

RESOLUTION NO. 2022-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUERO, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A SPECIAL CITY CHARTER AMENDMENT ELECTION.

WHEREAS a special election was held in the City of Cuero, Texas, on May 7, 2022 for the purpose of adopting proposed amendments to the City Charter; and

WHEREAS having considered the results of said election and having duly canvassed same as required by law, the City Council of the City of Cuero here now finds and determines that such election as duly and legally called and held and that the returns of such election were duly made by the judges of said election as required by law and that there were cast at such election the following votes for and against the said Propositions, to-wit:

PROPOSITION	FOR	AGAINST
A	433	104
B	394	131
C	388	103
D	412	77

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

That Propositions, A, B, C, D, in the following terms, be and they are hereby declared duly adopted:

PROPOSITION A
(PROPUESTA A)

AMEND ARTICLE III, “THE CITY COUNCIL”, SECTION 3.06 (2) (C), “VACANCIES, FORFEITURES OF OFFICE & FILLING VACANCIES”

A FAVOR/EN CONTRA (ENMIENDA EL ARTÍCULO III, “EL CONCEJO MUNICIPAL”, SECCIÓN 3.06 (2) (C), “VACANTES, PÉRDIDAS DE CARGOS Y CUMPLIMIENTO DE VACANTES”)

Any member of the City Council or the Mayor shall automatically be deemed to have forfeited such office and shall be removed therefrom by a majority vote of the remaining members of the Council by resolution and enforced by the Council if that person:

C. fails to attend three (3) **consecutive** regularly scheduled council meetings without being excused by the Council

PROPOSITION B
(PROPUESTA B)

AMEND ARTICLE IV “ADMINISTRATIVE SERVICES”, SECTION 4.01 “CITY MANAGER”, B “TERM AND SALARY”

A FAVOR/EN CONTRA (ENMIENDA EL ARTÍCULO IV “SERVICIOS ADMINISTRATIVOS”, SECCIÓN 4.01 “ADMINISTRADOR MUNICIPAL”, B “TÉRMINO Y SALARIO”)

B. Term and Salary;

The City Manager shall not be appointed for a definite term, but may be removed at the will and pleasure of the City Council, by a vote of the majority of the entire Council. The action of the City Council in suspending or removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility of such suspension or removal, in the City Council. **The City Council shall have the sole responsibility of setting the salary of the City Manager.**

PROPOSITION C
(PROPUESTA C)

AMEND ARTICLE VI, “INITIATIVE, REFEREENDUM AND RECALL”, SECTION 6.03 “FORM OF PETITIONS”

A FAVOR/EN CONTRA (ENMENDAR EL ARTÍCULO VI, “INICIATIVA, REFERÉNDUM Y REVOCATORIA”, SECCIÓN 6.03 “FORMA DE PETICIONES”)

a descriptive caption. Referendum petition papers shall contain a sufficient description of the ordinance sought to be referred to identify it, or if the ordinance has been passed by the Council, the full text of the ordinance sought to be referred shall be included in such papers. The signatures to the initiative or referendum petitions need not be all appended to one (1) paper, but each signer shall sign his/her name in ink or indelible pencil, together with a notation showing his/her residence address. No signature shall be counted where there is reason to believe it is not the actual signature of the purported signer or this it is a duplication either of name or handwriting used in any other signature on the petition, and no signature shall be counted unless the residence address of the signer is shown, or unless it is signed exactly as the name of the voter appears on the official copy of the current list of exempt voters. Before signatures on any petition paper may be counted, **an affidavit shall be attached thereto and signed by** one (1) of the signers of such petition paper, as qualified voter. **Such affidavit shall be** an oath **taken** before the City Secretary or any other officer competent to administer oaths, that the statements made therein are true, that each signature to the paper appended is the genuine signature of the person whose name purports to be signed thereto, and that such signatures were placed thereon in his/her presence.

PROPOSITION D
(PROPUESTA D)

AMEND ARTICLE VIII, “FINANCIAL PROCEDURE”, SECTION 8.09, “VOTE REQUIRED FOR ADOPTION”

A FAVOR/EN CONTRA (ENMENDAR EL ARTÍCULO VIII, “PROCEDIMIENTO FINANCIERO”, SECCIÓN 8.09, “VOTO REQUERIDO PARA LA ADOPCIÓN”)

The budget shall be adopted by a favorable vote of the majority of the members of the whole City Council. The budget(appropriation) ordinance and the tax levying ordinance shall be also adopted by the favorable vote of a majority of the members of the whole City Council, **with the exception that if the tax rate exceeds the effective tax rate, then the tax levying ordinance shall be adopted by the favorable vote of at least 60% of the members of the whole City Council.**

That the Mayor of the City of Cuero shall certify to the Secretary of State an authenticated copy of the Charter Amendments under the City’s seal, showing the approval of the voters of the municipality.

That the City Secretary shall record in the City Secretary’s office the Charter Amendments so adopted by the voters of the municipality in a book kept for that purpose.

UPON MOTION OF COUNCILMEMBER _____,
SECONDED BY COUNCILMEMBER _____, THAT
THE RESOLUTION BE ADOPTED: AYES: 7 NAYES: 0, MOTION
CARRIED THIS 15th DAY OF MAY 2014.

SARA POST MEYER, MAYOR

ATTEST:

JENNIFER ZUFELT, CITY SECRETARY