

ORDINANCE NO. O: 2010-024

AN ORDINANCE IN ACCORDANCE WITH THE DEL RIO CITY CHARTER AND STATE LAW PROVIDING FOR THE CANVASS OF THE RETURNS OF CITY GENERAL AND SPECIAL ELECTIONS HELD ON MAY 08, 2010; DECLARING THE OFFICIAL RESULTS OF SAID CITY GENERAL AND SPECIAL ELECTIONS; DECLARING THAT CERTAIN CANDIDATES ARE DULY ELECTED AS CITY OFFICIALS AND THE RESULTS OF THE CHARTER AMENDMENT PROPOSITIONS.

WHEREAS, the City Council passed and approved Ordinance No. O: 2010-002, wherein it was ordered that a general city election for the purpose of electing the city officers named herein and a special city election for two charter amendments would be held and conducted on May 08, 2010 in and throughout the corporate limits of the City of Del Rio, Texas;; and

WHEREAS, the City Council has examined and considered the returns of the city general and special elections held on the 8th of May, 2010 for the purposes specified above; and

WHEREAS, it appears from said returns that there were cast, at said general election, 3,525 valid and legal votes; and

WHEREAS, it appears from said returns that there were cast, at said special election, 2,274 valid and legal votes; and

WHEREAS, the above returns further indicate that the votes at said general election were cast in the manner specified herein; and

WHEREAS, the above returns further indicate that the votes at said special election were cast in the manner specified for proposition no. 1:

Proposition No. 1 – City Charter: Section 109

Shall Section 109 of the City Charter be amended to require a recall petition be printed in English and in Spanish and to state in visually conspicuous letters and font size that the petition is for the recall of a certain named city official so that said section, when amended, reads as follows:

“Section 109. Recall procedure.

Any qualified voter of the city may make and file with the City Secretary an affidavit containing the name or names of the officer or officers whose removal is sought. The City Secretary shall thereupon deliver to the qualified voter making such affidavit copies of recall petition blanks on hand for distribution. Such recall petition blanks when issued by the City Secretary shall bear the signature of that officer and shall be addressed to the city council, and

shall be sequentially numbered, dated and indicate the name of the person to whom issued and the number of such recall petition blanks provided by the City Secretary to that person. Said recall petition blanks when issued shall also state that the recall petition blanks are for the removal of a city official and shall name said city official and identify his official position. The foregoing statement must be bolded, underlined, in upper case letters, and in a font size of 16 or larger so as to stand out from the remainder of the text. Each recall petition blank shall be printed in English and in Spanish. The City Secretary shall maintain a record of the sequentially numbered recall petition blanks provided to each qualified voter to whom the petition blanks were issued as well as the date and time that the petition blanks were provided to that individual.”

	Early Voting	Election Day	Total No. of
	Votes	Votes	Votes
	<u>Received</u>	<u>Received</u>	<u>Received</u>
FOR	1,118	1,156	2,274
AGAINST	342	347	689

, and the above returns further indicate that the votes at said special election were cast in the manner specified for proposition no. 2:

Proposition No. 2 = City Charter: Section 110.

Shall Section 110 of the City Charter be amended to increase the number of signatures that are needed in order to require a recall election so that said section, when amended, reads as follows:

“Section 110. Recall petitions.

The recall petition to be effective must be executed by qualified voters of the city or district, if applicable, must contain the required information specified by law, and must be returned and filed with the City Secretary within thirty (30) days after filing of the affidavit required in Section 109. If the petition relates to the recall of the mayor or one or more of the three (3) councilmen at large, it must be signed by qualified voters of the city equal in number to at least ten percent (10%) of all qualified voters in the city as of the last general election in the city, or one thousand (1000) qualified voters, whichever is greater. If the petition relates to the recall of one of three (3) district councilmen, it must be signed by qualified voters of the district from which the councilman was elected equal in number to at least twenty percent (20%) of all qualified voters registered in said district as of the last general election in the city, or five hundred (500) qualified voters, whichever is greater. All recall petitions shall conform to the applicable provisions of Section 99, and no petition paper shall be accepted as part of a recall

petition unless it bears the signature of the City Secretary and is one of the sequentially numbered petition blanks issued by the City Secretary as required in Section 109.”

	Early Voting Votes <u>Received</u>	Election Day Votes <u>Received</u>	Total No. of Votes <u>Received</u>
FOR	1,032	1,055	2,087
AGAINST	367	364	731

; and

WHEREAS, the City Council has canvassed the returns of the aforesaid city general and special elections and has found and determined that it should declare the official results of said elections as specified herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEL RIO, TEXAS THAT:

Section 1. Regularity of Elections

The City Council hereby finds, determines, and declares that the aforesaid city general and special elections held on May 08, 2010, were lawfully ordered and called, that notice thereof was duly given, and that the same was properly conducted in accordance with the law.

Section 2. Returns of General Election

Upon the canvass of the returns of the aforesaid city general election, the City Council hereby finds, determines, and declares that each of the candidates in said election received the following specified number of votes for the respectively identified office:

CITY OFFICE

Early Voting Votes <u>Received</u>	Election Day Votes <u>Received</u>	Total No. of Votes <u>Received</u>	<u>Name of Candidates</u>
<u>MAYOR</u>			
633+1=634	694	1,327+1=1,328	EFRAIN V. VALDEZ

<u>600 + 1 = 601</u>	<u>346</u>	<u>946 + 1 = 947</u>	.....ROBERT GARZA
<u>620</u>	<u>604</u>	<u>1,224</u>	.....ROBERTO "BOBBY" FERNANDEZ

CITY COUNCILPERSON-AT-LARGE, PLACE C

<u>333 + 1 = 334</u>	<u>406</u>	<u>739 + 1 = 740</u>	.....CLAY ELLIS
<u>614</u>	<u>409</u>	<u>1,023</u>	..... ALFREDO "FRED" CONTRERAS
<u>486</u>	<u>464</u>	<u>950</u>	.....ALEX ZEPEDA
<u>388 + 1 = 389</u>	<u>315</u>	<u>703 + 1 = 704</u>	.....RONALD C. "RON" BURTON

CITY COUNCILPERSON DISTRICT I

<u>256</u>	<u>212</u>	<u>468</u>	.....LISA CADENA CRAIG
<u>415</u>	<u>220</u>	<u>635</u>	.....RENE "RENO" LUNA

CITY COUNCILPERSON DISTRICT II

<u>215</u>	<u>242</u>	<u>457</u>	..... DIANA BEJARANO SALGADO
<u>489 + 2 = 491</u>	<u>522</u>	<u>1,011 + 2 = 1,013</u>	.....ALVARO "AL" ARREOLA

Section 3. Declaration of Results-City Officers

The City Council hereby finds, determines, and declares that a majority of the votes at the aforesaid city general election were cast in favor of the candidates named herein. The City Council hereby further declares that such persons are duly elected to the respectively identified offices of the City of Del Rio, Texas, subject to the taking of the official oath of office as prescribed by the City Charter of the City of Del Rio and the laws of the State of Texas, to-wit:

<u>Name of City Office</u>	<u>Name of Person Elected</u>
Mayor.....	A majority vote was not reached.
Councilperson-at-large, Place C.....	A majority vote was not reached.

Councilperson District I..... Rene "Reno" Luna
Councilperson District II..... Alvaro "Al" Arreola

A special run-off election will be held for the offices of Mayor and Councilperson-at-large, Place C as provided for in Ordinance No. 2010-025.

Section 4. Returns of Special Election

Upon the canvass of the returns of the aforesaid city special election, the City Council hereby finds, determines, and declares that the election on the proposed charter amendments (Propositions No. 1 and No. 2) has resulted in the approval (approval/disapproval) of Proposition No. 1 and the approval (approval/disapproval) of Proposition No. 2 at said special election.

Section 5. Declaration of Results-Charter Amendments

The City Council hereby certifies that a MAJORITY of the resident, qualified voters of the City of Del Rio voting in the Special Election, have voted for (for /against) Proposition No. 1. The Board hereby finds and determines that this Proposition No. 1 passed (passed/failed) at the Election.

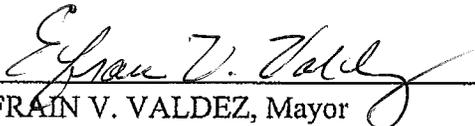
The City Council hereby certifies that a MAJORITY of the resident, qualified voters of the City of Del Rio voting in the Special Election, have voted for (for /against) Proposition No. 2. The Board hereby finds and determines that this Proposition No. 2 passed (passed/failed) at the Election.

The City Council hereby further declares that such propositions are duly added to the City Charter of the City of Del Rio, Texas, as prescribed by the City Charter of the City of Del Rio and the laws of the State of Texas,

Section 6. Effective Date

This ordinance shall become effective immediately after its final passage.

PASSED AND APPROVED on this 14th day of May, 2010.


EFRAIN V. VALDEZ, Mayor

ATTEST:

Susan Corp
SUSAN CORP, City Secretary

TABULATION SHEET FOR OFFICIAL CANVASS OF VOTING FOR THE CITY OF DEL RIO, IN THE COUNTY OF VAL VERDE, TEXAS, ON MAY 08, 2010

CANDIDATES & POSITION
 PRECINCTS

	DISTRICT I 10 & 40	DIST. I EARLY VOTING	DISTRICT II 30, 31 & 22(2)	DIST. II EARLY VOTING	DISTRICT III 11, 12, 21 & 22(3)	DIST. III EARLY VOTING
MAYOR:						
ERRAIN V. VALDEZ	185	170	373	317+1	136	146
ROBERTO "BOBBY" FERNANDEZ	221	256	269	263	114	161
ROBERT GARZA	85	259	152	115+1	109	176
TOTAL FOR MAYOR:	491	685	794	745+2+1+1	359	423
COUNCILPERSON-AT-LARGE, PLACE C:						
ALEX ZEPEDA	147	177	163	191	154	118
ALFREDO "FRED" CONTRERAS	108	244	180	195	121	175
CLAY ELLIS	126	124	246	164+1	34	45
RONALD C. "RON" BURTON	90	130	189	187+1	36	71
TOTAL FOR PLACE C:	471	675	778	787+399	345	409
COUNCILPERSON, DISTRICT I:						
LISA CADENA CRAIG	212	256				468
RENE "RENO" LUNA	220	415				635
<i>Total For District I</i>	432	671				1103
COUNCILPERSON, DISTRICT II:						
DIANA BEJARANO SALGADO			242	215		457
ALVARO "AL" ARREOLA			522	489+2		1,011+2=1,013
TOTAL FOR DISTRICT II:			764	704+706		1,410+2=1,412

This tabulation was made at the Municipal Building, Saturday, May 08, 2010 after 7:00 P.M. from the Return Sheets submitted by the Presiding Judges of each district.

TOTAL VOTES CAST

DISTRICT I 491
 DISTRICT II 802+3=805
 DISTRICT III 362
 EARLY VOTING 1,869

TOTAL VOTES 3,525+3=3,528

Suzanne Corp
 Susan Corp, City Secretary

TABULATION SHEET FOR OFFICIAL CANVASS OF VOTING FOR THE CITY OF DEL RIO, IN THE COUNTY OF VAL VERDE, TEXAS, ON MAY 08, 2010

PROPOSITIONS & POSITION PRECINCTS	DISTRICT I 10 & 40	DISTRICT II 30, 31 & 22(2)	DISTRICT III 11, 12, 21 & 22(3)	EARLY VOTING DISTRICTS I, II & III
PROPOSITION NO. 1:				
FOR	324	579	253	1,118
AGAINST	103	169	75	342
TOTAL FOR NO. 1:	427	748	328	1,460
PROPOSITION 2:				
FOR	300	552	203	1,032
AGAINST	114	170	80	367
TOTAL FOR NO. 2:	414	722	283	1,399

This tabulation was made at the Municipal Building, Saturday, May 08, 2010 after 7:00 P.M. from the Return Sheets submitted by the Presiding Judges of each district.

TOTAL VOTES CAST

PROP. NO. 1 PROP. NO. 2
FOR AGAINST FOR AGAINST

DISTRICT I	324	103	300	114
DISTRICT II	579	169	552	170
DISTRICT III	253	75	203	80
EARLY VOTING	1,118	342	1,032	367
TOTAL VOTES	2,274	689	2,087	731


Susan Corp, City Secretary