

ORDINANCE NO. 8144

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2024 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS, FOR ADOPTION OR REJECTION, PROPOSED AMENDMENTS TO THE EXISTING CHARTER OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR A JOINT ELECTION WITH POTTER COUNTY, RANDALL COUNTY, AND THE CITY OF AMARILLO OR OTHER ENTITIES; APPROVING INTERLOCAL AGREEMENT FOR EACH COUNTY TO CONDUCT THE CITY ELECTION IN PRECINCTS OF EACH COUNTY THAT ARE WITHIN THE CITY LIMITS; ESTABLISHING EARLY VOTING LOCATIONS AND PRECINCT POLLING PLACES FOR THE ELECTION; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council of the City of Amarillo, Texas, a home-rule municipal corporation since 1913, in the exercise and discretion reposed in it by the laws of this State, and in accordance with the Texas Local Government Code, has determined to submit the following proposed amendments to the existing Charter of the City of Amarillo at a special election to be held on November 5, 2024; and

WHEREAS, the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, an Order should be passed ordering said election and establishing the procedure to be followed in conducting said election, and designating the voting places for said election; and

WHEREAS, in May 2024 the City Council created a Citizen Charter Review Committee for the purpose of reviewing the City Charter and determining what changes, if any, the City Council and the voters of the City of Amarillo should consider. The objective of updating the Charter is to provide good and effective governance of the city through a representative government that is accessible, accountable, and responsive to the needs of the people of Amarillo. Amarillo City Charter; and

WHEREAS, in July 2024, the Amarillo Charter Review Citizen Committee ("Citizens Committee") issued findings and recommendations to the City Council, recommending the City Council amend certain provisions within the City Charter.

WHEREAS, following a series of public meetings, held pursuant to and in compliance with the Texas Open Meetings Act, the Citizens Committee presented its report of proposed Charter amendments to the Amarillo City Council; and

WHEREAS, the City Council reviewed the Report, and after considering the Citizen Committee proposed amendments, now believes that Amarillo voters should vote on the following proposed amendments in the form of ballot propositions; and

WHEREAS, the City Council of the City of Amarillo, Texas, finds it in the public interest to order a special election, to be held on November 5, 2024, for a vote of the electors as to the proposed amendments to the Amarillo City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. Recitals. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. Capitalized terms used herein shall have the meaning assigned in the preamble hereof, unless otherwise defined.

SECTION 2. Calling and Order of a Special Election. A Special Election is hereby called and ordered for the City of Amarillo to be held on the next uniform election date specified by the Texas Election Code, being November 5, 2024, to vote on the following propositions to amend the City of Amarillo Home Rule Charter. Each amendment may not contain more than one subject. Each will be placed on a single ballot, for the reasons and purposes stated below and with the ballot text for each proposition to appear and shown below.

SECTION 3. Proposed Measures. The following measures will be submitted to the qualified voters of the City at the election in the form of propositions in accordance with Section 9.004 of the Texas Local Government Code and Article VII. General Provisions, Section 3 - Amendments to Charter and other applicable laws:

SECTION 3.1.

**MEASURE B – ENLARGE THE NUMBER OF CITY COUNCIL MEMBERS FROM FOUR TO SIX COUNCIL MEMBERS AND A MAYOR.**

Shall Article V, Section 1 of the Amarillo City Charter and Article V, Section 5 (a) be amended to read:

The municipal government of the City of Amarillo shall consist of the City Council, which shall be composed of six (6) Council members, with each office to be designated as Place one (1) through (6) six, by ordinance, and one (1) Mayor.

\_\_\_\_\_ For  
\_\_\_\_\_ Against

SECTION 3.2.

**MEASURE C – EXTEND CITY COUNCIL MEMBER TERMS OF OFFICE.**

Shall Article V, Section 2 of the Amarillo City Charter be amended to read:

Upon the canvas of the next election for the Mayor and each City Councilmember’s elected city office, the term of office for the Mayor and each Councilmember’s elected city office shall be for a term of four (4) years effective with the next regularly scheduled municipal election to be held in May 2025, with the terms staggered as established by ordinance, and provide for all conforming amendments required by the Texas Constitution and other law applicable to cities with four (4) year City Council terms.

\_\_\_\_\_ For  
\_\_\_\_\_ Against

SECTION 3.3

**MEASURE D - MAYOR AND CITY COUNCIL RECALL PROCESS.**

Shall the Article II, Section 24 Recall, subsections (b), (d), (e) and (h) of the City Charter regarding the Recall process be amended to read:

(a) [no change]

(b) A petition demanding that the question of removing any elected officer(s) of the City, to be submitted to the electors, shall be filed with the City Secretary. A petition for the recall of any such elective officer(s) shall be signed by at least thirty percent (30%) of the number of votes cast at the election in which the officer(s) was elected.

(c) [no change]

(d) To be valid as a signature, each signer of a recall petition must sign his or her name in ink or indelible pencil, followed by the voter's name, place of residence within the city limits by street number and street, (and apartment number if applicable). To be valid, all Circulators must also attach to each petition an affidavit of the Circulator, stating under oath: 1) the total number of signers who signed in support of the petition, 2) attest that each signature and name is genuine, was placed on the petition in the Circulator's presence, and 3) attest that the signer is the person whose name it purports to be.

(e) All papers used to gather signatures for a recall petition shall be returned and filed with the City Secretary within sixty days (60 days) after the filing of the required affidavit for the City Secretary. Upon the return of such petition, the City Secretary shall be allowed a period of twenty-one (21) calendar days in which to determine the total number of valid signatures contained on each petition. The City Secretary, within five (5) calendar days after the date on which the validation of signatures is completed, shall present such a petition, with the number of valid signatures determined, to the city council. If there are enough valid signatures to support calling a recall election, and the officer(s) sought to be recalled does not resign within five (5) calendar days after such notice is given, the City Council shall thereupon order and fix a day for holding a recall election in accordance with applicable law as amended. If, after the recall election date is established, the officer vacates his or her position, the recall election shall be cancelled, if permitted by law, and the vacancy shall be filled in accordance with the charter and applicable law.

(f) [no change]

(h) This Section 24 does not apply during three (3) periods: 1) six (6) months after the elected officer assumes office, 2) six (6) months before the end of the elected officer's term, or 3) six (6) months after a failed election for the same elected officer's recall.

\_\_\_\_\_ For

\_\_\_\_\_ Against

SECTION 3.4.

**MEASURE E – ADOPTION OF A METHOD TO FILL A CITY COUNCIL VACANCY**

Shall Article V, Section 3 – Vacancies, of the Amarillo City Charter be repealed, and the following provisions substituted in its place:

(a) Any vacancy in the office of the Mayor with less than twelve (12) months remaining in the term for the office, shall be filled by City Council appointment of a Councilmember to fill the remaining unexpired term for the office and until the office is filled by election. The City Council shall order a special election for the office of Mayor in the event any other vacancy in the office occurs, with the election to be held within one hundred twenty (120) days of the vacancy.

(b) Any vacancy in the office of a Councilmember with less than twelve (12) months remaining in the term shall be filled by City Council appointment to fill the remaining unexpired term for the office and until the office is filled by election. The City Council shall order a special election for any City Council vacancy in the event any other vacancy in the office occurs, with the election to be held within one hundred twenty (120) days of the vacancy.

(c) If the Mayor or any Councilmember announce as a candidate to be elected to another public office with more than twelve months (12-months and thirty days (30-days) remaining in their current term of office, it shall be considered that the officeholder immediately resigned from their current office and their office shall be immediately vacant by operation of law creating a vacancy in the elected office of the city held.

SECTION 4. Propositions. The ballot for the election shall comply with the Texas Election Code, and on such ballot shall appear propositions corresponding to the proposed measures described in Section 3 of this Ordinance, with a provision on such ballot to allow voters to vote FOR or AGAINST each proposition without voting FOR or AGAINST all propositions. Such propositions, lettered to correspond with the lettering of the proposed measures listed in Section 3 shall read as follows:

SECTION 4.1

**PROPOSITION B**

**ENLARGE THE NUMBER OF CITY COUNCIL MEMBERS FROM FOUR TO SIX COUNCIL MEMBERS AND A MAYOR.**

To Amend Article V, Section 1 and Article V, Section 5 (a) of the Amarillo City Charter to specify that the elective officers of the City shall consist of a Mayor plus six (6) Councilmembers (the Councilmembers shall be designated as Councilmember Place One, Councilmember Place Two, Councilmember Place Three, Councilmember Place Four, Councilmember Place Five, and Councilmember Place Six), and the Mayor and each Councilmember shall be elected by a majority of the registered voters within the city.

\_\_\_\_\_ For

\_\_\_\_\_ Against

SECTION 4.2

**PROPOSITION C**

**EXTEND CITY COUNCIL MEMBER TERMS OF OFFICE.**

To Amend Article V, Section 2 of the Amarillo City Charter to change the length of the term of office of the Mayor and each Councilmember from two (2) year terms to four (4) year terms effective with the next regularly scheduled municipal election to be held in May 2025, with the terms staggered as established by ordinance.

\_\_\_\_\_ For

\_\_\_\_\_ Against

SECTION 4.3

**PROPOSITION D**

**MAYOR AND CITY COUNCIL RECALL PROCESS.**

To Amend Article II, Section 24 of the Amarillo City Charter to change the recall procedures to reduce the minimum number of signatures required to qualify the recall election of an elective officer from an amount equal to at least thirty (30) percent of the registered voters within the city with at least one-fifth (1/5) of same certifying that each signor voted for the officer in the last election to an amount equal to at least thirty (30) percent of the number of votes cast in the last election at which the officer was elected; to increase the time limit to submit recall petitions to the City Secretary from thirty (30) days to sixty (60) days from the filing of the required affidavit; to allow a period of twenty-one (21) calendar days in which the City Secretary shall verify the required number of valid signatures are contained on each petition; to require the City Secretary, within five (5) calendar days after the date on which the verification of signatures is completed, shall present such petition to the governing authority of the City and shall notify the officer or officers sought to be recalled of such action; to allow five (5) calendar days after such notice is given for the officer sought to be recalled to resign and if the officer does not resign the governing authority of the City shall thereupon order and fix a day for holding a recall election in accordance with applicable law as amended; to provide that after the recall election date is established, the officer vacates their position, the recall election shall be cancelled, and the vacancy shall be filled in accordance with the charter and applicable state law; and to change the requirements that no recall affidavit or petition shall be filed against any officer of the City within six (6) months after they assume office or within six (6) months of the end of the officer's term, nor within six (6) months after an election for such officer's recall.

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\_\_\_\_\_ Against

SECTION 4.4

**PROPOSITION E**

**ADOPTION OF A METHOD TO FILL A CITY COUNCIL VACANCY**

To amend Article V, Section 3 – Vacancies, of the Amarillo City Charter repealing the existing section, and substitute provisions applying new law allowing for a fewer than 12 months remaining in office vacancy to be appointed by the City Council for all City Councilmembers and the City Council would appoint a Councilmember to the office of Mayor in the event of a vacancy in the Mayor’s office. Finally, the amendment adopts a “resign to run” provision creating vacancies in office should an elected city official elects to announce an intent to run for another office, while serving as an elected city official.

\_\_\_\_\_ For  
\_\_\_\_\_ Against

SECTION 5. Election Administration and Other Matters. That the City Secretary is authorized to modify the ballot format as may be necessary to accommodate electronic or other form of balloting.

SECTION 5.1 Combined Elections. That a combined or joint election is authorized with the City of Amarillo and such other entity(ies) in Potter or Randall counties as may conduct an election on November 5, 2024, pursuant to the terms and conditions of an intergovernmental cooperation agreement which is incorporated herein by this reference, and the City Manager is authorized to execute and perform said agreements.

SECTION 5.2. Contract. The City of Amarillo shall contract with the respective election officers of Potter County and Randall County to conduct early voting, prepare the official ballot, and appoint election officials and persons to work in the Central Counting Station for ballots cast in the City election within each respective county.

SECTION 5.3. Voting Places. That said election shall be held in each of the counties using vote centers as shown in Exhibit A. Moreover, because the City will contract with the respective counties for the conduct of the City’s election, the City Council hereby accepts and approves of any and all changes made by either County to the below stated polling places or vote centers, subsequent to the passage of this Resolution, to the extent that such change(s) by a County is lawful and timely authorized in the manner provided by the Texas Election Code.

SECTION 5.4. Ballots. Paper ballots shall be used for Voting by Mail, military and overseas ballots and for voting Limited Ballots. The Early Voting Ballot Board will qualify the paper ballots for tabulation as required by Texas Election Code. Counting for both paper ballots

and ballots cast on Hart Verity Duo Ballot Marking Devices will be tabulated using the computer tabulation systems adopted by the contracting counties.

Electronic counting devices may be used for voting and counting of said election. If a contracting County is capable and desires to use an electronic or optical scan ballot for mail ballots and/or early voting by personal appearance, then the use of such is also authorized as acceptable for the City election.

SECTION 5.5. Early Voting. Early voting shall be conducted using vote centers as shown in Exhibit B on weekdays beginning Monday, October 21, 2024, and ending Friday, November 1, 2024. Moreover, because the City will contract with the respective counties for the conduct of the City's election, the City Council hereby accepts and approves the use of any branch Early Voting place at a vote center if a county chooses to operate such for purposes of Early Voting in the joint election it conducts that includes the City election, to the extent that such is lawfully and timely authorized and noticed by the County.

SECTION 5.6. Counting Stations. (a) For the City votes cast within the Randall County portion of the City, the Randall County Offices at 1604 5th Avenue, Canyon, Texas, is hereby established as the Central Counting Station to receive and tabulate all voted ballots for said election and officials of the Central Counting Station shall be appointed by separate order. (b) For the votes cast within the Potter County portion of the City, the Potter County Offices at 900 South Polk Street, Third Floor, Amarillo, Texas, is hereby established as the Central Counting Station to receive and tabulate all voted ballots for said election and officials of the Central Counting Station shall be appointed by separate order. (c) In the event the City contracts with both Potter and Randall Counties to conduct the City election, then the Amarillo City Secretary's Office at City Municipal Building, 601 South Buchanan Street, Room 303, Amarillo, Texas is hereby established as the City's Central Counting Station which shall receive the results from each of the County Central Counting Stations and tabulate the cumulative results of the City election.

SECTION 5.7. Expenses Authorized. That the City Secretary and City Manager are expressly authorized to: obtain election supplies; pay election officials; contract with some or all election duties and services from Potter and Randall counties (including conduct of a joint election), in accordance with the adopted budget, applicable law, and an interlocal cooperation agreement, and to timely pay such reasonable and necessary expenses incurred in conducting the special municipal election ordered herein.

SECTION 5.8. Construction. In the event of a conflict between the terms of this ordinance and the interlocal cooperation agreement for election services, the terms of the interlocal agreement shall prevail.

SECTION 5.9. Severance. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this Resolution or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this Resolution, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 5.10. Effective Date and Publishing. This ordinance calling the election and stating the ballot is effective upon passage. The City Secretary shall publish timely notice of this election as provided in Texas Election Code, section 4.003. However, the effective date for each Proposition that may be approved by voters shall be as set by City Council, no sooner than 30 days after the canvass of the election, so as to allow time for republication of the amended charter and amending any affected ordinances or policies of the City, to assure an orderly implementation of any approved changes.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 2nd day of August 2024 and PASSED on Second and Final Reading the 13th day of August 2024.

  
Cole Stanley, Mayor

ATTEST:

  
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

  
Bryan McWilliams, City Attorney

ATTACHMENTS:

Exhibit A, Election Day Polling Locations

Exhibit B, Polling Hours and Locations for Early Voting



**EXHIBIT A – ELECTION DAY POLLING LOCATIONS**

**POTTER COUNTY**

<b>Bushland Fire Station #1, Truck Bays</b> 17600 Indian Hill Rd. Bushland, TX 79012	<b>Pride Home Center, Main Entrance, middle back of store</b> 3503 NE 24 <sup>th</sup> Amarillo, TX 79107
<b>Casey Carpet One, Main Entrance</b> 3500 I-40 West Amarillo, TX 79102	<b>Santa Fe Bldg. Ticket Office</b> 900 S. Polk St. Amarillo, TX 79101
<b>Chaparral Hills Church</b> Sanctuary, 4000 W. Cherry Amarillo, TX 79108	<b>Tri State Fairgrounds, Commercial Exhibit Hall</b> 3301 SE 10 <sup>th</sup> Amarillo, TX 79104
<b>Cornerstone Outreach, Fellowship Room</b> 1111 N. Buchanan Amarillo, TX 79107	<b>Trinity Baptist Church, East Entrance</b> 1601 I-40 West Amarillo, TX 79109
<b>Eastridge Lanes, Right Side</b> 5405 E. Amarillo Blvd Amarillo, TX 79107	<b>Trinity Fellowship Willow Creek Campus, Fellowship Hall,</b> 503 E Willow Creek Amarillo TX 79108
<b>Highland Park ISD Administration Bldg., Boardroom</b> 15300 E. Amarillo Blvd. Amarillo, TX 79108	<b>United Citizens Forum, Main Entrance</b> 903 N. Hayden Amarillo, TX 79107
<b>Kids, Inc., Mary E. Bivins Room</b> 2201 SE 27 <sup>th</sup> Amarillo, TX 79103	<b>Valle de Oro Fire Station, Truck Bay</b> 23801 FM 1061, Valle de Oro, TX 79010
<b>Northwest Branch Library, Meeting Room</b> 6100 SW 9 <sup>th</sup> Amarillo, TX 79106	

**RANDALL COUNTY**

<b>Crossroads Country Church</b> 14425 FM 1541 Amarillo, TX 79118	<b>Journey Church</b> 9711 FM 2186 Amarillo, TX 79119
<b>Comanche Trail Church of Christ</b> 2700 E. 34th Amarillo, TX 79103	<b>Arden Road Baptist</b> 6701 Arden Road Amarillo, TX 79109
<b>Randall County Justice Center</b> 2309 Russell Long Blvd Canyon, TX 79015	<b>Oasis Southwest Baptist Church</b> 8201 Canyon Drive Amarillo, TX 79110
<b>Southwest Church of Christ</b> 4515 Cornell Amarillo, TX 79109	<b>Central Baptist Church</b> 1601 SW 58th Amarillo, TX 79110
<b>Redeemer Christian Church</b> 3701 S. Soncy Amarillo, TX 79121	<b>Randall County Annex</b> 4320 S. Western Amarillo, TX 79110
<b>Southwest Public Library</b> 6801 SW 45th Ave Amarillo, TX 79109	<b>The Summit</b> 2008 12th Avenue Canyon, TX 79015
<b>Freedom Fellowship Church</b> 55 Hunsley Road Canyon TX 79015	<b>Coulter Road Baptist Church</b> 4108 S. Coulter Amarillo, TX 79109
<b>Maple Event Center</b> 10298 FM 2219 Amarillo, TX 79119	<b>Texas Panhandle War Memorial Center</b> 4111 S. Georgia Amarillo TX 79110

**EXHIBIT B – POLLING HOURS AND LOCATIONS FOR EARLY VOTING**

**POTTER COUNTY**

**MAIN EARLY VOTING:**

**Santa Fe Building Ticket Office**  
900 S. Polk St., First Floor  
Amarillo, TX 79101,

**BRANCH LOCATIONS:**

**Casey Carpet One, Main Entrance**  
3500 I-40 West  
Amarillo, TX 79102

**Tri State Fairgrounds, Commercial Exhibit Hall**  
3301 SE 10th  
Amarillo, TX 79104

**Northwest Branch Library, Meeting Room**  
6100 SW 9th  
Amarillo, TX 79106

**Cornerstone Outreach, Fellowship Room**  
1111 N. Buchanan  
Amarillo, TX 79107

**Hours for voting at Santa Fe Building Ticket Office:**

Monday, October 21 to Friday, October 25, 2024	8:00 a.m. – 5:00 p.m.
Saturday, October 26, 2024	7:00 a.m. – 7:00 p.m.
Sunday, October 27, 2024	9:00 a.m. – 3:00 p.m.
Monday, October 28 to Friday, November 1, 2024	7:00 a.m. – 7:00 p.m.

**Hours for Voting at Branch Locations:**

Monday, October 21 to Friday, October 25, 2024	8:00 a.m. – 5:00 p.m.
Saturday, October 26 to Sunday, October 27, 2024	9:00 a.m. – 3:00 p.m.
Monday, October 28 to Wednesday, October 30, 2024	8:00 a.m. – 5:00 p.m.
Thursday, October 31 to Friday, November 1, 2024	7:00 a.m. – 7:00 p.m.

**RANDALL COUNTY**

**MAIN EARLY VOTING:**

Randall County Election Administration Office  
1604 5th Ave  
Canyon, TX 79015

**BRANCH LOCATIONS:**

**Randall County Annex**  
4320 S. Western  
Amarillo, TX 79110

**Randall County Justice Center**  
2309 Russell Long Blvd  
Canyon TX, 79015

**Southwest Branch Public Library**  
6801 SW 45th Ave.  
Amarillo, TX 79109

**Comanche Trail Church of Christ**  
2700 E. 34th  
Amarillo, TX 79103

**Hours for voting at Randall County Election Administration Office AND Randall County Annex:**

Monday, October 21 to Friday, October 25, 2024	8:00 a.m. – 5:00 p.m.
Saturday, October 26, 2024	7:00 a.m. – 7:00 p.m.
Sunday, October 27, 2024	12:00 p.m. – 6:00 p.m.
Monday, October 21 to Friday, October 25, 2024	7:00 a.m. – 7:00 p.m.

**Hours for Voting at All Other Branch Locations:**

Monday, October 21 to Friday, October 25, 2024	8:00 a.m. – 5:00 p.m.
Saturday, October 26, 2024	7:00 a.m. – 7:00 p.m.
Sunday, October 27, 2024	12:00 p.m. – 6:00 p.m.
Monday, October 28 to Wednesday, October 30, 2024	8:00 a.m. – 5:00 p.m.
Thursday, October 31 to Friday, November 1, 2024	7:00 a.m. – 7:00 p.m.