

**RESOLUTION No.**

**A RESOLUTION AND ORDER OF THE LEON VALLEY, TX., CITY COUNCIL  
CANVASSING THE RETURNS AND DECLARING THE OFFICIAL RESULTS OF  
CITY OF LEON VALLEY, TEXAS, NOVEMBER 08, 2022 SPECIAL CHARTER  
AMENDMENT ELECTION**

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

There came to be considered the returns of a Special Election held on the November 03, 2020, for the purpose of considering amendments to the Leon Valley City Charter.

Measures, amending the City Charter, were given to the qualified voters of the City at the Special Election in the form of propositions in accordance with Section 9.004 of the Texas Local Government Code and other applicable laws with votes FOR and AGAINST each proposition as shown below:

**Proposition A**

**Shall Section 3.01 of the City Charter of the City of Leon Valley be amended by repealing/deleting general powers and duties of the City Council as legislators and shall not encroach on the executive responsibilities of the city manager?**

**FOR 1909                      AGAINST 1338**

**Proposition B**

**Shall Section 3.03 of the City Charter of the City of Leon Valley be amended by repealing/deleting the qualifications that a candidate or elected or appointed city council member or mayor must not have been in violation of the City Charter within three years of application or appointment to office, a candidate may not be determined to have forfeited an office of the City Council within three years, and adding that a council member maintain residency in the corporate limits of the City throughout their tenure?**

**FOR 2311                      AGAINST 982**

**Proposition C**

**Shall Section 3.06 of the City Charter of the City of Leon Valley be amended by replacing the Mayor's ability to discuss any "Policy" matters with any matters and remove language mandating a general disposition when addressing council members and citizens?**

**FOR 1984                      AGAINST 1255**

#### **Proposition D**

Shall Section 3.08 of the City Charter of the City of Leon Valley be amended by repealing/deleting the requirement of immediate resignation, investigation and hearing process in case of violation of the charter and/or forfeiture of office?

FOR 1820 AGAINST 1433

#### **Proposition E**

Shall Section 3.09 of the City Charter of the City of Leon Valley be amended by repealing section 3.09 prohibitions in its entirety deleting provisions that prevent a City Council member from accepting or admitting liability, pay any claim for damages without written opinion of the city attorney, that no member of the City Council be employed in or appointed to the positions of city manager, city attorney or department head until three (3) years after expiration of the term elected, that a candidate or elected or appointed City Councilmember or Mayor must not have been in violation of the City Charter within three years of application or appointment to office, prohibiting City Council from dictating to the city manager the appointment of any person to office or employment and the interference of the city manager in performance of duties, and deleting provisions related to attorney client privilege?

FOR 1976 AGAINST 1252

#### **Proposition F**

Shall Section 3.12 of the City Charter of the City of Leon Valley be amended by repealing/deleting Section 3.12 Council Investigations Hearings Process in its entirety and adding the City Council shall have the power to inquire into the conduct of any department, agency, board, or employee of the City, and for that purpose shall have the power to administer oaths, subpoena witnesses, compel the production of books, papers, testimony, and other evidence material to the inquiry and provide penalties for violation?

FOR 2160 AGAINST 1046

#### **Proposition G**

Shall Section 5.01 of the City Charter of the City of Leon Valley be amended by replacing the city manager shall be appointed for an "Indefinite" term instead of "Definite" term, may be removed by "Majority" vote instead of "Two-Thirds" vote, and by adding In The Event Of Termination The City Manager Shall Not Receive More Than One (1) Times The Annual Base Salary And Accrued Personal Leave?

FOR 2076 AGAINST 1143

#### **Proposition H**

Shall Section 5.01 of the City Charter of the City of Leon Valley be amended by adding the city manager shall appoint department heads, including but not limited to, the city secretary, police chief, fire chief, planning and zoning director, library director, human resources director, public works director, economic development director, finance director and assistant city manager(s) upon consent of the majority of the City Council?

FOR 2096                      AGAINST 1099

#### **Proposition I**

Shall Section 5.02 of the City Charter of the City of Leon Valley be amended by deleting language mandating the creation of a department before a department, office or agency is discontinued or assigned?

FOR 1976                      AGAINST 1198

#### **Proposition J**

Shall Section 5.02 of the City Charter of the City of Leon Valley be amended by changing the appointment and removal, report of the city attorney by and to the city manager with council approval, to the appointment and removal, report of the city attorney by and to the City Council?

FOR 2242                      AGAINST 923

#### **Proposition K**

Shall Section 7.05 of the City Charter of the City of Leon Valley be amended to change the City Council's option from "Shall" appoint A Charter Review Committee the second (2nd) year after a Charter is adopted and every fourth (4th) year thereafter, to the City Council "May" appoint a Charter Review Committee at "any time"?

FOR 2214                      AGAINST 976

#### **Proposition L**

Shall Section 7.13 of the City Charter of the City of Leon Valley be amended by repealing/deleting the criminal penalty of not more than five hundred (\$500.00) for violations of the Charter?

FOR 1880                      AGAINST 1318

**Proposition M**

**Shall Section 7.13 of the City Charter of the City of Leon Valley be amended by repealing/deleting the civil penalty of not more than five hundred (\$500.00) for violations of the Charter?**

**FOR 1899                      AGAINST 1307**

That the election was duly called; that notice of said election was given in accordance with law and that said election was held in accordance with law; that the following measures are hereby declared to be approved by the registered voters of the City of Leon based on the canvassing of the November 08, 2022 election results:

**Propositions A through M**

It is further found and determined that in accordance with the order of this governing body that the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located at the Leon Valley City Hall, a place convenient to the public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the date of this meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

**PASSED** and **APPROVED** this the 15th day of November, 2022.

**APPROVED**

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**CHRIS RILEY**  
Mayor

Attest:

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**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

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**NICOLE WARREN**  
City Attorney