

**ORDINANCE 10-02
NOTICE OF ELECTION**

 To the Registered Voters of the City of Commerce, Texas:

Notice is hereby given that the polling place listed below will be open from 7:00 a.m. to 7:00 p.m., on May 8, 2010 for voting in a general election to:

Elect Mayor for a two-year term.
Elect Council Member for two-year term in Place Two.
Elect Council Member for two-year term in Place Four.

CHARTER AMENDMENT PROPOSITIONS

PROPOSITION NO. 1

Shall the City Charter of the City of Commerce be amended to provide that the City shall have the broadest grant of legal authorities of a Texas home-rule city, amending Section 15.

PROPOSITION NO. 2

Shall the City Charter of the City of Commerce be amended to provide that an elected City Councilmember shall forfeit their office if they fail to meet City residency requirements, are convicted of a crime involving moral turpitude or fail to attend three consecutive regular meetings or six non-consecutive regular meetings in any single council term year where not excused by the council; amending Article 3 by adding a new Section 20.1.

PROPOSITION NO. 3

Shall the City Charter of the City of Commerce be amended to provide that the city council shall meet in regular session on the third Tuesday of each month, rather than on the first and third Tuesday of each month, amending Section 22.

 PROPOSITION NO. 4

Shall the City Charter of the City of Commerce be amended to provide that Special Sessions of the City Council may be called upon the request of two members of the City Council, amending Section 23.

PROPOSITION NO. 5

Shall the City Charter of the City of Commerce be amended to provide that all ordinances and resolutions of the city council shall become effective when specified in the ordinance or resolution and providing that all proposed ordinances and resolutions shall be published on the City of Commerce official website at least 24 hours prior to their consideration by the City Council, amending Section 26.

PROPOSITION NO. 6

Shall the City Charter of the City of Commerce be amended clarifying that the city council may adopt ordinances as proposed or as amended by proper action of the city council prior to their passage, amending Section 26.

PROPOSITION NO. 7

Shall the City Charter of the City of Commerce be amended to provide that ordinances must be adopted at two readings of the ordinance at separate meetings except for (i) ordinances adopting the annual budget of the City; (ii) ordinances canvassing election returns; (iii) ordinances adopted on a single reading to protect the health, safety and welfare of the community, amending Section 26.

PROPOSITION NO. 8

Shall the City Charter of the City of Commerce be amended to provide that ordinances passed on any first reading shall be continuously published on the official City of Commerce internet website, amending Section 26.

PROPOSITION NO. 9

Shall the City Charter of the City of Commerce be amended to provide that the City Council may by majority vote appoint a City Manager and establish his or her compensation and providing the minimum qualifications of the office, amending Section 29.

 PROPOSITION NO. 10

Shall the City Charter of the City of Commerce be amended to provide that the City Manager may be removed by a simple majority vote of the City Council, rather than a 4/5 majority, and providing an appeal process to a City Manager so removed, amending Section 30.

PROPOSITION NO. 11

Shall the City Charter of the City of Commerce be amended to provide that the City Council may establish city departments, offices or agencies and may establish functions and duties of such departments, offices and agencies, amending Section 34.

PROPOSITION NO. 12

Shall the City Charter of the City of Commerce be amended to designating the City Manager as the Chief Financial Officer of the City and establishing the City finance department, amending Section 37.

PROPOSITION NO. 13

Shall the City Charter of the City of Commerce be amended to provide that the City Council shall establish the City tax rate each year prior to October 1 rather than at its first regular meeting each September, amending Section 39.

PROPOSITION NO. 14

Shall the City Charter of the City of Commerce be amended to provide that the City Manager shall provide the City Council a proposed budget by August 1 of each year, and providing that each budget be published in accordance with State law, amending Section 40.

PROPOSITION NO. 15

Shall the City Charter of the City of Commerce be amended by deleting the requirement that any sale of City owned real estate with a value in excess of \$100,000.00 is to be submitted to a vote of the people; amending Section 43.

LOCATION OF POLLING PLACES:

In Election Precinct No. "City", at Commerce City Hall, 1119 Alamo Street.

Early voting by personal appearance will be conducted each weekday at City Hall between the hours of 8:15 a.m. to 4:45 p.m. beginning on April 26, 2010 and ending May 4, 2010; poles will be open from 7:00 a.m. to 7:00 p.m. on April 28 & April 29, 2010.

Applications for ballot by mail shall be mailed to:

City Secretary, Early Voting Clerk
1119 Alamo Street, Commerce, Texas 75428

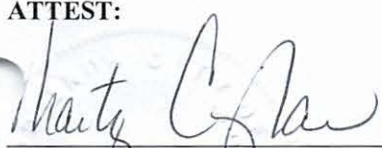
Applications for ballot by mail must be received no later than the close of business on April 30, 2010.

In Election Precinct No. "City", at Commerce City Hall, Judges, Alternate Judges and Clerks will be provided by Hunt County elections Officer per contract.

In Election Precinct No. "City", at Commerce City Hall, in said City with City Secretary Marty Cunningham as Early Voting Clerk and Assistant City Secretary Becky Pattillo and CISD Secretary Bonnie Hunter as Deputy Early Voting Clerks. The Early Voting Ballot Board Judges will be provided by Hunt County Elections Officer per contract.

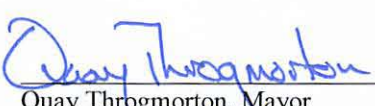
Issued this the 2nd day of February 2010.

ATTEST:

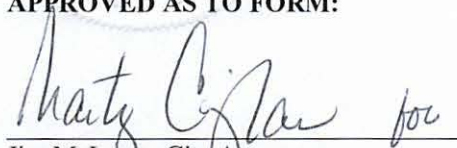

Marty Cunningham, City Secretary

(Seal)

CITY OF COMMERCE, TEXAS:

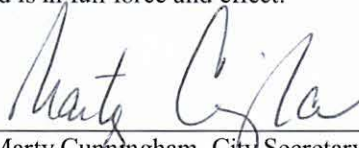

Quay Throgmorton, Mayor

APPROVED AS TO FORM:


Jim McLeroy, City Attorney

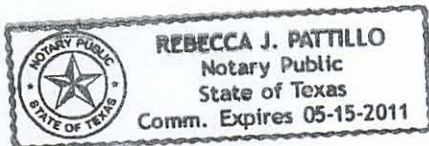
I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a resolution, and that the same has not been repealed and is in full force and effect.

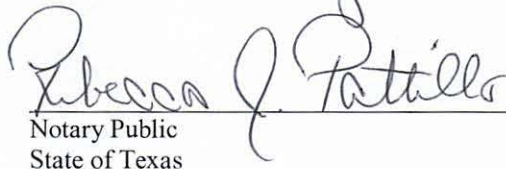
(seal)


Marty Cunningham, City Secretary
City of Commerce

Sworn to and subscribed before me on this the 3rd day of February, 2010, to certify which witness my hand and seal of office.

(seal)




Notary Public
State of Texas

ElectionOrder.020210