

ORDINANCE NO. 2019-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF A SPECIAL ELECTION HELD ON MAY 4, 2019 IN THE CITY OF SAGINAW FOR THE PURPOSES OF SUBMITTING TO THE VOTERS PROPOSITIONS TO AMEND THE SAGINAW HOME RULE CHARTER.

WHEREAS, on February 5, 2019 the City Council of the City of Saginaw, Texas, adopted Ordinance No. 2019-02, calling a special election to be held in said City on the 4th day of May, 2019, for the purposes of submitting to the voters propositions to amend the Saginaw Home Rule Charter; and

WHEREAS, said election was duly held at the time and place specified, after due notice as required by law had been given by posting and publication; and

WHEREAS, state law requires that the governing body of the City canvass all elections; and

WHEREAS, on May 14, 2019 the Mayor and City Council duly canvassed the vote of said election, which showed there were 463 electors voting at said election, who cast votes as follows:

PROPOSITION A – Boundary

Shall the Saginaw Home Rule Charter be amended to clarify procedures for boundary adjustments by revising Section 2.01?

YES	357
NO	76

PROPOSITION B – Corporate Powers

Shall the Saginaw Home Rule Charter be amended to enumerate, without limitation, the corporate powers of the city by revising Section 4.01 to specify powers instead of providing a general statement of powers, and by revising Section 11.01 to provide that city control over streets is inalienable?

YES	314
NO	109

PROPOSITION C – Compensation for Council Members

Shall the Saginaw Home Rule Charter be amended to provide that a council member shall be paid a minimum of \$25.00 for each council meeting, provided that the amount annually paid to the entire council in the aggregate shall not exceed the annual compensation of the lowest paid permanent, fulltime city employee, by revising Section 5.01?

YES	320
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NO **116**

PROPOSITION D – Council Vacancies

Shall the Saginaw Home Rule Charter be amended to permit a vacancy on the council to be filled by city council appointment or by special election in the event there is less than twelve (12) months remaining in the unexpired term, by revising Section 5.09?

YES **345**
NO **92**

PROPOSITION E – City Council Meetings, Quorum and Duties

Shall the Saginaw Home Rule Charter be amended to allow the council to establish additional regular meetings by revising Section 5.10; to transfer responsibilities over city departments to the city manager by deleting Section 6.03(2) and Section 7.01 and adding Section 6.05(10); to provide for a quorum and procedures for filling vacancies in the event there are more than three vacancies on the council by adding Section 5.11; to change “inquiry” to “conduct investigations” in Section 6.03(5); to provide that the city council shall appoint the city secretary by amending 6.06, and to provide that the mayor pro tem shall be appointed by the city council by revising Section 6.02?

YES **300**
NO **129**

PROPOSITION F – Municipal Court

Shall the Saginaw Home Rule Charter be amended to eliminate the authority of the mayor to act as magistrate, to require that the judge be a licensed attorney as required by state law, to provide a procedure for removal of the judge, and to make non-substantive grammatical changes by revising Section 6.08?

YES **362**
NO **65**

PROPOSITION G – Utilities

Shall the Saginaw Home Rule Charter be revised to clarify and expand the city’s authority to operate city owned utilities and regulate utility franchises to include limiting a franchise term to twenty (20) years, providing procedures to grant franchises, providing terms to be included in a utility franchise, providing for regulation of utilities, and requiring annual reports by adding new Sections 8.01, 8.02, 8.03, 8.04, 8.05, 8.06, 8.07, 8.08 and 8.09 and deleting current Sections 8.01, 8.02, and 9.05, and revising Section 16.09?

YES **325**
NO **94**

PROPOSITION H – Competitive Bidding

Shall the Saginaw Home Rule Charter be amended to revise Section 9.04 to provide that all purchases must be made in compliance with state bidding requirements?

YES 389

NO 34

PROPOSITION I – Acquisition of Property

Shall the Saginaw Home Rule Charter be amended to delete rules for the acquisition of utilities by deleting Sections 10.01(3), 10.01(4), 10.01(5) and 10.01(6), while retaining Sections 10.01(1) and 10.01(2), and updating references to state law?

YES 288

NO 105

PROPOSITION J – Budget

Shall the Saginaw Home Rule Charter be amended to provide that procedures for the adoption of the budget shall be in accordance with state law by revising Sections 12.02 and 12.03, and to require that the annual audit be made available for public inspection no later than 180 days after the close of the fiscal year by revising Section 12.06?

YES 386

NO 30

PROPOSITION K – Planning and Zoning Commission

Shall the Saginaw Home Rule Charter be amended to require that members of the planning and zoning commission have resided in the city limits for at least one (1) year, and that the commission shall meet as needed, by revising Section 14.01; and by revising Section 14.04 to comply with state law procedures for adopting a comprehensive plan and zoning?

YES 381

NO 45

PROPOSITION L – Building Regulation

Shall the Saginaw Home Rule Charter be amended to revise Section 14.05 to provide that building regulations be adopted by ordinance and clarifying authority to enact such regulations?

YES 347

NO 64

PROPOSITION M – Recall, Initiative and Referendum

Shall the Saginaw Home Rule Charter be amended to require that petitions for initiative, referendum and recall, and comply with state law, and to provide that the minimum number of signatures on a petition for initiative, referendum and recall be 500, by revising Section 15.02 & 16.02?

YES 339
NO 81

PROPOSITION N – Initiative and Referendum

Shall the Saginaw Home Rule Charter be amended to provide that ordinances levying taxes, authorizing debt, relating to personnel matters, or relating to any matter a court has determined inappropriate for initiative or referendum shall not be subject to initiative or referendum; by revising Section 16.02?

YES 277
NO 137

PROPOSITION O – Ethics

Shall the Saginaw Home Rule Charter be amended to provide for a definition of “substantial interest” with regard to an officer or employee interest in contracts with the city, and to provide that the purchase of goods or services from a council member must be in compliance with state law by revising Section 17.13?

YES 378
NO 40

PROPOSITION P – Political Activities

Shall the Saginaw Home Rule Charter be amended to delete Section 17.15 regarding political activity of employees as it is partially contrary to state law?

YES 326
NO 86

PROPOSITION Q – Non-Substantive

Shall the Saginaw Home Rule Charter be revised to make non-substantive changes including deleting redundancy, making grammatical changes, and compliance with state law, by revising Sections 5.02, 5.07, 5.08, 6.05, 6.07, 10.01(B), 13.01, 15.04, 15.07, 17.07, 17.19 and 19.01, deleting Section 13.03, and renumbering throughout?

YES 356
NO 57

as is reflected by the election returns heretofore filed by the election judges with the City Secretary.

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

1. That said election was duly called; that notice of said election was given in accordance with law and the ordinance calling the election; that the election was held in accordance with law; that due return of said election has been made by the proper officers; and that the qualified voters of the City of Saginaw Texas voting in said election

have duly approved each proposition.

2. That the Saginaw Home Rule Charter shall be amended in accordance with the election.

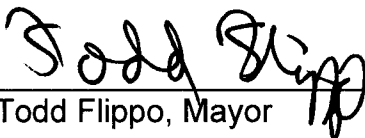
3. That the City Manager is hereby directed to certify to the Secretary of State an authenticated copy of the Charter Amendments under the City's seal showing approval by the voters of the City in accordance with the applicable provisions of the law.

4. That the City Secretary shall record in the City Secretary's office the Charter amendments adopted by the voters of the City in accordance with the applicable provisions of state law.

5. This resolution shall be in full force and effect from and after its passage, and it is so resolved.

ADOPTED AND APPROVED this 14th day of May, 2019.

APPROVED:



Todd Flippo, Mayor

ATTEST:



Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:



Bryn Meredith, City Attorney

