

ORDINANCE NO. 2010-19

AN ORDINANCE AND ORDER CANVASSING THE RETURNS AND
DECLARING THE RESULTS OF THE MAY 8, 2010, CITY OF
LEAGUE CITY SPECIAL ELECTION AND INSTRUCTING THE
MAYOR TO CERTIFY THE RESULTS OF THE ELECTION TO THE
APPROPRIATE STATE AND FEDERAL OFFICIALS

WHEREAS, on May 8, 2010, there was held within and throughout the territory of the City of League City, Texas (the "City") an election (the "Election"), to provide for the registered voters of the city to vote on separate propositions for the amendment of the City Charter, a copy of a sample ballot being attached hereto as Exhibit "A" and appearing from the returns, duly and legally made, there were cast at the Election 2,998 ballots. Each voter received one (1) ballot for the propositions from which each of the propositions received the following number of votes:

PROPOSITION NO. 1	For	2,030	Against	751
PROPOSITION NO. 2	For	1,958	Against	797
PROPOSITION NO. 3	For	2,341	Against	393
PROPOSITION NO. 4	For	1,677	Against	1,090
PROPOSITION NO. 5	For	2,575	Against	172
PROPOSITION NO. 6	For	2,514	Against	202
PROPOSITION NO. 7	For	2,466	Against	250
PROPOSITION NO. 8	For	2,376	Against	314
PROPOSITION NO. 9	For	2,584	Against	157
PROPOSITION NO. 10	For	2,396	Against	278
PROPOSITION NO. 11	For	2,307	Against	363
PROPOSITION NO. 12	For	2,568	Against	167
PROPOSITION NO. 13	For	2,568	Against	158
PROPOSITION NO. 14	For	2,599	Against	133
PROPOSITION NO. 15	For	2,408	Against	269
PROPOSITION NO. 16	For	2,393	Against	284
PROPOSITION NO. 17	For	2,468	Against	213

PROPOSITION NO. 18	For	2,492	Against	197
PROPOSITION NO. 19	For	2,534	Against	181

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The facts and opinions in the preamble of this Ordinance are true and correct.

Section 2. The Election was duly called, Notice of the Election was given in accordance with law, and the Election was held in accordance with law.

Section 3. The City Council has examined such returns and opened and canvassed the votes of such election.

Section 4. The following proposed Propositions for the amendment to the City Charter of the City of League City were voted "FOR" by a greater number of voters who voted "AGAINST" the proposed Propositions and, therefore, these amendments are declared adopted and the City Charter shall be changed to reflect these approved amendments:

PROPOSITION NO. 1

Amend the Charter to adopt the Council-Manager form of government and to provide for the appointment of a City Manager who shall be the chief administrative and executive officer of the City, so that (1) Article II, Sections 20 and 21 shall be re-entitled "Form of Government" and "City Manager," and the remaining Sections of Article II shall be numbered or re-numbered appropriately; (2) Article II, Section 19, Subsection B, regarding the authority of the Mayor over day to day operations, the appointment of certain officers, and the execution of contracts of less than \$15,000.00, shall be deleted; (3) Article X, Section 34, entitled "Relatives of officer shall not be appointed or employed" shall be amended by addition of the words "the City Manager or" between the words "to" and "members;" and (4) Article VII, Section 3, entitled "The budget document," Section 4, entitled "The preparation and adoption of the budget," Section 5 entitled "Transfer of appropriations," and Section 8, entitled "Emergency appropriations;" Article X, Section 4, entitled "Damage suits," and Article X, Section 21, entitled "Payment of claims," shall be amended by replacing the word "Mayor" with the words "City Manager," in each Section, with the text of Section 19(B) and the re-entitled Sections 20 and 21 to hereafter read as follows:

Article II, Section 19. General powers of the mayor and city council.

B. Mayor – The Mayor shall appoint the officers for boards, commissions and agencies provided for in this Charter, subject to being confirmed by City Council.

Article II, Section 20. Form of government.

The municipal government provided by this charter shall be of the type known as the council-manager government. The municipal government provided by this charter shall consist of a mayor and council members, elected by the people and responsible to the people, and a city manager, appointed by and responsible to the council for proper administration of the affairs of the city.

Article II, Section 21. City manager.

(a) *Appointment, qualifications, and duties:*

(1) The council shall appoint a city manager, who shall be the chief administrative and executive officer of the city. He/she shall be chosen solely on the basis of his/her executive and administrative training, experience and ability. He/she need not be a resident of the city when appointed; however, during his/her tenure of office he/she shall reside in the city.

(2) No mayor or council member shall receive such appointment during the term for which he/she shall have been elected or within one (1) year after the expiration of his/her term.

(b) *Term and salary.* The city manager shall serve at the discretion of the city council and shall receive such salary as may be fixed by the council.

(c) *Powers and duties.* The city manager shall be responsible to the council for the administration of all the affairs of the city. The powers and duties conferred upon the city manager shall include, but shall not be limited by the following:

(1) He/she shall see that all laws, provisions of this charter, and acts of the city council, subject to enforcement by him/her, or by officers subject to his/her direction and supervision, are faithfully executed.

(2) Appoint, suspend or remove any employee of the city not otherwise appointed by city council as provided for in this Charter.

(3) Attend all meetings of the council.

(4) Prepare the annual budget and submit it to the council and be responsible for its administration after its adoption.

(5) Prepare and submit to council at the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year.

(6) Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem necessary.

(7) Perform such other duties as may be prescribed by this charter or required of him/her by the council.

(8) Manage, as administrative head, all employees of the city. However, the city manager may not lower, change or alter in any manner the salary and/or the compensation package of personnel directly responsible to the city council.

(9) Establish and adjust salaries and compensation for all employees not appointed by city council in accordance with a compensation plan approved by the city council.

(10) Sign contracts for which neither competitive bidding nor another procurement method is required by state law, as such laws may hereafter be amended.

(d) *Evaluations.* The city council, including the mayor, shall evaluate the city manager annually in accordance with the city's personnel policies manual, and each council member shall sign the evaluation.

(e) *Detail of City Manager Duties.* The City Council may, by ordinance or personnel policy, provide further detail regarding the duties of the City Manager consistent with the terms of this Charter.

Article VII, Section 3. The budget document.

The budget document of the City presenting a financial plan for the City Government as outlined in the preceding section, shall consist of three parts as follows:

Part I shall contain (1) a budget message, prepared by the City Manager, which shall outline a fiscal policy for the City Government, describing therein the important features of the budget with reference both to proposed expenditures and anticipated income, (2) a general budget summary with supporting schedules, which shall be in accordance with the Texas Uniform Budget Law.

Part II shall contain (1) detailed estimates of all proposed expenditures, showing the corresponding expenditures for each item for the current fiscal year and the last preceding fiscal year with explanations of increases or decreases recommended as compared with appropriations for the current fiscal year; (2) detailed estimates of anticipated revenues and other income; (3) delinquent taxes, if any, for current and preceding years, with percentage collectable; (4) statements of the bonded and other indebtedness of the City Government, showing the debt redemption and interest requirements, the debt authorized and unissued, the condition of the sinking funds, if any, and the borrowing capacity of the city.

Part III shall contain complete drafts of the budget ordinances, including an appropriation ordinance and such other ordinances as may be required to finance and budget.

Article VII, Section 4. The preparation and adoption of the budget.

Prior to the first day of August of each year, the departments and agencies of the City Government shall transmit estimates of their budgetary requirements to the City Manager. The Council may revise, alter, increase, or decrease the items of the budget, provided that when it shall increase the total proposed expenditures, it shall also increase the total anticipated income so that the total means of financing the budget shall at least equal in amount the aggregate proposed expenditures. When the Council shall make such changes, it shall issue a statement setting forth clearly its action on the budget. At least ten (10) days before the beginning of the fiscal year, the Council shall approve the budget plan and shall enact the appropriation ordinance. As soon thereafter as possible, the Council shall pass the tax levy ordinance and such other ordinances as may be required to make the budget effective.

Article VII, Section 5. Transfer of appropriations.

The Council may transfer any unencumbered appropriation balance or portion thereof from one office, department, or agency to another, at any time. The City Manager shall have authority, without Council authority, to transfer appropriation balances from one expenditure account to another within a single office, department, or agency.

Article VII, Section 8. Emergency appropriations.

At any time in any fiscal year, the Council may, pursuant to this section, make emergency appropriations to meet a pressing need for public expenditure, for other than regular or recurring requirements, to protect the public health, safety or welfare. Such appropriation shall be by ordinance adopted by the favorable votes of four-fifths (4/5) of the Council members qualified and serving, and shall be made only upon the recommendation of the City Manager. The total amount of all emergency appropriations made in any fiscal year shall not exceed two and one-half (2-1/2) per centum of the tax levy for that fiscal year. Should the unappropriated and unencumbered revenues, income, and available funds of the City for such fiscal year be not sufficient to meet the expenditures and under the appropriation authorized by this section, thereby creating a deficit, it shall be the duty of the Council to include the amount of such deficit in its budget for the following fiscal year, and said deficit shall be paid off and discharged during the said following fiscal year.

Article X, Section 4. Damage suits.

Before the City of League City shall be liable for damages from any cause, the claimant or someone on his behalf, shall give the City Manager or the City Secretary notice in writing within thirty (30) days after the occurrence of the alleged injury, death, or damage stating specifically in such notice when, where, and how the injury, death, or damage was sustained, and setting forth the extent of the injury, death, or damage as accurately as possible, and giving the names and addresses of all witnesses upon whose testimony such person is relying to establish the injury, death, or damage. No action at law for damages shall be brought against the City for personal injury or death or damage to property prior to the expiration of sixty (60) days after the notice hereinabove described has been filed with the City Manager or City Secretary.

Article X, Section 21. Payment of claims.

No warrant for the payment of any claims shall be issued by the City, unless such claim shall be evidenced by an itemized account approved by the City Manager and audited and allowed by the Council at a regular or special meeting, and all warrants shall be signed by the City Manager and countersigned by the party acting as City Secretary.

Article X, Section 34. Relatives of officer shall not be appointed or employed.

No person related within the second degree of affinity, or within the third degree of consanguinity, to the City Manager or members of the City Council shall be appointed to any office, position or service in the City, but this provision shall not affect officers or employees who are already employed by the City at the time when any officer who may be related within the named degree takes office.

PROPOSITION NO. 2.

Amend Article IV, Section 6 of the Charter, entitled "Power of Recall" to change the number of signatures required on a petition to initiate an election for the recall of an elected officer of the City from twenty percent of all registered voters in the City to ten percent of all registered voters in the City and the minimum number of signatures from one hundred (100) to two thousand (2,000) signatures so that Article IV, Section 6 of the Charter shall hereafter read as follows:

The people of the City shall have the power to recall any elected officer of the City and may exercise such power by filing with the City Secretary, a petition, signed by registered voters of the City equal in number to at least ten (10) percent of the total number of persons who appear on the official list of registered voters for League City in the previous general election provided, however, that a minimum of two thousand (2,000) signatures shall be required, demanding the removal of such officer. The petition shall be signed and verified and the sufficiency of the petition in form and number of signatures shall be determined by the City Secretary and certified to the Council all in the same manner as required for an initiative petition.

PROPOSITION No. 3.

Amend Article X, Section 28 of the Charter, entitled "Amendments" to update the language and the statutory reference therein, and by adding a new section to require the City Council to conduct a review of the Charter no less than once every two years to determine if amendments are necessary or in the best interest of the City, so that this section shall hereafter read as follows:

This Charter may be amended in accordance with Chapter 9, Texas Local Government Code, and any amendments thereto. Not less than once each two years following an election to amend this

Charter and each two years thereafter, the City Council shall conduct a review to determine if amendments or other revisions to the Charter are necessary or in the best interest of the City. The Council may but shall not be required to direct an appointed officer of the City to conduct such review or to appoint a Charter Commission for that purpose.

PROPOSITION NO. 4.

Amend the second paragraph of Article II, Section 17 of the Charter, entitled "Appointive Officers" in order to confer upon the Mayor the exclusive power to appoint the members of boards, commissions or agencies created by the City Council, so that this paragraph shall hereafter read as follows:

Article II, Section 17. Appointive officers.

Paragraph 2.

The City Council shall also have the power and authority by ordinance to create such boards, commissions, agencies and offices, in addition to those specially provided for by this Charter, or by the laws of the State of Texas, and to provide for the expense and operation of same and the compensation to be paid such members, officers, and/or employees, as it may deem advisable. Such boards, commissions, agencies, and officers shall have all the powers and privileges and perform the duties that may be prescribed by ordinance, and the City Council may abolish, at any time it may see fit, any board, commission, agency or office which it creates, and may discharge any appointed officer, member, or employee; provided the offices of City Secretary may not be abolished under the terms of this section.

PROPOSITION NO. 5.

Amend Article II, Section 19 of the Charter, entitled "General powers of the mayor and city council," subsections A and B, and Article VII, Section 14, currently entitled "Contracts for city improvements" to make the requirements for competitive bidding for City procurement consistent with current State law, and re-entitling Article VII, Section 14, so that these sections shall hereafter read as follows:

Article II, Section 19. General powers of the mayor and city council.

A. City Council - The City Council shall be the only entity that has the power to adopt the budget, adopt ordinances which levy fines for violations thereof, and approve contracts requiring competitive bidding or for which another required procurement method is provided, when such bidding or procurement method is required by State law, as such laws may hereafter be amended. The City Council shall delineate the general policy and programs that the City will adopt to serve the public. The City Council shall nominate and appoint the office of City Attorney, City Secretary and the Municipal Judges.

B. Mayor – The Mayor shall be in charge of the day to day administrative affairs of the City. The Mayor shall appoint the office of City Administrator or City Manager and all other officers, boards, commissions and agencies provided for in this Charter, subject to being confirmed by City Council. The Mayor shall have the authority to approve contracts for which neither competitive bidding nor another procurement method is required by State law, as such laws may hereafter be amended.

Article VII, Section 14. City Procurement

The Council may, by ordinance, confer upon a City officer the authority to contract for expenditures, without further approval of the Council, for budgeted items in a manner and for a maximum dollar amount, as specified in the ordinance. All contracts for City expenditures shall be awarded in the manner required or allowed by State law, provided that the Council, or the City officer authorized to contract for the City, shall have the right to reject any and all bids or proposals.

PROPOSITION NO. 6.

Amend Article I, Section 3 of the Charter, entitled "Boundaries" to clarify that the City's boundaries are as they existed when the City was incorporated and as they have been subsequently modified, so that the Section shall hereafter read as follows:

The boundaries of the City of League City are the same as defined and set forth in the order of Peter J. LaValle, County Judge of Galveston County, dated January 29, A.D. 1962, confirming and effectuating the results of the election for incorporation held in the City of League City, January 27, 1962, which order appears of record in Volume 30, pages 221 through 223 in minutes of the Commissioners Court of Galveston, Texas, and as such boundaries have been extended or modified since January 27, 1962.

PROPOSITION NO. 7.

Amend Article I, Section 4 of the Charter, entitled "Extension of Boundaries," subsection (a), to update a reference to an applicable statute, so that the subsection shall hereafter read as follows:

(a) *Extending limits in accordance with State law:* Where such additional territory adjoins the corporate limits of the City and contains three (3) or more inhabitants qualified to vote for members of the State Legislature, such adjacent territory may be annexed to the City in the manner and in conformity with the procedure set forth in Chapter 43, Local Government Code, or as the same may hereafter be amended.

PROPOSITION NO. 8.

Amend Article II, Section 3 of the Charter, entitled "Election of Mayor and Council Members" to delete the last sentence, dealing with the date of elections are to be held, because it is redundant, being also addressed in Article II, Section 4, so that the section shall hereafter read as follows:

Candidates to all positions of City Council and to the office of Mayor shall hold office for a term of three years and until their successors shall be elected and qualified, as delineated in Article II, Section I of the City Charter.

PROPOSITION NO. 9.

Amend Article II, Section 4 of the Charter, entitled "Elections," by re-entitling this section "Runoff Elections" and by deleting subsection A pertaining to the date when elections shall occur so that this re-entitled Section 4 shall hereafter read as follows:

In the event any candidate for mayor or councilman fails to receive a majority of all votes cast for his particular office at any regular or special election, the mayor, or if he fails to do so, the Council,

shall, on the first day following the completion of the official count of ballots cast at the first election, order a runoff election in accordance with Chapter 41 of the Texas Election Code at which election the two (2) candidates receiving the highest number of votes cast for such particular office in the first election in which no one was elect to such office by receiving a majority of all votes cast for all candidates for such particular office, shall again be voted for, and the one receiving the highest number of votes cast shall be elected to such office. The City Secretary shall give notice of such runoff election by causing said notice to be posted and published no later than the number of days prior the election required by State law.

PROPOSITION NO. 10.

Amend Article II, Section 11 of the Charter, entitled "Quorum of city council" to delete language that was relevant only prior to May, 1993, and replacing the word "adjourn" with the word "convene," so that the section shall hereafter read as follows:

A quorum of the City Council for the transaction of business shall consist of five (5) councilpersons, except where the City Council is reduced to less than five (5) on account of vacancies, in which event a quorum shall consist of all the remaining members of the City Council. However, a less number than a quorum may convene from time to time and compel the attendance of absent members.

PROPOSITION NO. 11.

Amend Article II of the Charter by deleting Section 26, entitled "Interim Government" because it was applicable in April, 1963 until a City Council took office under the Charter, and is no longer relevant.

PROPOSITION NO. 12.

Amend Article III, Section 1 of the Charter, entitled "General Election" to make the date of the election consistent with state law and other provisions of the Charter, so that the first sentence of the Section shall hereafter read as follows:

The regular election of Mayor and Councilpersons whose terms are expiring shall be held on the uniform election date provided by State law occurring in or nearest May, unless otherwise provided by law.

PROPOSITION NO. 13.

Amend Article III, Section 4 of the Charter, entitled "Canvassing Election and Declaring results" to require the date for the canvassing of elections to be the same as that required by State law, so that the second sentence of the section shall hereafter read as follows:

The Council shall canvass the returns, investigate the qualifications of the candidates, and declare the official results of the election not earlier or later than the date provided by State law for the canvassing of elections.

PROPOSITION NO. 14.

Amend Article VII, Section 1 of the Charter, entitled "Fiscal Year" to delete language related to the date the Charter was adopted that is no longer relevant and to clarify the dates of the City's fiscal year,

so that the section shall hereafter read as follows:

The fiscal year of the City Government shall begin on the first day of October of each calendar year and shall end on the last day of September of the following calendar year.

PROPOSITION NO. 15.

Amend Article VII, Section 15 of the Charter, entitled "Grant of General Powers," to delete an outdated statutory reference, so that the section shall hereafter read as follows:

The City of League City shall have all of the rights, powers, and privileges granted to cities to issue and administer bonds, notes, warrants and other financial instruments as the same now exists under State law and as the same may be hereafter amended by the Legislature of the State of Texas.

PROPOSITION NO. 16.

Amend Article VII, Section 16 of the Charter, entitled "Independent Audit" to delete the last sentence, which reads "It is specially provided that the first closing audit shall cover the period from the time of the official adoption of this Charter until the last day of September, 1963," as it is no longer relevant.

PROPOSITION NO. 17.

Amend Article X, Section 15 of the Charter, entitled "Effective date of the Charter" to restate it as factual instead of prospective, so that the section shall hereafter read as follows:

This Charter became effective on March 27, 1962, after its adoption by the voters of the City of League City, upon the entry into the minutes of the City of League City of an order by the City Council thereof, declaring the same adopted in accordance with Article 1169 of the Revised Civil Statutes of Texas, 1925.

PROPOSITION NO. 18.

Amend Article X, Section 24 of the Charter, entitled "Sanitary Code" to update the same so that the title and section shall hereafter read as follows:

Section 24. Sanitary and Health code.

In providing for health provisions, the Texas Health and Safety Code or such sanitary code provided for by State law shall be followed as far as practicable.

PROPOSITION NO. 19.

Amend Article X, Section 36 of the Charter, entitled "Submission of charter to electors" to cause the same to read factually instead of prospectively, so that the section shall hereafter read as follows:

The Charter Commission that prepared the original Charter found and declared that it was impracticable to segregate each subject so that the voters might vote "yes" or "no" on the same, for the reason that the Charter was so constructed that in order to enable it to work and function it was necessary that it should be adopted in its entirety. For those reasons the Charter Commission directed that said Charter be voted upon as a whole, and it was submitted to the qualified voters of the City of

League City, at an election held for that purpose on the 27th day of March, A.D. 1962, was approved by a majority of the qualified voters voting at said election, and became the Charter of the City of League City upon the entering upon the records of said City, by the governing body of such City, of an official order declaring the adoption of said Charter.

The undersigned were members of the original City of League City Charter Commission who were appointed to frame a Charter for the City of League City, and who did certify that the Charter so prepared constituted a true copy of the proposed Charter framed by them for said City of League City, Texas. They further certified that they completed their work on the 15th day of February, A.D. 1962.

Section 5. On the basis of the final tabulation and canvass of voted ballots, it is determined that Proposition 1 and Proposition 5 for proposed amendments to the City Charter have garnered sufficient votes for approval of each measure, which approval has presented to the City Council inconsistent versions of Article II, Section 19.B. of the City Charter, to-wit:

“B. Mayor – The Mayor shall appoint the officers for boards, commissions and agencies provided for in this Charter, subject to being confirmed by City Council.”

and

“B. Mayor – The Mayor shall be in charge of the day to day administrative affairs of the City. The Mayor shall appoint the office of City Administrator or City Manager and all other officers, boards, commissions and agencies provided for in this Charter, subject to being confirmed by City Council. The Mayor shall have the authority to approve contracts for which neither competitive bidding nor another procurement method is required by State law, as such laws may hereafter be amended.”

The City Council, in the exercise of its power under Article III, Section 4 of the City Charter to canvass and declare the results of each election, determines that the conflict between said propositions shall hereby be resolved in a manner which shall reflect the majority will of the voters. Having so advised the electorate by express ballot language that such powers have been reserved to the City Council, and having determined that it is the majority will of the voters of the City that their election to establish a Council-Manager form of government in the City dictates that the version of Article II, Section 19.B. of the City Charter as expressed in Proposition 1 shall control, it is hereby ordained that such article shall, upon passage of this ordinance and order, read as follows, to-wit:

“B. Mayor – The Mayor shall appoint the officers for boards, commissions and agencies provided for in this Charter, subject to being confirmed by City Council.”

Section 6. It is further found and determined that, in accordance with the order of the City Council, the City Secretary posted written notice of the date, place, and subject of this meeting on the bulletin board located in City Hall, a place convenient to the public, and said notice having been so posted preceding the date of this meeting. A copy of the returns of said posting shall be attached hereto as Exhibit “B.”

Section 7. As soon as practicable, the Mayor of the City of League City shall certify to the Texas Secretary of State an authenticated copy of the Charter showing all amendments that were approved by the voters of the City of League City at the Special Election of May 8, 2010.

Section 8. As soon as practicable, the Mayor of the City of League City shall certify to the U. S. Department of Justice an authenticated copy of the Charter showing all amendments that were approved by the voters of the City of League City at the Special Election of May 8, 2010.

Section 9. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

APPROVED on first reading the 18th day of May, 2010.


APPROVED on second reading the ____ day of _____, 2010.

PASSED AND ADOPTED the 18th day of May, 2010.



TONI RANDALL,
Mayor

ATTEST:



BARBARA F. LONG,
City Secretary

SUSPENDED THE RULE AND ADOPTED ON FIRST AND FINAL READING

Vote Both Sides

Vote en Ambos Lados de la Página

Official Ballot <i>Boleta Oficial</i> City of League City <i>Ciudad de League City</i> May 08, 2010 - <i>El 08 de Mayo 2010</i>		City of League City General - Special Election - Joint with GCMUD6	
Precinct <i>Precinto</i> Precinct 1			
Instruction Text: Please use a black or blue pen to mark your ballot. To vote for your choice in each contest, completely fill in the box provided to the left of your choice. <i>Texto Instrucción:</i> <i>Favor de usar una pluma de tinta negra o azul para marcar su boleta. Para votar por su selección en cada carrera, llene completamente el espacio cuadrado a la izquierda de su selección.</i>		If upon the final tabulation and canvass of voted ballots it is determined that Proposition 1 and Proposition 5 for proposed amendments to the City Charter have garnered sufficient votes for approval of each measure, then in that event the City Council shall, in the exercise of its power under Article III, Section 4 of the City Charter to canvass and declare the results of each election, determine and resolve any purported conflict between said propositions in a manner which shall reflect the majority will of the voters. <i>Si la tabulación final y el escrutinio de las boletas votadas determinan que la Proposición 1 y la Proposición 5 para las modificaciones propuestas a la Carta Orgánica de la Ciudad han generado suficientes votos para aprobar cada medida, entonces en ese caso el Consejo Municipal, en ejercicio de su poder bajo el Artículo III, Sección 4 de la Carta Orgánica de la Ciudad, dará el dictamen y declarará los resultados de cada elección, determinará y resolverá cualquier supuesto conflicto entre dichas proposiciones de una manera que refleje la voluntad mayoritaria de los votantes.</i>	
City of League City <i>Ciudad de League City</i>			
Council Position #6 (Three Year Term) <i>CONCEJAL, POSICION #6 (Termino de Tres Anos)</i> <input type="checkbox"/> Tim Paulissen		Proposition 3 Shall Article X, Section 28 of the City Charter be amended to update the statutory reference and to require the City Council to review the Charter no less than once every two years? <i>Proposición 3</i> <i>¿Se deberá modificar el Artículo X, Sección 28 de la Carta Orgánica de la Ciudad para actualizar la referencia escrita y exigir al Consejo Municipal revisar la Carta Orgánica por lo menos una vez cada dos años?</i> <input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i>	
Council Position #7 (Three Year Term) <i>CONCEJAL, POSICION #7 (Termino de Tres Anos)</i> <input type="checkbox"/> Joanna Sharp Dawson <input type="checkbox"/> Chris Stevens <input type="checkbox"/> Thomas "Tommy" Garland <input type="checkbox"/> Tim Holloway		Proposition 4 Shall Article II, Section 17, paragraph 2 of the City Charter be amended to provide that the Mayor will have the exclusive power to appoint officers for boards, commissions and agencies of the City, subject to confirmation of City Council? <i>Proposición 4</i> <i>¿Se deberá modificar el Artículo II, Sección 17, párrafo 2 de la Carta Orgánica de la Ciudad para disponer que el Alcalde tenga el poder exclusivo de designar funcionarios para juntas, comisiones y agencias de la Ciudad, sujeto a la confirmación del Consejo Municipal?</i> <input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i>	
Pursuant to Section 9.04(c)(2) of the Texas Local Government Code, (requiring a statement of the anticipated fiscal impact to the City if the proposed amendments are approved), the City asserts it is difficult to accurately account for the fiscal impact for all or each of the following proposed amendments in light of the peculiar unknown effect to the actual operation of the City government, but an overall analysis reflects that there will be negligible or no fiscal impact to the probable economic cost to the City if one or all of the proposed amendments are approved. <i>En conformidad con la Sección 9.04(c)(2) del Código de Gobierno Local de Texas, la cual requiere una declaración sobre el impacto fiscal en la Ciudad si las modificaciones propuestas son aprobadas, la Ciudad afirma que es difícil determinar con precisión el impacto fiscal de todas o de cada una de las modificaciones propuestas en vista del peculiar efecto en el funcionamiento real del gobierno de la Ciudad el cual es desconocido, pero un análisis general refleja que el impacto fiscal en el costo económico probable de la Ciudad será mínimo o inexistente si alguna o todas las modificaciones propuestas son aprobadas.</i>		Proposition 1 Shall the City adopt the Council-Manager form of government to provide for the appointment of a City Manager who shall be the chief administrative and executive officer of the City? <i>Proposición 1</i> <i>¿Deberá adoptar la Ciudad la forma de gobierno de Consejo-Administrador para disponer la designación de un Administrador de la Ciudad quien será el jefe administrativo y funcionario ejecutivo de la Ciudad?</i> <input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i>	
		Proposition 5 Shall Article II, Section 19 and Article VII, Section 14 of the City Charter be amended to make the requirements for competitive bidding for City procurement consistent with current State law? <i>Proposición 5</i> <i>¿Se deberán modificar el Artículo II, Sección 19 y el Artículo VII, Sección 14 de la Carta Orgánica de la Ciudad para que los requisitos de propuestas competitivas para compras de la Ciudad coincidan con la ley del Estado actual?</i> <input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i>	
		Proposition 6 Shall Article I, Section 3 of the City Charter be amended to clarify the City's boundaries as they existed when the City was incorporated and as they have subsequently been modified? <i>Proposición 6</i> <i>¿Se deberá modificar el Artículo I, Sección 3 de la Carta Orgánica de la Ciudad para aclarar los límites territoriales de la Ciudad de acuerdo a como eran cuando la Ciudad fue incorporada y como se han modificado subsiguientemente?</i> <input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i>	
		Proposition 7 Shall Article I, Section 4, Subsection (a) of the City Charter be modified to update the statutory reference regarding extending City limits in accordance with State law? <i>Proposición 7</i> <i>¿Se deberá modificar el Artículo I, Sección 4, Subsección (a) de la Carta Orgánica de la Ciudad para actualizar la referencia escrita referente a extender los límites de la Ciudad en conformidad con la Ley del Estado?</i> <input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i>	

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Sample Ballot 12000010210009	Official Ballot <i>Boleta Oficial</i> City of League City <i>Ciudad de League City</i> May 08, 2010 - <i>El 08 de Mayo 2010</i>		City of League City General - Special Election - Joint with GCMUD6	
	Precinct <i>Precincto</i> <i>Precinct 1</i>			
	<p>Proposition 8 Shall Article II, Section 3 of the City Charter be amended to delete the last sentence dealing with the date elections are to be held as it is redundant? <i>Proposición 8</i> <i>¿Se deberá modificar el Artículo II, Sección 3 de la Carta Orgánica de la Ciudad para eliminar la última oración que trata sobre la fecha en que se deben celebrar las elecciones, dado que es redundante?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>	<p>Proposition 13 Shall Article III, Section 4 of the City Charter be amended to require the date for canvassing of elections to be the same as required by State law? <i>Proposición 13</i> <i>¿Se deberá modificar el Artículo III, Sección 4 de la Carta Orgánica de la Ciudad para que la fecha del escrutinio de los resultados de las elecciones sea la misma que la fecha requerida por la ley Estado?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>	<p>Proposition 19 Shall Article X, Section 36 of the City Charter be amended to grammatically correct this section? <i>Proposición 19</i> <i>¿Se deberá modificar el Artículo X, Sección 36 de la Carta Orgánica de la Ciudad para corregir la gramática de esta sección?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>	
	<p>Proposition 9 Shall Article II, Section 4 of the City Charter be amended to make the runoff elections consistent with State law? <i>Proposición 9</i> <i>¿Se deberá modificar el Artículo II, Sección 4 de la Carta Orgánica de la Ciudad para que la fecha de las elecciones finales coincida con la ley del Estado?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>	<p>Proposition 14 Shall Article VII, Section 1 of the City Charter be amended to clarify the dates of the City's fiscal year? <i>Proposición 14</i> <i>¿Se deberá modificar el Artículo VII, Sección 1 de la Carta Orgánica de la Ciudad para clarificar las fechas del año fiscal de la Ciudad?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>		
	<p>Proposition 10 Shall Article II, Section 11 of the City Charter be amended to delete language that was relevant only prior to May 1993 and to replace the word "adjourn" with "convene" in the last sentence? <i>Proposición 10</i> <i>¿Se deberá modificar el Artículo II, Sección 11 de la Carta Orgánica para eliminar el texto que era relevante únicamente antes de mayo de 1993 y sustituir la palabra aplazar por reunirse en la última oración?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>	<p>Proposition 15 Shall Article VII, Section 15 of the City Charter be amended to delete an outdated statutory reference? <i>Proposición 15</i> <i>¿Se deberá modificar el Artículo VII, Sección 15 de la Carta Orgánica de la Ciudad para eliminar una referencia escrita obsoleta?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>		
	<p>Proposition 11 Shall Article II of the City Charter be amended by deleting Section 26 as the provisions for an interim government are no longer relevant? <i>Proposición 11</i> <i>¿Se deberá modificar el Artículo II de la Carta Orgánica de la Ciudad para eliminar la Sección 26 dado que las estipulaciones de un gobierno interino ya no son relevantes?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>	<p>Proposition 16 Shall Article VII, Section 16 of the City Charter be amended to delete the last sentence regarding the first closing audit for the period ending September 1963? <i>Proposición 16</i> <i>¿Se deberá modificar el Artículo VII, Sección 16 de la Carta Orgánica de la Ciudad para eliminar la última oración referente a la primera auditoría de cierre para el período que termina en septiembre de 1963?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>		
<p>Proposition 12 Shall Article III, Section 1 of the City Charter be amended to make the date of the general election consistent with State law? <i>Proposición 12</i> <i>¿Se deberá modificar el Artículo III, Sección 1 de la Carta Orgánica de la Ciudad para que la fecha de la elección general sea consistente con la ley del Estado?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>	<p>Proposition 17 Shall Article X, Section 15 of the City Charter be amended to factually restate the effective date of the Charter? <i>Proposición 17</i> <i>¿Se deberá modificar el Artículo X, Sección 15 de la Carta Orgánica de la Ciudad para reafirmar con exactitud la fecha de vigencia de la Carta Orgánica?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>			
	<p>Proposition 18 Shall Article X, Section 24 of the City Charter be amended to update the statutory reference for the City's sanitary code? <i>Proposición 18</i> <i>¿Se deberá modificar el Artículo X, Sección 24 de la Carta Orgánica de la Ciudad para actualizar la referencia escrita para el código de salubridad de la Ciudad?</i></p> <p><input type="checkbox"/> For <i>A Favor</i> <input type="checkbox"/> Against <i>En Contra</i></p>			

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ORDINANCE NO. 2010-19
EXHIBIT "B"

May 18, 2010 Special Meeting
Page 1 of 1

CITY COUNCIL OF THE CITY OF LEAGUE CITY
SPECIAL MEETING
MAY 18, 2010 5:00 P.M.
COUNCIL CHAMBERS
200 WEST WALKER STREET
LEAGUE CITY, TEXAS

1. CALL TO ORDER AND ROLL CALL OF MEMBERS
2. CANVASS ELECTION RETURNS FOR THE MAY 8, 2010 GENERAL-SPECIAL ELECTION
(City Secretary)
3. CONSIDER AND TAKE ACTION ON AN ORDINANCE CANVASSING THE RETURNS OF THE
MAY 8, 2010, CITY OF LEAGUE CITY GENERAL ELECTION FOR COUNCIL POSITIONS NO.
6 AND NO. 7 (City Secretary)
4. CONSIDER AND TAKE ACTION ON AN ORDINANCE AND ORDER CANVASSING THE
RETURNS AND DECLARING THE RESULTS OF THE MAY 8, 2010, CITY OF LEAGUE CITY
SPECIAL ELECTION AND INSTRUCTING THE MAYOR TO CERTIFY THE RESULTS OF
THE ELECTION TO THE APPROPRIATE STATE AND FEDERAL OFFICIALS (City Secretary)
5. ADMINISTER OATH OF OFFICE TO ELECTED OFFICIALS (City Secretary)
6. ADJOURNMENT

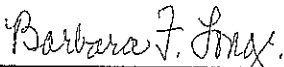


TONI RANDALL
MAYOR

CERTIFICATE OF NOTICE

This is to certify that the above Notice of Meeting was posted on the bulletin board of City Hall of the City of League City, Texas, on this the 14th day of May 2010 prior to 11:30 a.m. and was posted in accordance with the Texas Open Meetings Act.

The City Council of the City of League City, Texas reserves the right to meet in closed session on any of the items listed above should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code: 551.071 Consultations with Attorney, 551.072 Deliberations about Real Property, 551.073 Deliberations about Gifts and Donations, 551.074 Personnel Matters, 551.076 Deliberations about Security Devices, and 551.087 Deliberations Regarding Economic Development Negotiations.



BARBARA F. LONG
CITY SECRETARY

(SEAL)

NOTE: In compliance with the Americans With Disabilities Act, this facility is wheel chair accessible and accessible parking spaces are available. Requests for special accommodations or interpretive services must be made at least 48 hours prior to this meeting. Please contact the City Secretary's Office at 281 554-1030 or by FAX 281 554-1035.


REMOVED

5/21/10 8:40am JH
DATE/TIME INITIALS

CITY OF LEAGUE CITY GENERAL-SPECIAL ELECTION
OFFICIAL VOTE TABULATION
MAY 8, 2010

POSITION	CANDIDATE	PRECINCT 1 Fire Station #4		PRECINCT 2 Old Fire Station #2		PRECINCT 3 Civic Center		PRECINCT 4 Fire Station #1		PRECINCT 5 Ferguson Elementary		TOTAL		GRAND TOTAL	Per Cent
		Early	Election Day	Early	Election Day	Early	Election Day	Early	Election Day	Early	Election Day	Early	Election Day		
COUNCIL POSITION #6	Tim Paulissen	292	269	114	109	214	170	161	135	363	399	1144	1082	2226	100.00%
COUNCIL POSITION #7	Joanna Sharp Dawson	184	169	81	81	161	112	135	115	283	296	844	773	1617	55.95%
	Chris Stevens	13	18	6	8	6	15	7	2	12	10	44	53	97	3.36%
	Thomas "Tommy" Garland	127	95	52	29	111	63	76	56	126	129	492	372	864	29.90%
	Tim Holloway	50	64	16	16	14	15	15	3	52	67	147	165	312	10.80%
Prop. 1	For	260	248	105	102	201	145	152	125	336	356	1054	976	2030	73.00%
	Against	100	92	48	39	77	50	56	42	114	133	395	356	751	27.00%
Prop. 2	For	269	232	102	107	177	145	157	130	319	320	1024	934	1958	71.07%
	Against	87	102	53	33	102	50	48	35	119	168	409	388	797	28.93%
Prop. 3	For	296	283	137	122	231	167	169	145	373	418	1206	1135	2341	85.63%
	Against	57	50	17	17	44	26	35	23	63	61	216	117	393	14.37%
Prop. 4	For	239	176	77	81	164	117	123	106	285	309	888	789	1677	60.61%
	Against	117	159	79	59	114	80	82	64	157	179	549	541	1090	39.39%

Page 1 of 3



CANVASSING PRESIDING OFFICER



CITY SECRETARY


TOTAL VOTES CAST _____
(Election Day + Early)

CITY OF LEAGUE CITY GENERAL-SPECIAL ELECTION
OFFICIAL VOTE TABULATION
MAY 8, 2010

POSITION	CANDIDATE	PRECINCT 1 Fire Station #4		PRECINCT 2 Old Fire Station #2		PRECINCT 3 Civic Center		PRECINCT 4 Fire Station #1		PRECINCT 5 Ferguson Elementary		TOTAL		GRAND TOTAL	Per Cent
		Early	Election Day	Early	Election Day	Early	Election Day	Early	Election Day	Early	Election Day	Early	Election Day		
Prop. 5	For Against	328 25	306 26	143 12	135 6	258 20	177 17	186 18	154 7	419 21	469 20	1334 96	1241 76	2575 172	93.74% 6.26%
Prop. 6	For Against	331 21	305 25	135 15	132 10	244 27	167 24	180 20	153 12	408 25	459 23	1298 108	1216 94	2514 202	92.56% 7.44%
Prop. 7	For Against	324 25	301 34	128 21	124 17	246 29	169 23	184 19	145 19	398 33	447 30	1280 127	1186 123	2466 250	90.80% 9.20%
Prop. 8	For Against	313 35	280 47	123 28	121 17	238 35	157 31	176 26	153 12	386 37	429 46	1236 161	1140 153	2376 314	88.33% 11.67%
Prop. 9	For Against	334 19	307 24	144 10	134 5	263 17	172 18	190 14	156 9	421 16	463 25	1352 76	1232 81	2584 157	94.27% 5.73%
Prop. 10	For Against	321 27	281 39	126 24	121 15	244 28	168 23	180 23	148 15	380 39	427 45	1251 141	1145 137	2396 278	89.60% 10.40%
Prop. 11	For Against	307 35	265 60	122 28	120 17	233 37	154 35	175 25	139 21	377 46	415 59	1214 171	1093 192	2307 363	86.40% 13.60%
Prop. 12	For Against	331 22	308 24	142 10	134 5	258 18	171 20	186 18	157 7	416 22	465 21	1333 90	1235 77	2568 167	93.89% 6.11%
Prop. 13	For Against	332 17	306 26	143 10	135 4	256 17	176 14	186 14	152 15	418 19	464 22	1335 77	1233 81	2568 158	94.20% 5.80%

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CANVASSING PRESIDING OFFICER


CITY SECRETARY

TOTAL VOTES CAST _____
(Election Day + Early)


CITY OF LEAGUE CITY GENERAL-SPECIAL ELECTION
OFFICIAL VOTE TABULATION
MAY 8, 2010

POSITION	CANDIDATE	PRECINCT 1 Fire Station #4		PRECINCT 2 Old Fire Station #2		PRECINCT 3 Civic Center		PRECINCT 4 Fire Station #1		PRECINCT 5 Ferguson Elementary		TOTAL		GRAND TOTAL	Per Cent
		Early	Election Day	Early	Election Day	Early	Election Day	Early	Election Day	Early	Election Day	Early	Election Day		
Prop. 14	For Against	330 19	315 18	141 10	135 3	261 14	182 11	185 16	158 9	418 17	474 16	1335 76	1264 57	2599 133	95.13% 4.87%
Prop. 15	For Against	313 28	281 43	129 22	124 13	234 34	167 24	180 20	151 13	396 28	433 44	1252 132	1156 137	2408 269	89.95% 10.05%
Prop. 16	For Against	309 31	288 40	127 23	121 15	234 34	161 28	175 24	151 13	389 35	438 41	1234 147	1159 137	2393 284	89.39% 10.61%
Prop. 17	For Against	322 22	294 31	133 14	128 9	241 28	168 22	178 22	155 9	404 23	445 33	1278 109	1190 104	2468 213	92.06% 7.94%
Prop. 18	For Against	320 24	300 30	134 15	132 3	244 27	170 20	182 16	155 8	402 23	453 31	1282 105	1210 92	2492 197	92.67% 7.33%
Prop. 19	For Against	324 23	306 26	134 17	130 6	245 23	174 17	185 16	157 8	417 18	462 27	1305 97	1229 84	2534 181	93.33% 6.67%
PRECINCT TOTALS	EARLY VOTING	382	***	169	***	296	***	239	***	489	***	1575	***		
	ELECTION DAY	***	363	***	148	***	212	***	181	***	519	***	1423		

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CANVASSING PRESIDING OFFICER



CITY SECRETARY

TOTAL VOTES CAST _____ 2,998
(Election Day + Early)