

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ADOPTING AN AMENDMENT TO THE HOME RULE CHARTER APPROVED BY THE VOTERS OF THE CITY OF ALLEN AT AN ELECTION HELD ON MAY 4, 2019; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has received a petition submitted by and signed by the requisite number of registered voters of the City of Allen pursuant to Texas Local Government Code Section 9.004 requesting an election be called for the next uniform election date for the voters of the City to vote “for” or “against” a proposed amendment to the Charter to provide for the term limits for the office of Mayor and Council Members for the City of Allen, Collin County, Texas; and,

WHEREAS, the City Council ordered that an election be held in the City of Allen, Collin County, Texas, on May 4, 2019, for the purpose of adopting the amendment to the Home Rule Charter of the City of Allen, Collin County, Texas; and,

WHEREAS, immediately after said election, the presiding judges and other election officials holding said election made their returns and results thereof to the City Council; and,

WHEREAS, majority of the votes cast at said election were for the adoption of Proposition A-1 amending the Home Rule Charter of the City of Allen, Collin County, Texas; and,

WHEREAS, the City Council canvassed the results of the election on May 14, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. Proposition A-1 amending the Home Rule Charter, approved and adopted by the voters of the City of Allen, Collin County, Texas, in an election held for the purpose on May 4, 2019, a copy of which is attached hereto as Exhibit “A” and made a part hereof for all purposes, is hereby declared to be an amendment to the Home Rule Charter of the City of Allen, Collin County, Texas, to take effect immediately from or after the passage of this Ordinance.

SECTION 2. In accordance with Section 10-16 of the City Charter the amendment to the Home Rule Charter approved by the voters at the election conducted on May 4, 2019 is added as Section 2.01A of the Home Rule Charter of the City of Allen, Collin County, Texas, to read as set forth in Exhibit “A” attached hereto.

SECTION 3. The City Secretary shall record in the Office of the City Secretary, the Charter amendments adopted by the voters of the City; and pursuant to Section 9.007, TEX. LOC. GOV’T CODE, the Mayor shall certify to the Secretary of State of the State of Texas, an authenticated copy of this Ordinance and said amendment to the Home Rule Charter under the seal of the City, showing the approval by the qualified voters of the City of Allen, Collin County, Texas.

SECTION 4. This ordinance shall take effect immediately from and after its passage, as the law and charter in such case provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 14TH DAY OF MAY 2019.

APPROVED:

Stephen Terrell, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(PGS:5-6-19:TM 107785)

Shelley B. George, CITY SECRETARY

MAYOR'S CERTIFICATE OF AUTHENTICATION

Pursuant to TEX. LOC. GOV'T CODE ANN., Section 9.007, I Stephen Terrell, Mayor of the City of Allen, Collin County, Texas, hereby certify that the above and forgoing is a true and correct copy of the City of Allen Ordinance No. _____ adopted by the City Council of the City of Allen, Collin County, Texas, on the 14th day of May 2019, and attached thereto as Exhibit "A" is a true and correct copy of the amendments to the City of Allen Home Rule Charter approved by the voters of the City of Allen, Collin County, Texas at an election held for that purpose on May 4, 2019.

This certificate of authentication executed this 14th day of May 2019.

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

Peter G. Smith, City Attorney

Seal of the City of Allen, Collin County, Texas

EXHIBIT “A”

Sec. 2.01A. – Term Limits.

No person shall serve as mayor for more than two (2) consecutive elected terms, and no person shall serve as a council member for more than two (2) consecutive elected terms. No person shall serve as a member of the City Council, either as a council member or mayor for more than 12 years. For purposes of this section to the City Charter and computing the limitations on terms:

(1) A mayor or city council member, who vacates for any reason, city office before the end of the term for which he or she was elected, shall be considered to have completed that term.

(2) An appointment or election to fulfill an unexpired council member term, or unexpired mayor term, shall be computed as follows:

(i) If fifty percent (50%) or more of the term is remaining, it shall be included as part of the computation of term limits: or

(ii) If less than fifty percent (50%) of the term is remaining, it shall not be included in the computation of term limits.

Any council member or mayor, who is ineligible to run for elected city office due to limitations on terms provided herein, shall remain ineligible to hold an elected city office for a period of one (1) full term following the expiration of the most recent term of city office, for which he or she was elected with the exception of a council member seeking the office of mayor or the mayor seeking the office of a council member.