

**ORDINANCE NO. 5486**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, APPROVING THE RETURNS CANVASSED AND DECLARING THE RESULT OF THE CHARTER AMENDMENT ELECTION HELD ON THE 4TH DAY OF MAY, 2024, ON THE QUESTIONS OF ADOPTING TWENTY-FOUR (24) AMENDMENTS TO ITS HOME RULE CHARTER; AND RELATED MATTERS, AND AMENDING ARTICLES OF THE MISSION CITY CHARTER APPROVED BASED ON THE OFFICIAL RETURNS.**

**WHEREAS**, on the 14<sup>th</sup> day of May, 2024, during a Special Meeting of the City Council of the City of Mission, the City Council canvassed the returns for the *Charter Amendment Election* held in and throughout the City of Mission, Texas, on Saturday, May 4, 2024, and found the results to be as noted on Attachment "A" of this ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mission, Texas:

**THAT** the attached election results serve as the final, true, and correct election results of the May 4, 2024, *Charter Amendment Election*; and

**THAT** the City Council officially finds and determines that said election was duly ordered; proper notice of said election was duly given; proper election officers were duly appointed prior to said election; and said election was duly held; the City has complied with the Federal Voting Rights Act and the Texas Election Code; due returns of the result of said election have been made and delivered; and the City Council has duly canvassed said returns, all in accordance with law and the Resolution calling the election; and

**THAT** the City Council officially finds, determines, and declares the results of said Charter Amendment Election to be that:

**MISSION PROPOSITION A: Shall Section 1.01 of the City Charter be amended to provide that the provisions of the charter shall be construed liberally to favor the City of Mission?**

**FOR 2878**

**AGAINST 1407**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition A**, a majority of **4285 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 1.01 of the City Charter of the City of Mission as shown in "Exhibit A"

**MISSION PROPOSITION B: Shall Article 1 of the City Charter be amended to simplify the provisions relating to expansion and contraction of the city's boundaries by deleting Sections 1.03 through 1.06, providing that the procedures for annexation are to be conducted according to the provisions of state law, and renumbering the remaining sections?**

**FOR 2742**

**AGAINST 1327**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of

said **Proposition B**, a majority of **4069 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be revised by deleting Sections 1.03 through 1.06 of the City Charter of the City of Mission as shown in “Exhibit A”:

**MISSION PROPOSITION C: Shall Section 2.01 of the City Charter be amended to simplify the enumeration of the city's powers and to provide that it will have the power of local government to the fullest extent permitted by law?**

**FOR 2628**

**AGAINST 1401**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition C**, a majority of **4029 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 2.01 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION D: Shall Section 3.01.C of the City Charter be amended to provide, to the extent permitted by law, that the regular municipal elections for the City of Mission to elect a Mayor and/or member of City Council shall be held during the November uniform election date?**

**FOR 3194**

**AGAINST 913**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition D**, a majority of **4107 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 3.01 C of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION E: Shall Section 3.01.H of the City Charter be amended to establish a term limit for the office of mayor of three (3) four-year terms?**

**FOR 3182**

**AGAINST 973**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition E**, a majority of **4155 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 3.01 H of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION F: Shall Section 3.06 of the City Charter be amended to revise the process for filling vacancies on the city council to be consistent with the requirements of the Texas Constitution?**

**FOR 3333**

**AGAINST 754**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition F**, a majority of **4087 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 3.06 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION G: Shall Section 3.09 of the City Charter be amended to provide meetings of the city council must be conducted in accordance with the Texas Open Meetings Act?**

**FOR 3477**

**AGAINST 597**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition G**, a majority of **4074 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 3.09 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION H: Shall Section 3.11 of the City Charter be amended to revise the process for publishing city ordinances to also include other means as allowed by state law?**

**FOR 3154**

**AGAINST 833**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition H**, a majority of **3987 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 3.11 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION I: Shall Section 3.14 of the City Charter be amended to provide that audits of the city's books and accounts are to be filed with the City Secretary?**

**FOR 3161**

**AGAINST 837**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition I**, a majority of **3998 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 3.14 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION J: Shall Section 3.14 of the City Charter be amended to remove the requirement that the city's semiannual simplified financial report be published in a local newspaper?**

**FOR 2132**

**AGAINST 1866**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition J**, a majority of **3998 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 3.14 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION K: Shall Section 3.15 of the City Charter be added to establish the position of internal auditor?**

**FOR 2941**

**AGAINST 1016**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition K**, a majority of **3957 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 3.15 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION L: Shall Sections 4.02 and 4.08 of the City Charter be amended to clarify that the chief of police and the fire chief are appointed by and responsible to the city manager and revising the existing language so that the sections relating to the fire and police departments are consistent?**

**FOR 3042**

**AGAINST 947**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition L**, a majority of **3989 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Sections 4.02 and 4.08 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION M: Shall Section 4.05 B of the City Charter be amended to remove the requirement that Mission Municipal court judges be qualified voters of the City of Mission?**

**FOR 2212**

**AGAINST 1805**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition M**, a majority of **4017 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 4.05 B of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION N: Shall Section 4.05 B of the City Charter be amended to remove the requirement that the City Secretary or an assistant City Secretary be ex officio clerk of the municipal court?**

**FOR 2244**

**AGAINST 1588**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition N**, a majority of **3832 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 4.05 B of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION O: Shall various sections of the City Charter, including Section 4.05 (terms of municipal law judges), Section 5.01 (conduct of elections), Section 9.18 (appraisal and rendition of property), Section 11.02 (financial interest in transactions with the city) and Section 11.03 (drilling operations in the city), to define the city's responsibilities and limitations in terms of the controlling state statute?**

**FOR 2722**

**AGAINST 1008**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition O**, a majority of **3730 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Sections 4.05; Section 5.01; Section 9.18; Section 11.02 and Section 11.03 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION P: Shall Section 4.06 of the City Charter be amended to define the duties of the city attorney and provide guidelines to limit the use of outside counsel?**

**FOR 2837**

**AGAINST 1038**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition P**, a majority of **3875 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 4.06 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION Q: Shall Section 4.09 of the City Charter be amended to remove Council's authority to combine the city's Police and Fire Departments into one (1) department?**

**FOR 2174**

**AGAINST 1752**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition Q**, a majority of **3926 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 4.09 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION R: Shall the City Charter be amended by revising Section 5.03 to set out the qualifications and procedures for candidates filing to run for the office of mayor or councilmember, deleting Section 5.04 (official ballot), Section 5.05 (laws governing city elections), and Section 5.06 (canvassing elections) as matters governed by state statute, and renumbering the remaining section in article 5 accordingly?**

**FOR 2515**

**AGAINST 1151**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition R**, a majority of **3666 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Sections 5.03; and deleting sections 5.04; 5.05 and 5.06 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION S: Shall the City Charter be amended by revising various sections of Article 7 to clarify the procedure for calling an initiative or referendum election where an ordinance is sought to be adopted or repealed pursuant to a citizen petition including making clear that the power of referendum does not extend ordinances appropriating money, to clarify the rule for interpreting inconsistent ordinances adopted at the same election, to change the period during which an initiated ordinance may not be amended or repealed by the city council to two rather than four years, and to conform publication standards to those set out in state law?**

**FOR 2574**

**AGAINST 1036**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition S**, a majority of **3610 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Article 7 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION T: Shall Section 8.01 of the City Charter be amended to**

define the authority of the Planning and Zoning Commission to advise the City Council on zoning matters and to provide that the City of Mission and its Planning and Zoning Commission shall have authority of planning and zoning and of subdivision and platting of land to the full extent permitted by the Constitution and laws of the State of Texas.

**FOR 2740**

**AGAINST 1002**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition T**, a majority of **3742 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Section 8.01 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION U: Shall Article 9 of the City Charter be amended to clarify the time by which the city manager is to present a proposed budget, to clarify the time and place of a public hearing on the budget, to delete the requirement that the annual budget include a contingency appropriation of up to three percent of the total budget, to clarify that the estimated expenditures in the budget shall not exceed estimated revenues, to provide for public availability of copies of the budget, to conform the subject of and procedures for taxation to the requirements of the State of Texas Property Tax Code, and to make non-substantive typographic changes. (§§ 9.02, 9.07, 9.11, 9.13, 9.14, 9.18, and 9.22)**

**FOR 2699**

**AGAINST 968**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition U**, a majority of **3667 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be added to Article 9 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION V: Shall the City Charter be amended to delete Section 9.16 relating to a City Department of Taxation and Section 9.19 authorizing the establishment of a joint tax office by joining with other taxing entities?**

**FOR 2138**

**AGAINST 1523**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition V**, a majority of **3661 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, delete Section 9.16 and 9.19 of the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION W: Shall the City Charter be amended to delete the requirement that a city treasurer be appointed?**

**FOR 1902**

**AGAINST 1826**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition W**, a majority of **3728 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be deleted from the City Charter of the City of Mission as shown in “Exhibit A”.

**MISSION PROPOSITION X: Shall the City Charter be amended to delete the requirement that a City Health Officer be appointed?**

**FOR 1888**

**AGAINST 1879**

AND, WHEREAS, IT APPEARS TO THE City Council, and it is hereby so found and declared, that a majority of the qualified voters voting at said election, have voted **in favor** of said **Proposition X**, a majority of **3767 votes** being in favor thereof, thereby approving the same, and that said amendment shall, therefore, be deleted from the City Charter of the City of Mission as shown in “Exhibit A”.

**CHARTER AMENDMENT ELECTION RESULTS**

<b>PROPOSITION</b>	<b>FOR</b>	<b>AGAINST</b>	<b>TOTAL VOTES</b>	<b>PERCENT “FOR”</b>
Proposition A	2878	1407	4285	67.16 %
Proposition B	2742	1327	4069	67.39 %
Proposition C	2628	1401	4029	65.23 %
Proposition D	3194	913	4107	77.77 %
Proposition E	3182	973	4155	76.58 %
Proposition F	3333	754	4087	81.55 %
Proposition G	3477	597	4074	85.35 %
Proposition H	3154	833	3987	79.11 %
Proposition I	3161	837	3998	79.06 %
Proposition J	2132	1866	3998	53.33 %
Proposition K	2941	1016	3957	74.32 %
Proposition L	3042	947	3989	76.26 %
Proposition M	2212	1805	4017	55.07 %
Proposition N	2244	1588	3832	58.56 %
Proposition O	2722	1008	3730	72.98 %
Proposition P	2837	1038	3875	73.21 %
Proposition Q	2174	1752	3926	55.37 %
Proposition R	2515	1151	3666	68.60 %
Proposition S	2574	1036	3610	71.30 %
Proposition T	2740	1002	3742	73.22 %
Proposition U	2699	968	3667	73.60 %
Proposition V	2138	1523	3661	58.40 %
Proposition W	1902	1826	3728	51.02 %
Proposition X	188	1879	3767	50.12 %

**THAT**, this Ordinance shall serve as the order in the records of the municipality declaring that the charter or amendment is adopted, as required by LGC § 9.005, and shall serve as the required certification by the Mayor to the Secretary of State as the authenticated copy of the charter or amendment under the municipality's seal showing the approval by the voters of the municipality, as required by LGC § 9.007; and

**THAT**, as required by LGC § 9.008, the city secretary shall record in the Office of the City Secretary the charter amendments as adopted by the voters of the City of Mission.

**APPROVED** on this the 13<sup>th</sup> day of May, 2024.

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Norie Gonzalez Garza, Mayor

ATTEST:

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Anna Carrillo, City Secretary