

ORDINANCE NO. 2023-08-017-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON NOVEMBER 7, 2023, FOR THE ELECTION OF THE MAYOR AND PLACE 1; CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 7, 2023, FOR THE PURPOSE OF AMENDING THE CITY CHARTER; ESTABLISHING PROCEDURES FOR THAT ELECTION; AUTHORIZING THE METHOD OF VOTING; APPROVING AN ELECTION CONTRACT WITH TARRANT COUNTY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of White Settlement is a home rule city acting under its charter adopted by the electorate pursuant to article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the general election for City Council members of the City of White Settlement is required to be held on November 7, 2023, at which time the voters will elect persons to fill the offices of Mayor and City Council Place 1; and

WHEREAS, it is the intention of the City Council to call a special election to submit proposed amendments to the City Charter to the voters in accordance with Section 9.004 of the Texas Local Government Code; and

WHEREAS, an election to submit to the voters proposed amendments to the City Charter is required by law to be held on the uniform election date that occurs thirty (30) days after the election is ordered, and Section 3.005 of the Texas Election Code requires that a special election be ordered prior to August 21, 2023; and

WHEREAS, Section 41.011 of the Texas Election Code establishes the first Tuesday in November as a uniform election date, and the Council has determined that date sufficient in time to comply with the requirements of the law; and

WHEREAS, the City Council wishes to contract through Tarrant County Elections Administrator for the Special Election which can be held on November 7, 2023; and

WHEREAS, the City of White Settlement, along with other cities, and Independent School Districts located entirely and partially within Tarrant County who may also be holding an election on November 7, 2023, desire to conduct joint elections contracted through the Tarrant County Elections Administrator, pursuant to the provisions of Chapter 271 of the Texas Election Code, including the conduct of joint early voting, and to provide for the sharing of expenses.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY

OF WHITE SETTLEMENT, TEXAS, THAT:

**SECTION 1.
GENERAL ELECTION CALLED**

General Election Order. A General Election shall be held in the City of White Settlement, Texas, on Tuesday, November 7, 2023, between the hours of 7:00 a.m. and 7:00 p.m., at the White Settlement Public Library, 8215 White Settlement Road, White Settlement, Texas 76108.

The following officials will be elected to serve from November of 2023 until November of 2026, or until their successors are duly elected and qualified:

City Mayor, seat currently occupied by Faron Young
City Council Place 1, seat currently occupied by Paul Moore

**SECTION 2.
CHARTER AMENDMENT ELECTION CALLED**

The City Council does hereby, on its own motion, order a special election to submit to the voters of the City of White Settlement proposed amendments to the City Charter. The proposed amendments to the City Charter are set forth in Exhibit "A," attached to this Ordinance and incorporated herein for all purposes and are hereby approved by the City Council for submission to the voters. The election shall be conducted according to the laws of the State of Texas, and shall be held on Tuesday, November 7, 2023, from 7:00 a.m. to 7:00 p.m., at the White Settlement Public Library, 8215 White Settlement Road, White Settlement, Texas 76108.

**SECTION 3.
ELECTION SERVICES CONTRACT**

The Mayor is hereby authorized to execute a contract with the Tarrant County Elections Administrator (the "Contract") for the purpose of having Tarrant County furnish all or any portion of the election services and equipment needed by the City Secretary to conduct the election. The Contract, and election services provided therein, shall conform to Chapter 31, Subchapter D, of the Texas Election Code, and other applicable statutes and laws.

**SECTION 4.
CONTRACT TERMS**

The Contract shall provide: (a) the type of electronic voting equipment to be used for early voting by personal appearance and on election day; (b) notification and training of election judges and clerks; (c) an estimate and final payment terms for the election services provided; (d) agreements for early voting equipment and voting machine rental; and (e) other procedures to conduct the election.

SECTION 5.

COMBINED BALLOTS

Combined ballots may be utilized, containing all of the offices and propositions to be voted on at each polling place, provided that no voter shall be given a ballot or permitted to vote for any office or proposition on which the voter is ineligible to vote. Returns may be made on forms, which are individual or combined, and the Elections Administrator shall be designated as the custodian of combined records.

SECTION 6. CHARTER PROPOSITION BALLOTS

The official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "Yes" or "No" on the propositions, with the ballots to contain such provisions, markings, and language as required by law, and with the propositions to be expressed substantially as set forth on Exhibit "B," attached hereto and incorporated herein for all purposes.

SECTION 7. POLLING PLACE

The polling place for the special election shall be at the White Settlement Public Library, 8215 White Settlement Road, White Settlement, Texas 76108, between the hours of 7:00 a.m. and 7:00 p.m., on election day.

SECTION 8. ELECTION JUDGE

The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed by Tarrant County as indicated in the Contract and authorized by Chapter 271 of the Texas Election Code.

SECTION 9. METHOD OF VOTING

The City Secretary is hereby authorized and instructed to provide and furnish all necessary supplies to conduct the special election, in accordance with this Ordinance and the Texas Election Code.

SECTION 10. EARLY VOTING

(a) **Early Voting by Personal Appearance.** Clint Ludwig, the Tarrant County Elections Administrator ("Elections Administrator"), is hereby designated as the Early Voting Clerk for the election as indicated in the Contract. Early voting by personal appearance shall commence October 23, 2023, and shall continue until November 3, 2023. The early voting main location will be at the Tarrant County Elections Center, 2700 Premier Street, Fort Worth, Texas. Early voting shall take

place on the following days and times:

Date	Time
Monday, October 23 – Friday, October 27	8:00 a.m. – 5:00 p.m.
Saturday, October 28	7:00 a.m. – 7:00 p.m.
Sunday, October 29	10:00 a.m. – 4:00 p.m.
Monday, October 30 – Friday, November 3	7:00 a.m. – 7:00 p.m.

(b) **Early Voting by Mail.** The Elections Administrator shall be responsible for Early Voting applications and ballots. Applications for early voting by mail may be delivered to Clint Ludwig, Tarrant County Elections Administrator, 2700 Premier Street, Fort Worth, Texas 76111, not later than close of business on October 27, 2023. Early voting ballots shall be mailed to the Elections Administrator at the same address. The City Secretary is directed to forward applications and ballots received to the Elections Administrator as provided in the Contract.

SECTION 11. NOTICE

(a) **Notice of Election.** A substantial copy of this Ordinance shall serve as proper notice of the special election. Said notice, including a Spanish translation thereof, shall be posted not later than the twenty first (21st) day before the election on the bulletin board used for posting notices of meetings of the City Council and shall be published at least once, not earlier than the thirtieth (30th) day nor later than the tenth (10th) day before the election in a newspaper published and of general circulation in the City of White Settlement.

(b) **Publication of Amendments.** Additionally, in accordance with Section 9.004(c) of the Local Government Code, notice shall be published in a newspaper of general circulation in White Settlement on the same day, in each of two consecutive weeks, with the first publication occurring on or before the 14th day before election day. The notice shall contain a substantial copy of the proposed amendments to the Charter.

SECTION 12. AMENDMENTS

Matters contained in this Ordinance relating to discretionary procedural matters may be amended by resolution of the City Council.

SECTION 13. OTHER ACTION

The Mayor and City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

**SECTION 14.
CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of ordinances and resolutions of the City of White Settlement, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances and resolutions are hereby repealed.


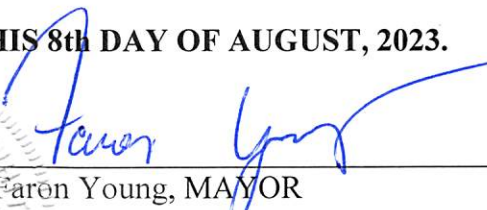

**SECTION 15.
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 16.
EFFECTIVE DATE**

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

PASSED AND APPROVED ON THIS 8th DAY OF AUGUST, 2023.



Faren Young, MAYOR
ATTEST:

Amy Arnold, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

EXHIBIT 2A2

PROPOSED WHITE SETTLEMENT CHARTER AMENDMENTS

WHITE SETTLEMENT CHARTER CHART 2023

*This document contains only sections that are being amended. Any section that has no proposed revisions is not included.

<p style="text-align: center;">CURRENT CHARTER LANGUAGE</p> <p>Blue Text = text in current charter but moved in proposed charter language for organizational purposes Strikethrough Text = Deleted from proposed charter</p>	<p style="text-align: center;">PROPOSED CHARTER LANGUAGE</p> <p>Red Text = changed or additional language Blue Text = text in current charter but moved for organizational purposes</p>
<p style="text-align: center;">ARTICLE I. – CORPORATE NAME¹</p>	<p style="text-align: center;">ARTICLE I. – INCORPORATION AND POWERS OF CITY</p>
	<p>Sec. 2. - Adoption of council-manager form of government.</p> <p>The City of White Settlement shall be governed by the city council-city manager form of government.</p> <p>(Moved from Article IV, Sec. 14)</p>
<p style="text-align: center;">ARTICLE II. – MUNICIPAL BOUNDARIES</p>	
<p>Sec. 1. – Municipal boundaries described.</p> <p>The boundaries of the City of White Settlement are hereby established and described as follows:</p> <p>[full metes and bounds listed]</p> <p>Reference: “(Ord No. 2278-05, 11-21-05)”</p>	<p>Sec. 3. – Municipal boundaries.</p> <p>The boundaries of the city are those previously established and as may be amended from time to time. The official map of the city shall be kept in the office of the city secretary, and shall be revised to reflect the city's boundaries each time the boundary of the city is changed.</p>
<p>Sec. 2. – Extension of boundaries.</p> <p>The city council shall have power by ordinance to fix the boundary limits of the City of White Settlement; and to provide for the alteration and the extension of said the corporate boundary limits and the annexation of additional territory lying adjacent to the city, with or without the consent of the territory and the inhabitants annexed, in accordance with law. Upon the introduction of any such ordinance in the city council, it shall be published in a newspaper of general circulation in the City of White Settlement, at least one time, and said ordinance shall not thereafter be finally acted upon until at least 30 days have elapsed after the first publication</p>	<p>Sec. 4. – Annexation and Disannexation</p> <p>The city council shall have power, by ordinance, to fix the boundary limits of the City of White Settlement, and to provide for the alteration and the extension of the corporate boundary limits and the annexation of additional territory to the city, with or without the consent of the territory and the inhabitants annexed, in accordance with law. Upon the final passage of any ordinance defining, extending, or reducing boundaries in its original or amended form, as the city council may determine, the boundary limits of the city shall thereafter be as fixed in such ordinance; and when any additional territory has been so annexed,</p>

<p>thereof. Upon the final passage of any such ordinance <u>defining, extending, or reducing boundaries</u> in its original or amended form, as the city council may determine, the boundary limits of the city shall thereafter be as fixed in such ordinance; and when any additional territory has been so annexed, same shall be a part of the City of White Settlement and the inhabitants shall be entitled to all the rights and privileges of all the other citizens, and shall be bound by the acts, ordinances, resolutions and regulations of said city.</p>	<p>same shall be a part of the City of White Settlement and the inhabitants shall be entitled to all the rights and privileges of all the other citizens, and shall be bound by the acts, ordinances, resolutions and regulations of said city.</p> <p>If the city council determines that any territory within the corporate boundaries of the city is not necessary or suitable for city purposes, and approves by resolution or ordinance the exchange or release of territory from the city, the disannexed territory shall cease to be a part of the city, but the disannexed territory shall remain liable for its pro rata share of any indebtedness incurred while the area was a part of the city and the city shall continue to levy, assess, and collect taxes on the property in the disannexed territory until such indebtedness has been paid, unless the city council determines that it is not necessary or advisable.</p>
<p align="center">ARTICLE III. – CORPORATE POWERS</p>	<p align="center">ARTICLE II. – CORPORATE POWERS</p>
<p>Sec. 1. – General.</p> <p>The City of White Settlement, made a body politic and corporate by the adoption of this Charter, shall have and may exercise all the powers, functions, rights, privileges and immunities of every name and nature whatsoever now or hereafter granted to municipal corporations and to cities by the Constitution and Laws of the State of Texas, together with all the implied powers necessary to carry into execution all the powers, functions, rights, privileges and immunities granted.</p> <p>The enumeration of particular powers by this Charter shall not be deemed to be exclusive, and in addition to the powers enumerated herein or implied hereby, or appropriate to the exercise of such powers, it is intended that the City of White Settlement shall have, and may exercise, all powers of local self-government, and all powers granted to home rule municipalities under state law, or any other powers which, under the Constitution and Laws of the State of Texas, it would be competent for this Charter specifically to enumerate.</p>	<p>Sec. 1. – General.</p> <p>The City of White Settlement, made a body politic and corporate by the adoption of this Charter, shall have and may exercise all the powers, functions, rights, privileges and immunities of every name and nature whatsoever now or hereafter granted to municipal corporations and to cities by the Constitution and Laws of the State of Texas, together with all the implied powers necessary to carry into execution all the powers, functions, rights, privileges and immunities granted.</p> <p>The enumeration of particular powers by this Charter shall not be deemed to be exclusive, and in addition to the powers enumerated herein or implied hereby, or appropriate to the exercise of such powers, it is intended that the City of White Settlement shall have, and may exercise, all powers of local self-government, and all powers granted to home rule municipalities under state law, or any other powers which, under the Constitution and Laws of the State of Texas, it would be competent for this Charter specifically to enumerate.</p>
<p>Sec. 2. – Special provision for damage suits.</p> <p>Before the city shall be liable to damage claim or suit for personal injury or damage to property, the person who is injured or whose property is damaged, or</p>	

<p>someone in his behalf, shall give the mayor or the city secretary notice in writing duly verified within 30 days after the occurring of the alleged injury or damage, stating specifically in such notice when, where and how the injury or damage was sustained, and setting forth the extent of the injury 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 or damage. No action at law for damages shall be brought against the city for personal injury or damage to property prior to the expiration of 60 days after the notice hereinbefore described has been filed with the mayor or the city secretary. The City of White Settlement will be required to act upon all claims within 60 days from receipt of the claim. After the expiration of the 60 days aforementioned, the complainant may then have two years in which to bring an action of law.</p> <p>(Moving to Article XIII, Section 10)</p>	
<p>Sec. 3. — Police department.</p> <p>The City of White Settlement shall have power by ordinance to establish and maintain a police department and to prescribe the duties of the members of said department, and regulate their conduct and fix their salaries. The head of the police department of said city shall be known and designated as "chief of police," and the other members thereof shall be known as "police officers."</p>	
<p>ARTICLE IV. – OFFICERS AND ELECTIONS</p>	<p>ARTICLE III. – CITY COUNCIL AND MAYOR</p>
<p>Sec. 1. – Governing body.</p> <p>The governing body and lawmaking body of the City of White Settlement shall consist of five councilmembers and a mayor, and said body shall be known as the "City Council of the City of White Settlement."</p>	<p>Sec. 1. – Governing body.</p> <p>The governing body and lawmaking body of the City of White Settlement shall consist of five councilmembers and a mayor, and said body shall be known as the "City Council of the City of White Settlement."</p>
<p>Sec. 2. – Elective officers.</p> <p>The members of the city council of the City of White Settlement, which includes the five councilmembers and a mayor, shall be the only elective officers of the city, and they shall be elected and hold office and be compensated as herein provided. Said councilmembers and mayor shall be elected from the city at large.</p>	<p>Sec. 2. – Elective officers.</p> <p>The members of the city council of the City of White Settlement, which includes the five councilmembers and a mayor, shall be the only elective officers of the city, and they shall be elected and hold office and be compensated as herein provided. Said councilmembers and mayor shall be</p>

	elected from the city at large.
<p>Sec. 3. – Candidates; application for place on ballot and qualifications.</p> <p>3.01. Application for place on ballot. Each candidate for an elective office shall meet the qualifications set forth in Section 3.02.</p> <p>Any person so qualified who desires to become a candidate for election shall file an application with the city secretary, in accordance with the Texas Election Code.</p> <p>Application must be signed and sworn to by candidate per Election Code § 141.031(a) [Texas Election Code § 141.031(a)]; however, applicant may submit an "unsworn declaration" as required in substantially the following form as an alternate method of swearing to the contents of the application:</p> <p style="margin-left: 40px;">"My name is _____, my date of birth is _____ and my address is _____, and _____. I declare under penalty of perjury that the foregoing is true and correct.</p> <p style="margin-left: 40px;">Executed in _____ County, State of _____, on the _____ day of _____.</p> <p style="text-align: right; margin-right: 40px;">(Declaration)"</p> <p>The city secretary shall determine qualifications of candidates for election to the city council by reviewing the application as to form, content and procedure. The city council may provide for or require a filing fee to be paid by each candidate who desires to be placed on a ballot for election in an amount not to exceed the total cost of the election or an amount established by state law, whichever is less. Instead of paying any fee that may be set, a candidate may present the city secretary with a written petition signed by registered voters who are residents of the city. The minimum number of signatories on the petition shall be that amount</p>	<p>Sec. 3. – Candidates: Qualifications and Places.</p> <p>A. Each candidate for an elective office shall meet the following qualifications:</p> <ol style="list-style-type: none"> 1. Be a United States citizen; 2. A resident of the City of White Settlement and the State of Texas and shall have been a resident of White Settlement for a period of not less than 12 months immediately preceding the election date; 3. A qualified voter of the State of Texas and Tarrant County; 4. Shall be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable; 5. Shall not have been determined to be mentally incompetent by a final judgment of a court; 6. Shall have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities. <p>B. A member of the council ceasing to possess any of the qualifications specified in this section or any other section of the Charter, or convicted of a felony while in office, shall immediately forfeit the member's office.</p> <p>C. Candidates for city council shall run for Place No. 1, Place No. 2, Place No. 3, Place No. 4, Place No. 5 or for mayor, as the case may be, and shall be voted on and elected accordingly.</p> <p>D. Any person so qualified who desires to become a candidate for election shall file an application with the city secretary, in accordance with the Texas Election Code.</p> <p>E. The city secretary shall determine qualifications of candidates for election to the City Council in accordance with the requirements of the Texas Election Code.</p> <p>(Moved from Article IV, Sec. 4)</p>

~~set out by state laws for municipal elections.~~

3.02. *Qualifications.* Each member of the city council shall be:

- (a) A resident of the City of White Settlement and the State of Texas and shall have been a resident for a period of not less than 12 months immediately preceding ~~his election~~ the election date;
- (b) A qualified voter of the State of Texas and Tarrant County;
- ~~(c) Shall not be employed by the City of White Settlement;~~
- ~~(d) Shall not hold another elective governmental office;~~
- (e) Shall be 18 years of age or older at the ~~time of filing for a~~ and/or assuming office;
- (f) Shall not have been determined to be mentally incompetent by a final judgment of a court;
- (g) ~~Shall have not been finally convicted of a felony or misdemeanor offense involving moral turpitude form which the person had not been pardoned or otherwise released from the resulting disability. For purposes of this Home Rule Charter, a crime of moral turpitude shall mean a criminal offense involving fraud, deceit, dishonesty or a criminal offense that is inherently immoral.~~

A member of the council ceasing to possess any of the qualifications specified in this section or any other section of the Charter, or convicted of a felony while in office, shall immediately forfeit the member's office.

(Ord. No. 2278-05, 11-21-2005; Ord. No. 2435-12, § 1(att. A), 11-15-2012).

Sec. 4. – Candidates—To run for places; places designated.

Candidates for city council shall run for Place No. 1, Place No. 2, Place No. 3, Place No. 4, Place No. 5 or for mayor, as the case may be, and shall be voted on and elected accordingly.

(Moved to Article III, Section 3)

Sec. 4. – Terms for mayor and councilmembers

The regular election shall be held on the November Uniform Election Date, commencing November 2014. The mayor and each councilmember shall hold office for a three-year term, or until their successor is elected and duly qualified. The election of mayor and councilmembers shall be for terms as follows:

- (1) The Mayor and Place 1 shall be elected for a term of three (3) years at the November 2014 general election, and for three (3) year terms thereafter.

	<p>(2) Place 2 and Place 3 shall be elected for a term of three (3) years at the November 2013 general election, and for three (3) year terms thereafter.</p> <p>(3) Place 4 and Place 5 shall be elected for a term of three (3) years at the November 2012 general election, and for three (3) year terms thereafter.</p> <p>(Note: Regular municipal elections were held in April each year; superseded by State law in 1988; providing for May elections with terms of office to begin in May. In 2011, H.B. 100 [see Texas Election Code § 41.0052] allowed for municipalities to adopt the November uniform election date with the passage of a resolution; and without the requirement of a Charter amendment election. White Settlement City Council unanimously adopted Resolution No. 987-11, selecting the November uniform election date as the municipality's regular municipal election date to begin in 2012.)</p> <p>(Moved from Article IV, Sec. 9)</p>
<p>Sec. 5. – Candidates—How elected.</p> <p>The candidates receiving a majority of all the votes cast for the office for which he or she is a candidate shall be elected to such office. In the event any candidate for either of said offices fails to receive a majority of all votes cast for all the candidates for such office at such election, the mayor of said city shall call for a runoff election to be held in said city. The runoff election shall be called to be held on the date agreed upon and established by the election contract with Tarrant County Elections and in accordance with state law and the election code. At said the runoff election the two candidates receiving the highest number of votes for any such office in the first election at which no one was elected by receiving a majority of all votes cast for all candidates for such office, shall again be voted for.</p> <p>The official ballot to be used at said runoff election shall be prepared by the city secretary and the name of no person shall appear thereon unless he was a candidate for the office designated at said first election. The two candidates receiving the first and second highest number of votes cast for such office at the first election shall have their names printed on said official ballot in the order of their standing in the computation of the votes cast. In the event any person who was a candidate at said first election and who shall be entitled to become a candidate at said runoff election request, in writing, his name not appear on the</p>	<p>Sec. 5. – Officers: oaths and bonds.</p> <p>All officers of the city, whether elective or appointive, shall qualify by taking the oath prescribed by the Constitution of this State and by executing such bond as may be required under the provisions of this Charter and the ordinances and resolutions of the city.</p> <p>(Moved from Article IV, Sec. 8)</p>

<p>ballot: the candidate standing next highest in computation of votes for such office shall have his name appear on the ballot at the runoff election.</p> <p>In the event of a tie in the vote for two leading candidates for any office at said first election, said office shall be filled at a runoff election as herein provided for, at which such candidates so tied in said first election may again become candidates. The candidates shall have their names printed on said official ballot in the order in which they were printed in the first election.</p> <p>In the event of a tie between the two candidates for any office at said second election, they shall cast lots to determine who shall be elected to such office.</p> <p>(Ord. No. 2015-2516 , § 1(att. A), 11-16-2015)</p> <p>(Moved to Article VIII, Section 2)</p>	
<p>Sec. 6. – Official canvass.</p> <p>The city council shall convene to conduct the local canvass of election results in compliance with state law requirements.</p> <p>(Moved to Article VIII, Section 3)</p>	<p>Sec. 6. – Duties of the mayor.</p> <p>The mayor of the City of White Settlement shall preside over the meetings of said city council and perform such other duties consistent with the office as may be imposed upon him by this Charter and ordinances and resolutions passed in pursuance thereof. The mayor may participate in the discussion of all matters coming before the council. The mayor shall not be entitled to vote as a member thereof, on legislative or other matters, except in case of a tie, when the mayor shall have the right to cast the deciding vote.</p> <p>(Moved from Article IV, Sec. 13)</p>
<p>Sec. 7. — Date of election.</p> <p>The regular municipal elections of the City of White Settlement shall be held on dates specified by state law, and the same shall be conducted and the results canvassed and announced by the election authorities prescribed by the general election laws of the State of Texas, and said general election laws shall control in all municipal elections except as otherwise herein provided.</p>	<p>Sec. 7. – Mayor pro tem.</p> <p>The mayor pro tem shall be selected from among the members of the Council and shall perform all duties of the mayor in the mayor's absence. The mayor pro tem must have at least one-year prior experience as a City of White Settlement Councilmember. If no sitting member has one year of prior experience as a City of White Settlement Councilmember, then any sitting member may be selected as the mayor pro tem.</p> <p>(Moved from Article IV, Sec. 11)</p>

<p>Sec. 8. – Officers: oaths and bonds.</p> <p>All officers of the city, whether elective or appointive, shall qualify by taking the oath prescribed by the Constitution of this State and by executing such bond as may be required under the provisions of this Charter and the ordinances and resolutions of the city.</p> <p>(Moved to Article III, Section 5)</p>	<p>Sec. 8. – Compensation of mayor and councilmembers.</p> <p>The city council may allow the mayor a salary, but the amount of such salary, including payment for meetings attended, shall in no event be more than one hundred and fifty dollars (\$150.00) per month.</p> <p>The city council may allow each councilmember the sum of twenty-five dollars (\$25.00) for each regular and special meeting of the city council actually attended by him or her, provided that no councilmember shall be allowed a greater compensation than one hundred and fifty dollars (\$150.00) per month.</p>
<p>Sec. 9. – Terms for mayor and councilmembers.</p> <p>Regular municipal elections were held in April each year; superseded by state law in 1988; providing for May elections with terms of office to begin in May. In 2011, H.B. 100 [see Texas Election Code § 41.0052] allowed for municipalities to adopt the November uniform election date with the passage of a resolution; and without the requirement of a charter amendment election. White Settlement City Council unanimously adopted Resolution No. 987-11 selecting the November uniform election date as the municipality's regular municipal election date to begin in 2012; making terms of office begin in November as listed below:</p> <p>At the regular municipal election held in November of 2014, a mayor and a councilmember for Place 1 were elected for a term of three years and in November of every third year thereafter shall be elected for a term of three years.</p> <p>At the regular municipal election held in November of 2013, a councilmember for Place 2 and a councilmember for Place 3 were elected for a term of three years and in November of every third year thereafter shall be elected for a term of three years.</p> <p>At the regular municipal election held in November of 2012, a councilmember for Place 4 and a councilmember for Place 5 were elected for a term of three years and in November of every third year thereafter shall be elected for a term of three years.</p> <p>(Ord. No. 2015-2516 , § 1(att. A), 11-16-2015).</p>	

(Moved to Article III, Section 4)

Sec. 10. – Vacancies; forfeiture of office.

The office of a councilmember shall become vacant upon his death, written resignation submitted to the City Secretary, removal from office by recall, expulsion or forfeiture of his office.

A councilmember shall forfeit his office if he:

- (1) Lacks at any time during his term of office any qualifications for the office prescribed by this Charter or by law;
- (2) Willfully violates any express prohibition of this Charter;
- (3) Is convicted of a felony or crime involving moral turpitude; or
- (4) Fails to attend any three consecutive regularly scheduled meetings of the city council without being excused only for reasons of personal emergency, incapacitation, or personal vacation. A notification of intent to be absent for reason of personal vacation shall be provided in writing to the city secretary prior to the meeting at which the councilmember will not be in attendance. Excusal, recall, expulsion, or forfeiture proceedings shall be initiated at the next regularly scheduled meeting of the city council following the absences, a recall election, or the act constituting the basis for expulsion or forfeiture, if established and proven beyond a reasonable doubt, and shall be approved by a majority vote of the remaining members of the city council in open session, who shall then immediately begin proceedings, if necessary, for election of a successor.

For purposes of this section, determination of what shall constitute a sufficient "personal emergency" shall be in the discretion of the remaining members of the city council by majority vote in open session.

The remaining members shall call for a special election within 120 days after the vacancy or vacancies occur in order that such vacancy or vacancies can be filled by majority vote of the qualified voters.

Sec. 9. – Vacancies; forfeiture of office.

A. The office of a councilmember shall become vacant upon **their** death, written resignation submitted to the city secretary, removal from office by recall, expulsion, or forfeiture of **their** office.

B. A councilmember shall forfeit their office if **he/she**:

- (1) Lacks at any time during **their** term of office any qualifications for the office prescribed by this Charter or by law;
- (2) Willfully violates any express prohibition of this Charter;
- (3) Is convicted of a felony or crime involving moral turpitude; or
- (4) Fails to attend any three consecutive regularly scheduled meetings of the city council without being excused only for reasons of personal emergency, incapacitation, or personal vacation. A notification of intent to be absent for reason of personal vacation shall be provided in writing to the city secretary prior to the meeting at which the councilmember will not be in attendance. Excusal, recall, expulsion, or forfeiture proceedings shall be initiated at the next regularly scheduled meeting of the city council following the absences, a recall election, or the act constituting the basis for expulsion or forfeiture, if established and proven beyond a reasonable doubt, and shall be approved by a majority vote of the remaining members of the city council in open session, who shall then immediately begin proceedings, if necessary, for election of a successor.
- (5) For purposes of this section, determination of what shall constitute a sufficient "personal emergency" shall be **at** the discretion of the remaining members of the city council by majority vote in open session.

The city council shall be the sole judge of all elections and of qualifications of its members and for such purposes shall have the power to subpoena witnesses and require the production of records.

In the event a vacancy from any cause in the office of mayor or

<p>The city council shall be the sole judge of all elections and of qualifications of its members and for such purposes shall have the power to subpoena witnesses and require the production of records.</p> <p>(Ord. No. 2435-12, § 1(att. A), 11-15-2012).</p>	<p>councilmember with three-year terms, and an unexpired term greater than four (4) months, the city council shall order a special election called for the purpose of filling the vacancy within one hundred and twenty (120) days after such vacancy or vacancies. However, if a vacancy occurs in the office of mayor or councilmember with an unexpired term of four (4) months or less, the city council may call a special election to fill the vacancy or may appoint a person to fill such vacancy until the expiration of the office to be filled, if permitted by the Texas Constitution. Such appointment shall require an affirmative vote of 75% of the full council.</p>
<p>Sec. 11. – Mayor pro tem.</p> <p>The mayor pro tem shall be selected from among the members of the council and shall perform all duties of the mayor in his absence. The mayor pro tem must have at least one year prior experience as a City of White Settlement Councilmember.</p> <p>(Ord. No. 2435-12, § 1(att. A), 11-15-2012).</p> <p>(Moved to Article III, Section 7)</p>	
<p>Sec. 12. – Compensation of mayor and councilmembers.</p> <p>The city council may allow the mayor a salary, but the amount of such salary shall in no event be more than \$150.00 per month.</p> <p>The city council may allow each councilmember the sum of \$25.00 for each meeting actually attended by him or her, or when they are in an official capacity representing the city at the time of the meeting, provided that no councilmember shall be allowed a greater compensation than one hundred \$150.00 per month.</p> <p>(Moved to Article III, Section 8)</p>	
<p>Sec. 13. – Duties of the mayor.</p> <p>The Mayor of the City of White Settlement shall preside over the meetings of said city council and perform such other duties consistent with the office as may be imposed upon him by this Charter and ordinances and resolutions passed in pursuance thereof. The mayor may participate in the discussion of all matters</p>	

<p>coming before the council. The mayor shall not be entitled to vote as a member thereof, on legislative or other matters, except in case of a tie, when the mayor shall have the right to cast the deciding vote.</p> <p>(Moved to Article III, Section 6)</p>	
	<p style="text-align: center;">ARTICLE V. – RESPONSIBILITIES OF THE CITY COUNCIL</p>
<p>Sec. 14. – Adoption of council-manager form of government and allocation of responsibilities and duties thereunder.</p> <p>The City of White Settlement shall be governed by the city council-city manager form of government, and the respective areas of responsibility shall be as follows:</p> <p>A. <i>Selection of city manager.</i> The city manager shall be appointed by the city council at a rate of compensation fixed by the city council. Such selection shall be based upon executive and administrative training, experience, and ability. No member of the city council shall be eligible to serve as city manager for a period of two years after having been a city councilmember.</p> <p>B. <i>Duties, responsibilities, and authority of the city manager.</i> The city manager shall be the chief executive officer and the head of the administrative branch of the city government. The city manager shall be responsible to the city council for the proper administration of the affairs of the city under the city manager's supervision and to that end, shall have the power to:</p> <ol style="list-style-type: none"> (1) Appoint and remove all the heads of each department except city secretary, city attorney, municipal court judge, and city auditors; (2) Appoint and, when necessary for the good of the city, remove all other employees of the city except as otherwise provided by this Charter and except as the city manager may authorize the head of a department or office to appoint and remove subordinates in such department or office; (3) Prepare the annual budget, present it to the city council and be responsible for its administration after adoption; (4) Prepare and submit to the city council, at the end of the fiscal year, a complete report of the finances and administrative activities of the city for the preceding year; 	<p>Sec. 1. – Duties of the City Council.</p> <p>The city council shall have all powers enumerated by this Charter and granted to Home Rule Cities and General Law Cities by the Constitution and the laws of the State of Texas as well as those powers that may be reasonably implied therefrom or that may hereinafter be granted to municipalities by the Constitution or the laws of the State of Texas, save and except those powers which by this Charter are expressly vested elsewhere.</p> <p>Neither the city council nor any of its members shall direct the appointment of any person to office by the city manager or by any of his subordinates. Except for the purpose of inquiry, the city council and its members shall deal with the administrative services solely through the city manager and neither the city council nor any member thereof shall give orders to any subordinate of the city manager, either publicly or privately, save and except those positions specifically enumerated in the next preceding paragraph.</p> <p>The city council shall have the power, right and authority to employ, terminate and set the compensation for:</p> <ol style="list-style-type: none"> (1) The city manager; (2) The city secretary; (3) The city attorney; (4) The municipal court judge; (5) The city auditor or the person, firm, or corporation employed to conduct periodic audits of the city's financial position and related transactions; and (6) One or more city prosecutors.

<p>(5) Keep the council advised of the financial condition and future needs of the city and make such recommendations to the council as may seem to the city manager desirable;</p> <p>(6) Enforce the performance of contracts and franchises to which the city is a party and supervise the administration and implementation of capital improvement programs;</p> <p>(7) Perform such other duties as may be prescribed by this Charter or required of the city manager by the council not inconsistent with this Charter or other provisions of state law.</p> <p>(Moved to Article V, Sections 1 and 2)</p> <p><i>C. Duties of the city council.</i> The city council shall have all powers enumerated by this Charter and granted to Home Rule Cities and General Law Cities by the Constitution and the laws of the State of Texas as well as those powers that may be reasonably implied therefrom or that may hereinafter be granted to municipalities by the Constitution or the laws of the State of Texas, save and except those powers which by this Charter are expressly vested elsewhere.</p> <p>Neither the city council nor any of its members shall direct the appointment of any person to office by the city manager or by any of his subordinates. Except for the purpose of inquiry, the city council and its members shall deal with the administrative services solely through the city manager and neither the city council nor any member thereof shall give orders to any subordinate of the city manager, either publicly or privately, save and except those positions specifically enumerated in the next preceding paragraph.</p> <p>The city council shall have the power, right and authority to employ, terminate and set the compensation for:</p> <ul style="list-style-type: none"> (1) The city manager; (2) The city secretary; (3) The city attorney; (4) The municipal court judge; and (5) The city auditor or the person, firm or corporation employed to conduct periodic audits of the city's financial position and related transactions; {and} (6) One or more city prosecutors. 	<p>The city manager and the city secretary may be dismissed only after a written notification, including specific charges, if any, is provided to the party whose dismissal is sought. Such charges shall be presented at least ten days prior to the effective date. A public hearing, if requested by the affected party, shall be held not less than ten days after the written notification is presented to the affected party. Actual dismissal shall be at a regularly scheduled city council meeting.</p> <p>(Ord. No. 2278-05, 11-21-2005).</p>
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<p>The city manager and the city secretary may be dismissed only after a written notification, including specific charges, if any, is provided to the party whose dismissal is sought. Such charges shall be presented at least ten days prior to the effective date. A public hearing, if requested by the affected party, shall be held not less than ten days after the written notification is presented to the affected party. Actual dismissal shall be at a regularly scheduled city council meeting.</p> <p>(Ord. No. 2278-05, 11-21-2005).</p>	
<p>Sec. 15. – Meetings of the city council.</p> <p>The city council shall hold one regular meeting per month and so many special meetings as the council may deem necessary.</p> <p>(Ord. No. 2435-12, § 1(att. A), 11-15-2012).</p>	<p>Sec. 2. – Meetings of the city council.</p> <p>The city council shall hold one regular meeting per month and as many special meetings as the council may deem necessary.</p> <p>(Ord. No. 2435-12, § 1(att. A), 11-15-2012).</p>
<p>Sec. 16. – Enactment of ordinances.</p> <p>Each proposed ordinance or resolution shall be introduced in written or printed form, and the enacting clause of all ordinances shall be, "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT," but such enacting clause may be omitted when the ordinances of the city are codified and published in book or pamphlet form by the City of White Settlement. No ordinance, unless it be declared an emergency measure, shall ever be passed at a called meeting, but may be passed at any regular meeting of the council unless otherwise provided. All resolutions or orders may be passed at any regular meeting or may be passed at any special or called meeting called for that purpose.</p>	<p>Sec. 3. – Enactment of Ordinances.</p> <p>Each proposed ordinance or resolution shall be introduced in written or printed form, and the enacting clause of all ordinances shall be, "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT," but such enacting clause may be omitted when the ordinances of the city are codified and published in book or pamphlet form by the City of White Settlement. All ordinances, resolutions, or orders may be passed at any regular meeting, or may be passed at any special or called meeting called for that purpose, provided notice has been given in accordance with the Texas Open Meetings Act.</p>
<p>Sec. 17. – Reserved.</p>	<p>Sec. 4. – Publication of Ordinances.</p> <p>A. All ordinances and resolutions, unless otherwise provided by State law, this Charter, or the ordinance itself shall be effective on the passage or adoption by the required majority of the council. Every ordinance, resolution, or</p>

	<p>motion shall require on final passage the affirmative vote of a majority of a quorum of the council, unless more is required by State law or this Charter.</p> <p>B. The descriptive caption or title of an ordinance that imposes a penalty, fine, or forfeiture, and the penalty for violating the ordinance, shall be published at least once in the official newspaper of the city, or by any other means permitted by State law.</p> <p>C. All ordinances and resolutions may be admitted and received in all courts, subject to the rules of evidence and laws of jurisdictions where proof of such ordinances and resolutions are tendered, without further proof.</p> <p>(Moved from Article IV, Sec. 19)</p>
<p>Sec. 18. – Ordinances now in effect.</p> <p>All ordinances of the City of White Settlement now in existence and not inconsistent with the provisions of this Charter shall remain in full force and effect until altered, amended, or repealed by the city council. If parts of ordinances now in existence are inconsistent with the provisions of this Charter, then such parts are hereby repealed, but the remaining parts of such ordinances shall remain in full force and effect until altered, amended, or repealed by the city council.</p> <p>(Moved to Article XIII, Section 7)</p>	<p>Sec. 5. – Boards and Commissions.</p> <p>A. <i>Creation.</i> The city council may create, establish, or appoint, as may be required by the laws of the State of Texas or this Charter, or deemed desirable by council, such boards, commissions, and committees as it deems necessary to carry out the functions and obligations of the city. The city council shall, by ordinance or resolution, prescribe the purpose, composition, function, duties, accountability, and tenure of each board, commission, and committee where such are not prescribed by law or this Charter.</p> <p>B. <i>Appointment of Members of Boards.</i> The members of all boards, commissions, or committees created by the council shall be appointed by the city council and shall be residents of the city.</p>
<p>Sec. 19. – Publication of ordinances.</p> <p>The descriptive caption or title, stating in summary the purpose of each ordinance imposing any penalty, fine or forfeiture, and stating the penalty for violation of such ordinance, shall be published in every issue of the official newspaper of the city for ten days, if the city shall designate as its official paper a daily newspaper. If the official paper be published weekly or semi-weekly, the publication shall be made in one issue thereof. Ordinances published by the city in pamphlet or book</p>	

<p>form need not be republished, if the same have been previously published; all such ordinances, where printed and published by authority of the city council, shall be admitted and received in all courts without further proof.</p> <p>(Moved to Article IV, Section 4)</p>	
	<p style="text-align: center;">ARTICLE V. – CITY ADMINISTRATION</p>
	<p>Sec. 1. – City Manager.</p> <p>A. <i>Selection of city manager.</i> The city manager shall be appointed by the city council at a rate of compensation fixed by the city council. Such selection shall be based upon executive and administrative training, experience, and ability. No member of the city council shall be eligible to serve as city manager for a period of two years after having been a city councilmember.</p> <p>B. <i>Duties, responsibilities, and authority of the city manager.</i> The city manager shall be the chief executive officer and the head of the administrative branch of the city government. The city manager shall be responsible to the city council for the proper administration of the affairs of the city under the city manager's supervision and to that end. The city manager's authority shall include, but not be limited to:</p> <ul style="list-style-type: none"> (1) Appoint and remove all the heads of each department except city secretary, city attorney, municipal court judge, and city auditors; (2) Appoint and, when necessary for the good of the city, remove all other employees of the city except as otherwise provided by this Charter and except as the city manager may authorize the head of a department or office to appoint and remove subordinates in such department or office; (3) Prepare the annual budget, present it to the city council and be responsible for its administration after adoption; (4) Prepare and submit to the city council, at the end of the fiscal year, a complete report of the finances and administrative activities of the city for the preceding year;

	<p>(5) Keep the council advised of the financial condition and future needs of the city and make such recommendations to the council as may seem to the city manager desirable;</p> <p>(6) Enforce the performance of contracts and franchises to which the city is a party and supervise the administration and implementation of capital improvement programs;</p> <p>(7) Perform such other duties as may be prescribed by this Charter or required of the city manager by the council not inconsistent with this Charter or other provisions of state law.</p> <p>(Moved from Article IV, Sec. 14)</p>
<p>Sec. 20. – City secretary and city treasurer.</p> <p>The city council shall appoint a city secretary who shall also be city treasurer. The city secretary-treasurer shall be a qualified voter residing in the city for at least one year preceding his/her appointment. The city secretary-treasurer shall receive compensation as the city council may fix. The city secretary-treasurer shall perform such duties as are assigned by the city council or required by the laws of the State of Texas.</p>	<p>Sec. 2. – City secretary.</p> <p>The city council shall appoint a city secretary who shall also be city treasurer. The city secretary shall be a qualified voter residing in the city for at least one year preceding their appointment. The city secretary shall receive compensation as the city council may fix. The city secretary shall perform such duties as are assigned by the city council or required by the laws of the State of Texas.</p>
	<p>ARTICLE VI. – MUNICIPAL COURT</p>
<p>Sec. 21. Municipal court.</p> <p>A. There shall be a municipal court of the city, which shall have such jurisdiction, powers and duties as are prescribed by this Charter, by ordinance of this city, and by the laws and Constitution of the State of Texas. The jurisdiction of the court shall be both criminal and civil as set out by law.</p> <p>B. The city council may, if it chooses, and if so allowed by law, establish a municipal court of record, to have and exercise all powers of a municipal court.</p> <p>C. The judge of the municipal court shall be appointed by the city council. The person appointed judge shall have such qualifications as may be imposed by law for the municipal court judge. The judge shall hold office at the pleasure of the council. The council may appoint one or more substitute persons to act as judge if the judge is absent or unable or unwilling to act for any reason.</p> <p>D. There shall be a clerk of the municipal court appointed by the city manager to</p>	<p>Sec. 1. - Municipal court.</p> <p>There shall be a municipal court of the city, which shall have such jurisdiction, powers and duties as are prescribed by this Charter, by ordinance of this city, and by the laws and Constitution of the State of Texas. The jurisdiction of the court shall be both criminal and civil as set out by law.</p>

<p>be designated as the court clerk. The court clerk and any deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of the court, and generally do and perform any and all acts usually and necessarily performed by clerks and deputies of courts and as are assigned and required by law. The court clerk may hold other positions of city employment concurrent with, but secondary to and not in conflict with, the position of court clerk.</p> <p>(Moved to Article VI, Sections 3, 4, and 7)</p>	
<p>Sec. 22. – Municipal court – State laws controlling.</p> <p>All complaints, prosecutions, the service of process, commitment of those convicted of offenses, the collection and payment of fines, the attendance and service of witnesses and juries, punishment for contempt, bail and the taking of bonds shall be governed by the provisions of state laws applicable to municipal courts.</p>	<p>Sec. 2. – Municipal court: State laws controlling.</p> <p>All complaints, prosecutions, the service of process, commitment of those convicted of offenses, the collection and payment of fines, the attendance and service of witnesses and juries, punishment for contempt, bail, and the taking of bonds shall be governed by the provisions of state laws applicable to municipal courts.</p>
	<p>Sec. 3. - Court of Record.</p> <p>The City Council may, if it chooses, and if so allowed by law, establish a municipal court of record, to have and exercise all powers of a municipal court.</p> <p>(Moved from Article IV, Sec. 21.B.)</p>
	<p>Sec. 4. - Municipal Court Judge Appointment.</p> <p>The city council shall appoint a municipal court judge as judge of the municipal court. The judge shall be a competent and duly licensed attorney practicing law in the State of Texas. The city council may also appoint one or more associate city judges, who shall be competent and duly licensed attorney(s) practicing law in the State of Texas, to serve when the municipal court judge fails to act for any reason. The municipal court judge and associate municipal court judge(s) shall serve for terms of two (2) years or until their-successors have been qualified.</p> <p>(Moved from Article IV, Sec. 21.C.)</p>

	<p>Sec. 5. - Removal.</p> <p>The municipal court judge and associate judge(s) shall serve at the will of the council and may be removed after receiving notice and an opportunity for a hearing before the council.</p>
	<p>Sec. 6. - Compensation.</p> <p>The city council shall determine the compensation of the judges, who shall not be paid on a commission basis.</p>
	<p>Sec. 7. - Court Clerk.</p> <p>There shall be a clerk of the municipal court appointed by the city manager to be designated as the court clerk. The court clerk and any deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of the court, and generally do and perform any and all acts usually and necessarily performed by clerks and deputies of courts and as are assigned and required by law. The court clerk may hold other positions of city employment concurrent with, but secondary to and not in conflict with, the position of court clerk.</p> <p>(Moved from Art. 4, Sec. 21.D.)</p>
<p>Sec. 23. — Municipal court — Appeals.</p> <p>Appeals from conviction in the municipal court shall be to the County Criminal Court of Tarrant County, Texas, or to such courts as may be given criminal jurisdiction under the Constitution and laws of this State. Such appeal shall be governed by the same rules of practice and procedure as are provided by law in cases of appeal from the justice court, as far as the rules are applicable.</p>	
	<p>ARTICLE VII. – CITY ATTORNEY</p>
	<p>Sec. 1. - City Attorney.</p> <p>A. The council shall appoint by the affirmative vote of a majority of the full membership of the council, a competent, duly qualified, licensed and practicing attorney in the State of Texas, to be an attorney for the city, hereinafter referred to as the "City Attorney."</p>

	<p>B. The City Attorney shall:</p> <ul style="list-style-type: none"> (1) Serve as the legal advisor to council and the city manager; (2) Represent the city in litigation and legal proceedings as directed by the council and city manager; (3) Review and provide opinions as requested by council or the city manager on contracts, legal instruments, and ordinances of the city; and (4) Perform other duties prescribed by this Charter, by ordinance, or as directed by the council. <p>C. The council may contract with an attorney or with a firm of attorneys who may designate one (1) member of said firm, with council approval, to serve as city attorney.</p> <p>D. Compensation shall be fixed by contract with approval of council or by appointment subject to the approval of council.</p> <p>E. The council shall have the right to retain special counsel at any time that it may deem necessary and appropriate.</p> <p>F. The city attorney serves at the pleasure of the council and may be removed by the affirmative vote of a majority of the full membership of council.</p>
	<p>Sec. 2. - City Prosecutor.</p> <p>All cases in the Municipal Court shall be prosecuted by the city attorney, or such designated prosecutor as the council may authorize.</p>
	<p style="text-align: center;">ARTICLE VIII. – ELECTIONS</p>
	<p>Sec. 1. – Elections.</p> <p>A. All city elections shall be conducted in accordance with the requirements of the Texas Election Code.</p>

	<p>B. The regular city election shall be held annually on the first Tuesday in November, unless specifically prescribed by State law. The council shall fix the hours and place for holding elections.</p> <p>C. The council may, by ordinance or resolution, call special elections as are authorized by State law, this Charter, or for any other reason the council deems necessary, and shall fix the time and place of holding same, and provide all means for holding special elections in accordance with State law.</p> <p>D. All general and special elections shall be held in accordance with the laws of the State of Texas that regulate the holding of municipal elections and in accordance with this Charter and ordinances or resolutions adopted by the council for the conduct of elections. The council shall appoint the election judges and shall provide for the compensation of all election officials in the city elections and for all other expenses in holding the elections. Sample ballots identical to the voting format for the specific election shall be posted in the voting place for the benefit of the voter.</p> <p>E. All duly qualified electors under the laws of the State of Texas, who are residents of the city, shall be qualified to vote in any city election.</p>
	<p>Sec. 2. – Candidates: How elected.</p> <p>The candidate receiving a majority of all the votes cast for the office for which they are a candidate shall be elected to such office. In the event any candidate for either of said offices fails to receive a majority of all votes cast for all the candidates for such office at such election, the mayor shall call for a runoff election to be held. The runoff election shall be called to be held on the date agreed upon and in accordance with State law and the Texas Election Code. At the runoff election, the two candidates receiving the highest number of votes for any such office in the first election at which no one was elected by receiving a majority of all votes cast for all candidates for such office, shall again be voted for.</p> <p>In the event of a tie in the vote for two leading candidates for any office at said first election, said office shall be filled at a runoff election as herein provided for, at which such candidates so tied in said first election may again become candidates. The candidates shall have their names printed on said official ballot</p>

	<p>in the order in which they were printed in the first election.</p> <p>In the event of a tie between the two candidates for any office at said second election, they shall cast lots to determine who shall be elected to such office.</p> <p>(Ord. No. 2015-2516, § 1(att. A), 11-16-2015)</p> <p>(Moved from Art. IV, Sec. 5)</p>
	<p>Sec. 3. – Official canvass.</p> <p>The city council shall convene to conduct the local canvass of election results in compliance with state law requirements.</p> <p>(Moved from Article IV, Sec. 6)</p>
	<p>ARTICLE IX. – INITIATIVE, REFERENDUM, AND RECALL</p>
	<p>Sec. 1. – Initiative and Referendum</p> <p>A. <i>Initiative:</i> The qualified voters of the city shall have power to propose ordinances to the council and if the council fails to adopt an ordinance so proposed without any change in substance, or to adopt or reject it at a city election, provided that such power shall not extend to the budget or capital program or any ordinance relating to zoning, appropriation of money, levy of taxes, issuance of bonds and notes, borrowing of money, salaries or duties of city officers or employees, matters related to administration of municipal employees, annexation, municipal boundary adjustments, or in any instance where a court of proper jurisdiction determines that the initiated ordinance has been removed from the field of initiative. Such initiative power may be used to enact a new ordinance, or to repeal or amend sections of any existing ordinances.</p> <p>B. <i>Referendum:</i> The qualified voters of the city shall have power to require reconsideration by the council of any adopted ordinance, and if the council fails to repeal an ordinance so reconsidered, to approve or reject it at a city election provided that such power shall not extend to the budget or capital program or any ordinance relating to zoning, appropriation of money, levy of taxes, issuance of bonds and notes, borrowing of money, salaries or duties of city officers or employees, matters related to administration of</p>

municipal employees, annexation, municipal boundary adjustments, or in any instance where a court of proper jurisdiction determines that the referred ordinance has been removed from the field of referendum.

C. Commencement and Proceedings for Initiative and Referendum:

1. Any ten (10) qualified voters may commence initiative or referendum proceedings by filing with the city secretary an affidavit stating they will constitute the Petitioners' Committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered. The Petitioners' Committee shall designate one contact person for communications with the city and to receive all notices.
2. Promptly after the affidavit of the Petitioners' Committee is filed, the city secretary shall verify that the applicants are qualified voters and, if they are, shall issue the appropriate petition blanks to the Petitioners' Committee.

D. Petitions for Initiative and Referendum:

1. *Number of Signatures:* Initiative and referendum petitions must be signed by qualified voters of the city equal in number to at least fifteen (15) percent of the qualified voters of the city, or fifty-one percent (51%) of the number of qualified votes cast at the most recent regular municipal election, whichever is greater.
2. *Form and Content:* All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. The form and contents of a petition shall meet the requirements of the Texas Election Code. Petitions shall contain, or have attached thereto throughout their circulation, the full text of the ordinance proposed or sought to be reconsidered.
3. *Time for Filing Petitions:* Initiative and Referendum petitions must be filed within sixty (60) days after issuance of the appropriate petition blanks to the Petitioners' Committee. All petitions shall be filed with the city secretary.
4. *Referendum Petitions:* Referendum petitions must be filed with the city secretary within 60 days after the final passage of the ordinance that is the subject of the referendum, or the petition shall

be barred by the lapse of time. When such petition has been certified as sufficient by the city secretary, the ordinance specified in the petition shall not go into effect, or if it has gone into effect, then further enforcement of action thereunder shall be suspended unless and until such ordinance is approved by the voters as herein provided.

E. Procedure After Filing Petition for Initiative or Referendum:

1. *Review by City Secretary.* Upon the filing of a petition for initiative or referendum, the city secretary shall review the petition to determine the existence of the requisite number of signatures of qualified voters and whether the form of the petition complies with the provisions of this Charter. The city secretary shall also review the petition to determine the genuineness of the signatures.
2. *Certificate of City Secretary.* Within ten (10) days after the petition is filed, the city secretary shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the Petitioners' Committee by registered mail.
3. *Amendment by Petitioner.* A petition certified insufficient for lack of the required number of valid signatures or due to inadequate form or content may be amended once if the Petitioners' Committee files a notice of intention to amend it with the city secretary within five (5) days after receiving the copy of this certificate and files a supplementary petition with additional papers within ten (10) days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of subsection D. above, and within five (5) days after it is filed the city secretary shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the Petitioners' Committee by registered mail as in the case of an original petition.
4. *Submission to City Council.* If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the Petitioners' Committee does not elect to amend as provided in subsection C within the time required, the city secretary shall promptly present this certificate to the council and the certificate shall then be a final determination as to the sufficiency of the petition.

F. Action on Initiative or Referendum Petitions:

1. *Action by Council:* When an initiative or referendum petition has been finally determined sufficient, the council shall promptly consider the proposed initiative ordinance in the manner prescribed for enacting ordinances or reconsider the referred ordinance by voting its repeal. If the council fails to adopt a proposed initiative ordinance without any change in substance within ninety (90) days, or fails to repeal the referred ordinance within sixty (60) days after the date the petition was finally determined sufficient, it shall submit the proposed or referred ordinance to the voters of the city.
2. *Submission to Voters:* The vote of the city on a proposed or referred ordinance shall be held on the next election date authorized by the Texas Election Code that allows sufficient time for compliance with the requirements of the Texas Election Code regarding deadlines to call elections. Copies of the proposed or referred ordinance shall be made available at the polls and shall be published at least once in the official newspaper of the city, or by other means permitted by State law, and on the city's website no later than fifteen (15) days before the date of the election.
3. *Withdrawal Signatures:* No signature shall be withdrawn from any petition after such petition has been filed with the city secretary.

G. Form of Ballots: The ballots used when voting upon such proposed and referred ordinance, resolutions, or measures, shall set forth their nature sufficiently to identify them and shall also set forth upon separate lines the words:

"For the Ordinance" or

"Against the Ordinance" or

"For the Resolution" or

"Against the Resolution"

H. Results of Election for Initiative or Referendum:

	<ol style="list-style-type: none"> 1. <i>Initiative</i>: If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. 2. <i>Referendum</i>: If a majority of the qualified electors voting on a referendum ordinance vote in favor of repealing it, it shall be considered repealed upon certification of the election results. I. <i>Limitation on Initiative and Referendum</i>: The same initiative or referendum petition shall be prohibited to be filed within one (1) year of the city secretary's certification of the previous petition.
	<p>Sec. 2. – Recall.</p> <ol style="list-style-type: none"> A. <i>Recall</i>. The voters of the city shall have the power to recall any elected officer of the city on the grounds of incompetency, misconduct, or malfeasance in office. B. <i>Petitions for Recall</i>. Before the question of recall of such officer shall be submitted to the qualified voters of the city, a petition demanding such question shall first be filed with the city secretary, which shall be signed by at least thirty percent (30%) of the qualified voters of the City of White Settlement, Texas, or fifty one percent (51%) of the number of qualified votes cast at the most recent regular municipal election, whichever is greater. C. <i>Form of Recall Petition</i>. The recall petition mentioned above must be addressed to the city council of the City of White Settlement, must distinctly and specifically set forth the ground(s) upon which such petition for removal is predicated, and, if there be more than one (1) ground, such as for incompetency, misconduct, or malfeasance in office, shall specifically state each ground with such certainty as to give the office sought to be removed notice of the matters and things with which they are charged. Each signer of such recall petition shall provide all requisite

information as required by the Texas Election Code, as amended, and this Charter. The signature shall be verified by oath in the following form:

"State of Texas)
County of Tarrant)

I, _____, being first duly sworn, on oath depose and say that I am one of the signers of the above petition, and that the statements made therein are true, and that each signature appearing thereto was made in my presence on the day and date it purports to have been made, and I solemnly swear that the same is the genuine signature of the person it purports to be.

Sworn and subscribed before me this _____ day of _____, 20____.

Notary Public in and for the State of Texas."

- D. *Various Papers Constituting Petition.* The petition may consist of one (1) or more copies, or subscription lists, circulated separately, and the signatures thereon may be upon the paper or papers containing the form of petition or upon other papers attached thereto. Verifications provided for in this section may be made by one (1) or more petitioners; and the several parts of copies of the petition may be filed separately and by different persons, but no signatures to such petition shall remain effective or be counted that were placed thereon more than 180 days prior to the filing of such petition or petitions with the person performing the duties of city secretary on the same day, and the said secretary shall immediately notify, in writing, the officer sought to be removed, by mailing such notice to their city address.
- E. *Presentation of Petition to City Council.* Within thirty (30) days after the date of the filing of the papers constituting the recall petition, the person performing the duties of the city secretary shall present such petition to the city council.
- F. *Public Hearing to be Held.* The officer whose removal is sought may, within ten (10) business days after such recall petition has been presented to the city council, request that a public hearing be held to permit the

officer to present the facts pertinent to the charges specified in the recall petition. In this event, the council shall order such public hearing to be held not less than five (5) days nor more than thirty (30) days after receiving such request for a public hearing.

G. *Calling of Recall Election.* If an officer whose removal is sought does not resign, then it shall become the duty of the council to order an election to be held on the first uniform election date that permits the compliance with the requirements of law.

H. *Ballots in Recall Election.* Ballots used at recall elections shall conform to the following requirements:

1. With respect to each person whose removal is sought, the question shall be submitted:

“Shall (name of person) be removed from the office of (name of office) by recall?”

2. Immediately below each such question there shall be printed the following words, one above the other, in the order indicated:

“YES”

“NO”

I. *Results of Recall Election.* If the majority of the legal votes cast at a recall election be for the recall of the officer named on the ballot, the council shall immediately declare such office vacant and such vacancy shall be filled in accordance with the provisions of this Charter. An officer thus removed shall not be eligible to hold office again in the city within a period of four (4) years from the date of such officer's recall.

J. *Limitation on Recall.* No recall petition shall be filed against an officer within six (6) months after taking office nor within twelve (12) months after election for such officer's recall. Nothing herein shall prevent impeachment of an officer of the city nor removal for other cause as provided herein.

(Moved from Article VII)

ARTICLE V. – TAXATION	ARTICLE X. - TAXATION
<p>Sec. 1. – Tax levy.</p> <p>The city council shall have the power under the provisions of state law to levy, assess and collect an annual tax upon taxable property within the city, the tax not to exceed a total of \$1.50 on the \$100.00 assessed valuation of said property. If for any cause the city council shall fail, neglect or refuse to pass a tax ordinance for any one year, levying taxes for that year, then and in that event, the tax levying ordinance last passed shall and will be considered in force and effect as the tax levying ordinance for the year for which the city council failed, neglected or refused to pass such ordinance, and the failure so to pass such ordinance for any year shall in no wise invalidate the tax collections for that year.</p>	<p>Sec. 1. – Tax levy.</p> <p>The city council shall have the power under the provisions of State law to levy, assess and collect an annual tax upon taxable property within the city, the tax not to exceed a total of \$1.50 on the \$100.00 assessed valuation of said property. The adoption of a tax rate and imposition of a tax levy shall comply with the requirements of State law.</p>
	<p>ARTICLE XI. – MUNICIPAL FINANCE</p>
	<p>Sec. 1. - Fiscal Year.</p> <p>The fiscal year of the city shall begin on the first day of October and end on the last day of September. Such fiscal year shall also constitute the budget and accounting year.</p>
	<p>Sec. 2. - Submission of Budget.</p> <p>The city manager shall, not less than sixty (60) days prior to the close of the fiscal year, prepare and submit to the council a proposed budget for the ensuing fiscal year and an accompanying message.</p>
	<p>Sec. 3. – Budget.</p> <p>A. <i>Budget Message:</i> A budget message explaining the budget both in fiscal terms and in terms of the work programs shall be submitted with the budget. It shall outline the proposed financial policies of the city for the ensuing fiscal year and the impact of those policies on future years. It shall describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the city's debt</p>

	<p>position, including factors affecting the ability to raise resources through debt issues; and include such other material as the city manager deems desirable.</p> <p>B. <i>Operating Budget.</i> The operating budget shall provide a complete financial plan of all city funds and activities and, except as required by law or this Charter, shall be in such form as the city manager deems desirable or the council may require. The budget message shall explain the budget in fiscal terms and in terms of work programs for the ensuing fiscal year. It shall outline the proposed financial policies of the city, and shall include such other materials, as the city manager deems necessary. The authorized expenditures outlined in the operating budget may not exceed an amount greater than the total of estimated income plus funds available to the city from any source.</p> <p>The budget shall contain information as may be required by State law, the council or as deemed appropriate by the city manager.</p>
	<p>Sec. 4. - Public Notice and Hearing.</p> <p>The council shall cause notice to be published as required by State law prior to any required public hearing on the budget. The notice must state the time and place where copies of the message and budget are available for inspection by the public, and the time and place of any public hearing on the budget.</p>
	<p>Sec. 5. - Amendment before Adoption.</p> <p>The council may adopt the budget with or without amendment at a regular or special meeting. In amending the budget, it may add or increase any programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income plus funds available from prior years.</p>
	<p>Sec. 6. – Adoption.</p> <p>The council, by majority vote of the entire membership, shall adopt the budget. Adoption of the budget shall constitute appropriations of the amount specified therein as expenditures from the fund indicated, and shall constitute a levy of</p>

	the property tax therein proposed.
	<p>Sec. 7. - Defect Shall Not Invalidate Tax Levy.</p> <p>Errors or defects in the form or preparation of the budget or the failure to perform any procedural requirements shall not nullify the tax levy or the tax rate.</p>
	<p>Sec. 8. - Lapse of Appropriations.</p> <p>Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned. The purpose of any such appropriation shall be deemed abandoned if three (3) years pass without any disbursement from or encumbrance of the appropriation. Any funds not expended, disbursed or encumbered shall be deemed excess funds.</p>
	<p>Sec. 9. - Failure to Adopt a Budget.</p> <p>If the council fails to adopt the budget in accordance with State law, the amounts appropriated for the prior fiscal year just completed shall be deemed adopted for the ensuing fiscal year on a month-to-month basis with all items in it pro-rated accordingly until such time as the council adopts a budget for the ensuing fiscal year.</p>
	<p>Sec. 10. - Public Records.</p> <p>Copies of the approved budget shall be filed with the city secretary and shall be public record available to the public for inspection upon request.</p>
	<p>Sec. 11. - Specified Reserve Fund.</p> <p>Specified reserve funds may be created for specific purposes, and may be used only for such purposes.</p>
	<p>Sec. 12. – Transfers.</p>

	<p>A. During the fiscal year, the council shall have the power to transfer funds allocated by the budget to one activity, function, or department to another activity, function, or department, and to re-estimate revenues and expenditures.</p> <p>B. During the fiscal year, the city manager may transfer funds between programs or general classifications of expenditures within an office, department, agency, or organizational unit.</p>
	<p>Sec. 13. - Amendment after Adoption.</p> <p>Under conditions that may arise and that could not reasonably have been foreseen in the normal process of planning the budget, the council may, by the affirmative vote of a majority of the full membership of the council, amend or change the budget to provide for any additional expense in which the general welfare of the citizenry is involved. Budget amendments shall only be presented to city council at an April regular or special meeting, except in the case of emergency amendments, which may be brought at the discretion of the city Manager. These amendments shall be by ordinance, and shall become an attachment to the original budget. The amendments may be made effective immediately upon adoption of the ordinance.</p>
	<p>Sec. 14. – Borrowing.</p> <p>A. <i>Authority to Incur Indebtedness:</i> The council shall have the power to incur, create, refund and refinance indebtedness and borrow money for public purposes; to issue special or general obligation bonds, certificates of obligation, industrial bonds, revenue bonds, funding and refunding bonds, time warrants and any other evidences of indebtedness permitted by law, and to secure and pay the same in the manner and in accordance with the procedures provided and required by State law.</p> <p>B. <i>Bonds Incontestable:</i> All bonds of the city having been issued and sold and having been delivered to the purchaser thereof, shall thereafter be incontestable and all bonds issued to refund in exchange for outstanding bonds previously issued shall and after said exchange, be incontestable.</p> <p>C. <i>Borrowing in Anticipation of Property Tax:</i> In any budget year, the council may, by resolution, authorize the borrowing of money in</p>

	<p>anticipation of the collection of the property tax for the same year whether levied or to be levied. Notes may be issued for periods not exceeding one (1) year and must be retired by the end of the budget year in which issued.</p> <p>D. <i>Use of Bond Funds:</i> Any and all bond funds approved by a vote of the citizens of White Settlement will be expended only for the purposes stated in the bond issue.</p>
	<p>Sec. 15. – Purchasing.</p> <p>The council may confer upon the city manager general authority to contract for expenditures without further approval of the council for all budgeted items not exceeding limits set by council or State law. All contracts for expenditures involving more than the set limits must be approved by council. All contracts or purchases involving more than the set limits, shall be let as provided by law or ordinance; provided that the council, or city manager in such cases as they are authorized to contract for the city, shall have the right to reject any and all bids. Emergency contracts as authorized by law may be negotiated by the council, or city manager if given authority by the council, without competitive bidding. Such emergency shall be declared by the city manager and approved by council or may be declared by the council.</p>
	<p>Sec. 16. - Administration of the Budget.</p> <p>A. <i>Payments and obligations prohibited:</i> No payment shall be made or obligation incurred except those specifically allowed for in the budget. Any authorization of payment or incurring of any such obligation in violation of the provisions of this Charter will be void and any payment so made will be illegal. Such action may be the cause, at the discretion of the city manager, or the council in reference to the city manager, for the removal of any officer who knowingly authorized or made such payment or incurred such obligation. However, this prohibition shall not be construed to prevent the making or authorizing of payment, or the making of contracts for, payments beyond the end of the fiscal year, provided that such action is made or approved by an ordinance.</p> <p>B. <i>Financial reports:</i> The city manager shall submit to council a report of the financial condition of the city budget items for the fiscal year to date. The report shall be submitted periodically, as directed by council, but in no</p>

	<p>event less than quarterly.</p> <p>C. <i>Independent Audit:</i> At the close of each fiscal year, and at such times as it may be deemed necessary, the council shall cause an independent audit to be made of all accounts of the city by a Certified Public Accountant. The Certified Public Accountant shall be chosen by the council and shall have no personal interest, directly or indirectly, in the financial affairs of the city or any of its officers. Upon completion of the audit, the results thereof in a summary form shall be presented to the council. A copy of the audit shall be made available to the public for inspection upon request.</p>
	<p>ARTICLE XII. – FRANCHISES AND PUBLIC UTILITIES</p>
	<p>Sec. 1. - Inalienability of Control of Public Property.</p> <p>The sole right of control, easement, use, ownership of and title to the public streets, sidewalks, highways, bridges, alleys, public places, and other real property of the city is hereby declared to be inalienable, except by ordinance adopted by a majority of the city council.</p>
	<p>Sec. 2. - Powers of the City.</p> <p>The city shall have the power to buy, sell, construct, lease, maintain, operate, and regulate public services and utilities within and without the city limits, and to manufacture, distribute, and sell such utility services, including but not limited to water, gas, electric, telephone, cable, waste management, recycling, and transportation services. The city shall have such regulatory powers as may now or hereafter be granted under the Constitution and laws of the State of Texas.</p>
	<p>Sec. 3. - Power to Grant Franchise.</p> <p>The council shall have the power by ordinance, to grant, amend, renew, and extend all franchises for all utilities of every character operating within the city and, to amend the same, provided, however, that no franchise shall be granted for an indeterminate term, and that no franchise shall be granted for a term of more than twenty (20) years from the date of the grant, renewal or extension. Council action on all ordinances granting, renewing, extending or amending a</p>

	utility franchise shall comply with the applicable provisions set forth in this Charter.
	<p>Sec. 4. - Exclusiveness of Franchises.</p> <p>No grant or franchise to construct, maintain, or operate a public utility and no renewal or extension of such grant shall be exclusive.</p>
	<p>Sec. 5. - Transfer of Franchise.</p> <p>No utility franchise shall be transferable except with the approval of the council expressed by ordinance. The term "transferable" as used herein, shall not be construed in such a manner as to prevent the franchise holder from pledging said franchise as security for a valid debt or mortgage.</p>
	<p>Sec. 6. - Franchise Value Not to be Allowed.</p> <p>Franchises granted by the city are of no value in fixing reasonable rates and charges for utility service within the city and in determining the just compensation to be paid by the city for public utility property that the city may acquire by condemnation or otherwise.</p>
	<p>Sec. 7. - Right of Regulation.</p> <p>All grants, renewals, extensions, or amendments of utility franchises shall be subject to the following rights of the city, whether or not specifically stated in the franchise ordinance:</p> <ol style="list-style-type: none"> (1) To repeal the franchise by ordinance at any time for failure to begin construction or operation within the time prescribed or otherwise to comply with the terms of the franchise. (2) To require an adequate extension of plant and service as is necessary to provide adequate service to the public, and maintenance of the plant and fixtures at the highest reasonable standard of efficiency. (3) To require at any time compensation and rental as may be permitted by the laws of the State of Texas for use of public streets, sidewalks, highways, alleys, and public places.

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| | <ul style="list-style-type: none">(4) To require reasonable standards of service and quality of product and prevent rate discrimination.(5) To examine and audit the accounts and other records of any such utility and to require annual and other reports on local operations of the public service or utility as may be allowed by law.(6) To require the franchisee to restore at the franchisee's expense, all public or private property to a condition equally as good as or better than before disturbed by construction, repair or removal.(7) To require every franchisee to furnish within a reasonable time to the city, without cost to the city, a general map, with updates outlining the location, character, size, length, and terminals of all facilities of such franchisee in, over, and underground of property in the city and to provide detailed information regarding the same upon request of the city.(8) To impose other reasonable regulations, requirements, and conditions as may be deemed necessary to promote the health, safety, welfare, or accommodation of the public and to insure safe, efficient and continuous service to the public.(9) To require the franchisee to give notice to any subscriber to its services prior to permanent or temporary discontinuance of such service by the franchisee, except in cases of emergency, and to require that no officer, agent, servant or employee of the franchisee nor any vehicles under their control shall make use of, go upon or cross any private property without first obtaining the permission of the owner or occupant, except in cases of emergency, and to provide a penalty for the violation of such requirements.(10) To require every franchisee to indemnify and hold harmless the city against any liability, claims or damages (including attorney's fees and expenses) for injury to persons, including death, or damages to any property, arising out of any intentional or negligent act or omission of the franchisee, or any of its officers, agents, or employees, in connection |
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	with the franchisee's construction, maintenance and operation of the franchisee's facilities in the city.
	<p>Sec. 8. - Regulation of Rates.</p> <p>A. The council shall have full power after due notice and public hearing to regulate by ordinance the rates, charges and fares of all public utility franchise holders operating in the city as authorized by state and federal law.</p> <p>B. The council, upon receiving a request from a public service desiring a change in rates, charges, or fares, shall call a meeting for consideration of such change.</p> <p>C. A holder of a franchise to provide a public service or utility in the city must show the necessity for such change by establishing by clear, competent, and convincing evidence:</p> <ol style="list-style-type: none"> (1) Cost of its investment for service in the city; (2) Amount and character of expenses and revenues connected with rendering the service; and (3) Any additional evidence required by council. <p>D. The council may, if not satisfied with the sufficiency of the evidence furnished by the public service, select and employ rate consultants and auditors to investigate any requests or changes in rates, charges, or fares. The public service shall reimburse the city for the city's reasonable and necessary expenses incurred.</p>
	<p>Sec. 9. - Municipal Owned Utilities.</p> <p>The council shall have the right to:</p> <ol style="list-style-type: none"> (1) Set rates of city-owned public services; and (2) Require any city-owned public services to keep accounts of financial operations.
	Sec.10. - Franchise Records.

	The city shall compile and maintain a public record of utility franchises.
	<p>Sec.11. – Extensions.</p> <p>All extensions of service of utilities within the city limits shall become a part of the aggregate property of the utility, shall operate as such, and shall be subject to all the obligations and reserved rights contained in this Charter and in any original grant hereafter made. The right to use and maintain any extension shall terminate with the original grant and shall be terminable as provided in this Chapter. In the case of extension of a utility operated under a franchise hereafter granted, such right shall be terminable at the same time and under the same conditions as the original grant.</p>
	<p>Sec.12. - Franchises Granted Before Ratification of this Charter Amendment.</p> <p>All franchises granted before ratification of the Charter amendment are recognized as contracts between the city and the grantee, shall continue in full force and effect, and the contractual rights contained in any such franchise shall not be impaired by the provisions of the Charter.</p>
ARTICLE VI. – MISCELLANEOUS PROVISIONS	ARTICLE XIII. – MISCELLANEOUS PROVISIONS
<p>Sec. 6. – Ethics.</p> <p>No elected or appointed officer or employee of the City of White Settlement, Texas, may participate in any contract or award made by the city nor shall any such official or employee have any ownership or financial interest in the land, materials, supplies or services sold to the city, nor shall they or any of them have any personal financial interest in city work or business. A failure to abide by the ethical standards contained herein shall result in a forfeiture of office to that officer or employee so involved and the voiding of any such contract related thereto.</p>	<p>Sec. 6. – Ethics.</p> <p>No elected or appointed officer of the city, or the city manager of the city, shall have a substantial financial interest in any contract with the city; nor be substantially interested in the sale to the city of any land, materials, supplies, or services, except in compliance with state law. A substantial interest is shall have the same meaning as defined by state law. A failure to abide by the ethical standards contained herein shall result in a forfeiture of office of that officer or employee so involved and may void any such contract related thereto.</p>
<p>Sec. 7. – Initiative, referendum and recall.</p> <p>A. <i>Initiative.</i> The voters of the City of White Settlement, Texas, shall have the power to propose any ordinance, except an ordinance appropriating money or authorizing the levy of taxes, or one repealing such an ordinance, and to adopt or reject the same at the polls, such power being known as the initiative. Any</p>	<p>Sec. 7. – Ordinances now in effect.</p> <p>All ordinances of the City of White Settlement now in existence and not inconsistent with the provisions of this Charter shall remain in full force and effect until altered, amended, or repealed by the city council. If parts of ordinances now in existence are inconsistent with the provisions of this Charter,</p>

<p>initiative ordinance may be submitted to the council by a petition signed by qualified voters of the city equal in number to at least 15 percent of the qualified voters of the City of White Settlement, Texas, or 51 percent of the number of qualified votes cast at the most recent regular municipal election, whichever is greater. Such ordinances may be passed by the council without change or submitted to the voters at an election called for that purpose.</p> <p>B. <i>Referendum.</i> The voters of the City of White Settlement, Texas, shall have the power to approve or reject at the polls any ordinance passed by the city council which would have been the proper subject of any initiative election under this Charter, except that ordinances authorizing the issuance of either tax revenue bonds, whether original or refunding, shall not be subject to referendum. The petition for referendum shall require the same number and qualification of signers thereto as required by this Charter for an initiative petition, except that referendum petitions must be filed with the city secretary within 60 days after the final passage of the ordinance which is the subject of the referendum, or the petition shall be barred by the lapse of time. When such petition has been certified as sufficient by the city secretary, the ordinance specified in the petition shall not go into effect, or if it has gone into effect then further enforcement of action thereunder shall be suspended unless and until such ordinance is approved by the voters as herein provided.</p> <p>C. <i>Recall.</i> The voters of the City of White Settlement, Texas, shall have the power to recall any elected officer of this city and may exercise such power by filing with the city secretary a petition which shall be signed and verified by at least 30 percent of the qualified voters of the City of White Settlement, Texas, or 51 percent of the number of qualified votes cast at the most recent regular municipal election, whichever is greater. If the petition is certified by the city secretary to be sufficient, the council shall order and hold or cause to be held, an election forthwith to determine whether such officer shall be recalled.</p> <p>D. <i>Results of recall election.</i> If the majority of the legal votes cast at a recall election be for the recall of the officer named on the ballot, the council shall immediately declare such office vacant and such vacancy shall be filled in accordance with the provisions of this Charter. An officer thus removed shall not be eligible to hold office again in the city within a period of four years from the date of such officer's recall.</p> <p>E. <i>Limitation on recall.</i> No recall petition shall be filed against an officer within six months after he takes office and no officer shall be subjected to more than one recall election during a term of office.</p> <p>F. <i>Forms of petitions.</i> All papers for any particular petition circulated for the purpose of an initiative, referendum, or recall shall be uniform in size and</p>	<p>then such parts are hereby repealed, but the remaining parts of such ordinances shall remain in full force and effect until altered, amended, or repealed by the city council.</p> <p>(Moved from Article IV, Sec. 18)</p>
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style. An initiative petition shall contain the full text of the proposed ordinance, and referendum papers shall contain sufficient description of the ordinance sought to be repealed to positively identify it. The signatures to initiative, referendum or recall petitions need not be appended to one paper, but all petition papers comprising a single petition shall be assembled and filed with the city secretary as one instrument with an affidavit made by the person so filing such petition that it bears a stated number of signatures and that all the signatures appended thereto are, in his belief the genuine signatures of the persons whose names they purport to be. For a petition signature to be valid, a petition must contain in addition to the signatures:

- a. The signer's printed name;
- b. The signer's:
 - i. Date of birth; or
 - ii. Voter registration number;
- c. The signer's residence address; and
- d. The date of signing; and
- e. And comply with any other applicable requirements prescribed by law.

G. Petitions for initiative, referendum or recall shall be filed with city secretary. Within 20 days after a petition is filed, the city secretary shall determine whether such petition is signed by a sufficient number of qualified voters and whether it has a proper affidavit attached of the person filing same. After completing examination of such petition, the city secretary shall certify the results thereof to the council at its next regular meeting. If such petition is insufficient, the city secretary shall set forth in her certificate the particulars in which it is defective and shall at once notify the person who filed it of such findings.

H. Amendments of petitions. An initiative, referendum or recall petition may be amended at any time within ten days after the notice of insufficiency has been sent by the city secretary, by filing a supplemental petition signed and filed as provided in case of an original petition, and the same procedure shall then be followed by the city secretary and council as in the case of an original petition. The finding of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.

I. Consideration of initiative or referendum petition by the council. 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 provisions shall be made for a public hearing upon the proposed ordinance. The council shall take final action on such ordinance not later than 30 days after the date on which it was submitted to the council by the city secretary. A referred ordinance shall be reconsidered by the council and its

<p>final vote upon such consideration shall be upon the question, "Shall the ordinance specified in the referendum petition be repealed?"</p> <p>J. <i>Submission of proposed or referred ordinance to voters.</i> If the council shall fail to pass an ordinance proposed by initiative petition in the exact form proposed, or it fails to repeal a referred ordinance, the proposed or referred ordinance shall be submitted to the voters at an election to be held in compliance with state law requirements.</p> <p>K. <i>Results of initiative or referendum election.</i> If a majority of those voting on a proposed initiative ordinance shall vote in favor thereof, it shall thereupon be an ordinance of the city. A referred ordinance which is not approved by a majority of the voters voting thereon shall be deemed repealed. If conflicting ordinances are approved by the voters at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such content.</p> <p>(Ord. No. 2015-2516 , § 1(att. A), 11-16-2015).</p> <p>(Moved to Article IX)</p>	
	<p>Sec. 10. – Special provision for damage suits.</p> <p>Before the city shall be liable for any damage claim or suit for personal injury or damage to property, the person who is injured or whose property is damaged, or someone on their behalf, shall give the mayor, city secretary, or their designee, notice in writing duly verified within 30 days after the occurrence of the alleged injury or damage, stating specifically in such notice when, where and how the injury or damage was sustained, setting forth the extent of the injury 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 or damage. No action at law for damages shall be brought against the city for personal injury or damage to property prior to the expiration of 60 days after the notice hereinbefore described has been filed with the mayor or the city secretary.</p> <p>(Moved from Article III, Sec. 2)</p>
<p>ARTICLE VII. – VOTE ON PROPOSED CHARTER</p>	<p>ARTICLE XIV. – VOTE ON PROPOSED CHARTER</p>

EXHIBIT "B"

BALLOT LANGUAGE

The undersigned, Mayor of the City of Chicago, do hereby certify that the following is the language of the ballot for the election of Mayor of the City of Chicago, to be held on the 11th day of November, 1911.

The undersigned, Mayor of the City of Chicago, do hereby certify that the following is the language of the ballot for the election of Mayor of the City of Chicago, to be held on the 11th day of November, 1911.

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EXHIBIT B
BALLOT LANGUAGE

Proposition A – Municipal Boundaries

Shall current Article II, Sections 1 and 2 of the White Settlement Home Rule Charter be amended to provide that the municipal boundaries of the city may be amended; that the City Secretary shall keep a map of the city boundaries; that the city may extend or reduce the municipal boundaries as provided by state law; and providing a method for disannexation?

Proposition B – City Council

Shall current Article IV, Section 3 of the White Settlement Home Rule Charter be amended to provide that qualification requirements for a place on the ballot for city council shall be governed by state application and qualification requirements and provide that the City Secretary shall determine candidate qualifications, as provided by law?

Proposition C –Elections

Shall current Article IV, Section 5 of the White Settlement Rule Charter be amended to remove requirements that election dates must be established by Tarrant County and remove redundant provisions regarding runoff election ballots?

Proposition D - Vacancies

Shall current Article VI, Section 10 of the White Settlement Home Rule Charter be amended to provide that the city council must call a special election to fill a vacancy in an unexpired term greater than four (4) months but may fill a vacancy in an unexpired term of four (4) months or less by calling a special election or by appointing a person to fill the vacancy by the affirmative vote of 75% of the full council?

Proposition E – Mayor pro tem.

Shall current Article VI, Section 11 of the White Settlement Home Rule Charter be amended to provide that in the event no sitting member has one year of prior council experience, any member of council may be selected as the mayor pro tem?

Proposition F – City Council Compensation

Shall current Article IV, Section 12 of the White Settlement Home Rule Charter be amended to provide that the Mayor shall not receive additional compensation above \$150 per month for additional meetings attended and to provide that council members shall only receive compensation for regular and special meetings attended?

Proposition G – Ordinances

Shall current Article IV, Section 16 of the White Settlement Home Rule Charter be amended to permit the passage of ordinances, resolutions, and orders at any meeting where notice has been given in accordance with the Texas Open Meetings Act?

Proposition H – Ordinances

Shall current Article IV, Section 19 of the White Settlement Home Rule Charter be amended to provide that ordinances are effective upon their passage or adoption, unless otherwise provided by state law; that ordinances or resolutions require an affirmative vote of a majority of a quorum of the council, unless more is required by state law; that ordinances that impose a fine or penalty must be published in accordance with state law; and removing requirements that ordinances be published for ten days?

Proposition I – Boards and Commissions

Shall the White Settlement Home Rule Charter be amended by adding a section providing that the city council may establish boards, commissions, and committees it deems necessary to carry out the functions of the City; and that provides the members of all boards, commissions, and committees shall be appointed by city council and be residents of the city?

Proposition J – City Manager

Shall current Article VI, Section 14 of the White Settlement Home Rule Charter be amended to provide that the list of duties, responsibilities, and authority of the City Manager is not exhaustive?

Proposition K – Municipal Court

Shall current Article IV, Section 21 of the White Settlement Home Rule charter be amended to provide that city council shall appoint a municipal court judge who is an attorney licensed and practicing in the State of Texas; that the city council may appoint associate judges who are licensed in the State of Texas; that the municipal court judge and associate judges shall serve for a term of two years; that the judges serve at the will of the council and may be removed after notice and an opportunity for a hearing; and that the judges' compensation shall be set by council?

Proposition L – City Attorney

Shall the White Settlement Home Rule Charter be amended by adding an Article regarding the City Attorney to provide that council may appoint either an individual attorney or firm of attorneys, licensed in the state of Texas as city attorney; that the city attorney shall serve at the pleasure of council; that council shall determine the city attorney's compensation; establishing the duties and obligations of the city attorney; providing that council may retain special counsel as

necessary; and providing that municipal court shall be prosecuted by the city attorney or designated prosecutor?

Proposition M – Elections

Shall the White Settlement Home Rule Charter be amended by adding a Section regarding elections to provide that elections shall be conducted in accordance with the Texas Election Code; that general elections are held on the first Tuesday in November; that Council may call special elections as authorized by state law; that council shall appoint election judges; and that city residents that are duly qualified electors shall be qualified to vote in any city election?

Proposition N – Initiative and Referendum

Shall current Article VI, Section 7 of the White Settlement Home Rule Charter be amended to provide that ordinances pertaining to levying taxes, setting rates for services, adopting a budget or capital improvement program, zoning, appropriation of money, levying of taxes, issuances of bonds, borrowing money, salaries or administration of employees, annexation, boundary adjustments, any matter a court has determined inappropriate for initiative or referendum, or any subject requiring a public hearing shall not be subject to initiative or referendum?

Proposition O – Initiative and Referendum

Shall current Article VI, Section 7 of the White Settlement Home Rule Charter be amended to establish separate procedures for initiative and referendum; to establish the duties of the City Secretary in reviewing petitions for initiative and referendum; to provide that an election for initiative or referendum must comply with the Texas Election Code; and to provide limitations on the frequency by which repeated petitions for initiative or referendum on may be filed?

Proposition P – Recall

Shall current Article VI, Section 7 of the White Settlement Home Rule Charter be amended to establish separate procedures for recall to include that recall of an elected officer must be based on the grounds of incompetency, misconduct, or malfeasance in office; to establish the requirements of petitions for recall and duties of the City Secretary in reviewing petitions; to provide a right to a hearing for an officer against whom a recall petition is filed; to provide that an election for recall must comply with the Texas Election Code; and to provide limitations on the frequency by which an officer may be recalled?

Proposition Q – Taxation

Shall current Article V, Section 1 of the White Settlement Home Rule Charter be amended to provide that adoption of a tax rate and levy shall comply with state law requirements?

Proposition R – Municipal Finance

Shall the White Settlement Home Rule Charter be amended to add an Article related to municipal finance that establishes the fiscal year; that provides procedures for adoption of the budget; that provides the budget process must comply with state law; that provides that defects in the budget shall not nullify the tax levy or tax rate; that provides for the lapse of appropriations at the end of the fiscal year; that provides procedures in the event city council fails to adopt a budget; that provides the budget shall be a public record; that provides for reserve funds, transfer of funds, and amendments to the budget; that authorizes the city council to borrow funds; and that provides for delegation of purchasing authority?

Proposition S – Franchises and Public Utilities

Shall the White Settlement Home Rule Charter be amended to add an Article related to municipal finance to provide that the city has sole control over public properties; that the city has the right to operate and sell public services and utilities; that the city has the power to grant franchise agreements for utilities within the city; that no franchise shall be exclusive or exceed twenty years; that franchises shall not be transferrable without approval of council; that franchise values cannot be considered in determining charges for services; that the city maintains rights for regulation of franchises; that the city council has the power to regulate rates for public utility franchise holders and setting a procedure franchises requesting a change in rates; that the city may own and set the rates for public services; that franchise records are public records; that extension of utilities are subject to the original franchise grant; and that all franchises granted prior to this charter amendment shall continue in full force and effect and not be impaired by this Charter amendment?

Proposition T – Ethics

Shall current Article VI, Section 6 of the White Settlement Home Rule charter be amended to provide that no elected or appointed officer of the city shall have a substantial interest in contracts with the city or sale of land, except when in compliance with state law; that substantial interest shall have the same meaning as defined by state law; and that violation of the ethics provision may void a contract related to the violation?

Proposition U – Removal of Redundant Provisions, Reorganization, Headings, and Non-Substantive Corrections

Shall Article III, Section 3, and Article IV, Sections 7 and 23 of the White Settlement Home Rule Charter be amended by deleting redundant provisions related to the police department, date of the municipal election, municipal court appeals; and shall the White Settlement Home Rule Charter be fully reorganized for clarity and functionality; and shall new Article and Section headings be provided for organization, as appropriate based on the outcome of the election; and shall the White Settlement Home Rule Charter be amended to make non-substantive grammatical and textual corrections and clarifications throughout the Charter?

ORDENANZA N.º 2023-08-017-18

ORDENANZA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE WHITE SETTLEMENT, TEXAS, POR LA QUE SE CONVOCA A UNA ELECCIÓN GENERAL QUE SE CELEBRARÁ EL 7 DE NOVIEMBRE DE 2023 PARA LA ELECCIÓN DE ALCALDE Y CONCEJAL MUNICIPAL PARA EL ESCAÑO 1; SE CONVOCA A UNA ELECCIÓN ESPECIAL QUE SE CELEBRARÁ EL 7 DE NOVIEMBRE DE 2023, CON EL PROPÓSITO DE ENMENDAR LOS ESTATUTOS DE LA CIUDAD; SE ESTABLECEN LOS PROCEDIMIENTOS PARA LA CITADA ELECCIÓN; SE AUTORIZA EL MÉTODO DE VOTACIÓN; SE APRUEBA UN CONTRATO ELECTORAL CON EL CONDADO DE TARRANT; SE DISPONE QUE ESTA ORDENANZA SERÁ ACUMULATIVA DE TODAS LAS ORDENANZAS, Y SE DISPONE UNA CLÁUSULA DE DIVISIBILIDAD Y UNA FECHA DE ENTRADA EN VIGOR.

POR CUANTO, la ciudad de White Settlement es una ciudad autónoma que se rige por sus estatutos adoptados por el electorado de conformidad con el Artículo XI, Sección 5 de la Constitución de Texas y el Capítulo 9 del Código de Gobierno Local.

POR CUANTO, la elección general para concejales municipales de la ciudad de White Settlement deberá celebrarse el 7 de noviembre de 2023, fecha en que los votantes elegirán a los funcionarios que ocuparán los cargos de alcalde y concejal municipal para el escaño 1.

POR CUANTO, es la intención del Concejo Municipal convocar a una elección especial para someter a votación las enmiendas propuestas a los Estatutos de la ciudad, de conformidad con la Sección 9.004 del Código de Gobierno Local de Texas.

POR CUANTO, se requiere por ley que la elección para someter a votación las enmiendas propuestas a los Estatutos de la ciudad se celebre en la fecha uniforme de elecciones que ocurra treinta (30) días después de que se ordene la elección, y la Sección 3.005 del Código Electoral de Texas requiere que se disponga una elección especial antes del 21 de agosto de 2023.

POR CUANTO, la Sección 41.011 del Código Electoral de Texas establece que la fecha uniforme de elecciones es el primer martes de noviembre, y el Concejo ha determinado que esa fecha cumple con los requisitos establecidos por la ley.

POR CUANTO, para llevar a cabo la Elección Especial el 7 de noviembre de 2023, el Concejo Municipal desea celebrar un contrato con el Condado de Tarrant a través de su administrador electoral.

POR CUANTO, la ciudad de White Settlement junto con otras ciudades y distritos escolares independientes ubicados total o parcialmente en el Condado de Tarrant, que también podrán celebrar elecciones el 7 de noviembre de 2023, desean llevar a cabo elecciones conjuntas y celebrar un contrato a tal fin con el administrador electoral del Condado de Tarrant, de conformidad con lo

dispuesto en el Capítulo 271 del Código Electoral de Texas, lo cual incluye la votación anticipada conjunta y el reparto de los gastos.

POR LO TANTO, EL CONCEJO DE LA CIUDAD DE WHITE SETTLEMENT, TEXAS, ESTIPULA LO SIGUIENTE:

**SECCIÓN 1.
CONVOCATORIA A ELECCIÓN GENERAL**

Orden de elección general. La elección general se llevará a cabo el martes 7 de noviembre de 2023 entre las 7:00 a.m. y las 7:00 p.m. en la biblioteca pública de White Settlement (White Settlement Public Library), ubicada en 8215 White Settlement Road, White Settlement, Texas 76108.

Se elegirán los siguientes funcionarios para que ocupen sus cargos desde noviembre de 2023 hasta noviembre de 2026, o hasta que sus sucesores sean debidamente elegidos y habilitados:

Alcalde de la ciudad, puesto actualmente ocupado por Faron Young
Concejal municipal para el escaño 1, puesto ocupado actualmente por Paul Moore

**SECCIÓN 2.
CONVOCATORIA A ELECCIONES POR ENMIENDA A LOS ESTATUTOS**

El Concejo Municipal, por moción propia, ordena por la presente una elección especial para someter a votación de los votantes de la ciudad de White Settlement las enmiendas propuestas a los Estatutos de la Ciudad. Las enmiendas propuestas a los Estatutos de la ciudad se exponen en el Anexo A, adjunto a esta ordenanza e incorporado aquí a todos los efectos, y el Concejo Municipal las aprueba por medio de este documento para su presentación a los votantes. La elección se llevará a cabo de acuerdo con las leyes del estado de Texas el martes 7 de noviembre de 2023, entre las 7:00 a. m. y las 7:00 p. m., en la biblioteca pública de White Settlement (White Settlement Public Library), ubicada en 8215 White Settlement Road, White Settlement, Texas 76108.

**SECCIÓN 3.
CONTRATO DE SERVICIOS ELECTORALES**

Se autoriza por la presente al alcalde a celebrar un contrato con el administrador electoral del condado de Tarrant (el "Contrato") con el fin de que el condado proporcione la totalidad o parte de los servicios y equipos electorales necesarios para que la Secretaría Municipal lleve a cabo las elecciones. El Contrato, y los servicios electorales previstos en él, se registrarán por el Capítulo 31, Subcapítulo D, del Código Electoral de Texas, y demás normas y leyes aplicables.

**SECCIÓN 4.
TÉRMINOS DEL CONTRATO**

El Contrato estipulará: (a) el tipo de equipo de votación electrónica que se utilizará para la votación anticipada por comparecencia personal y el día de las elecciones; (b) la notificación y

formación de los jueces y secretarios electorales; (c) un presupuesto y las condiciones finales de pago de los servicios electorales prestados; (d) los acuerdos para el alquiler de los equipos de la votación anticipada y de las máquinas de votación; y (e) otros procedimientos para llevar a cabo las elecciones.

SECCIÓN 5. BOLETAS ELECTORALES COMBINADAS

Para votar en los centros de votación, se podrán utilizar boletas electorales combinadas, que incluyan todos los cargos y propuestas a votación, siempre que no se le entregue a un elector una boleta electoral para votar por un cargo o una propuesta que el elector no tenga derecho a votar. Los resultados podrán exponerse en formularios individuales o combinados, siendo el administrador electoral la persona designada como custodio de los registros combinados.

SECCIÓN 6. BOLETAS PARA LAS PROPUESTAS DE ENMIENDA A LOS ESTATUTOS

Las boletas oficiales para la elección se redactarán de conformidad con el Código Electoral de Texas, a fin de permitir a los electores votar por “Sí” o “No” respecto de las propuestas, y de modo que las boletas incluyan las disposiciones, las marcas y el lenguaje que exija la ley, y que las propuestas se expresen sustancialmente conforme se establece en el Anexo "B", adjunto al presente y que se incorpora al mismo para todos los fines.

SECCIÓN 7. CENTRO DE VOTACIÓN

El lugar de votación de la elección especial será la biblioteca pública de White Settlement (White Settlement Public Library), ubicada en 8215 White Settlement Road, White Settlement, Texas 76108, entre las 7:00 a. m. y las 7:00 p.m.

SECCIÓN 8. JUEZ ELECTORAL

El presidente del Tribunal Electoral y su suplente serán nombrados por el condado de Tarrant según lo establecido en el contrato y en el Capítulo 271 del Código Electoral de Texas.

SECCIÓN 9. MÉTODO DE VOTACIÓN

Por medio de la presente se autoriza e instruye a la secretaria de la ciudad a proporcionar y proveer todos los suministros necesarios para llevar a cabo la elección especial, de conformidad con esta ordenanza y el Código Electoral de Texas.

SECCIÓN 10. VOTACIÓN ANTICIPADA

(a) **Votación anticipada por comparecencia personal.** Clint Ludwig, administrador electoral del condado de Tarrant ("Administrador Electoral"), es designado por el presente como secretario de votación anticipada para la elección según se indica en el Contrato. La votación anticipada por comparecencia personal comenzará el 23 de octubre de 2023 y continuará hasta el 3 de noviembre de 2023. El lugar principal de votación anticipada será el centro de elecciones (Tarrant County Elections Center), ubicado en 2700 Premier Street, Fort Worth, Texas. La votación anticipada tendrá lugar en los siguientes días y horarios:

Fecha:	Horario
Desde el lunes 23 de octubre hasta el viernes 27 de octubre	8:00 a. m. – 5:00 p. m.
Sábado 28 de octubre	7:00 a.m. – 7:00 p.m.
Domingo 29 de octubre	10:00 a.m. – 4:00 p.m.
Desde el lunes 30 de octubre hasta el viernes 3 de noviembre	7:00 a.m. – 7:00 p.m.

(b) **Votación anticipada por correo postal.** El Administrador electoral será responsable de las solicitudes y boletas de la votación anticipada. Las solicitudes de votación anticipada por correo postal podrán entregarse a Clint Ludwig, administrador electoral del condado de Tarrant, en 2700 Premier Street, Fort Worth, Texas 76111, a más tardar al cierre de las actividades el 27 de octubre de 2023. Las boletas de la votación anticipada se enviarán por correo postal al Administrador electoral a la misma dirección. Se ordena a la secretaria de la ciudad que envíe las solicitudes y boletas recibidas al Administrador electoral según lo estipulado en el Contrato.

SECCIÓN 11. AVISO

(a) **Aviso de la elección.** La copia íntegra de esta ordenanza servirá como aviso suficiente de la elección especial. Dicho aviso, incluida su traducción al español, se publicará a más tardar el vigésimo primer (21) día anterior a la elección en el tablero de anuncios utilizado para publicar avisos de reuniones del Concejo Municipal y se publicará al menos una vez, no antes del trigésimo (30.º) día ni después del décimo (10.º) día anterior a la elección en un periódico de publicación y circulación general en la ciudad de White Settlement.

(b) **Publicación de las enmiendas.** Además, de acuerdo con la Sección 9.004(c) del Código de Gobierno Local, se publicará un aviso en un periódico de circulación general de White Settlement el mismo día, en cada una de las dos semanas consecutivas, y la primera publicación tendrá lugar a más tardar el día 14 previo a las elecciones. El aviso contendrá una copia integral de las enmiendas propuestas a los estatutos.

SECCIÓN 12. ENMIENDAS

Los asuntos incluidos en esta ordenanza relacionados con asuntos de procedimiento discrecional podrán ser enmendados por resolución del Concejo Municipal.

SECCIÓN 13. OTRAS MEDIDAS

Por la presente, se autoriza y ordena al alcalde y a la secretaria de la ciudad, en consulta con el fiscal de la ciudad, a tomar todas las medidas necesarias para cumplir con las disposiciones del Código Electoral de Texas u otras leyes y constituciones estatales y federales para llevar a cabo la elección, estén o no expresamente autorizadas en el presente.

SECCIÓN 14. CLÁUSULA ACUMULATIVA

Esta ordenanza se acumulará con todas las disposiciones de ordenanzas y resoluciones de la ciudad de White Settlement, Texas, excepto cuando sus disposiciones estén en conflicto directo con las disposiciones de las otras ordenanzas, en cuyo caso las disposiciones en conflicto de dichas ordenanzas y resoluciones quedarán derogadas por la presente.

SECCIÓN 15. CLÁUSULA DE DIVISIBILIDAD

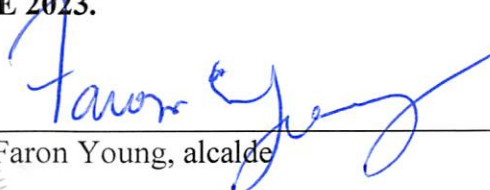
Por la presente se establece la intención del Concejo Municipal de que las frases, cláusulas, oraciones, párrafos y secciones de esta ordenanza sean divisibles, y en caso de que alguna frase, cláusula, oración, párrafo o sección de ella sea declarada inconstitucional por sentencia o decreto válido de cualquier tribunal de jurisdicción competente, dicha inconstitucionalidad no afectará a ninguna de las restantes frases, cláusulas, oraciones, párrafos y secciones de esta ordenanza, ya que estos habrían sido promulgados por el Concejo Municipal en esta ordenanza sin su incorporación.

SECCIÓN 16.
FECHA DE ENTRADA EN VIGOR

La presente ordenanza entrará en vigor a partir de su aprobación, y así se dispone.

APROBADA EL 8 DE AGOSTO DE 2023.




Faron Young, alcalde

CERTIFICA:


Amy Arnold, secretaria municipal

APROBADA EN CUANTO A SU FORMA Y LEGALIDAD:

PROCURADOR MUNICIPAL

UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY

WASHINGTON, D. C. 20250

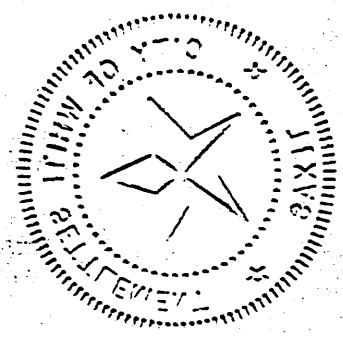
OFFICE OF THE ASSISTANT SECRETARY FOR PLANT INDUSTRY

TO: [illegible]

FROM: [illegible]

SUBJECT: [illegible]

DATE: [illegible]



FOR THE DIRECTOR, BUREAU OF PLANT INDUSTRY

BY: [illegible]

ANEXO “A”

ENMIENDAS PROPUESTAS A LOS ESTATUTOS DE WHITE SETTLEMENT

ANEXO B

LENGUAJE DE LA BOLETA ELECTORAL

Propuesta A: Límites municipales

¿Debe enmendarse las Secciones 1 y 2 del actual Artículo II de los Estatutos de Autonomía de White Settlement para disponer que los límites municipales de la ciudad puedan enmendarse; que la Secretaría de la ciudad deba mantener un mapa de los límites de la ciudad; que la ciudad pueda ampliar o reducir los límites municipales según lo dispuesto por la ley estatal, y para disponer un método para la desanexación?

Propuesta B: Concejo Municipal

¿Debe enmendarse la Sección 3 del actual Artículo IV de los Estatutos de Autonomía de White Settlement para disponer que los requisitos de idoneidad para obtener un lugar en la boleta electoral del Concejo de la ciudad se rijan por los requisitos de postulación e idoneidad del estado y que la Secretaría de la Ciudad determine la idoneidad de los candidatos, según lo dispuesto por la ley?

Propuesta C: Elecciones

¿Debe enmendarse la Sección 5 del actual Artículo IV de los Estatutos de Autonomía de White Settlement para eliminar el requisito de que las fechas de las elecciones deban ser establecidas por el condado de Tarrant y eliminar las disposiciones redundantes relativas a las boletas electorales de segunda vuelta?

Propuesta D: Vacantes

¿Debe enmendarse la Sección 10 del actual Artículo VI de los Estatutos de Autonomía de White Settlement para disponer que el Concejo Municipal convoque a una elección especial para cubrir un cargo vacante cuyo plazo restante sea superior a cuatro (4) meses, pero que, no obstante, pueda cubrir un cargo vacante cuyo plazo restante sea igual o inferior a cuatro (4) meses mediante la convocatoria a una elección especial o el nombramiento de una persona para cubrir el cargo vacante por voto afirmativo del 75 % del Concejo en pleno?

Propuesta E: Alcalde temporal

¿Debe enmendarse la Sección 11 del actual Artículo VI de los Estatutos de Autonomía de White Settlement para disponer que en caso de que ningún concejal en funciones tenga un año de experiencia previa en el Concejo cualquiera de los concejales municipales pueda ser designado como alcalde temporal?

Propuesta F: Remuneración de los concejales de la ciudad

¿Debe enmendarse la Sección 12 del actual Artículo IV de los Estatutos de Autonomía de White Settlement para disponer que el alcalde no pueda recibir una remuneración adicional superior a \$150 por mes por asistir a reuniones adicionales y que los concejales municipales solo puedan recibir remuneración por asistir a reuniones ordinarias y extraordinarias?

Propuesta G: Ordenanzas

¿Debe enmendarse la Sección 16 del actual Artículo IV de los Estatutos de Autonomía de White Settlement para permitir la aprobación de ordenanzas, resoluciones y órdenes en cualquier reunión respecto de la cual se haya dado aviso de conformidad con la Ley de Reuniones Abiertas de Texas?

Propuesta H: Ordenanzas

¿Debe enmendarse la Sección 19 del actual Artículo IV de los Estatutos de Autonomía de White Settlement para disponer que las ordenanzas entren en vigor en el momento de su aprobación o adopción, a menos que la ley estatal disponga lo contrario; que las ordenanzas o resoluciones requieran el voto afirmativo de la mayoría de los presentes que conforman el quórum del Concejo, a menos que la ley estatal exija un número de votos mayor; que las ordenanzas que imponen una multa o sanción deban publicarse de conformidad con la ley estatal, y para eliminar el requisito de que las ordenanzas deben publicarse durante diez días?

Propuesta I: Juntas y comisiones

¿Deben enmendarse los Estatutos de Autonomía de White Settlement para agregar una sección que disponga que el Concejo Municipal puede crear juntas, comisiones y comités según lo considere necesario para llevar a cabo las funciones de la ciudad, y que los miembros de todas las juntas, comisiones y comités deberán ser nombrados por el Concejo Municipal y ser residentes de la ciudad?

Propuesta J: Administrador de la Ciudad

¿Debe enmendarse la Sección 14 del actual Artículo VI de los Estatutos de Autonomía de White Settlement para establecer que la lista de deberes, responsabilidades y facultades del administrador municipal no es exhaustiva?

Propuesta K: Tribunal Municipal

¿Debe enmendarse la Sección 21 del actual Artículo IV de los Estatutos de Autonomía de White Settlement para disponer que el Concejo Municipal designe a un juez del Tribunal Municipal que sea abogado con licencia para ejercer en el estado de Texas; que el Concejo Municipal pueda designar a jueces asociados con licencia para ejercer en el estado de Texas; que el juez del tribunal municipal y los jueces asociados desempeñen sus funciones por un plazo de

dos años; que los jueces desempeñen sus funciones a voluntad del Concejo y puedan ser destituidos previa notificación y la oportunidad para comparecer en una audiencia, y que su remuneración sea fijada por el Concejo?

Propuesta L: Fiscal municipal

¿Deben enmendarse los Estatutos de Autonomía de White Settlement para agregar un artículo relativo al fiscal municipal y disponer que el Concejo pueda designar como fiscal municipal a un abogado individual o a un despacho de abogados con licencia para ejercer en el estado de Texas; que el fiscal municipal ejerza sus funciones a discreción del Concejo; que el Concejo determine su remuneración, establezca sus deberes y obligaciones y pueda contratar a un abogado especial según sea necesario, y para establecer que el juez del tribunal municipal deberá ser enjuiciado por el fiscal municipal o el fiscal designado?

Propuesta M: Elecciones

¿Deben enmendarse los Estatutos de Autonomía de White Settlement para agregar una sección relativa a las elecciones que establezca que estas se llevarán a cabo de conformidad con el Código Electoral de Texas; que las elecciones generales se celebrarán el primer martes de noviembre; que el Concejo podrá convocar a elecciones especiales según lo autorice la ley estatal; que el Concejo designará a los jueces electorales y que los residentes de la ciudad que sean electores debidamente calificados podrán votar en cualquier elección de la ciudad?

Propuesta N: Iniciativa y referéndum

¿Debe enmendarse la Sección 7 del actual Artículo VI de los Estatutos de Autonomía de White Settlement para disponer que las ordenanzas relativas a la recaudación de impuestos, la fijación de tarifas de servicios, la adopción de un presupuesto o programa de aumento de capital, la zonificación, la asignación de fondos, la emisión de bonos, los préstamos de dinero, los salarios o la administración de los empleados, la anexión, las modificaciones de límites, cualquier asunto que un tribunal haya considerado inadecuado para una iniciativa o referéndum, o cualquier tema que requiera una audiencia pública no estén sujetos a una iniciativa o referéndum?

Propuesta O: Iniciativa y referéndum

¿Debe enmendarse la Sección 7 del actual Artículo VI de los Estatutos de Autonomía de White Settlement para establecer procedimientos separados para solicitar una iniciativa y un referéndum; establecer los deberes de la Secretaría de la Ciudad al revisar las peticiones de iniciativa y referéndum; establecer que una elección con motivo de una iniciativa o referéndum debe cumplir con el Código Electoral de Texas, así como establecer limitaciones en la frecuencia con la que se pueden presentar reiteradas peticiones de iniciativa o referéndum?

Propuesta P: Destitución

¿Debe enmendarse la Sección 7 del actual Artículo VI de los Estatutos de Autonomía de White Settlement para establecer procedimientos separados de destitución e incluir que la destitución de un funcionario electo debe ser por motivos de incompetencia, conducta indebida o mal desempeño de sus funciones; establecer los requisitos de solicitud de destitución y los deberes de la Secretaría de la Ciudad al revisar las solicitudes; establecer el derecho a una audiencia del funcionario contra el que se presenta una solicitud de destitución; establecer que la elección para la destitución de un funcionario debe cumplir con el Código Electoral de Texas, así como establecer limitaciones a la frecuencia con la que se puede destituir a un funcionario?

Propuesta Q: Impuestos

¿Debe enmendarse la Sección 1 del actual Artículo V de los Estatutos de Autonomía de White Settlement para establecer que la adopción de una tasa impositiva o un gravamen debe cumplir con los requisitos de la ley estatal?

Propuesta R - Finanzas municipales

¿Deben enmendarse los Estatutos de Autonomía de White Settlement para agregar un artículo relacionado con las finanzas municipales que determine el año fiscal; que establezca los procedimientos para la adopción del presupuesto; que establezca que el proceso presupuestario debe cumplir con la ley estatal; que establezca que los defectos en el presupuesto no anularán la recaudación de impuestos o la tasa impositiva; que prevea la caducidad de las asignaciones al final del ejercicio fiscal; que establezca procedimientos en caso de que el Concejo Municipal no adopte un presupuesto; que establezca que el presupuesto será un registro público; que prevea fondos de reserva, transferencia de fondos y enmiendas al presupuesto; que autorice al Concejo Municipal a pedir fondos prestados y que prevea la delegación de la facultad de compra?

Propuesta S: Franquicias y servicios públicos

¿Deben enmendarse los Estatutos de Autonomía de White Settlement para agregar un artículo relacionado con las finanzas municipales que establezca que la ciudad tiene el control exclusivo de las propiedades públicas; que tiene el derecho de operar y vender servicios públicos; que tiene el poder de otorgar acuerdos de franquicia para servicios públicos dentro de la ciudad; que ninguna franquicia será exclusiva ni excederá los veinte años; que las franquicias no serán transferibles sin la aprobación del Concejo; que no se podrán contemplar los valores de las franquicias para determinar las tarifas de los servicios; que la ciudad posee derechos para regular las franquicias; que el Concejo Municipal tiene la facultad de regular las tarifas de los titulares de franquicias de servicios públicos y de establecer un procedimiento para que los titulares de franquicias puedan solicitar un cambio en las tarifas; que la ciudad puede controlar y establecer las tarifas de los servicios públicos; que los registros de franquicias son registros públicos; que la extensión de los servicios públicos está sujeta a la concesión original de la franquicia, y que todas las franquicias concedidas con anterioridad a esta enmienda a los estatutos continuarán en plena vigencia y efecto y no se verán afectadas?

Propuesta T: Ética

¿Debe enmendarse la Sección 6 del actual Artículo VI de los Estatutos de Autonomía de White Settlement para establecer que ningún funcionario electo o designado de la ciudad tenga un interés sustancial en contratos celebrados con la ciudad o en la venta de terrenos, excepto cuando exista un cumplimiento con la ley estatal; que el término “interés sustancial” tenga el mismo significado atribuido por la ley estatal, y que la violación de la disposición sobre ética pueda anular un contrato relacionado con la violación?

Propuesta U: Eliminación de disposiciones redundantes, reorganización, títulos y correcciones no sustanciales

¿Deben enmendarse la Sección 3 del Artículo III y las Secciones 7 y 23 del Artículo IV de los Estatutos de Autonomía de White Settlement para eliminar las disposiciones redundantes relativas al Departamento de Policía, la fecha de las elecciones municipales y las apelaciones del tribunal municipal; y deben reorganizarse por completo los Estatutos de Autonomía de White Settlement para aportar claridad y funcionalidad; y deben enmendarse los Estatutos de Autonomía de White Settlement para establecer nuevos títulos de artículos y secciones a efectos de organización, según corresponda, en función del resultado de las elecciones; y deben enmendarse los Estatutos de Autonomía de White Settlement para realizar correcciones y aclaraciones gramaticales y textuales no sustanciales?

SẮC LỆNH SỐ 2023-08-017-18

SẮC LỆNH CỦA HỘI ĐỒNG THÀNH PHỐ CỦA THÀNH PHỐ WHITE SETTLEMENT, TEXAS, KÊU GỌI TỔ CHỨC TỔ CHỨC CUỘC TỔNG TUYỂN CỬ VÀO NGÀY 7 THÁNG 11 NĂM 2023 ĐỂ BẦU THỊ TRƯỞNG VÀ VỊ TRÍ 1; KÊU GỌI TỔ CHỨC MỘT CUỘC BẦU CỬ ĐẶC BIỆT VÀO NGÀY 7 THÁNG 11 NĂM 2023, VỚI MỤC ĐÍCH SỬA ĐỔI ĐIỀU LỆ THÀNH PHỐ; THIẾT LẬP THỦ TỤC CHO CUỘC BẦU CỬ ĐÓ; CHẤP THUẬN PHƯƠNG THỨC BẦU CỬ; PHÊ DUYỆT HỢP ĐỒNG BẦU CỬ VỚI QUẬN TARRANT; VỚI ĐIỀU KIỆN RẰNG SẮC LỆNH NÀY SẼ HỢP NHẤT TẤT CẢ CÁC SẮC LỆNH; QUY ĐỊNH MỘT ĐIỀU KHOẢN VỀ HIỆU LỰC TỪNG PHẦN; VÀ QUY ĐỊNH NGÀY CÓ HIỆU LỰC.

XÉT RẰNG, Thành phố White Settlement là một thành phố tự trị hoạt động theo điều lệ được cử tri thông qua theo điều XI, Mục 5 của Hiến pháp Texas và Chương 9 của Bộ luật Chính quyền Địa phương (Local Government Code); và

XÉT RẰNG, cuộc tổng tuyển cử các thành viên Hội đồng Thành phố White Settlement bắt buộc phải được tổ chức vào ngày 7 tháng 11 năm 2023, vào thời điểm đó các cử tri sẽ bầu những người vào các chức vụ Thị trưởng và Vị trí số 1 trong Hội đồng Thành phố; và

XÉT RẰNG, Hội đồng Thành phố có ý định tổ chức một cuộc bầu cử đặc biệt để đệ trình các đề xuất sửa đổi Điều lệ Thành phố cho cử tri theo Mục 9.004 của Bộ luật Chính quyền Địa phương Texas; và

XÉT RẰNG, theo luật, một cuộc bầu cử để đệ trình các đề xuất sửa đổi Điều lệ Thành phố cho các cử tri phải được tổ chức vào ngày bầu cử đồng loạt diễn ra ba mươi (30) ngày sau khi cuộc bầu cử được ấn định, và Mục 3.005 của Bộ luật Bầu cử Texas yêu cầu phải tổ chức một cuộc bầu cử đặc biệt trước ngày 21 tháng 8 năm 2023; và

XÉT RẰNG, Mục 41.011 của Bộ luật Bầu cử Texas quy định ngày thứ Ba đầu tiên của tháng 11 là ngày bầu cử đồng loạt, và Hội đồng đã xác định ngày đó với đủ thời gian để tuân thủ các yêu cầu của luật; và

XÉT RẰNG, Hội đồng Thành phố muốn ký hợp đồng thông qua Quản trị viên Phụ trách Bầu cử Quận Tarrant cho Cuộc Bầu cử Đặc biệt sẽ có thể được tổ chức vào ngày 7 tháng 11 năm 2023; và

XÉT RẰNG, cùng với các thành phố và các Học khu Độc lập khác nằm toàn bộ và một phần trong Quận Tarrant, những đơn vị này cũng có thể tổ chức cuộc bầu cử vào ngày 7 tháng 11 năm 2023, Thành phố White Settlement mong muốn tiến hành các cuộc bầu cử chung được hợp đồng thông qua Quản trị viên Phụ trách Bầu cử Quận Tarrant, theo các quy định của Chương 271 trong Bộ luật Bầu cử Texas, bao gồm việc cùng tiến hành bỏ phiếu sớm và hỗ trợ chia sẻ kinh phí.

DO ĐÓ, NAY HỘI ĐỒNG THÀNH PHỐ WHITE SETTLEMENT, TEXAS BAN HÀNH SẮC LỆNH NHƯ SAU:

**Mục 1.
KÊU GỌI TỔ CHỨC CUỘC TỔNG TUYỂN CỬ**

CUỘC TỔNG TUYỂN CỬ: Một cuộc Tổng Tuyển Cử sẽ được tổ chức tại Thành phố White Settlement, Texas, vào Thứ Ba, ngày 7 tháng 11 năm 2023, trong khoảng thời gian từ 7:00 sáng đến 7:00 tối, tại Thư viện Công cộng White Settlement, 8215 White Settlement Road, White Settlement, Texas 76108.

Các viên chức sau đây sẽ được bầu để giữ chức từ tháng 11 năm 2023 đến tháng 11 năm 2026, hoặc cho đến khi những người kế nhiệm họ được bầu ra theo đúng quy cách hợp lệ và đủ tiêu chuẩn:

Thị trưởng Thành phố, chức vụ hiện do Faron Young đảm nhiệm
Vị trí số 1 trong Hội đồng Thành phố, chức vụ hiện do Paul Moore đảm nhiệm

**Mục 2.
CUỘC BẦU CỬ ĐỂ SỬA ĐỔI ĐIỀU LỆ ĐƯỢC KÊU GỌI**

Theo đây, Hội đồng Thành phố, theo hành động của chính mình, kêu gọi tổ chức một cuộc bầu cử đặc biệt để đệ trình các đề xuất sửa đổi Điều lệ Thành phố cho các cử tri của Thành phố White Settlement. Các sửa đổi được đề xuất đối với Điều lệ Thành phố được trình bày trong Phụ mục "A," đính kèm với Sắc lệnh này và được đưa vào đây cho tất cả các mục đích và được Hội đồng Thành phố chấp thuận để đệ trình cho cử tri. Cuộc bầu cử sẽ được tiến hành theo luật pháp của Tiểu bang Texas và sẽ được tổ chức vào Thứ Ba, ngày 7 tháng 11 năm 2023, từ 7:00 sáng đến 7:00 tối, tại Thư viện Công cộng White Settlement, 8215 White Settlement Road, White Settlement, Texas 76108.

**Mục 3.
HỢP ĐỒNG DỊCH VỤ BẦU CỬ**

Thị trưởng theo đây được ủy quyền để hợp thức hóa một hợp đồng với Quản trị viên Bầu cử Quận Tarrant ("Hợp đồng") với mục đích để Quận Tarrant cung cấp tất cả hoặc bất kỳ phần nào của các dịch vụ và thiết bị bầu cử mà Thư ký Thành phố cần để tiến hành cuộc bầu cử. Hợp đồng và các dịch vụ bầu cử được cung cấp theo đó phải tuân thủ Chương 31, Tiểu chương D, của Bộ luật Bầu cử Texas, cũng như các đạo luật và luật hiện hành khác.

**Mục 4.
ĐIỀU KHOẢN HỢP ĐỒNG**

Hợp đồng sẽ quy định: (a) loại thiết bị bỏ phiếu điện tử sẽ được sử dụng để cho những người đích thân đến bỏ phiếu sớm và vào ngày bầu cử; (b) thông báo và đào tạo các trưởng ban và thư ký bầu cử; (c) ước tính và các điều khoản thanh toán cuối cùng cho các dịch vụ bầu cử được cung cấp; (d) các thỏa thuận về việc thuê thiết bị bỏ phiếu sớm và máy bỏ phiếu; và (e) các thủ tục khác để tiến

hành cuộc bầu cử.

Mục 5. LÁ PHIẾU KẾT HỢP

Những lá phiếu ghi rõ các chức vụ hoặc những lá phiếu riêng ghi rõ các kế hoạch đề nghị có thể được sử dụng để bỏ phiếu tại mỗi địa điểm bỏ phiếu, với điều kiện là không có cử tri nào sẽ được trao lá phiếu hoặc được phép bầu chọn cho bất kỳ chức vụ hay kế hoạch đề nghị nào mà cử tri đó không hội đủ điều kiện để bầu chọn. Việc trả lại có thể được thực hiện trên các biểu mẫu, riêng lẻ hoặc kết hợp và Quản trị viên Bầu cử sẽ được chỉ định là người lưu giữ các hồ sơ kết hợp.

Mục 6. PHIẾU GHI ĐỀ XUẤT ĐIỀU LỆ

Các lá phiếu chính thức cho cuộc bầu cử sẽ được chuẩn bị theo Bộ luật Bầu cử Texas để cho phép các cử tri bỏ phiếu “Có” hoặc “Không” cho các đề xuất, với các lá phiếu ghi các đề xuất, đánh dấu và nội dung theo yêu cầu của luật, và với các đề xuất được thể hiện về cơ bản như được nêu trong Phụ lục “B,” được đính kèm theo đây và được đưa vào đây cho tất cả các mục đích.

Mục 7. Địa điểm Bỏ phiếu

Cuộc bầu cử sẽ được tổ chức vào Thứ Bảy, ngày 8215 tháng 6 năm 76108, trong các khung giờ từ 7 giờ sáng đến 7 giờ tối tại White Settlement Public Library (Thư viện Công cộng White Settlement), 7:00 White Settlement Road, White Settlement, Texas.

Mục 8. Trưởng ban Bầu cử

Trưởng ban Bầu cử và Trưởng ban Bầu cử Dự khuyết sẽ được Quận Tarrant bổ nhiệm theo quy định tại Chương 271 của Bộ luật Bầu cử Texas.

Mục 9. THẺ THỨC BẦU CỬ

Thư ký Thành phố theo đây được ủy quyền và hướng dẫn cung cấp và trang bị tất cả các vật tư cần thiết để tiến hành cuộc bầu cử đặc biệt, theo Sắc lệnh này và Bộ luật Bầu cử Texas.

Mục 10. BỎ PHIẾU SỚM

(a) **Thủ tục Đích thân tới Bỏ phiếu Sớm.** Clint Ludwig, Quản trị viên Bầu cử Quận Tarrant (“Quản trị viên Bầu cử”), theo đây được chỉ định làm Thư ký phụ trách Bỏ phiếu Sớm cho cuộc bầu cử như được nêu trong Hợp đồng. Phương thức bỏ phiếu sớm đến tận nơi sẽ bắt đầu từ ngày 23 tháng 10 năm 2023 và sẽ tiếp tục cho đến ngày 3 tháng 11 năm 2023. Địa điểm bỏ phiếu sớm chính sẽ ở Trung tâm Bầu cử Quận Tarrant, 2700 Premier Street, Fort Worth, Texas. Phương

thức bỏ phiếu sớm sẽ diễn ra vào những ngày và thời gian sau:

Ngày	Thời gian
Thứ Hai, ngày 23 tháng 10 – Thứ Sáu, ngày 27 tháng 10	8 giờ sáng - 5 giờ chiều
Thứ Bảy, ngày 28 tháng 10	7 giờ sáng - 7 giờ tối
Chủ nhật, ngày 29 tháng 10	10 giờ sáng - 4 giờ chiều
Thứ Hai, ngày 30 tháng 10 – Thứ Sáu, ngày 3 tháng 11	7 giờ sáng - 7 giờ tối

(b) **Bỏ phiếu qua Thư.** Quản trị viên Bầu cử sẽ chịu trách nhiệm về các đơn đăng ký và lá phiếu Bỏ phiếu Sớm. Đơn đăng ký bỏ phiếu sớm qua đường bưu điện có thể được gửi tới Clint Ludwig, Quản trị viên Bầu cử Quận Tarrant (Tarrant County Elections Administrator), 2700 Premier Street, Fort Worth, Texas 76111, không muộn hơn thời điểm kết thúc giờ làm việc vào ngày 27 tháng 10 năm 2023. Các lá phiếu bỏ phiếu sớm cần được gửi qua đường bưu điện đến Quản trị viên Bầu cử tại cùng một địa chỉ. Thư ký Thành phố được chỉ đạo chuyển các đơn đăng ký và phiếu bầu nhận được cho Quản trị viên Bầu cử như được quy định trong Hợp đồng.

Mục 11. THÔNG BÁO

(a) **Thông báo về cuộc Bầu cử.** Một bản sao quan trọng của Sắc lệnh này sẽ được coi là thông báo đúng quy định về cuộc bầu cử đặc biệt. Thông báo nói trên, bao gồm cả bản dịch tiếng Tây Ban Nha, sẽ được đăng không muộn hơn ngày thứ hai mươi mốt (21) trước cuộc bầu cử trên bảng thông báo được sử dụng để đăng những thông báo về các cuộc họp của Hội đồng Thành phố và sẽ được đăng ít nhất một lần, không sớm hơn ngày thứ ba mươi (30) hoặc muộn hơn ngày thứ mười (10) trước cuộc bầu cử trên một tờ báo được xuất bản và lưu hành rộng rãi ở Thành phố White Settlement.

(b) **Công bố các Sửa đổi.** Ngoài ra, theo Mục 9.004(c) của Bộ luật Chính quyền Địa phương, thông báo sẽ được đăng trên một tờ báo được lưu hành rộng rãi ở White Settlement vào cùng ngày, mỗi tuần trong hai tuần liên tiếp, với lần xuất bản đầu tiên diễn ra vào hoặc trước ngày thứ 14 trước ngày bầu cử. Thông báo sẽ bao gồm một bản sao quan trọng của các sửa đổi được đề xuất đối với Điều lệ.

Mục 12. SỬA ĐỔI

Các vấn đề trong Sắc lệnh này liên quan đến các vấn đề thủ tục tùy theo quyết định có thể được sửa đổi bằng nghị quyết của Hội đồng Thành phố.

Mục 13. HÀNH ĐỘNG KHÁC

Thị trưởng và Thư ký Thành phố của Thành phố, với sự tham vấn của Luật sư Thành phố,

theo đây được ủy quyền và chỉ đạo thực hiện bất kỳ và tất cả các hành động cần thiết để tuân thủ các quy định của Bộ luật Bầu cử Texas hoặc các đạo luật và hiến pháp khác của tiểu bang và liên bang trong việc thực hiện quy tắc của cuộc bầu cử, cho dù được cho phép một cách rõ ràng ở đây hay không.

Mục 14.
ĐIỀU KHOẢN HỢP NHẤT

Sắc lệnh này sẽ hợp nhất tất cả các điều khoản của các sắc lệnh và nghị quyết của Thành phố White Settlement, Texas, trừ khi các điều khoản của Sắc lệnh này mâu thuẫn trực tiếp với các điều khoản của các sắc lệnh đó, trong trường hợp đó các điều khoản mâu thuẫn của các sắc lệnh và nghị quyết đó đều bị bãi bỏ.

Mục 15.
ĐIỀU KHOẢN HIỆU LỰC TỪNG PHẦN

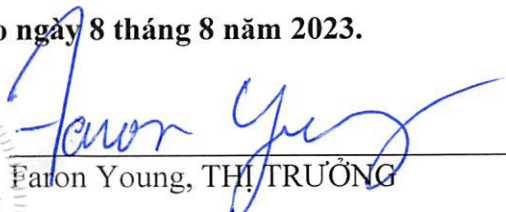
Theo đây, Hội đồng Thành phố tuyên bố rằng các cụm từ, mệnh đề, câu, đoạn và phần của Sắc lệnh này có thể tách rời và nếu bất kỳ cụm từ, mệnh đề, câu, đoạn hoặc phần nào của Sắc lệnh này bị tuyên bố là vi hiến bởi phán quyết hoặc nghị định hợp lệ của bất kỳ tòa án có thẩm quyền tài phán nào, tính vi hiến đó sẽ không ảnh hưởng đến bất kỳ cụm từ, mệnh đề, câu, đoạn và phần nào còn lại của Sắc lệnh này, vì những nội dung đó sẽ được Hội đồng thành phố thi hành mà không có sự hợp nhất vào Sắc lệnh này bất kỳ cụm từ, mệnh đề, câu, đoạn hoặc phần nào vi hiến như vậy.

Mục 16.
Ngày có Hiệu lực

Sắc lệnh này sẽ có đầy đủ hiệu lực kể từ và sau khi được thông qua, và sắc lệnh này đã được ấn định như vậy.

Được thông qua và chấp thuận vào ngày 8 tháng 8 năm 2023.




Faron Young, THỊ TRƯỞNG

CHỨNG THỰC:


Amy Arnold, Thư ký Thành phố

ĐƯỢC PHÊ DUYỆT VỀ HÌNH THỨC VÀ TÍNH PHÁP LÝ:

LUẬT SƯ THÀNH PHỐ

THE CITY OF MILWAUKEE, WISCONSIN, DO hereby certify that the within and foregoing is a true and correct copy of the original as the same appears on the records of the City of Milwaukee, Wisconsin.

ATTEST:

JOHN J. HENRY, Mayor of the City of Milwaukee, Wisconsin.

JOHN J. HENRY, Mayor of the City of Milwaukee, Wisconsin.

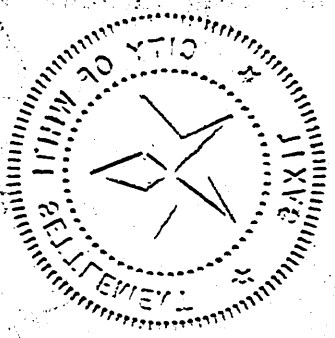
JOHN J. HENRY, Mayor of the City of Milwaukee, Wisconsin.

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JOHN J. HENRY, Mayor of the City of Milwaukee, Wisconsin.

PHỤ MỤC “A”

ĐỀ XUẤT SỬA ĐỔI ĐIỀU LỆ CỦA WHITE SETTLEMENT

PHỤ MỤC B

NỘI DUNG LÁ PHIẾU

Đề xuất A – Ranh giới Thành phố

Liệu Điều II, Mục 1 và 2 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để quy định rằng ranh giới đô thị của thành phố có thể được sửa đổi hay không; rằng Thư ký Thành phố sẽ giữ một bản đồ về ranh giới thành phố; rằng thành phố có thể mở rộng hoặc giảm ranh giới thành phố theo quy định của pháp luật tiểu bang; và đưa ra phương pháp cho việc tách rời không?

Dự luật B – Hội đồng Thành phố

Liệu Điều IV, Mục 3 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để quy định rằng các yêu cầu về trình độ chuyên môn đối với một vị trí trên lá phiếu bầu hội đồng thành phố sẽ chịu sự chi phối của các yêu cầu về tiêu chuẩn và hồ sơ của tiểu bang và với điều kiện là Thư ký Thành phố sẽ xác định các trình độ chuyên môn của ứng cử viên, theo quy định của pháp luật không?

Dự luật C – Các cuộc Bầu cử

Liệu Điều IV, Mục 5 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để loại bỏ các yêu cầu rằng ngày bầu cử phải được Quận Tarrant ấn định và loại bỏ các điều khoản dư thừa liên quan đến các lá phiếu bầu cử chung cuộc không?

Đề xuất D - Vị trí trống

Liệu Điều VI, Mục 10 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để quy định rằng hội đồng thành phố phải tổ chức một cuộc bầu cử đặc biệt để đưa một người vào một vị trí còn trống trong nhiệm kỳ chưa hết hạn dài hơn bốn (4) tháng nhưng có thể đưa một người vào một vị trí còn trống trong nhiệm kỳ chưa hết hạn dài bốn (4) tháng hoặc ngắn hơn bằng cách tổ chức một cuộc bầu cử đặc biệt hoặc bằng cách bổ nhiệm một người vào vị trí còn trống thông qua phiếu thuận của 75% toàn thể hội đồng không?

Dự luật E – Thị trưởng tạm thời.

Liệu Điều VI, Mục 11 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để quy định rằng trong trường hợp không có thành viên đương nhiệm nào có một năm kinh nghiệm trong hội đồng trước đó, thì bất kỳ thành viên nào của hội đồng đều có thể được chọn làm thị trưởng tạm thời không?

Đề xuất F – Thù lao cho Hội đồng Thành phố

Liệu Điều IV, Mục 12 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để quy định rằng Thị trưởng sẽ không được nhận khoản thù lao bổ sung trên \$150 mỗi tháng cho các cuộc họp bổ sung mà người đó tham dự và quy định rằng các thành viên hội đồng sẽ chỉ được nhận khoản thù lao cho các cuộc họp thông thường và đặc biệt mà họ đã tham dự không?

Dự luật G – Sắc lệnh

Liệu Điều IV, Mục 16 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để cho phép việc thông qua các sắc lệnh, nghị quyết và lệnh tại bất kỳ cuộc họp nào trong trường hợp thông báo đã được đưa ra theo Đạo luật Hội họp Công khai của Texas (Texas Open Meetings Act) không?

Dự Luật H – Sắc Lệnh

Liệu Điều IV, Mục 19 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để quy định rằng các sắc lệnh có hiệu lực khi chúng được thông qua hoặc áp dụng, trừ khi luật tiểu bang có quy định khác; rằng các sắc lệnh hoặc nghị quyết yêu cầu một cuộc bỏ phiếu tán thành của đa số thành viên trong hội đồng, trừ khi luật tiểu bang yêu cầu nhiều hơn; rằng các sắc lệnh áp dụng khoản phạt hoặc hình phạt phải được công bố theo luật tiểu bang; và loại bỏ các yêu cầu rằng các sắc lệnh phải được công bố trong mười ngày không?

Đề xuất I – Hội đồng và Ủy ban

Điều lệ Tự trị của White Settlement có nên được sửa đổi bằng cách thêm một mục quy định rằng hội đồng thành phố có thể thành lập các hội đồng và ủy ban mà hội đồng thành phố cho là cần thiết để thực hiện các chức năng của Thành phố; và quy định rằng các thành viên của tất cả các hội đồng và ủy ban sẽ phải do hội đồng thành phố bổ nhiệm và là cư dân của thành phố không?

Đề xuất J – Giám đốc Thành phố

Liệu Điều VI, Mục 14 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để quy định rằng danh sách các nhiệm vụ, trách nhiệm và quyền hạn của Giám đốc Thành phố không phải là danh sách đầy đủ không?

Dự luật K – Tòa án Thành phố

Liệu Điều IV, Mục 21 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để quy định rằng hội đồng thành phố sẽ bổ nhiệm một thẩm phán tòa án thành phố là luật sư được cấp phép và hành nghề tại Tiểu bang Texas; rằng hội đồng thành phố có thể bổ nhiệm các phó thẩm phán được cấp phép ở Tiểu bang Texas; rằng thẩm phán tòa án thành phố và các phó thẩm phán sẽ giữ cương vị trong nhiệm kỳ hai năm; rằng các thẩm phán phục vụ theo ý muốn của hội đồng và có thể bị bãi nhiệm sau khi có thông báo và cơ hội tiến hành một phiên điều trần; và rằng mức thù lao của các thẩm phán sẽ do hội đồng thiết lập không?

Đề xuất L – Luật sư Thành phố

Liệu Điều lệ Tự trị của White Settlement có nên được sửa đổi bằng cách thêm một Điều liên quan đến Luật sư Thành phố để quy định rằng hội đồng có thể chỉ định một luật sư cá nhân hoặc một công ty luật sư, được cấp phép ở tiểu bang Texas làm luật sư thành phố; rằng luật sư thành phố sẽ phục vụ theo sự chỉ định của hội đồng; rằng hội đồng sẽ xác định mức thù lao của luật sư thành phố; thiết lập các nhiệm vụ và nghĩa vụ của luật sư thành phố; miễn là hội đồng có thể giữ luật sư đặc biệt khi cần thiết; và miễn rằng tòa án thành phố sẽ được truy tố bởi luật sư thành phố hoặc công tố viên được chỉ định không?

Dự luật M – Các cuộc Bầu cử

Liệu Điều lệ Tự trị của White Settlement có nên được sửa đổi bằng cách thêm một Mục liên quan đến các cuộc bầu cử để quy định rằng các cuộc bầu cử sẽ được tiến hành theo Bộ luật Bầu cử Texas (Texas Election Code); rằng các cuộc tổng tuyển cử được tổ chức vào ngày thứ Ba đầu tiên của tháng 11; rằng Hội đồng có thể tổ chức các cuộc bầu cử đặc biệt theo sự cho phép của luật tiểu bang; rằng hội đồng sẽ bổ nhiệm các trưởng ban bầu cử; và rằng cư dân thành phố là đại cử tri đủ điều kiện hợp lệ sẽ đủ điều kiện để bỏ phiếu trong bất kỳ cuộc bầu cử nào của thành phố không?

Dự luật N – Dự luật tiên khởi và Trưng cầu dân ý

Liệu Điều VI, Mục 7 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để quy định rằng các sắc lệnh liên quan đến đánh thuế, ấn định giá dịch vụ, thông qua chương trình cải thiện vốn hoặc ngân sách, phân vùng, phân bổ tiền, đánh thuế, phát hành trái phiếu, vay tiền, tiền lương hoặc quản lý nhân viên, sáp nhập, điều chỉnh ranh giới, bất kỳ vấn đề nào mà tòa án đã xác định là không phù hợp cho dự luật tiên khởi hoặc trưng cầu dân ý, hoặc bất kỳ chủ đề nào yêu cầu điều trần công khai sẽ không được quyết định bởi dự luật tiên khởi hoặc trưng cầu dân ý không?

Dự luật O – Dự luật tiên khởi và Trưng cầu dân ý

Liệu Điều VI, Mục 7 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để thiết lập các thủ tục riêng biệt cho dự luật tiên khởi và cuộc trưng cầu dân ý; thiết lập các nhiệm vụ của Thư ký Thành phố trong việc xem xét các kiến nghị về dự luật tiên khởi và trưng cầu dân ý; để quy định rằng một cuộc bầu cử cho dự luật tiên khởi hoặc trưng cầu dân ý phải tuân thủ Bộ luật Bầu cử Texas; và để đưa ra các giới hạn về tần suất có thể đệ trình các đơn kiến nghị lập đi lập lại cho dự luật tiên khởi hoặc trưng cầu dân ý không?

Đề xuất P – Bãi nhiệm

Liệu Điều VI, Mục 7 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để thiết lập các thủ tục bãi nhiệm riêng nhằm bao gồm việc bãi nhiệm một viên chức được bầu phải dựa trên cơ sở không đủ năng lực, hành vi sai trái hoặc hành vi sai phạm trong thời gian tại

chức; thiết lập những yêu cầu về đơn phản đối bãi nhiệm và những nhiệm vụ của Thư ký Thành phố trong việc xem xét các đơn kiến nghị; để quy định quyền được tham gia phiên điều trần cho một viên chức bị người khác nộp đơn yêu cầu bãi nhiệm; để quy định rằng một cuộc bầu cử bãi nhiệm phải tuân thủ Bộ luật Bầu cử Texas; và để đưa ra các giới hạn về tần suất mà một viên chức có thể bị bãi nhiệm không?

Đề xuất Q – Thuế

Liệu Điều V, Mục 1 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để quy định rằng việc áp dụng thuế suất và tiền thuế cần tuân thủ các yêu cầu của luật pháp tiểu bang không?

Dự luật R – Tài chính của Thành phố

Liệu Điều lệ Tự trị của White Settlement có nên được sửa đổi để thêm một Điều liên quan đến tài chính thành phố nhằm thiết lập năm tài chính; quy định các thủ tục cho việc thông qua ngân sách; quy định quy trình ngân sách phải tuân thủ luật pháp tiểu bang; quy định rằng những khiếm khuyết trong ngân sách sẽ không làm vô hiệu hóa tiền thuế hoặc thuế suất; quy định về việc mất hiệu lực phân bổ vào cuối năm tài chính; quy định các thủ tục trong trường hợp hội đồng thành phố không thông qua ngân sách; quy định ngân sách cần phải được công khai; quy định về quỹ dự trữ, chuyển quỹ và sửa đổi ngân sách; cho phép cho hội đồng thành phố vay vốn; và quy định sự ủy nhiệm của cơ quan mua sắm?

Đề xuất S – Nhượng quyền thương mại và Tiện ích Công cộng

Liệu Điều lệ Tự trị của White Settlement có nên được sửa đổi để bổ sung một Điều liên quan đến tài chính thành phố nhằm quy định rằng thành phố có toàn quyền kiểm soát đối với các tài sản công cộng; rằng thành phố có quyền vận hành và bán các dịch vụ và tiện ích công cộng; rằng thành phố có quyền cấp các thỏa thuận nhượng quyền cho các tiện ích trong thành phố; rằng không có nhượng quyền thương mại nào được độc quyền hoặc vượt quá hai mươi năm; rằng nhượng quyền thương mại sẽ không được chuyển nhượng mà không có sự chấp thuận của hội đồng; rằng không được tính đến các giá trị nhượng quyền thương mại khi xác định phí dịch vụ; rằng thành phố duy trì các quyền đối với việc quản lý nhượng quyền thương mại; rằng hội đồng thành phố có quyền quy định mức giá cho những bên nắm giữ đặc quyền kinh doanh dịch vụ tiện ích công cộng và đặt ra một thủ tục cho nhượng quyền khi yêu cầu thay đổi mức giá; rằng thành phố có thể sở hữu và đặt các mức giá cho các dịch vụ công cộng; rằng hồ sơ nhượng quyền thương mại phải được công khai; việc mở rộng các tiện ích phải tuân theo khoản trợ cấp nhượng quyền ban đầu; và rằng tất cả các đặc quyền được cấp trước lần sửa đổi điều lệ này sẽ tiếp tục có đầy đủ hiệu lực và không bị ảnh hưởng bởi lần sửa đổi Điều lệ này?

Đề xuất T – Đạo đức

Liệu Điều VI, Mục 6 hiện hành của Điều lệ Tự trị của White Settlement có nên được sửa đổi để quy định rằng không viên chức thành phố nào được bầu hoặc bổ nhiệm được có lợi ích đáng kể trong các hợp đồng với thành phố hoặc thương vụ bán đất, trừ khi tuân thủ luật tiểu bang; lợi ích đáng kể đó sẽ có cùng ý nghĩa như được định nghĩa theo luật tiểu bang; và việc vi phạm quy định về đạo đức có thể làm mất hiệu lực của hợp đồng liên quan đến hành vi vi phạm đó?

Đề xuất U – Loại bỏ các Điều khoản Dư thừa, Sắp xếp lại, Tiêu đề và Sửa đổi Không Đáng kể

Liệu Điều III, Mục 3 và Điều IV, Mục 7 và 23 của Điều lệ Tự trị của White Settlement có nên được sửa đổi bằng cách xóa các điều khoản dư thừa liên quan đến sở cảnh sát, ngày bầu cử thành phố, kháng cáo ở tòa án thành phố; và liệu Điều lệ Tự trị của White Settlement có nên được sắp xếp lại hoàn toàn để dễ hiểu hơn và có hiệu quả hơn không; và liệu các tiêu đề của Điều và Mục mới có nên được cung cấp để chia tách nội dung, khi thích hợp dựa trên kết quả của cuộc bầu cử; và liệu Điều lệ Tự trị của White Settlement có nên được sửa đổi để thực hiện các chỉnh sửa và làm rõ không đáng kể về mặt ngữ pháp và văn bản trong suốt Điều lệ không?