

ORDINANCE NO. 95-7a

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A CHARTER AMENDMENT ELECTION HELD IN THE CITY OF COMMERCE, TEXAS, ON MAY 6, 1995; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an election was held in the City of Commerce, Texas, on May 6, 1995, at which time six (6) propositions relating to the amendment of the home rule Charter of the City were submitted to the duly qualified, resident electors of the City for their action thereon; and

WHEREAS, there were cast at said election 361 votes, of which number there were cast:

PROPOSITION NO. 1

**FOR THE PROPOSED AMENDMENT RELATING
TO NAMING THE GOVERNING BODY 266 VOTES**

**AGAINST THE PROPOSED AMENDMENT RELATING
TO NAMING THE GOVERNING BODY 48 VOTES**

**MAJORITY FOR THE PROPOSED AMENDMENT
RELATING TO NAMING THE GOVERNING BODY 218 VOTES**

PROPOSITION NO. 2

**FOR THE PROPOSED AMENDMENT RELATING TO
ELECTING THE GOVERNING BODY AND MAYOR 277 VOTES**

**AGAINST THE PROPOSED AMENDMENT RELATING TO
ELECTING THE GOVERNING BODY AND MAYOR 55 VOTES**

**MAJORITY FOR THE PROPOSED AMENDMENT
RELATING TO ELECTING THE GOVERNING BODY
AND MAYOR 222 VOTES**

PROPOSITION NO. 3

**FOR THE PROPOSED AMENDMENT RELATING TO
RECALLING MEMBERS OF THE GOVERNING BODY 289 VOTES**

**AGAINST THE PROPOSED AMENDMENT RELATING TO
RECALLING MEMBERS OF THE GOVERNING BODY 37 VOTES**

**MAJORITY FOR THE PROPOSED AMENDMENT
RELATING TO RECALLING MEMBERS OF THE GOVERNING BODY 252 VOTES**

PROPOSITION NO. 4

FOR THE PROPOSED AMENDMENT RELATING TO THE SALE OF REAL PROPERTY	243 VOTES
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AGAINST THE PROPOSED AMENDMENT RELATING TO THE SALE OF REAL PROPERTY	72 VOTES
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MAJORITY <u>FOR</u> THE PROPOSED AMENDMENT RELATING TO THE SALE OF REAL PROPERTY	171 VOTES
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PROPOSITION NO. 5

FOR THE PROPOSED AMENDMENT RELATING TO COMPLIANCE WITH STATE AND FEDERAL LAW	286 VOTES
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AGAINST THE PROPOSED AMENDMENT RELATING TO COMPLIANCE WITH STATE AND FEDERAL LAW	33 VOTES
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MAJORITY <u>FOR</u> THE PROPOSED AMENDMENT RELATING TO COMPLIANCE WITH STATE AND FEDERAL LAW	253 VOTES
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PROPOSITION NO. 6

FOR THE PROPOSED AMENDMENT RELATING TO FORFEITURE OF CITY POSITION TO BECOME A CITY CANDIDATE	219 VOTES
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AGAINST THE PROPOSED AMENDMENT RELATING TO FORFEITURE OF CITY POSITION TO BECOME A CITY CANDIDATE	101 VOTES
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MAJORITY <u>FOR</u> THE PROPOSED AMENDMENT RELATING FORFEITURE OF CITY POSITION TO BECOME A CITY CANDIDATE	118 VOTES
---	------------------

and

WHEREAS, the above and foregoing totals are shown in the official election returns of said election heretofore submitted to the City Commission and filed with the City Secretary; and

WHEREAS, said election was called and held in all respects under and in strict conformity with the Constitution and laws of the State of Texas and of the United States; now, therefore,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COMMERCE, TEXAS:

Section 1. The matters and facts set forth in the preamble of this ordinance are hereby found to be true and correct.

Section 2. The election held in the City of Commerce, Texas, on May 6, 1995 which is more fully described in the preamble of this ordinance, was called and notice thereof was given in accordance with law. Only qualified, resident electors of the City voted in the election; election returns have resulted favorably to the adoption of Proposed Amendment Nos. 1, 2, 3, 4, 5, & 6 to the home rule Charter of the City with more than a majority of the qualified voters voting at the election having voted in favor of Proposition Nos. 1, 2, 3, 4, 5, & 6 submitted at such election.

Section 3. Proposed Amendment Nos. 1, 2, 3, 4, 5, & 6 as approved and adopted by a majority of the

qualified voters voting at such election, shall become a part of the Charter of said City, and it is hereby declared that each of said amendments to said Charter, as fully set out in the ordinance calling said charter amendment election, is hereby adopted.

Section 4. This ordinance shall be cumulative of all provisions of ordinances and resolutions of the City of Commerce, 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 5. It is hereby declared to be the intention of the City Commission 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 Commission without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

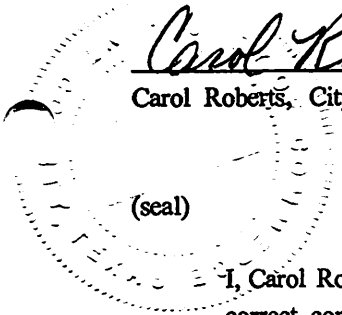
Section 6. That an emergency exists necessitating the suspension of any rule requiring multiple readings of this Ordinance and all multiple readings of this Ordinance are hereby waived; this Ordinance shall take effect immediately upon its passage.

Section 7. This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED and APPROVED this 8th day of May, 1995.

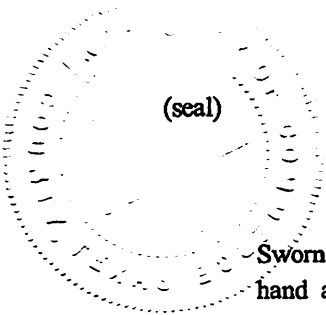
ATTEST:

CITY OF COMMERCE


(seal)
Carol Roberts
Carol Roberts, City Secretary

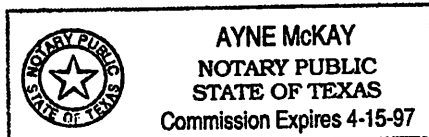
Marna Martinez
Marna Martinez, Mayor

I, Carol Roberts, Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an ordinance, and that the same has not been repealed and is in full force and effect.


(seal)
Carol Roberts
City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the 9 day of May, 1995, to certify which witness my hand and seal of office.

(seal)



Ayne McKay
Notary Public, State of Texas

Pct. No. (Num. de Pct.) <i>citywide</i>	Authority conducting election (Autoridad administrando la eleccion) <i>city of Somerville</i>
Date of Election (Fecha de la Eleccion) <i>5-6-95</i>	Type of Election (Tipo de Eleccion) <i>2 city commissioners and city clerk</i>

Total number of voters who voted as indicated by poll list.
(*Numero total de votantes que votaron segun la lista de votantes.*)

I, the undersigned, the presiding judge for the above described election held at the above designated election precinct, do hereby certify that the above return is a true and correct return for said election.

(Yo, el abajo firmado juez presidente de la eleccion senalada arriba que se llevo a cabo en el precinto electoral designado arriba, por lo presente certifico que los datos de arriba son los resultados verdaderos y correctos de dicha eleccion.)

(FECHADA este día _____ de _____, 19____.

Presiding Judge
(Juez Presidente)

ORDINANCE NO. 95-7b

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WHEREAS, an election was held in the City of Commerce, Texas, on May 6, 1995, at which time six (6) propositions relating to the amendment of the home rule Charter of the City were submitted to the duly qualified, resident electors of the City for their action thereon; and

WHEREAS, there were cast at said election 361 votes, of which number there were cast:

PROPOSITION NO. 1

**FOR THE PROPOSED AMENDMENT RELATING
TO NAMING THE GOVERNING BODY 266 VOTES**

**AGAINST THE PROPOSED AMENDMENT RELATING
TO NAMING THE GOVERNING BODY 48 VOTES**

**MAJORITY FOR THE PROPOSED AMENDMENT
RELATING TO NAMING THE GOVERNING BODY 218 VOTES**

PROPOSITION NO. 2

**FOR THE PROPOSED AMENDMENT RELATING TO
ELECTING THE GOVERNING BODY AND MAYOR 277 VOTES**

**AGAINST THE PROPOSED AMENDMENT RELATING TO
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RELATING TO ELECTING THE GOVERNING BODY
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FORFEITURE OF CITY POSITION TO BECOME
A CITY CANDIDATE 219 VOTES

AGAINST THE PROPOSED AMENDMENT RELATING TO
FORFEITURE OF CITY POSITION TO BECOME
A CITY CANDIDATE 101 VOTES

MAJORITY FOR THE PROPOSED AMENDMENT RELATING
FORFEITURE OF CITY POSITION TO BECOME
A CITY CANDIDATE 118 VOTES

and

WHEREAS, the above and foregoing totals are shown in the official election returns of said election heretofore submitted to the City Commission and filed with the City Secretary; and

WHEREAS, said election was called and held in all respects under and in strict conformity with the Constitution and laws of the State of Texas and of the United States; now, therefore,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COMMERCE, TEXAS:

Section 1. The matters and facts set forth in the preamble of this ordinance are hereby found to be true and correct.

Section 2. The election held in the City of Commerce, Texas, on May 6, 1995 which is more fully described in the preamble of this ordinance, was called and notice thereof was given in accordance with law. Only qualified, resident electors of the City voted in the election; returns of the election have resulted favorably to the adoption of Proposed Amendment Nos. 1, 2, 3, 4, 5, & 6 to the home rule Charter of the City with more than a majority of the qualified voters voting at the election having voted in favor of Proposition Nos. 1, 2, 3, 4, 5, & 6 submitted at such election.

Section 3. Proposed Amendment Nos. 1, 2, 3, 4, 5, & 6 as approved and adopted by a majority of the

qualified voters voting at such election, shall become a part of the Charter of said City, and it is hereby declared that each of said amendments to said Charter, as fully set out in the ordinance calling said charter amendment election, is hereby adopted.

Section 4. It is hereby found and determined that the NOTICE OF MEETING, relating to the regular meeting of the City Commission at which this ordinance was adopted, and heretofore posted by the City Secretary, and the posting thereof, was proper and said notice and posting are hereby authorized, approved, adopted, ratified, and confirmed.

Section 5. This ordinance shall be cumulative of all provisions of ordinances and resolutions of the City of Commerce, 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.

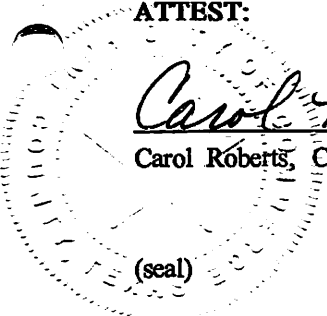
Section 6. It is hereby declared to be the intention of the City Commission that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment 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 Commission without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 7. That an emergency exists necessitating the suspension of any rule requiring multiple readings of this Ordinance and all multiple readings of this Ordinance are hereby waived; this Ordinance shall take effect immediately upon its passage.

Section 8. This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED, APPROVED and ADOPTED this 16th day of May, 1995.

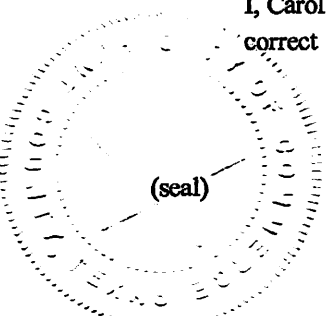
ATTEST:


Carol Roberts
Carol Roberts, City Secretary

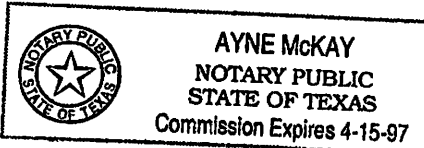
CITY OF COMMERCE

Marna Martinez
Marna Martinez, Mayor

I, Carol Roberts, Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an ordinance, and that the same has not been repealed and is in full force and effect.


Carol Roberts
City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the 17 day of May, 1995, to certify which witness my hand and seal of office.

(seal) 
AYNE MCKAY
NOTARY PUBLIC
STATE OF TEXAS
Commission Expires 4-15-97

Ayne McKay
Notary Public, State of Texas

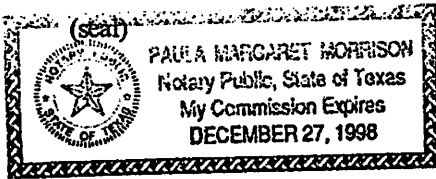
ADDENDUM

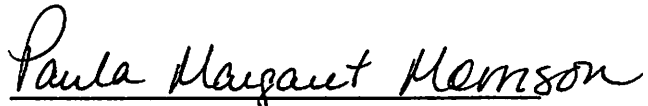
I, John Sands, Mayor of the City of Commerce, Texas, do hereby certify, on this the 26th day of May, 1995, that the above is a true and correct copy of an ordinance, and that the same has not been repealed and is in full force and effect.

(seal)


John Sands, Mayor

Sworn to and subscribed before me, on this the 26th day of May, 1995, to certify which witness my hand and seal of office.




Notary Public, State of Texas

Pct. No. (Num. de Pct.) <i>Citywide</i>	Authority conducting election (Autoridad administrando la eleccion) <i>City of Commerce</i>
Date of Election (Fecha de la Eleccion) <i>5-6-95</i>	Type of Election (Tipo de Eleccion) <i>2 City Commissioners and City Charter</i>

**Total number of voters who voted as indicated by poll list.
(Numero total de votantes que votaron segun la lista de votantes.)**

I, the undersigned, the presiding judge for the above described election held at the above designated election precinct, do hereby certify that the above return is a true and correct return for said election.

(Yo, el abajo firmado juez presidente de la elección señalada arriba que se llevo a cabo en el precinto electoral designado arriba, por lo presente certifico que los datos de arriba son los resultados verdaderos y correctos de dicha elección.)

(FECHADA este dia _____ de _____, 19 _____)

Presiding Judge
(Juez Presidente)