

ORDINANCE NO. 2015-14

AN ORDINANCE OF THE CITY OF BRIDGEPORT, TEXAS, REPEALING ORDINANCE NO. 2015-13, AND CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2015 FOR THE PURPOSE OF DETERMINING WHETHER OR NOT A HOME RULE CHARTER COMMISSION SHALL BE CHOSEN TO FRAME A HOME RULE CHARTER FOR THE CITY, AND FOR THE PURPOSE OF ELECTING COMMISSIONERS TO SERVE AS MEMBERS OF THE CHARTER COMMISSION IN THE EVENT A MAJORITY OF THE QUALIFIED VOTERS SHALL VOTE IN THE AFFIRMATIVE; PROVIDING FOR ELECTION PROCEDURES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Bridgeport, Texas is a Type A general-law municipality located in Wise County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Section 9.002, Texas Local Government Code allows the City Council, by ordinance adopted by a two-thirds vote of the City Council, to order an election of the qualified voters of the City on the question of whether a commission shall be chosen to frame a home rule charter for the City, and the ballot at the election shall also provide for the election from the City at large of a charter commission of at least fifteen (15) members if a majority of the qualified voters approve the question; and

WHEREAS, the City Council finds that it is in the best interests of the citizens of the City to call and hold a special election for the purposes of determining whether a home rule charter commission shall be chosen to frame a home rule charter for the City; and

WHEREAS, if the voters approve a home rule charter commission, the commission will be charged with the responsibility of drafting a proposed home rule charter which would be presented to the voters for consideration at a subsequent election; and

WHEREAS, the special election shall be held on the next uniform election date of November 3, 2015; and

WHEREAS, it is the intention of the City Council by this ordinance to establish the ballot propositions for the special election, designate polling places, appoint election officers, and establish election procedures for the special election; and

WHEREAS, the City Council previously adopted Ordinance No. 2015-13 for the same purposes stated herein; and

WHEREAS, the City Council desires to repeal and replace the previously adopted ordinance with the adoption of this ordinance.

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

**SECTION 1
SPECIAL ELECTION CALLED**

A special election shall be held on November 3, 2015, to submit to the voters a proposition to determine whether or not a home rule charter commission shall be chosen to frame a home rule charter for the City, and for the purpose of electing commissioners to serve as members of the charter commission in the event a majority of the qualified voters shall vote in the affirmative.

**SECTION 2
GOVERNING LAW**

All resident, qualified voters of the City shall be eligible to vote at the Election. This election shall be held and conducted in accordance with the provisions of the Constitution of the State of Texas and the Texas Election Code, and as may be required by law, all election materials and proceedings shall be printed in both English and Spanish.

**SECTION 3
BALLOT**

The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the propositions, with the ballots to contain such provisions, markings and language as required by law, and with such propositions to be expressed substantially as follows:

Proposition 1: "Shall a commission be chosen to frame a new charter?"

FOR: _____

AGAINST: _____

Proposition 2:

"Shall the following serve as the Charter Commission for the City of Bridgeport for the purpose of framing a new charter?"

Teri Bland
Jim Bost
David Correll
Myrle Duncan
Ilene Enochs
Myrna Goode
Scott Hiler
Corey Ingram

Jerry Kennedy
Dana Manoushagian
Fred Meyers
Susan Miller
Randy Singleton
Angie Tyson
Linda Vassar

FOR: _____

AGAINST: _____

**SECTION 4
EARLY VOTING**

(a) **Early Voting by Personal Appearance.** Early voting by personal appearance for this election shall commence at Wise County Early Voting locations designated as Bridgeport Law Enforcement Center, 1000 Thompson Street, Bridgeport, Texas 76426, Wise County Election Administration Office, 200 S. Trinity Street, Decatur, Texas 76234, and Rhome City hall, 105 1st Street, Rhome, Texas 76078 to begin on Monday, October 19, 2015 and shall terminate on, Friday October 30, 2015 and shall be held Monday through Friday from 8:00 a.m. to 5:00 p.m.

(b) **Early Voting by Mail.** Applications for early voting by mail may be delivered to the Wise County Elections Administration, PO Box 1597, 200 S. Trinity Street, Decatur, Texas 76234, in accordance with the Texas Election Code. Applications may be delivered not earlier than Tuesday September 1, 2015 and not later than close of business on Friday October 23, 2015.

(c) **Early Voting Ballot Board.** Early voting, both by personal appearance and by mail shall be canvassed by the Wise County Election Administration Office.

**SECTION 5
NOTICE**

Notice of the election shall be given as required by the Texas Election Code and Chapter 9 of the Texas Local Government Code.

**SECTION 6
NECESSARY ACTIONS**

The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

**SECTION 7
CUMULATIVE**

This Ordinance shall be cumulative of all provisions of Ordinances of the City of Bridgeport, 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 are hereby repealed. Ordinance No. 2015-13 is hereby specifically repealed.

**SECTION 8
SEVERABILITY**

It is hereby declared to be the intent of the City of Bridgeport, 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, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 9
PUBLICATION**

The City Secretary is hereby directed to publish this ordinance, or its caption and penalty clause, in the official newspaper as required by the Texas Local Government Code.

**SECTION 10
EFFECTIVE DATE**

This Ordinance shall take effect from and after its date of adoption in accordance with law; and it is so ordained.

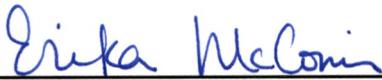
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, BY A VOTE OF 4 TO 0, ON THIS THE 18 DAY OF August, 2015.

APPROVED:



Corey Lane, Mayor

ATTEST:



Erika McComis, City Secretary

