

**ORDINANCE NO. 680**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, CANVASSING THE ELECTION RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION OF THE CITY OF MANOR HELD ON TUESDAY, NOVEMBER 8, 2022, ON PROPOSED CHARTER AMENDMENTS; AND DECLARING THE EFFECTIVE DATE OF THIS ORDINANCE.**

Whereas, pursuant to the City Charter and Texas Election Code, the City Council of the City of Manor, Texas, convened on this the 22<sup>nd</sup> day of November 2022, at 6:00 p.m. for the purpose of canvassing the vote in the special election held on November 8, 2022;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, THAT:**

Section One. Canvass of Vote – Special Election.

(a) There came to be considered the returns of the special election held on the 8<sup>th</sup> day of November 2022, pursuant to *Chapter 9, Tex. Loc. Gov't. Code*, for the purpose of voting on the following propositions to amend the City Charter; and it appearing from the returns of said special election, duly and legally made, that each proposition received the following votes cast "YES" the proposition submitted, and "NO" the proposition submitted.

**PROPOSITION:**

**VOTES CAST:**

	<b><u>Early</u></b>	<b><u>Vote by Mail</u></b>	<b><u>Provisional</u></b>		<b><u>Election</u></b>	<b><u>Vote %</u></b>	<b><u>Total</u></b>
<b>PROPOSITION C<sup>c</sup></b>							
Filling Vacancies in Office							
Yes	1,010	41	4	:	528	57.07%	1,583
				:			
				:			
No	791	16	2	:	382	42.93%	1,191
				:			
<b>PROPOSITION D<sup>d</sup></b>							
Council Attendance Requirements							
Yes	1598	56	6		755	87.85%	2,415
No	204	0	0		130	12.15%	334

<sup>c</sup>. Shall Section 3.05(c) of the City Charter be amended to delete the requirement that vacancies must be filled within 45 days from the date the vacancy occurs?

<sup>d</sup>. Shall Section 3.06 of the City Charter be amended to require that: Council members attend each committee meeting to which the council member is assigned; Council adopt a policy for determining whether an absence is without good and sufficient cause; Council may revoke a prior-excused absence for a Council member who is absent from thirty percent of all regular, special, and committee meetings for the purposes of removal under Section 3.04 of the City Charter; and providing that a member of Council may not have an excused absence revoked during the first six months in office?

**PROPOSITION E<sup>e</sup>**

**Council Compensation and Renumbering of Sections**

Yes	1,028	33	5	501	58.06%	1,567
No	731	20	1	380	41.94%	1,132

**PROPOSITION F<sup>F</sup>**

**Mayoral Duties**

Yes	1,173	38	4	564	64.39%	1,779
No	632	15	2	335	35.61%	984

**PROPOSITION G<sup>G</sup>**

**Appointment of the Mayor Pro Tem**

Yes	1532	50	6	709	86.81%	2,297
No	203	3	0	143	13.19%	349

**PROPOSITION H<sup>H</sup>**

**Term of the Mayor Pro Tem**

Yes	1,425	43	3	689	80.27%	2,160
No	340	8	2	181	19.73%	531

**PROPOSITION I<sup>I</sup>**

**Municipal Court**

Yes	1450	43	3	704	82.86%	2,200
No	287	10	2	156	17.14%	455

E. Shall Section 3.09 of the City Charter be deleted (which provides that the mayor and city councilmembers shall not be paid, shall be entitled to reimbursements for expenses incurred in the performance of official duties as budgeted, and shall not be provided staff or assistants) and Section 3.10. Automatic Resignation be renumbered as Section 3.09?

F. Shall Section 4.01 of the City Charter be amended to add that the Mayor may take command of the police and maintain order and enforce all laws during the time of a declared emergency?

G. Shall Section 4.02 of the City Charter be amended to clarify that the appointment of the Mayor Pro Tem occurs at the first regular meeting following the canvass of the general election and any runoff election associated with that general election?

H. Shall Section 4.02 of the City Charter be amended to provide that the Mayor Pro Tem shall serve a two-year term?

I. Shall Section 7.10 of the City Charter be amended to establish the department of the Municipal Court and provide that the City Manager’s appointment of the presiding municipal judge and associate judges are subject to confirmation by the City Council?

**PROPOSITION J<sup>J</sup>**

Renumbering of Section						
Yes	1473	52	4	717	87.43%	2,246
No	201	1	0	121	12.57%	323

(b) It is found, determined and declared by the City Council that said special election was duly called; that notice of said special election was given in accordance with law, returns of the election have been lawfully made by the proper officials, and that said election was held in accordance with law. Each of the above-stated propositions, being submitted to only qualified, resident electors of the City for vote, resulted in more than a majority of the qualified voters voting at the election having voted to pass the propositions by the number of votes described in Section One(a).

(c) As approved and adopted by a majority of the qualified voters voting at such election, the City of Manor Home Rule Charter shall be amended as provided in the approved propositions and the ordinance calling the charter amendment election, and it is hereby declared that said amendments to the City of Manor Home Rule Charter, as fully set out in the ordinance calling said charter amendment election are hereby adopted.

Section Two. Filing with Secretary of State and Department of Justice. The City Manager, the City Secretary, and the City Attorney of the City are hereby directed to do and perform the tasks and responsibilities necessary and required to file a copy of the City Charter with the Secretary of the State of Texas.

Section Three. Open Meetings. It is further found and determined that in accordance with this Ordinance 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 City Hall, a place convenient to the public, and said notice having been so 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 the meeting and shall be made apart thereof for all intents and purposes.

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<sup>1</sup> Shall Section 10.10. Community Committees of the City Charter be amended to be Section 10.11 to correct a scrivener's error in the original numbering of the section?

**PASSED AND APPROVED** on this 22<sup>nd</sup> day of November 2022.

**THE CITY OF MANOR, TEXAS**

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Dr. Christopher Harvey,  
Mayor

**ATTEST:**

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Lluvia T. Almaraz, TRMC  
City Secretary