

ORDINANCE NO. 8149

AN ORDINANCE OF THE AMARILLO CITY COUNCIL:
AMENDING THE BALLOT LANGUAGE FOR MEASURE D
RELATING TO THE SPECIAL MUNICIPAL ELECTION OF
THE CITY OF AMARILLO, TEXAS ORDERED ON AUGUST
13, 2024, PURSUANT TO ORDINANCE 8144 TO BE
CONDUCTED ON THE 5TH DAY OF NOVEMBER 2024 IN
THE CITY OF AMARILLO, TEXAS; AFFIRMING ALL OTHER
PROVISIONS OF ORDINANCE 8144; PROVIDING FOR
OTHER ADMINISTRATIVE CLAUSES AND PROVIDING AN
EFFECTIVE DATE.

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, believed that Amarillo voters should vote on proposed amendments in the form of ballot propositions; and

WHEREAS, per Ordinance 8144, the City Council of the City of Amarillo, Texas, ordered 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; and

WHEREAS, per Ordinance 8144 the City Council described and adopted the measure and corresponding ballot language for Proposition D; and

WHEREAS, County Election Administrators have requested that because of operational constraints of the voting machines to be utilized in the election that the previously authorized ballot language identifying Measure D be condensed.

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

SECTION 1. Recitals. The recitals and findings set forth 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. Ballot Language. That the ballot language identifying Measure D is hereby amended to read as stated herein for the purpose of voting FOR or AGAINST the following proposition:

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 and to provide for a validation period and notice to the elected officer and City Council with corresponding recall limitations.

_____ For

_____ Against

SECTION 3. Continuation. That all other terms and provisions of Ordinance 8144 not contrary to the terms herein are hereby continued and affirmed.

SECTION 4. Repealer. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. 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 Ordinance 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 Ordinance, 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 6. Effective Date and Publishing. This ordinance 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 27th day of August 2024 and PASSED on Second and Final Reading the 10th day of September 2024.



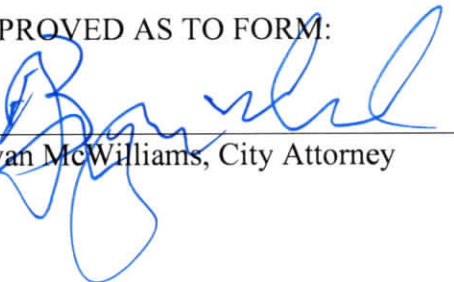
Cole Stanley, Mayor

ATTEST:



Stephanie Coggins, City Secretary

APPROVED AS TO FORM:



Bryan McWilliams, City Attorney