

PROPOSITION NO. 1

Should the City Charter be amended to correct typographical errors, syntax, grammar, archaic verbiage, paragraph numbering, page numbering, sentence structure, gender references, punctuation, font size and type, indentations and spacing, and formatting?

PROPOSITION NO. 2

Should the City Charter be amended to replace all usage of “City Secretary” with “City Clerk”?

PROPOSITION NO. 3

Should Section 2.0(B) of the City Charter, relating to the powers of the City regarding land use and development regulations and housing be amended, and hereafter read as follows:

Section 2.0 GENERAL POWERS

...

B. The powers possessed by the City include, but are not limited:

...

8. To provide land use and development regulations, to include, but no limited to: zoning and subdivision regulations, alleviation or prevention of colonias and other conditions of deterioration, and achievement of the most appropriate use of land resources.
9. Authority, either singularly or jointly, with the county, to acquire, establish and own, either by purchase, donation, bequest or otherwise all property that may be useful or necessary for the purposes of establishing and maintaining parks and recreation facilities as authorized by law. Such facilities may be operated by a board created by City Council.
10. To create a housing authority in accordance with the laws of the State of Texas and the United States.
11. To establish regulations providing minimum standards for all buildings that are used or intended for use as places of human habitation, which standards shall be designed to make it reasonably certain that all such buildings or dwelling places shall be constructed, reconstructed, repaired and maintained so as to protect the safety, health and general welfare of the community, its citizens and the persons who reside in such buildings or dwelling places.
12. To undertake and engage in programs and projects for urban renewal or redevelopment as authorized by the laws of the State of Texas and the United States.

PROPOSITION NO. 4

Should Section 2.02 of the City Charter, relating to annexation be amended to remove language that is superfluous to the Charter, and hereafter read as follows:

Section 2.03. EMINENT DOMAIN

The City Council shall have the power to fix the boundary limits of the City of Socorro and to provide for the alteration, reduction, and extension of said boundary limits and the annexation of additional territory lying adjacent to the City, with or without the consent of the territory and its inhabitants in accordance with Texas law.

PROPOSITION NO. 5

Should Section 2.03 of the City Charter, relating to eminent domain, be amended to delete an exception and correct the standard regarding compensation, and hereafter read as follows:

Section 2.02. EMINENT DOMAIN

The City shall have the full power to exercise the right of eminent domain when necessary to the conduct of public affairs, consistent with the authority conferred by this Charter or by the Constitution and laws of the State of Texas. Such authority shall include the obligation to pay just compensation and the right to take the fee in land so condemned and to institute condemnation proceedings for municipal or public purposes.

PROPOSITION NO. 6

Should Section 2.04 of the City Charter, relating to the determination of extra territorial jurisdiction, be amended to delete the specific section of the Texas Local Government Code cited therein and refer to Texas law, and hereafter read as follows:

Section 2.04. DETERMINATION OF EXTRA TERRITORIAL JURISDICTION

The extra territorial Jurisdiction of the City of Socorro shall be determined in accordance with Texas law.

PROPOSITION NO. 7

Should Section 2.05 of the City Charter, relating to the annexation procedures be amended to cite to Texas law, and hereafter read as follows:

Section 2.05. ANNEXATION PROCEDURES

The Annexation procedures of the City of Socorro shall comply with Texas law.

PROPOSITION NO. 8

Should Section 2.06 of the City Charter, relating to detachment of territories be amended to remove the ordinance requirement and cite to general state law requirements, and hereafter read as follows:

Section 2.06. DETACHMENT OF TERRITORIES

Territory lying within the boundary limits of the City and that abuts the outer boundary limits may, after notice and other procedures as required by State Law be de-annexed and detached from the City. Any such territory so detached shall be liable for its pro rata share of any taxes and fees incurred while it was part of the City, except as provided by State Law.

PROPOSITION NO. 9

Should Section 3.01 of the City Charter, relating to the number, selection and terms of office be amended to reflect the Amended Final Order and Judgment dated May 29, 2013 regarding the terms of office and staggered terms, and further amend the amount of consecutive terms, to hereafter read as follows:

Section 3.01. NUMBER, SELECTION AND TERMS OF OFFICE

- A. The legislative and governing body of the City shall consist of a Mayor and five City Representatives and shall be known as the "City Council of the City of Socorro."
- B. The Mayor and the City Representatives shall be elected to serve for four (4) year terms and not for not more than three (3) consecutive terms. Council members other than the Mayor shall be elected from single member districts numbered 1, 2, 3, and 4, and one position shall be At Large. The Districts will be established, determined and district lines shall be redrawn after each federal census, if required, to comply with state and federal voting laws and regulations. Each candidate for City Council in a particular District shall be a resident of that District.
- C. The Council members shall serve staggered terms. The positions of Mayor, At-Large Representative, and District 4 City Representative were filled by election in November 2016, and shall continue to be filled by election in November of every fourth year thereafter. The positions of District 1 City Representative, District 2 City Representative, and District 3 City Representative were filled by election in November 2017, and shall continue to be filled by election in November of every fourth year thereafter. All terms of office for members of the Socorro City Council shall be four (4) years, and shall run from November through November of the fourth year after the member is elected.

PROPOSITION NO. 10

Should Section 3.02 of the City Charter, relating the qualifications of candidates be amended regarding the circumstances that may result in a forfeit of office and declaration of a vacant office, and hereafter read as follows:

Section 3.02. QUALIFICATIONS

All qualifications must be met at the time of candidacy filing in addition to other qualifications prescribed by the laws of the State of Texas.

The candidate shall:

- A. Be a citizen of the United States of America and qualified voter of the City of Socorro;
- B. Have resided for at least 12 months preceding the election within the corporate limits of the City, or for 12 months within a territory that has been annexed by the City;
- C. Not be in arrears in the payments of any taxes or other liability due to the City in the last two years;
- D. Show proof that his or her homestead and residency are one and the same and that such property lies within the corporate boundaries of the City of Socorro.
- E. Any member of the City Council who ceases to possess any of the qualifications specified in this section or is convicted of a felony of any kind or misdemeanor crime of moral turpitude while in office, or is absent from three (3) consecutive regular meetings in one year without being excused by the City Council, shall forfeit their office and the City Council shall declare that position vacant. A majority vote of elected members of the City Council is required to declare the office vacant.

PROPOSITION NO. 11

Should Sections 3.03(C) and (D) of the City Charter, relating to when the Mayor and Mayor Pro Tem may vote and the length of the Mayor Pro Tem appointment, be amended and hereafter read as follows:

Section 3.03. MAYOR AND MAYOR PRO TEM

...

- C. The Mayor, or the Mayor Pro Tem while presiding over the City Council in the absence of the Mayor, shall vote only in the case of a tie except to pass an ordinance when the voting membership of the Council is reduced below five (5) owing to one or more absences and/or vacancies and/or abstentions. The Mayor may also vote when this Charter or any law requires more than a simple majority vote of the City Council.
- D. The Mayor Pro Tem shall serve in his or her capacity as Mayor Pro Tem for not longer than one (1) year from the date of appointment by the City Council or as long as is otherwise prescribed by Texas Law.

PROPOSITION NO. 12

Should Section 3.04(O) of the City Charter, relating to the general power and duties of City Council be amended to delete that for good cause it can order a recall election to be held for or with respect to any member of the City Council, and the remaining subsections renumbered:

PROPOSITION NO. 13

Should Section 3.05 of the City Charter, relating to compensation of City Council, be amended to raise the compensation of the Mayor from \$15,000.00 to \$20,000.00 and each City

Council member from \$10,000.00 to \$15,000.00, and state that the Mayor and City Council members are eligible to participate in the health, dental, vision care, and life insurance benefits, and hereafter read as follows:

Section 3.05. COMPENSATION

That the Mayor shall receive twenty thousand dollars per year (\$20,000.00) and each of the City Council members shall receive fifteen thousand dollars (\$15,000.00) per year as compensation for their services, with an inclusion of inflation cost to be revised every four years, and any increase of salary shall be through a Charter Amendment only; and they shall be entitled to all necessary expenses incurred in the performance of their official duties or officially representing the City, when such expenses are authorized and approved by a majority vote of the members of the City Council at a meeting of the City Council. The Mayor and City Council members may be eligible to participate in the benefit programs that include health, dental, vision care, and life insurance, subject to such participation being approved by City Council.

PROPOSITION NO. 14

Should Section 3.06 of the City Charter, relating to City Council vacancies be amended to reflect that it will be filled by appointment for the remainder of the unexpired term until an election occurs, and such portion of Section 3.06 hereafter read as follows:

Section 3.06. VACANCIES

...

All vacancies shall be filled by appointment for the remainder of the unexpired term of the office until such time as an election occurs.

PROPOSITION NO. 15

Should the last paragraph of Section 3.06 of the City Charter, relating to vacancies of City Council be amended to allow appointment of a vacancy for the unexpired term of the office until an election fills the vacancy, and for such portion to hereafter read as follows:

Section 3.06. VACANCIES

...

All vacancies shall be filled by appointment for the remainder of the unexpired term of the office or until such time as an election occurs.

PROPOSITION NO. 16

Should Sections 3.07(C), (D), and (E) of the City Charter, relating to City Council meetings be amended to remove reference to the Texas Open Meetings Act, be amended as to the location of City Council meetings, and clarify who may call a special meeting, and hereinafter read as follows:

Section 3.07 MEETINGS

...

- C. All meetings of the City Council shall be open to the public except as provided by law.
- D. All meetings of the City Council shall be held at the City Council Chambers, 860 N. Rio Vista, Socorro, Texas 79927, or another appropriate location designated by the City Council. Notice of such meetings shall be posted in conformance with applicable State Law.
- E. Special meetings of the City Council may be called by the City Clerk or designee upon written request of the Mayor and/or three (3) members of the City Council.

PROPOSITION NO. 17

Should Section 3.08 of the City Charter relating to rules of procedure be amended to delete the last sentence regarding the Open Meetings Act, and hereafter read as follows:

Section 3.08. RULES OF PROCEDURE

The City Council shall determine, by ordinance, its own rules of procedure and order of business. The Agenda will consist of every item that will be discussed in public with public input through proper proceedings, except those items that will be discussed in Executive Session. Minutes of all meetings of the City Council, written, audio and visual, including the results of all votes, shall be taken and recorded. Such minutes shall constitute a permanent record to which any citizen may have access at all reasonable times; except under Executive Session.

PROPOSITION NO. 18

Should Section 3.09 of the City Charter relating to official bonds for the City employees be amended to delete such paragraph and title and reflect the risk pool program, and be amended to hereafter read as follows:

Section 3.09. RISK AND INSURANCE PROGRAM

The City Council has elected to use a risk pool program. The pool provides its members with a stable and economic source of financing for their insurance needs and prevention services. Program includes coverage for Crime, Public Employee Dishonesty, Forgery or Alteration, Theft, Disappearance and Destruction and Computer Fraud.

PROPOSITION NO. 19

Should Section 3.10 of the City Charter, relating to interference with administration be amended to add subsection (B) to prohibit any attempt by a council member to influence the City Manager or any of the City Manager's subordinates in the making of any appointment or purchase of materials and supplies, and for such subsection to hereafter read as follows:

Section 3.10. INTERFERENCE WITH ADMINISTRATION

...

- B. An attempt by a Council Member to influence the City Manager or any of the City Manager's subordinates in the making of any appointment or the purchase of any materials or supplies shall subject such Council Member to removal from office for malfeasance. The City Council shall have the power to impose a range of consequences for violating the public's trust. The range of consequences includes censure, removal from office, permanent disqualification, restitution, and fines up to a designated amount determined by the City Council through a motion, resolution, or ordinance. The City Council may refer a Council Member's actions to the ethics commission to conduct an investigation and provide recommendations, with the final decision being made by the City Council.

PROPOSITION NO. 20

Should Section 3.12(A) of the City Charter, relating to the audit and examination of City books and accounts, be amended to require City Council to engage an annual audit at the end of each fiscal year, and subsection (D) to clarify that all audits that must be performed in accordance with written contracts, and hereinafter have subsections (A) and (D) read as follows:

Section 3.12. INTERFERENCE WITH ADMINISTRATION

- A. The City Council shall engage an annual audit to be made of the books and accounts of the City. At the close of each fiscal year, a complete audit shall be made by a Certified Public Accountant(s) who is qualified to perform such audit, and shall be selected by the City Council not more than sixty (60) days nor less than thirty (30) days prior to the fiscal year end, and who shall have no personal interest, direct or indirect, in the fiscal affairs of the City or any of its officers.

The City Council may appoint a City Auditor. The City Auditor shall carry out the internal audit functions as determined by the City Manager and City Council.

...

- D. All audits shall be performed in accordance with written audit contracts. Such contracts shall state the period to be covered, the funds involved, the purpose of the audit, the fee to be charged, and the authority to be used in determining presentation and accounting standards.

PROPOSITION NO. 21

Should Section 3.14(D) of the City Charter, relating to the definition of “publish” of a general ordinance be amended to add “as otherwise authorized by state law,” and for such section to hereafter read as follows:

Section 3.14. ORDINANCES IN GENERAL

...

D. "Publish" Defined

As used in this section, the term, "publish" means to print in one or more newspapers of general circulation in the City:

1. the ordinance or brief summary thereof in compliance with Local Government Code Section 52.013; and
2. the places where copies of it have been filed and the time when they are available for public inspection; or
3. as otherwise authorized by State Law.

PROPOSITION NO. 22

Should Section 3.19 of the City Charter, relating to the hotel occupancy tax be amended to delete the cited Tax Code section, and generally refer to the Texas Tax Code, and for such section to hereafter read as follows:

Section 3.19. HOTEL OCCUPANCY TAX

The City shall have the power to levy and collect a hotel-motel occupancy tax, as provided under the laws of the State of Texas. When this tax is levied by the City Council, the proceeds shall be used as set forth in the Texas Tax Code.

PROPOSITION NO. 23

Should Section 3.21 of the City Charter, relating to personal interest be amended into three subsections and to clarify circumstances when a contract is voidable, and hereafter read as follows:

Section 3.21. PERSONAL INTEREST

- A. No member of the City Council or any officer or employee of the City shall engage in self-dealing or have a financial interest, direct or indirect, in any contract with the City, or in the business of a contractor supplying the City, of any land or rights or interest in any land, material, supplies, or service, except on behalf of the City as an officer or employee.
- B. The City Council shall not authorize the expenditure of public funds for the development of a privately owned subdivision.
- C. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the City found guilty thereof shall forfeit his or her office or position. Any person or entity contracting with the City who knowingly, either expressly or implicitly, violates this section shall render the contract voidable by the City Council.

PROPOSITION NO. 24

Should Sections 4.01(A), (D), and (E) of the City Charter, regarding the City Manager's contract, length and removal thereof, and appointment as a City Manager, be amended to hereafter read as follows:

Section 4.01. CITY MANAGER

- A. City Council shall appoint a City Manager by contract approved by five-sixths (5/6) vote of the entire Council. The City Manager shall be a resident of the City of Socorro within six (6) months of employment. The City Manager must post a fidelity bond.
- ...
- D. The City Council shall be prohibited from appointing the City Manager to a term by contract longer than forty-eight (48) months. The City Manager may be removed at the will and pleasure of the City Council by five-sixths (5/6) vote of the entire City Council.
- E. No member of the City Council shall, during the time for which he or she is in office nor for one (1) year thereafter, be appointed City Manager.

PROPOSITION NO. 25

Should Section 4.04(D) of the City Charter, regarding the absence or disability of a Judge be amended to make the appointment of an interim municipal judge permissive, and hereafter read as follows:

Section 4.04. MUNICIPAL COURT

- ...
- D. In the absence or disability of a Judge, the City Council may appoint an interim judge who shall be qualified and who shall reside in the City of Socorro to preside over the Municipal Court.

PROPOSITION NO. 26

Should Section 4.05(D) of the City Charter, regarding the selection of the Chief of Police be amended to provide for the City Manager to make candidate recommendations to City Council, and hereafter read as follows:

Section 4.05. POLICE DEPARTMENT

- ...
- D. The City Manager shall recommend one or more candidates to the City Council to serve as the Chief of Police. After considering the City Manager's recommendation(s), the City Council shall select the Chief of Police by a majority vote of the entire City Council.

PROPOSITION NO. 27

Should Section 4.06 of the City Charter, regarding the selection and duties of the Fire Chief if a fire department is created, be amended to add the following subsections, and hereafter read as follows:

Section 4.06. FIRE DEPARTMENT

The City Council may create a Fire Department as deemed necessary according to population growth.

- A. The Fire Chief shall be the Chief administrative officer of the Fire Department.
- B. The Fire Chief shall be a classified employee of the City subject to the Civil Service rules and regulations.
- C. The City Manager shall recommend one or more candidates to the City Council to serve as Fire Chief. After considering the City Manager's recommendation (s), the City Council shall select the Fire Chief by a majority vote of the entire City Council.
- D. The Fire Chief shall be fully responsible to the City Council and City Manager for the administration of the department. The Fire Chief shall perform such duties as may be required of him or her by the City Council and City Manager in accordance with applicable ordinances and State Law.

PROPOSITION NO. 28

Should Section 6.05 of the City Charter, relating to the election of the City Council Representatives and Mayor, be amended to hereafter read as follows:

Section 6.05. ELECTION BY MAJORITY

At any regular or special election for any position on the City Council, the candidate for each position who receives a majority of votes shall be declared elected. If no candidate receives a majority of votes, the two candidates who received the most votes shall participate in a runoff election in accordance with Texas Law.