

ORDINANCE NO. 2199

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, CALLING A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF TERRELL, TEXAS ON THE 7TH DAY OF FEBRUARY 2004, FOR THE PURPOSE OF AMENDING THE CITY CHARTER OF THE CITY OF TERRELL, TEXAS; PROVIDING FOR NOTICE OF SAID ELECTION; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR THE USE OF ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:

ARTICLE I.

THAT in compliance with the Charter of the City of Terrell, Texas and in accordance with the laws and the Constitution of the State of Texas, there is hereby ordered a special election to be participated in by the qualified voters of the City of Terrell, Texas to be held on the first Saturday in February, 2004 the same being the 7th day of said month, for the purpose of holding an election for submission of amendments to the existing City Charter of the City of Terrell, Texas, which City Charter was adopted by the people, pursuant to Section 12.12 of the Home Rule Charter for the City of Terrell, Texas and V.T.C.A., Local Government Code 9.004.

ARTICLE II.

THAT the City Secretary of said City Shall prepare ballots to be used in said election.

ARTICLE III.

THAT the following are the proposed amendments to the Home Rule Charter for the City of Terrell, Texas, to be voted upon;

Amendment No. 1:

To amend Article I, "Incorporation, Form of Government, Powers", Section 1.05 "Public Improvements", subsection (a) Streets, to read:

- (a.) Streets – The City of Terrell shall have exclusive dominion, control, and jurisdiction in, upon, and over and under the public streets, avenues, alleys, and highways of the City of Terrell, and may provide for the improvement thereof by paving, repaving, raising, draining, or otherwise. The provisions of Texas Transportation Code, Sections 311.001 and 313.001, together with existing amendments and all such amendments as hereinafter may be made, and acts supplementary thereto, now or thereafter enacted are expressly adopted and made a part of this charter. Such

exclusive dominion, control and jurisdiction in, upon, over and under the public streets, avenues, alleys, and highways of the City of Terrell shall also include, but not be limited to, the right to regulate, locate, relocate, remove, or prohibit the location of all utility pipes, lines, wires, or other property.

Amendment No. 2:

To amend Article I, “Incorporation, Form of Government, Powers”, Section 1.05 “Public Improvements”, subsection (b) Other Improvements, to read:

- (b.) Other Improvements – The City of Terrell shall have the power to provide for the improvement of drainage facilities and to extend its water and sewer systems and assess a part of the cost of such improvements against abutting property owners as in the case for street improvements according to the procedures set forth in Texas Transportation Code Sections 311.001 and 313.001, and fix a lien to secure the cost of such assessments as therein provided and issue assignable certificates provided, however, such assessments for improvements authorized by this section shall not exceed the enhanced value to said abutting property resulting from such improvements.

Amendment No. 3:

To amend Article II “The City Council”, Section 2.01 “Composition, Eligibility, Election and Terms”, to read:

- (b.) Eligibility – Delete subsection (4): “Must not be in arrears in payment of taxes or other liabilities due the City of Terrell”.

Amendment No. 4:

To amend Article II “The City Council”, Section 2.01 “Composition, Eligibility, Election and Terms” to read:

- (c.) Election and Terms of Office

The Mayor and the four (4) district council members shall be elected, and hold office, unless sooner removed under the provisions of this charter and the laws of the State of Texas for a term of three (3) years.

Amendment No. 5:

To amend Article II “The City Council”, Section 2.01 “Composition, Eligibility, Election and Terms” to read:

- (d.) Initial Election and Initial Terms

The Mayor shall be elected from the city at large and the four (4) district council members shall be elected by the voters in their respective districts commencing with the next regular municipal election. The council members from districts no. 2 and 4 shall serve an initial term of two (2)

years when elected during the regular election on the third Saturday in May 2004. The Mayor shall be elected to serve a term of three (3) years when elected during the regular election held on the third Saturday in May 2004. Each office holder, including council members from districts no. 3 and 5, shall run thereafter upon the expiration of their terms.

Amendment No. 6:

To amend Article II, “The City Council”, Section 2.04 “Mayor Pro Tem”, to read:

2.04 Mayor Pro Tem / Deputy Mayor Pro Tem

The mayor pro tem and deputy mayor pro tem shall be duly elected council members who shall be chosen by a majority of the city council at a regular meeting following each municipal election. The mayor pro tem shall act as mayor during the absence or disability of the mayor, and the deputy mayor pro tem shall act as mayor during the absence or disability of both the mayor and mayor pro tem. If a vacancy occurs in the office of mayor, the mayor pro tem shall become mayor to serve through the unexpired term of the mayor he succeeds.

Amendment No. 7:

To amend Article II, “The City Council”, Section 2.05 “Vacancies”, to read:

A vacancy of the Council may result from the resignation, death, disability, or absence of a Council Member. In the case of absence from meetings, a council member who fails to attend three (3) consecutive regular meetings of the City Council without being granted an excused absence by the City Council shall be deemed to have vacated the office by such absences.

Any member of council who ceases to possess the required qualifications for office or who is convicted of a felony or of a misdemeanor involving moral turpitude or is convicted of violating Section 171 of the Local Government Code concerning conflict of interest shall forfeit his office. Every forfeiture shall be declared and enforced by a majority of the Council.

- (a.) The remaining members of the City Council shall, by a majority vote thereof, at a regular meeting elect a member or members to fill the vacancy or vacancies thus existing; and such member or members so elected by the City Council shall serve in such position until the next regular municipal election, at which time the candidate then elected shall serve for the remaining term of office or for the succeeding term of office.
- (b.) A person selected to fill a vacancy on the city council shall serve only until the next regular municipal election for that place.
- (c.) If a candidate duly elected to the City Council at the regular election fails to take the oath of office on or before 10 days after the beginning of the term, then that place shall be considered vacant and filled as herein provided for other vacancies. In the event such a candidate, elected to the City Council at a special election, fails to take the oath of office on or before 10 days after the official canvass of the election, then that place shall be considered vacant and filled as herein provided for other vacancies.

Amendment No. 8:

To amend Article II “The City Council”, Section 2.07 “Prohibitions” to read:

- (a.) Holding or Running for Other Office: No person elected to the city council, shall during the term for which he was elected, be appointed to any position of profit or trust in the service of the city. If a member of any board appointed by the council or any other appointive officer of the city shall become a candidate for nomination or election to any public office, such announcement or candidacy shall constitute an automatic resignation of his place or position with the city.

If a member of the City Council becomes a candidate for nomination or election to any public office other than a place on the City Council or if he becomes a candidate for election to any different place on the city council requiring him to take office prior to the end of his elective term, such announcement or candidacy shall constitute an automatic resignation of his place on the City Council.

- (b.) City Employees Holding or Running for Other Office: If any employee of the city shall become a candidate for nomination or election to any elective public office of profit or trust or the governing body of the City of Terrell, other than a municipal civil service employee as set forth in Section 143.086, Texas Local Government Code, such announcement or candidacy shall constitute an automatic resignation of his place or position with the city.
- (c.) Appointments and Removals: No administrative officer or employee appointed by the city manager or any of his subordinates may be removed from office by the city council, nor may the council dictate the appointment or removal of such officer or employee. However, council may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officers and employees.
- (d.) Interference with Administration: Except for the purpose of inquiries and investigations under Section 2.10, the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the manager solely through the manager, and neither the council nor its members shall give orders to any such officer or employees, either publicly or privately.

Amendment No. 9:

To amend Article II “The City Council”, Section 2.12 “Procedure” to read:

- (a.) Meetings – The council shall meet regularly at least once every month at such times and place as the Council may prescribe. Special meetings may be held on the call of the Mayor or two (2) or more council members and unless declared an emergency, no less than seventy-two (72) hour notice shall be provided the public and each member. In case of a declared emergency the notice provisions of State Law shall be followed.

All meetings shall be public; however, the council may recess for the purpose of discussing in a closed or executive session matters not expressly prohibited by state law to be deliberated on in executive or closed sessions.

Amendment No. 10:

To amend Article II “The City Council”, Section 2.12 “Procedure” to read:

- (b.) Notice of Meetings – Written notice of the date, place, and subject of each meeting held by the city council shall be given before the meeting to the local news media and by having such notice posted on a bulletin board to be located at a place convenient to the public in the city hall for at least seventy-two (72) hours preceding the day of the meeting. However, in cases of emergency or urgent public necessity, which shall be expressed in the notice, the notice shall be posted three (3) hours before the meeting is convened or called to order. The notice provisions of this charter shall follow State Statutes current at the time of the city charter, whichever is most restrictive.

Amendment No. 11:

To amend Article II “The City Council”, Section 2.12 “Procedure” to read:

- (d.) Voting and Quorum – Any three (3) members of the City Council shall constitute a quorum for the transaction of any business. The mayor shall be considered a regular member of the city council for purposes of constituting a quorum and be entitled to vote as provided in Section 2.03. No action of the council except as otherwise provided in the preceding sentence and in Section 2.05 shall be valid or binding unless adopted by the affirmative vote of three (3) or more members of the city council, which shall be taken by “Yea” or “Nay” vote, and entered into the official record.

Amendment No. 12:

To amend Article II “The City Council”, Section 2.13 “Ordinances” to read:

- (b.) Procedure - Any proposed ordinance or resolution shall be introduced in written or printed form and discussed by Council on an agenda posted in accordance with the open meetings law of the State of Texas. Upon introduction of any ordinance, a copy shall be distributed to each council member and to the manager and a reasonable number of copies shall be made available in the office of the city secretary and such other public places as the council may designate. No ordinance shall be finally adopted until it has been considered and favorably acted on by the council at two (2) separate meetings of the city council held at least seven (7) days apart except as is otherwise expressly provided for in this charter, or except as authorized by State law. An ordinance may be adopted with or without amendment or rejected, but, if it is amended in substance from the form as first introduced to a degree that substantially changes its context, then the

ordinance or its amended sections shall be subjected to all the procedures hereinabove required in the case of a newly introduced ordinance.

Amendment No. 13:

To amend Article IV “Administrative Departments”, Section 4.05 “Chief of Police” to delete:

There shall be a chief of police appointed by the city council from recommendations from the city manager, or by any member of the city council, at such compensation as the council shall fix. He may be removed at any time by a majority vote of the city council.

Amendment No. 14:

To amend Article V “Financial Procedures”, Section 5.06 “Public Hearing on Budget” to read:

The City Council shall hold a public hearing on the proposed budget. Any taxpayer of the City of Terrell may attend and may participate in the hearing. The City Council shall provide for public notice of the date, time, and location of the hearing on the budget in at least one (1) newspaper of general circulation in the county in which the municipality is located. Notice of the public hearing shall be published not earlier than the 30th day or later than the 10th day before the date of the hearing.

Amendment No. 15:

To amend Article V “Financial Procedures”, Section 5.07 “Proceeding on Adoption of Budget” to read:

At the conclusion of the public hearing, the governing body of the municipality shall take action on the proposed budget. On final approval of the budget by the governing body, and the municipality, the budget shall be filed with the municipal clerk. Should the Council take no action after the conclusion of the public hearing, the budget, as submitted by the City Manager, shall be deemed to be finally adopted by the Council on September 30.

Amendment No. 16:

To amend Article V “Financial Procedures”, Section 5.17 “Sale of City Property” to read:

Before the City of Terrell makes any sale or contract for the sale of any property belonging to the City of Terrell, except utilities, in the form of personal property, having an estimated value of one thousand dollars (\$1,000.00) or less, opportunity shall be given for open competition under such rules and regulations as the city council may prescribe.

In the sale of property valued at more than one thousand dollars (\$1,000.00) the property shall be advertised for sale and bids in the local newspaper. The contract of sale shall be awarded to the highest responsible bidder, either at auction or upon sealed bids, after such public notice and competition as may be prescribed, and upon such other terms and conditions not inconsistent with express provisions of law and of this charter, as the city council may order; provided the

city council shall have the power to reject any and all bids and advertise again. These same procedures shall be used whenever the City of Terrell acts as transfer agent. Sale of land shall be in accordance with provisions of Sections 253.008 and 272.001 of the Texas Local Government Code.

Amendment No. 17:

To amend Article V “Financial Procedures”, Section 5.18 “Purchase Procedures”, to read:

Expenditures shall be made according to procedures established by ordinance of the city council for all budgeted items not exceeding the dollar amount as set forth under state law. All contracts or purchases exceeding the dollar amount as set forth under state law shall be let to the lowest and best bid by a responsible bidder after there has been an opportunity for competitive bidding in accordance with the requirements of Section 252.021 of the Texas Local Government Code and any amendments related thereto made for hereinafter made by the Legislature of Texas. Provided, however, the council shall have the right to reject any and all bids. Provided further, that the competitive bidding procedure shall not apply where excepted by state statute, including cases of public calamity where it becomes necessary to act at once to appropriate money to relieve the necessity of the citizens or to preserve the property of the city, or when it is necessary to preserve or protect the public health of the citizens of the City, or in the case of unforeseen damage to public property, machinery, or equipment. These provisions shall not apply to contracts for personal or professional services; work done by the city and paid for by the day as such work progresses, and the purchase of land and right-of-way for authorized needs and purposes, but the notice required shall be given only with respect to an intention to issue time warrants with right of referendum.

Amendment No. 18:

To amend Article VII “Tax Administration”, Section 7.01 “Tax Assessor-Collector; Appointment” to read:

The City Council shall have the right to appoint a Tax Assessor-Collector, who shall be appointed by the City Council from recommendations from the city manager, or any member of the city council or contract with a third party in accordance with state law. The Tax Assessor-Collector or third party designee shall collect all taxes and special assessments payable to the city. He shall supervise and be responsible for the assessment of all property subject to taxation within the corporate limits of the city for taxation, prepare and maintain property maps and ownership records on all property in the city, shall give all notices and do all other acts required by law for the assessment and collection of all taxes and special assessments levied and for the City of Terrell.

Amendment No. 19:

To amend Article VII “Tax Administration”, Section 7.03 “Property Subject to Tax, Method of Assessment” to read:

All property, real, personal or mixed, lying and being within the corporate limits of the City of Terrell on the first day of January, not expressly exempted by law, shall be subject to annual ad valorem taxation at its true market value. The mode and manner of making renditions, tax lists, assessments, tax rolls, delinquent tax rolls, collections and procedures for enforcing collection of such taxes shall be in accordance with the state laws governing the levy and collection of ad valorem taxes by cities, school districts, and counties. The city tax assessor-collector or third party designee shall assess all property which has been omitted from assessment in prior years upon a current supplemental assessment roll. The taxes upon such supplemental assessments shall be due at once, and if not paid within sixty (60) days thereafter, shall be deemed delinquent, and shall be subject to the same penalty and interest as other delinquent taxes for such year. If the ownership of any property should be unknown to the city tax assessor-collector or the third party designee he shall enter that fact in the record.

Amendment No. 20:

To amend Article VII “Tax Administration” to delete:

Section 7.04: Board of Equalization; Appointment; Qualifications.

The City Council shall each year prior to the first day of June appoint three (3) residents, who shall be qualified voters and real property owners, as the board of equalization. Such board shall choose from its membership a chairman. The city tax assessor-collector shall be ex-officio secretary of the board, provided the city tax assessor-collector, with the consent of the city council, may designate some other officer or employee of the city to act in his stead. a majority of said board shall constitute a quorum for the transaction of business. Members of the board while serving shall receive such compensation as may be provided for them by the city council.

Section 7.05: Board of Equalization; Public Hearings; Notice to Court.

At the same meeting that the council appoints the board of equalization it shall by ordinance fix the time of the first meeting of the board, which shall be on the first day of June or as soon thereafter as practicable. After such first meeting, the board may reconvene and adjourn from time to time, and as long thereafter as may be necessary it shall hear and determine the complaint of any person in relation to the assessment roll, provided said board shall be finally adjourned by the last day of said month. Whenever said board shall find it their duty to raise the value of any property appearing on the tax lists or tax records of the city, it shall, after having examined such lists and records and corrected all errors appearing therein, adjourn to a day not less than ten (10) days nor more than fifteen (15) days from the date of adjournment, and shall cause the secretary of said board to give written notice to the owner of such property or to the person rendering same of the time to which said board has adjourned, and that such owner or person rendering said property may at that time appear and show cause why the value of said property should not be raised. Such notice may be served by depositing the same, properly addressed, and postage paid, in the city post office.

Section 7.06: Board of Equalization; Powers and Duties.

It shall be the duty of such board to examine and, if necessary, revise the assessments as returned by the city assessor-collector, to the end that all property within the city shall be assessed as fairly and as uniformly as possible. The board of equalization shall also have the power to:

- (a.) Review on complaint of property owners assessment for the purpose of taxation of both real and personal property within the city made by the city assessor-collector;
- (b.) Administer oaths;
- (c.) Take testimony;
- (d.) Hold hearings;
- (e.) Adopt regulations regarding the procedure of assessment review; and
- (f.) Compel the production of all books, documents and other papers pertinent to the investigation of the taxable values of any person, firm, or corporation having or owning property within the corporate limits of the city subject to taxation.

Section 7.07: Board of Equalization; Records, Approval of Rolls.

The board shall be required to keep an accurate record of all its proceedings, which shall be available for public inspection. Immediately upon completion of its work the board shall certify its approval of the assessment rolls. The decision of the board of equalization on property values shall be final; provided, however, appeals may be taken to a district court having jurisdiction in accordance with state law pertaining thereto.

Amendment No. 21:

To amend Article VII “Tax Administration”, Section 7.08 “Taxes; When Due and Payable” to read:

All taxes due the City of Terrell shall be payable at the office of the city assessor-collector or the third party designee and may be paid at any time after the tax rolls for the year have been completed and approved, which shall be no later than October 1.

Amendment No. 22:

To amend Article VII “Tax Administration” Section 7.11 “Additional Power of Council” to read:

Except as otherwise provided by applicable state law, or this charter, the council shall have the power by ordinances for the assessment and collection of all taxes, and to make such rules, regulations, and mode of procedure to enforce the collection by and payment to the tax assessor-collector or third party designee as it may deem expedient, and shall provide such penalties for the failure to pay such taxes as it may deem expedient.

Amendment No. 23:

To amend Article VIII “Initiative, Referendum and Recall”, Section 8.03 “Frequency of Election” to read:

Special elections on initiated or referred ordinances shall be held on the nearest uniform election date after such ordinance is certified by the city secretary to be sufficient, and no ordinance on

the same subject as an initiated ordinance which has been defeated or on the same subject as a referred ordinance which has been approved at any election may be initiated by the voters within two (2) years from the date of such election.

Amendment No. 24:

To amend Article VIII “Initiative Referendum and Recall”, Section 8.06 “Council Consideration and Submission to Voters” to read:

Whenever the council receives a certified initiative or referendum petition from the city secretary, it shall proceed at once to consider such petition. A proposed initiative ordinance shall be read, and provision shall be made for a public hearing upon the proposed ordinance. The council shall take final action on the ordinance not later than sixty (60) days after the date on which such ordinance was submitted to the council by the city secretary. A referred ordinance shall be reconsidered by the council, and its final vote upon such reconsideration shall be upon the question “Shall the ordinance specified in the referendum petition be repealed?”.

If the council shall fail to pass an ordinance proposed by the initiative petition, or shall pass it in a form different from that set forth in the petition therefore, or if the council fails to repeal a referred ordinance, the proposed or referred ordinance shall be submitted to the voters at the next appropriate election as defined by the Uniform Election Code.

Ordinances submitted to vote of the voters in accordance with the initiative and referendum provisions of this charter shall be submitted by ballot title, which shall be prepared in all cases by the city attorney, but it shall be finally approved by the city council. The ballot title may be different from the legal title of any such initiated or referred ordinance and shall be a clear, concise statement, without argument or prejudice, descriptive of the substance of such ordinance and if a paper ballot is used, it shall have below the ballot title the following propositions, one above the other in the order indicated: “FOR THE ORDINANCE”, and “AGAINST THE ORDINANCE”. Any number of ordinances may be voted on at the same election, and may be submitted on the same ballot, but any paper ballot used for voting on an initiated or referred ordinance or ordinances shall be for that purpose only. If voting machines are used, the ballot title of any ordinance shall have below it the same two (2) propositions, one above the other or one preceding the other in the order indicated, and the voter shall be given an opportunity to vote for either of the two (2) propositions and thereby to vote for or against the ordinance.

Amendment No. 25:

To amend Article VIII “Initiative, Referendum, and Recall”, Section 8.11 “Recall Elections” to read:

The city secretary shall at once examine the recall petition and if he finds it sufficient and in compliance with the provisions of this article of the charter, he shall within five (5) days submit it to the city council with the city secretary’s certificate to that effect, and notify the officer sought to be recalled of such action. If the officer whose removal is sought does not resign within five (5) days after such notice, the city council shall thereupon order and fix a date for

holding a recall election in accordance with the Uniform Election Code after the petition has been presented to the city council or after the public hearing provided for in section 8.10 is held.

Ballots used at recall elections shall conform to the following requirements:

(a.) With respect to each person whose removal is sought, the questions shall be submitted “Shall (name of person) be removed from the office of (Councilman or Mayor) by recall?”.

(b.) Immediately below each such question there shall be printed the two (2) following propositions, one above the other in the order indicated:

“For the recall of (name of person)”

“Against the recall of (name of person)”

Amendment No. 26:

To amend Article IX “Nominations and Elections” Section 9.01 “Municipal Elections”, to read:

(a.) Regular Elections

Regular elections shall be held annually in accordance with the Uniform Election Code.

Amendment No. 27:

To amend Article IX “Nominations and Elections” Section 9.01 “Municipal Elections”, to read:

(c.) Special Elections – Amended to read as follows:

The council may by ordinance order a special election, fix the time for holding same, and provide all means for holding such special election which shall be held in accordance with the Uniform Election Code.

Amendment No. 28:

To amend Article XII, “General Provisions”, Section 12.12 “Charter Amendment”, to read:

This charter may be amended in accordance with the procedures set forth in Section 9.004 of the Texas Local Government Code, as amended or as may be hereafter amended.

ARTICLE IV.

That each and every of the above described amendments in Article III above shall be submitted separately and in such manner that the voter may vote “YES” or “NO” on all of said amendments.

ARTICLE V.

That notice of said election shall be given by the Mayor of the City of Terrell by causing an election notice to be posted at City Hall not later than the twenty-first (21st) day before election

day, and by publishing this ordinance at least one time, not more than thirty (30) days nor less than (10) days prior to the election date, in at least one daily newspaper published in the City of Terrell in accordance with the provisions of the Election Code of the State of Texas, as amended.

ARTICLE VI.

There shall be four (4) election precincts for the conduct of this election, and the following locations are designated as polling places within the respective precincts:

- District No. 2 W.H. Burnett Elementary
 921 South Rockwall Street
 Terrell, Texas

- District No. 3 Terrell Fire Station #2
 225 Baker Street
 Terrell, Texas

- District No. 4 High Street Gym
 208 West High Street
 Terrell, Texas

- District No. 5 Missionary Baptist Church
 Poetry Road
 Terrell, Texas

The following persons are hereby appointed officers of the election in their respective precincts:

- District No. 2 - Russell Jones, Jr. Presiding Judge
 Mrs. Dave M. Watson Alternate Judge

- District No. 3 Helen Sanders Presiding Judge
 Ruby Brewster Alternate Judge
 Katie Smith Alternate Judge

- District No. 4 Zanette Cotton Presiding Judge
 Betsy Poe Alternate Judge

- District No. 5 Mrs. Ruth Matejka Presiding Judge
 Mrs. James Maxwell Alternate Judge

ARTICLE VII.

That Electronic Voting Equipment shall be used for voting at the foregoing election precincts.

ARTICLE VIII.

That the polls shall be kept open from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. on Election Day, and that due return shall be made to the City Council showing the number of votes cast "FOR" or "AGAINST" each amendment.

ARTICLE IX.

That the qualified voters, eligible to cast their ballots early under the laws of this State, shall be permitted to cast their vote in the City Council Chambers, 201 East Nash Street, Terrell, Texas, during regular office hours from eight o'clock (8:00) a.m. to five o'clock (5:00) p.m. on weekdays from January 21, 2004 to February 3, 2004, inclusive.

That the Presiding Judge for early voting shall be John Rounsavall, the Alternate Judge shall be **Helen Dixon** and one (1) Voting Clerk shall be appointed.

ARTICLE X.

Bobby Bishop is appointed **Presiding Judge** of the **Central Counting Station**.

Ruth Matejka is appointed **Early Voting Ballot Board Judge**.

Cozette Moore is appointed as **Tabulation Supervisor** of the **Central Counting Station**

Each official shall be compensated at the rate of \$8.00 per hour, not to exceed a total of 15 hours. Each presiding judge shall receive addition compensation in the amount of \$25.00 for delivering the returns to the Central Counting Station. Each presiding judge shall attempt to appoint at least one official fluent in both the English and Spanish language.

The Early Voting Ballot Board Judge will deliver the early voted ballots to the Central Counting Station Judge at 5:00 P.M. Tabulating of voted ballots will start at 7:00 P.M.

ARTICLE XI.

That the canvass of the Election Returns will be held in the council Chambers of City Hall, 201 East Nash Street, Terrell, Texas, at the regular City Council Meeting of February 17, 2004.

ARTICLE XII.

That each proposed amendment, if approved by a majority of the qualified voters voting at said election, shall become a part of the Charter of the City of Terrell, Texas.

ARTICLE XIII.

That no amendment shall be considered adopted until an official order has been entered upon the records of the City of Terrell, Texas, by the City Council of such City declaring the same adopted.

ARTICLE XIV.

That, by approving and signing this ordinance, the Mayor officially confirms as her action all matters recited in the ordinance which, by law, come within her jurisdiction.

ARTICLE XV.

That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

Passed and Approved on this the 7th day of October, 2003.

Passed and Adopted on this the 21st day of October, 2003.

Signatures on file in City Secretary's office.

Frances Anderson, Mayor

Attest:

John Rounsavall, City Secretary

Approved as to form:

Mary Gayle Ramsey, City Attorney