	0
Tillie Pope.	50	13.33	27	23	0
Mark Bourland	27	7.20	13	14	0
Sheila Cunningham.	125	33.33	64	61	0
Joe Davis	66	17.60	32	34	0
David Maserang.	12	3.20	7	5	0
David Ciambrone	19	5.07	14	5	0
Permanent Directors BELL COUNTY MUD NO. 2					
VOTE FOR 5					
Jason Dewald	2	20.00	2	0	0
Miguel Diaz.	2	20.00	2	0	0
Otis Evans	2	20.00	2	0	0
Timothy Hancock	2	20.00	2	0	0
Nathan Reding	2	20.00	2	0	0

UNOFFICIAL RESULTSRESULTS HAVE NOT YET BEEN
CANVASSED BY THE
BELL COUNTY COMMISSIONER'S COURT

SUMMARY REPT-GROUP DETAIL

Bell County, Texas
General and Special Election
November 4, 2014

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TOTAL VOTES % EARLY VOTING ELECTION DAY PROVISIONAL

Bell County MUD No. 2, Proposition No. 3

VOTE FOR 1

FOR	2	100.00	2	0	0
AGAINST	0		0	0	0

Bell County MUD No. 2, Proposition No. 4

VOTE FOR 1

FOR	2	100.00	2	0	0
AGAINST	0		0	0	0

City of Nolanville, Proposition No. 1

VOTE FOR 1

FOR	345	67.91	102	242	1
AGAINST	163	32.09	50	112	1

City of Nolanville, Proposition No. 2

VOTE FOR 1

FOR	440	87.48	127	311	2
AGAINST	63	12.52	19	44	0

City of Nolanville, Proposition No. 3

VOTE FOR 1

FOR	334	66.27	95	239	0
AGAINST	170	33.73	53	115	2

City of Nolanville, Proposition No. 4

VOTE FOR 1

FOR	464	92.25	138	324	2
AGAINST	39	7.75	13	26	0

City of Nolanville, Proposition No. 5

VOTE FOR 1

FOR	439	87.45	133	304	2
AGAINST	63	12.55	16	47	0

City of Nolanville, Proposition No. 6

VOTE FOR 1

FOR	415	83.33	121	292	2
AGAINST	83	16.67	28	55	0

City of Nolanville, Proposition No. 7

VOTE FOR 1

FOR	328	75.58	95	232	1
AGAINST	106	24.42	30	75	1

UNOFFICIAL RESULTS

RESULTS HAVE NOT YET BEEN
CANVASSED BY THE
BELL COUNTY COMMISSIONER'S COURT