



NOTICE OF SPECIAL ELECTION

City of Donna
May 4, 2019

AVISO DE ELECCION ESPECIAL

Ciudad de Donna
4 de Mayo de 2019

The City of Donna May 4, 2019 Special Election will consist of three (3) propositions to amend the City Charter for consideration as follows:

PROPOSITION A:

Amending ARTICLE II, SECTION II (A) (A) ELECTION AND TERM OF OFFICE OF COUNCILMEN:

THE EXTENSION OF TERMS OF OFFICE FOR THE CITY OF DONNA MAYOR AND COUNCILMEN FROM THREE YEAR TERMS TO FOUR YEAR TERMS TO SAVE MUNICIPAL FUNDS.

LA EXTENSIÓN DE LOS TÉRMINOS DE LA OFICINA DE EL ALCALDE DE LA CIUDAD DE DONNA Y LOS CONSEJEROS DE TRES AÑOS A LOS TÉRMINOS DE CUATRO AÑOS PARA AHORRAR FONDOS MUNICIPALES.

PROPOSITION B:

Amending ARTICLE VIII CORPORATION COURT:

THE EXTENSION OF TERMS OF OFFICE FOR THE CITY OF DONNA MUNICIPAL JUDGE FROM THREE YEAR TERMS TO FOUR YEAR TERMS TO SAVE MUNICIPAL FUNDS.

LA EXTENSIÓN DE LOS TÉRMINOS DE LA OFICINA DE EL JUEZ MUNICIPAL DE LA CIUDAD DE DONNA DE TRES AÑOS A LOS TÉRMINOS DE CUATRO AÑOS PARA AHORRAR FONDOS MUNICIPALES.

PROPOSITION C:

Amending the Charter:

THE REMOVAL FROM THE CITY OF DONNA CHARTER OF UNCONSTITUTIONAL PROVISIONS AND PROVISIONS SUPERCEDED BY STATUTE.

LA ELIMINACION DE DISPOSICIONES DETERMINADAS Y INCONSTITUCIONALES Y DISPOSICIONES SUSTITUIDAS POR EL ESTATU.



Article I Incorporation, Boundaries, General Powers

Section 4. General Powers

The city shall have all the powers granted to cities by the Constitution and laws of the State of Texas, together with all the implied powers necessary to carry into execution such granted powers. The City may use a corporate seal: may sue ~~and be sued~~; may contract and be contracted with; may cooperate with the government of the State of Texas or any agency or any agency with or political subdivision thereof, or with the federal government or any agency thereof, to accomplish any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety, and convenience of the City and its inhabitants; may acquire property within or without its corporate limits for any municipal purposes in fee simple, or in any lesser interest or estate, by purchase, gift, devise, lease or condemnation and subject to the provisions of this Charter may sell, lease, mortgage, hold, manage, and control such property as may now or hereafter be owned by it; shall have the right and power of eminent domain, may pass ordinances and enact such regulations as may be expedient for the maintenance of the good government, order and peace of the City and the welfare, health, morals, comfort, safety and convenience herein, and subject only to the limitations imposed by the State Constitution, the State Laws, and this Charter, the City shall have, without the necessity of its express enumeration in this Charter, each and every power, which, by virtue of Article XI, Section 5, of the Constitution of Texas, the people of the City are empowered by election to grant or confer upon the City by expressly and specifically granting and enumerating the same herein. The City of Donna shall also have all the powers conferred upon and granted to Home Rule Cities under the provisions of Article 1175 conferred upon and granted to Home Rule Cities under the provisions of Article 1175 of the Revised Civil Statutes of Texas, whether enumerated in this Charter or not.

Section 4. General Powers

Delete "and be sued".

Article II The Council

Section 4. Vacancies

In the event of a resignation members or forfeiture of a position on the City Council, the remaining members of the council shall appoint a person who qualifies under Section 3 of this Article to serve until the next Regular City Election at which time a Special Election shall be conducted for the public to elect someone to complete the unexpired term.

Section 4. Vacancies

Delete in its entirety.

Section 6. Forfeiture of Offices

Any Councilman who shall absent himself from as many as three consecutive regular meetings, or from as many as three regular meetings out of five successive regular meetings, shall forfeit his office as Councilman and it shall be the duty of the remainder of the Council in any such case to declare such office vacant and ~~fill the vacancy as provided in Section 4 of Article II of this Charter~~; provided, if any such meeting, and noted in the minutes of the Council, or if such absence is found by the remaining members of the Council to have been occasioned by illness or by justified absences from Hidalgo County, then any such absence excused or occasioned shall not constitute an absence forming a basis for forfeiture of the office of the absentee.



Section 6. Forfeiture of Offices

Delete "fill the vacancy as provided in Section 4 of Article II of this Charter".

Section 13. Meetings of the Council

The Council shall meet in regular session at the City Hall at least once each month at such time as may be prescribed by Ordinance, unless otherwise ordered by the Council for reasons to be spread upon the minutes. Special meetings of the Council shall be called by the City Clerk upon written request of the Mayor or two members of the Council. ~~Except for meetings for discussion of appointments,~~ all meetings shall be open to the public.

Section 13. Meetings of the Council

Delete "Except for meetings for discussion of appointments".

Article IV Elections

Section 2. Election by Plurality

~~At every regular election, election to each place on the Council shall be by a plurality of all votes cast for such place at such election. In every such election each qualified voter shall vote for not more than one candidate for each Council place to be filled. In the election of other officials as provided in this Charter, such officials shall be elected by a plurality of all the votes cast for such officials.~~

Section 2. Election by Plurality

Delete in its entirety.

Section 4. Filing of Candidates

Any qualified person who desires to become a candidate for election to a place on the Council shall file ~~with the City Clerk at least 30 days prior to the election day~~ an application for his name to appear on the ballot, Such application shall clearly designate by number the place on the Council to which the candidate seeks election and shall contain a sworn statement by the candidate that he is fully qualified under the laws of Texas and the provisions of this Charter to hold the office he seeks, which application, shall read substantially as follows:

Section 4. Filing of Candidates

Delete "with the City Clerk at least 30 days prior to".

Section 6. Canvassing Election and Declaring Results

~~The returns of every municipal election shall be delivered by the election judges to the City Clerk not later than 72 hours after the closing of the polls, The Council shall canvass the returns and declare the official results of the election not later than 72 hours after the closing of the polls. The returns of every municipal election shall be recorded in the minutes of the Council.~~

Section 6. Canvassing Election and Declaring Results

Delete in its entirety.



Section 10. Results of Recall Election

If a majority of the votes cast at a recall election shall be against removal of the Councilman named on the ballot, he shall continue in office. If the majority of the votes cast at such election be for the removal of the Councilman named on the ballot, the Council shall immediately declare his office vacant and such vacancy shall be filled in accordance ~~with the provisions of this Charter for the filling of vacancies.~~ A Councilman thus removed shall not be a candidate to succeed himself in an election called to fill the vacancy thereby created.

Section 10. Results of Recall Election

Delete "with the provisions of this Charter for the filing of vacancies".

Article X Taxation

Section 11. Taxes – Arrears of Offset to Debt Against City

~~No money shall be paid by the City Council upon any claim, debt demand or account whatsoever, to any person, firm or corporation who is in arrears to the City of Donna for taxes; and the City shall be entitled to counter claim and offset against any such debt, claim, demand or account in the amount of taxes so in arrears, and no assignment or transfer of such debt, claim, demand or account after the said taxes are due, shall affect the right of the City to so offset the said taxes against the same.~~

Section 11. Taxes – Arrears of Offset to Debt Against City

Delete in its entirety.