

RESOLUTION NO.11-13-13-3

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE ELECTION FOR A BOND ELECTION AND TWENTY-ONE (21) CITY CHARTER AMENDMENTS HELD IN THE CITY OF AMARILLO SPECIAL ELECTION ON THE 5TH DAY OF NOVEMBER 2013.

WHEREAS, an election was held in the City of Amarillo, Texas on the 5th day of November, 2013 for the purpose of submitting a certain proposition for the issuance of bonds and twenty-one (21) City Charter amendments to the resident electors of the City; and

WHEREAS, it is hereby found and determined that notice of the election was duly given in the form, manner and time required by law, and said election was in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such election; and

WHEREAS, the returns of said election have been duly and legally made and submitted to the City Commission for canvassing. There were 17,371 valid and legal ballots casts in said election, and a tabulation of the returns for each polling place and for early voting, as canvassed and tabulated by this governing body and Exhibit A attached hereto, reflects the total sum of votes counted "FOR" and "AGAINST" the bond proposition submitted as follows:

"THE ISSUANCE OF \$31,500,000 GENERAL OBLIGATION BONDS FOR PARK AND RECREATION FACILITIES"

"FOR"	<u>6,821</u> votes
"AGAINST"	<u>8,099</u> votes

WHEREAS, the returns of said election have been duly and legally made and submitted to the City Commission for canvassing. There were 17,371 valid and legal ballots casts in said election, and a tabulation of the returns for each polling place and for early voting, as canvassed and tabulated by this governing body and Exhibit B attached hereto, reflects the total sum of votes counted "FOR" and "AGAINST" each amendment submitted as follows:

PROPOSITION NO. 1

To amend the Amarillo City Charter by making nonsubstantive vocabulary changes throughout all Articles of the Charter in order to use modern and consistent terminology, titles, and labels, which shall include but not be limited to, changing the name of the governing body from "City Commission" to "City Council," as well as applying such consistent and modern terminology, titles, and labels to other propositions on this ballot that are approved.

"FOR"	10,707 votes
"AGAINST"	3,504 votes

PROPOSITION NO. 2

To repeal Sections 4, 5 and 6 of the General Provisions of the Amarillo City Charter, which are provisions that applied only in the years 1913 to 1915, during the transition to and implementation of the Charter upon its initial adoption.

"FOR"	11,467 votes
"AGAINST"	2,632 votes

PROPOSITION NO. 3

To repeal references to a specific state law in the Amarillo City Charter and in each instance replace it with the phrase, "applicable state law, as amended," except for any specific statute that may be added by another proposition on this ballot.

"FOR" 10,423 votes

"AGAINST" 3,495 votes

PROPOSITION NO. 4

To amend Article I, Section 4 of the Amarillo City Charter to remove the timelines and procedures for annexation and instead require that annexations be conducted in accordance with applicable state law as amended or by ordinance.

"FOR" 10,308 votes

"AGAINST" 3,656 votes

PROPOSITION NO. 5

To amend Article V, Section 12 of the Amarillo City Charter to explicitly acknowledge that meetings must be conducted in accordance with the Texas Open Meetings Act, as amended, or successor statute.

"FOR" 12,303 votes

"AGAINST" 1,865 votes

PROPOSITION NO. 6

To amend Article II, Section 22 of the Amarillo City Charter to provide that the governing body may appoint any number of municipal court judges as the governing body deems necessary for the efficient operation of the court, each of whom shall equally possess and exercise all judicial powers, duties, and privileges of that office.

"FOR" 9,158 votes

"AGAINST" 4,952 votes

PROPOSITION NO. 7

To amend Article II, Section 22 of the Amarillo City Charter to specify that the maximum fine in municipal court shall be in accordance with state law as amended or by city ordinance.

"FOR" 11,377 votes

"AGAINST" 2,742 votes

PROPOSITION NO. 8

To amend Article V, Section 16 of the Amarillo City Charter to remove the \$250 limit on emergency expenditures by the City Manager and require that such shall be in accordance with applicable law as amended.

"FOR" 8,676 votes

"AGAINST" 5,375 votes

PROPOSITION NO. 9

To amend Article V, Section 32 of the Amarillo City Charter to delete the specific dollar amount and to state that the City Manager and any other employee required to post an official bond shall do so as required by ordinance.

"FOR" 9,405 votes

"AGAINST" 4,542 votes

PROPOSITION NO. 10

To amend Article V, Section 14 of the Amarillo City Charter to define a quorum as a majority of all members of the Commission.

"FOR"	10,873 votes
"AGAINST"	3,162 votes

PROPOSITION NO. 11

To repeal specific dates and time periods for the several kinds of elections described in the Amarillo City Charter, and amending Section 9 of Article V of the Charter to state: "Except as provided in Article V, Section 8, the timing and ordering of, notices, conducting, canvassing, and all other procedures for each election shall be in accordance with state law and occur upon the next available date allowed by state law for such election, and in the absence of a state law, then in accordance with ordinance."

"FOR"	10,046 votes
"AGAINST"	3,707 votes

PROPOSITION NO. 12

To amend Article V, Section 8 of the Amarillo City Charter to specify that the regular municipal election shall occur on the date allowed by state law that occurs on or nearest to May 1 in each odd numbered year and, if State law provides for two election dates which are equally near to May 1, then the governing body shall select one.

"FOR"	11,418 votes
"AGAINST"	2,550 votes

PROPOSITION NO. 13

To amend Section 3 of the General Provisions of the Amarillo City Charter to add: "At any election for the adoption of Charter amendments, if the provisions of two or more proposed amendments on the ballot are irreconcilably inconsistent, and each receives a majority favorable vote, then the amendment that receives the highest number of favorable votes shall prevail in that election."

"FOR"	10,036 votes
"AGAINST"	3,707 votes

PROPOSITION NO. 14

To amend Article II, Section 23 of the Amarillo City Charter to add: "At any election for an initiative or referendum, if the provisions of two or more initiative or referendum measures on the ballot are irreconcilably inconsistent, and each receives a majority favorable vote, then the measure that receives the highest number of favorable votes shall prevail in that election."

"FOR"	10,042 votes
"AGAINST"	3,713 votes

PROPOSITION NO. 15

To amend Article II, Section 23 of the Amarillo City Charter by adding: "In the event the committee does not file the completed and signed petition with the City Secretary by close of business on the 120th day (or the next business day if the City Secretary's office is closed on such day), after the day that the committee initially filed the proposed petition with the City Secretary, then such petition and the committee registration shall be deemed to be withdrawn and void."

"FOR"	9,548 votes
"AGAINST"	4,216 votes

PROPOSITION NO. 16

To amend Article II, Sections 23 and 24 of the Amarillo City Charter by adding to each section: "For each completed petition submitted by the committee, the City Secretary shall be allowed a period of twenty-one (21) calendar days in which to verify that the required number of valid signatures is contained on each petition."

"FOR"	10,999 votes
"AGAINST"	2,855 votes

PROPOSITION NO. 17

To amend Article II, Section 23 of the Amarillo City Charter by adding: "The City Secretary shall not accept the registration of citizens as either an initiating or referring committee or their petition if the subject matter of the proposed petition has been the subject of a public election within the preceding three (3) years."

"FOR"	8,315 votes
"AGAINST"	5,347 votes

PROPOSITION NO. 18

To amend Article V, Section 12 of the Amarillo City Charter to allow cancellation of a meeting of the city commission for exigent circumstances, provided that in no event shall a cancellation under this provision result in less than two meetings occurring during a month, in the absence of a disaster declaration.

"FOR"	10,597 votes
"AGAINST"	3,196 votes

PROPOSITION NO. 19

To amend Article V, Section 5 of the Amarillo City Charter to provide that at the time of filing as a candidate for Mayor or City Commissioner, the person shall, in addition to meeting all other requirements and qualifications, either pay an application fee of \$100 to the City Secretary, or in lieu of such fee, submit a petition signed by 100 registered voters of the City, verified by the City Secretary, in support of the person's candidacy.

"FOR"	10,394 votes
"AGAINST"	3,595 votes

PROPOSITION NO. 20

To amend Article VI, Section 4 of the Amarillo City Charter to exempt from civil service all assistant department heads and those employees who are employed as an Attorney or other professional whose professional services are regulated by the state law on procurement of professional services by state agencies.

"FOR"	8,178 votes
"AGAINST"	5,519 votes

PROPOSITION NO. 21

To amend Article II, Section 23 of the Amarillo City Charter to require that petitions be signed by not less than five (5) percent of the registered voters residing within the City.

"FOR"	9,308 votes
"AGAINST"	4,747 votes

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS:

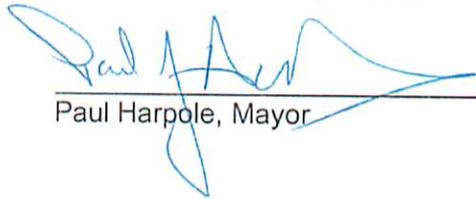
SECTION 1: All of the recitals contained in the preamble of this resolution are found to be true and are adopted as findings of fact by this governing body and as part of its judgment.

SECTION 2: It is further found and determined that the results of the election are as canvassed and tabulated in the preamble hereof and in **Exhibits A and B** attached hereto, and a majority of the electors voting at said election voted against the bond proposition and passed to the twenty-one (21) City Charter amendments.

SECTION 3: The City Secretary is hereby authorized and directed to make the appropriate entries of information appearing in the tabulation of precinct results shown in **Exhibits A and B** attached hereto in the election register maintained by the City in accordance with provisions of Section 67.006 of the Election Code.

PASSED AND APPROVED, this the 13th day of November, 2013.

CITY OF AMARILLO, TEXAS



Paul Harpole, Mayor

ATTEST:



Frances Hibbs, City Secretary

(City Seal)



EXHIBIT A

**TABULATION OF VOTES
RE: SPECIAL BOND ELECTION
HELD NOVEMBER 5, 2013**

**"THE ISSUANCE OF \$31,500,000 GENERAL OBLIGATION BONDS FOR PARK
AND RECREATION FACILITIES"**

POTTER COUNTY	FOR	AGAINST
PRECINCT 122	<u>342</u>	<u>396</u>
PRECINCT 123	<u>324</u>	<u>254</u>
PRECINCT 125	<u>375</u>	<u>384</u>
PRECINCT 222	<u>77</u>	<u>117</u>
PRECINCT 223	<u>229</u>	<u>210</u>
PRECINCT 324	<u>271</u>	<u>345</u>
PRECINCT 325	<u>352</u>	<u>402</u>
PRECINCT 326	<u>148</u>	<u>333</u>
PRECINCT 327	<u>22</u>	<u>37</u>

	FOR	AGAINST
PRECINCT 422	<u>102</u>	<u>120</u>
PRECINCT 425	<u>44</u>	<u>98</u>
PRECINCT 427	<u>31</u>	<u>59</u>
RANDALL COUNTY		
PRECINCT 111	<u>255</u>	<u>287</u>
PRECINCT 112	<u>126</u>	<u>223</u>
PRECINCT 114	<u>131</u>	<u>208</u>
PRECINCT 208	<u>216</u>	<u>220</u>
PRECINCT 220	<u>153</u>	<u>207</u>
PRECINCT 222	<u>518</u>	<u>484</u>
PRECINCT 227	<u>470</u>	<u>528</u>
PRECINCT 228	<u>557</u>	<u>627</u>
PRECINCT 230	<u>312</u>	<u>353</u>

	FOR	AGAINST
PRECINCT 324	<u>393</u>	<u>524</u>
PRECINCT 325	<u>8</u>	<u>10</u>
PRECINCT 415	<u>148</u>	<u>186</u>
PRECINCT 418	<u>380</u>	<u>493</u>
PRECINCT 421	<u>230</u>	<u>294</u>
PRECINCT 426	<u>190</u>	<u>300</u>
PRECINCT 429	<u>413</u>	<u>398</u>
	<u>6,817</u>	<u>8,096</u>

UNOFFICIAL VOTING RESULTS
 NOVEMBER 5, 2013 ELECTION DAY
 11/26/2013 12:46

	ARC BOND		PROP. 1		PROP. 2		PROP. 3		PROP. 4		PROP. 5		PROP. 6		PROP. 7		PROP. 8		PRC
	FOR	AGAINST	FOR	AGAINST	FOR	AGAINST	FOR	AGAINST	FOR	AGAINST	FOR	AGAINST	FOR	AGAINST	FOR	AGAINST	FOR	AGAINST	FOR
POTTER																			
P- Early Voting																			
P- 122 (122 & 124)	342	396	538	170	590	110	530	162	507	187	613	91	473	232	576	130	444	255	473
P- 123	324	254	452	104	468	80	433	106	416	123	492	60	389	153	453	92	372	171	394
P- 125 (125 & 126)	375	384	553	191	607	134	553	181	543	192	644	99	509	229	598	142	466	267	501
P- 222 (221 & 222)	77	117	121	62	136	48	124	56	120	62	152	33	103	81	130	53	92	90	107
P- 223 (223, 224 & 225)	229	210	285	134	301	101	263	143	273	135	349	70	251	167	319	97	224	192	263
P- 324	271	345	468	116	488	89	433	130	438	124	516	58	378	188	476	94	350	214	386
P- 325 (121 & 325)	352	402	556	175	583	131	536	172	543	170	639	81	495	227	600	123	465	252	500
P- 326 (323, 326 & 424)	148	333	278	184	315	139	273	175	271	181	356	101	244	212	320	137	214	240	248
P- 327	22	37	41	17	46	12	38	20	38	20	51	7	29	29	45	13	28	29	33
P- 422	102	119	148	68	147	65	139	71	140	69	175	36	131	82	153	56	117	94	134
P- 425 (425 & 426)	44	98	87	49	97	39	83	51	73	60	114	24	69	67	96	41	73	64	73
P- 427 (421 & 427)	31	59	59	32	59	31	50	40	53	38	74	17	51	39	67	24	50	39	55
TOTALS	2,317	2,755	3,587	1,302	3,838	979	3,455	1,308	3,415	1,362	4,176	677	3,123	1,706	3,834	1,002	2,896	1,907	3,167

RANDALL																			
R- Early Voting																			
111	257	287	344	161	370	129	331	163	326	171	411	93	285	220	368	131	269	233	301
112	126	223	224	106	247	85	218	111	212	118	271	61	188	142	252	82	183	147	193
114	131	208	212	111	239	77	221	93	216	95	261	58	195	125	243	71	172	146	196
208	216	220	326	87	355	63	331	78	331	80	371	45	290	123	348	68	265	148	288
220	153	207	256	88	285	60	246	95	253	88	309	39	227	115	276	67	198	141	233
222	518	485	761	198	824	135	749	196	730	211	855	99	652	294	798	150	640	302	679
227	471	528	758	192	784	157	734	193	727	209	822	124	643	302	779	167	594	350	636
228	557	627	886	224	926	183	867	231	873	229	981	130	728	383	922	190	720	381	769
230	312	353	473	143	524	95	467	142	458	152	538	81	393	226	500	118	395	218	417
324	393	524	686	186	715	147	662	195	658	201	769	101	581	292	728	143	543	326	619
325	8	10	8	7	11	4	9	6	10	5	12	3	8	7	10	5	7	8	7
415	148	187	248	71	261	57	235	77	230	83	274	44	198	121	252	66	188	131	199
418	381	493	619	205	675	143	612	193	599	209	731	91	555	259	668	147	530	284	563
421	230	294	358	141	395	105	354	139	352	139	435	65	293	204	391	106	288	211	318
426	190	300	359	104	375	90	347	107	334	129	402	69	283	183	378	93	272	193	284
429	413	398	602	178	643	123	585	168	583	175	685	85	516	250	630	135	516	249	536
TOTALS	4,504	5,344	7,120	2,202	7,629	1,653	6,968	2,187	6,893	2,294	8,127	1,188	6,035	3,246	7,543	1,740	5,780	3,468	6,238

TOTALS 6,821 8,099 10,707 3,504 11,467 2,632 10,423 3,495 10,308 3,656 12,303 1,865 9,158 4,952 11,377 2,742 8,676 5,375 9,405

EXHIBIT B

UNOFFICIAL VOTING RESULTS
 NOVEMBER 5, 2013 ELECTION DAY
 11/26/2013 12:46

	CITY																		
	<u>PROP. 9</u> AGAINST	<u>PROP. 10</u>		<u>PROP. 11</u>		<u>PROP. 12</u>		<u>PROP. 13</u>		<u>PROP. 14</u>		<u>PROP. 15</u>		<u>PROP. 16</u>		<u>PROP. 17</u>		<u>PROP. 18</u>	
		FOR	AGAINST																
POTTER																			
P- Early Voting																			
P- 122 (122 & 124)	217	554	140	506	169	565	123	523	161	513	174	482	204	546	141	426	250	540	149
P- 123	144	440	109	408	119	450	80	407	119	409	117	416	115	448	84	349	176	434	101
P- 125 (125 & 126)	232	566	173	531	194	600	130	533	192	536	189	506	221	584	149	442	275	558	172
P- 222 (221 & 222)	74	138	45	112	67	135	49	126	54	126	53	109	74	140	42	99	80	124	57
P- 223 (223, 224 & 225)	147	291	116	263	142	305	101	276	124	281	119	255	144	300	103	215	182	283	120
P- 324	175	454	118	413	133	477	86	420	131	430	125	393	158	453	104	324	219	425	126
P- 325 (121 & 325)	212	566	147	530	165	592	120	531	175	532	170	506	198	594	113	438	255	558	156
P- 326 (323, 326 & 424)	198	315	137	267	181	319	131	271	173	267	174	250	194	319	132	232	215	292	152
P- 327	24	44	13	39	18	48	8	37	19	35	21	38	18	40	15	28	26	41	15
P- 422	78	160	51	145	67	159	53	150	61	153	58	128	81	162	47	123	84	161	48
P- 425 (425 & 426)	65	93	42	79	56	93	44	90	46	89	46	72	64	100	35	72	62	97	39
P- 427 (421 & 427)	33	61	28	54	35	68	22	59	31	62	28	52	36	70	19	49	40	65	25
TOTALS	1,600	3,683	1,119	3,348	1,346	3,812	947	3,424	1,286	3,434	1,274	3,208	1,507	3,757	984	2,797	1,865	3,579	1,160

RANDALL																			
R- Early Voting																			
111	201	359	139	326	169	370	132	335	153	331	160	310	187	369	125	263	225	348	138
112	137	226	105	213	114	242	87	216	112	221	106	194	134	242	84	184	144	229	99
114	121	229	89	207	110	242	76	215	99	217	99	199	116	230	85	174	141	224	90
208	120	332	85	307	94	346	62	296	101	303	95	295	101	331	72	254	142	312	87
220	109	266	74	228	105	281	59	245	92	240	99	223	115	266	74	193	140	250	86
222	259	757	192	727	200	810	138	686	244	681	246	668	260	752	185	585	340	749	180
227	304	632	211	698	226	777	162	668	251	680	244	671	257	736	192	574	344	726	195
228	328	885	215	835	244	917	178	815	262	808	263	782	285	882	198	652	404	836	234
230	190	489	127	436	161	512	102	448	151	442	161	421	178	489	118	370	228	480	127
324	244	695	170	653	195	739	126	648	203	642	210	619	227	703	156	532	309	688	167
325	8	11	4	10	5	12	3	10	5	9	6	10	5	8	7	9	6	8	6
415	118	242	75	228	82	259	56	225	85	219	89	213	100	243	72	190	121	243	65
418	237	632	182	585	210	680	130	578	216	585	208	564	224	657	141	490	300	631	165
421	169	385	104	357	130	403	87	337	141	343	136	328	162	390	98	293	194	369	120
426	177	335	125	311	141	373	88	320	131	318	137	304	148	345	111	266	187	336	115
429	220	615	146	577	174	643	117	570	175	569	180	539	209	599	153	489	256	589	162
TOTALS	2,942	7,190	2,043	6,698	2,361	7,606	1,603	6,612	2,421	6,608	2,439	6,340	2,709	7,242	1,871	5,518	3,482	7,018	2,036

TOTALS 4,542 10,873 3,162 10,046 3,707 11,418 2,550 10,036 3,707 10,042 3,713 9,548 4,216 10,999 2,855 8,315 5,347 10,597 3,196

UNOFFICIAL VOTING RESULTS
 NOVEMBER 5, 2013 ELECTION DAY
 11/26/2013 12:46

	PROP. 19		PROP. 20		PROP. 21	
	FOR	AGAINST	FOR	AGAINST	FOR	AGAINST
<u>POTTER</u>						
P- Early Voting						
P- 122 (122 & 124)	531	166	416	267	497	210
P- 123	431	110	340	191	388	156
P- 125 (125 & 126)	559	180	440	281	483	260
P- 222 (221 & 222)	123	58	107	76	119	65
P- 223 (223, 224 & 225)	269	138	200	196	273	140
P- 324	432	132	319	219	396	181
P- 325 (121 & 325)	567	151	454	240	500	221
P- 326 (323, 326 & 424)	274	176	218	228	263	200
P- 327	41	16	29	27	36	22
P- 422	148	60	122	82	141	73
P- 425 (425 & 426)	93	46	70	66	85	53
P- 427 (421 & 427)	63	27	42	45	51	40
TOTALS	3,532	1,260	2,758	1,918	3,233	1,621

	PROP. 19		PROP. 20		PROP. 21	
	FOR	AGAINST	FOR	AGAINST	FOR	AGAINST
<u>RANDALL</u>						
R- Early Voting						
111	340	156	254	240	304	196
112	225	105	172	155	207	125
114	218	102	157	158	192	129
208	320	84	266	138	283	121
220	244	99	196	138	226	118
222	721	221	577	347	630	306
227	702	238	578	338	622	324
228	830	262	673	401	729	368
230	461	152	352	240	404	205
324	659	206	515	334	594	266
325	10	5	8	7	7	8
415	235	78	180	127	207	105
418	616	188	490	297	547	260
421	365	125	284	196	320	170
426	328	137	252	205	279	183
429	588	177	466	280	524	242
TOTALS	10,394	3,595	8,178	5,519	9,308	4,747

**UNOFFICIAL VOTING RESULTS
 NOVEMBER 5, 2013 ELECTION DAY
 ALL PRECINCTS POTTER AND RANDALL COUNTIES
 11/13/2013 14:51**

	<u>FOR</u>	<u>AGAINST</u>	<u>FOR</u>	<u>AGAINST</u>	
	Votes	Votes	%	%	
BOND	6,821	8,099	46%	54%	-
CITY					
PROP. 1	10,707	3,504	75%	25%	-
PROP. 2	11,467	2,632	81%	19%	-
PROP. 3	10,423	3,495	75%	25%	-
PROP. 4	10,308	3,656	74%	26%	-
PROP. 5	12,303	1,865	87%	13%	-
PROP. 6	9,158	4,952	65%	35%	-
PROP. 7	11,377	2,742	81%	19%	-
PROP. 8	8,676	5,375	62%	38%	-
PROP. 9	9,405	4,542	67%	33%	-
PROP. 10	10,873	3,162	77%	23%	-
PROP. 11	10,046	3,707	73%	27%	-
PROP. 12	11,418	2,550	82%	18%	-
PROP. 13	10,036	3,707	73%	27%	-
PROP. 14	10,042	3,713	73%	27%	-
PROP. 15	9,548	4,216	69%	31%	-
PROP. 16	10,999	2,855	79%	21%	-
PROP. 17	8,315	5,347	61%	39%	-
PROP. 18	10,597	3,196	77%	23%	-
PROP. 19	10,394	3,595	74%	26%	-
PROP. 20	8,178	5,519	60%	40%	-
PROP. 21	9,308	4,747	66%	34%	-