

Public Notices

the vote and, if necessary for filling any vacancy, as provided in Article II, Sec. 5 of this Charter. A member who is not removed by such recall election may participate in the vote for filling a vacancy in another position.

First, if Proposition 7 is approved by the voters on November 8, 2022, Article III, Section 2[8] of the Slaton City Charter shall thereafter read as follows:

[8] When the recall of a Quorum or more of the members of the City Commission appears on the ballot, then the first Proposition shall inquire separately whether to recall each of the named members, and the second Proposition shall contain replacement candidate name or names for each City Commission position subject to recall in the first Proposition, including Mayor if that office is also subject to recall at that election. The election of a replacement in the second Proposition is a nullity if the corresponding incumbent is not recalled in the first Proposition.

Second, if Proposition 7 is approved by the voters on November 8, 2022, Article III, Section 2[9] of the Slaton City Charter shall thereafter read as follows:

[9] When some but not all members of the Commission are subject to recall at an election, those members subject to recall shall not participate in the canvass of that election. The remaining member or members of the Commission who are not subject to recall shall constitute a quorum solely for the purposes of canvassing the vote and, if necessary for filling any vacancy, as provided in Article II, Sec. 5 of this Charter. A member who is not removed by such recall election may participate in the vote for filling a vacancy in another position.

Sections Affected: Article III, Section 2[8] and Article III, Section 2[9].

Ballot Text: PROPOSITION No. 7

To amend Article III, Section 2[8] and Article III, Section 2[9] of the Slaton City Charter to clarify what shall happen in the event of the recall of a quorum or more of the members of the City Commission and providing for the canvass of a recall election involving some but not all members of the Commission.

FOR
AGAINST

Proposition No. 8 Initiative and Referendum Frequency of Petitions

WHEREAS, the current Charter is silent as to how frequently a matter may be re-submitted to the voters, thereby creating a situation ripe for both voter fatigue and competing or serial petitions on the same topic. NOW, THEREFORE, this Proposition shall specify that once a matter has been placed on the ballot for a public vote and it passes, then that matter may not again be the subject of an initiative or referendum petition until two (2) years and if the initiative or referendum measure fails to pass, then there shall be no further election called on that subject for a period of four (4) years.

REDLINE VERSION OF APPLICABLE CHARTER SECTION

ADD Article III, Sec. 3 Initiative and Referendum – Frequency of Petitions

If an initiative petition results in the passage of a measure in an election, then there shall be no further initiative or referendum election called on that subject for a period of two (2) years. If an initiative or referendum measure fails to pass in an election, then there shall be no further election called on that subject for a period of four (4) years.

Section affected: Article III, Section 3.

Ballot Text: PROPOSITION No. 8

To amend Article III of the Slaton City Charter to add a Section 3 to Article III which would read as follows: "If an initiative petition results in the passage of a measure in an election, then there shall be no further initiative or referendum election called on that subject for a period of two (2) years. If an initiative or referendum measure fails to pass in an election, then there shall be no further election called on that subject for a period of four (4) years.

FOR
AGAINST

Proposition No. 9 Non-Binding Referendum

WHEREAS, the current Charter does not provide the City Commission with the authority to conduct a non-binding referendum and state law is unclear if a Home Rule City inherently has this authority; and WHEREAS, the experience of other Cities suggests it is prudent to have a Charter provision granting the City Commission the authority to order an election for a non-binding referendum. NOW, THEREFORE, this Proposition shall add Section 4 to Article III to provide that the City Commission has the authority to order an election for a non-binding referendum.

REDLINE VERSION OF APPLICABLE CHARTER SECTION

ADD Article III, Sec. 4 Non-binding Referendum

The City Commission may, upon its own accord and by a three-fourths majority vote, order an election for a non-binding referendum on a measure without an initiative or referendum petition from citizens.

Section Affected: Article III, Section 4.

Ballot Text: PROPOSITION No. 9

To amend Article III of the Slaton City Charter to add a Section 4

to Article III to provide that: "The City Commission may, upon its own accord and by a three-fourths majority vote, order an election for a non-binding referendum on a measure without an initiative or referendum petition from citizens."

FOR
AGAINST

Proposition No. 10 City Commission Qualifications

WHEREAS, the Charter provides for the qualifications of a member of the City Commission, including specifically that each member of the City Commission be a "property taxpayer," that each member of the City Commission "shall not be indebted to the City of Slaton," and a requirement that a member of the City Commission reside in the City for a period of two (2) years preceding election, and WHEREAS these specific requirements are no longer valid under Texas law or because the required period of residency can only be up to twelve (12) months. NOW, THEREFORE, this proposition shall delete the outdated requirements for office outlined above and amend the required period of residency to twelve (12) months.

REDLINE VERSION OF APPLICABLE CHARTER SECTION

Sec. 4. Commissioners, their qualifications.

The mayor and each member of the commission shall be a resident citizen of the City of Slaton, and shall be a qualified voter of Texas, shall not hold another public office, and shall have been such a resident citizen of the City of Slaton for a period of not less than twelve (12) months immediately preceding such election; provided, however that any person with the above qualifications, except as to residence, who shall have been a resident for a period of not less than twelve (12) months immediately preceding his election of any of the territory not formerly in the incorporated limits of said city, but which is annexed under the provisions of this charter, may be elected to said office. Any commissioner who, during his continuance in office, establishes his domicile outside of the limits of the City of Slaton from which he was elected, shall thereupon ipso facto forfeit his office and the vacancy shall be filled as provided in section 7 hereof.

If Proposition 10 is approved by the voters on November 8, 2022, Section 4 of Article VI of the Slaton City Charter shall thereafter read as follows:

The mayor and each member of the commission shall be a resident citizen of the City of Slaton, and shall be a qualified voter of Texas, shall not hold another public office, and shall have been such a resident citizen of the City of Slaton for a period of not less than twelve (12) months immediately preceding such election; provided, however that any person with the above qualifications, except as to residence, who shall have been a resident for a period of not less than twelve (12) months immediately preceding his election of any of the territory not formerly in the incorporated limits of said city, but which is annexed under the provisions of this charter, may be elected to said office. Any commissioner who, during his continuance in office, establishes his domicile outside of the limits of the City of Slaton from which he was elected, shall thereupon ipso facto forfeit his office and the vacancy shall be filled as provided in section 7 hereof.

Section Affected: Article VI, Section 4.

Ballot Text: PROPOSITION No. 10

Shall Article VI, Section 4 of the Slaton City Charter regarding the qualifications of Commissioners be updated to comply with current state law and to amend the required period of residency to twelve (12) months?

FOR
AGAINST

Proposition No. 11 Mayor

How Nominated and Elected WHEREAS, Article VI, Section 5 of the Charter provides that the Mayor must be nominated by 50 voters at least 3 days before an election and such a provision is outdated and has not been followed. NOW, THEREFORE, this proposition shall delete the outdated requirement for Mayor to be nominated but would keep the provision that the Mayor is elected from the city at large.

REDLINE VERSION OF APPLICABLE CHARTER SECTION

Sec. 5. The mayor; how elected.

The mayor shall be elected from the city at large.

If Proposition 11 is approved by the voters on November 8, 2022, Section 5 of Article VI of the Slaton City Charter shall thereafter read as follows:

The mayor shall be elected from the city at large.

Section Affected: Article VI, Section 5.

Ballot Text: PROPOSITION No. 11

Shall Article VI, Section 5 of the Slaton City Charter be revised to delete the requirement that the Mayor be nominated by 50 voters at least 3 days before an election but keep the provision that the Mayor is elected from the city at large?

FOR
AGAINST

Proposition No. 12 City Commission

Term of Office

WHEREAS, the Charter provides for staggered terms of two (2) years for the Mayor and Commissioners and also provides that elections are to be held in April, which provision is outdated and conflicts with applicable state law. WHEREAS, a home rule municipality may only extend terms by a charter amendment approved by the voters. WHEREAS, the Charter Amendment Committee determined that extending terms from two (2) to three (3) years would decrease costs associated with yearly elections and that a three (3) year term would allow Commissioners to better learn and fulfill their responsibilities. WHEREAS, if this proposition is approved by the voters the current terms of the present Mayor and Commissioners would not be affected. NOW, THEREFORE, this amendment would amend this section of the Charter to provide for staggered terms of three (3) years for the Mayor and Commissioners effective at the end of the current terms and to provide those regular municipal elections shall be held on the uniform election dates set by the Texas Legislature.

REDLINE VERSION OF APPLICABLE CHARTER SECTION

Sec. 6. Term of office.

The City Commission shall be composed of a mayor and four commissioners who shall be elected in the following manner. The mayor shall be elected from the city at large for a term of three years at an election to be held on the uniform election day in May 2023. Regular elections for mayor shall be held on the uniform election day in May, or such other uniform election day as the Texas Legislature may from time to time designate, on each third year thereafter. Commissioners for place 1 and place 3 shall be elected at an election to be held on the uniform election day in May 2023. Commissioners for place 2 and place 4 shall be elected at an election to be held on the uniform election day in May 2024. After such elections, the commissioners so elected shall serve a three-year term. Thereafter, regular elections for commissioners shall be held on the uniform election day in May or such other uniform election day as the Texas Legislature may from time to time designate, in each year an election is necessary. The term for commissioner shall be three years. All elections shall be held in accordance with the state law for municipal elections.

If Proposition 12 is approved by the voters on November 8, 2022, Section 6 of Article VI of the Slaton City Charter shall thereafter read as follows:

The City Commission shall be composed of a mayor and four commissioners who shall be elected in the following manner. The mayor shall be elected from the city at large for a term of three years at an election to be held on the uniform election day in May 2023. Regular elections for mayor shall be held on the uniform election day in May, or such other uniform election day as the Texas Legislature may from time to time designate, on each third year thereafter. Commissioners for place 1 and place 3 shall be elected at an election to be held on the uniform election day in May 2023. Commissioners for place 2 and place 4 shall be elected at an election to be held on the uniform election day in May 2024. After such elections, the commissioners so elected shall serve a three-year term. Thereafter, regular elections for commissioners shall be held on the uniform election day in May or such other uniform election day as the Texas Legislature may from time to time designate, in each year an election is necessary. The term for commissioner shall be three years. All elections shall be held in accordance with the state law for municipal elections.

Section Affected: Article VI, Section 6.

Ballot Text: PROPOSITION No. 12

Shall Article VI, Section 6 of the Slaton City Charter be amended to provide for staggered terms of three (3) years for the Mayor and Commissioners and that regular municipal elections be held on the uniform election dates set by the Texas Legislature?

FOR
AGAINST

Proposition No. 13 Vacancies in Commission

WHEREAS, the Charter currently provides that any vacancy in the City Commission must be filled by special election but prudent practice would allow the Commission discretion to appoint a successor in the event of a vacancy with less than one year remaining in a term while requiring that the Commission appoint a successor in the event of a vacancy of more than one year to serve until the next regular city election at which time the position will be placed on the ballot for the unexpired term. NOW, THEREFORE, this amendment would amend this section of the Charter by providing that a vacancy in the City Commission of under one (1) year shall be filled by majority vote of the remaining members of the City Commission and that a vacancy of over one (1) year shall be filled by appointment until the next regular city election at which time a special election for the unexpired term shall be conducted in accordance with state law.

REDLINE VERSION OF APPLICABLE CHARTER SECTION

Sec. 7. Vacancies.

A vacancy occurring in the Com-

mission, including the office of mayor, shall be filled by a person having the qualifications of an elective official of the city and selected in the following manner: If a single vacancy occurs and the Commission member's seat which is vacated has less than one year remaining, then the Commission may appoint a successor to serve the remainder of the term. If the position that is vacated has more than one year remaining, then the Commission shall appoint a successor to serve until the next regular city election at which time the position will be placed on the ballot for the unexpired term. If two or more vacancies occur at one time, a special election shall be called by the remaining members of the Commission in accordance with the Election Code to fill the vacancies for the unexpired terms.

If Proposition 13 is approved by the voters on November 8, 2022, Section 7 of Article VI of the Slaton City Charter shall thereafter read as follows:

A vacancy occurring in the Commission, including the office of mayor, shall be filled by a person having the qualifications of an elective official of the city and selected in the following manner: If a single vacancy occurs and the Commission member's seat which is vacated has less than one year remaining, then the Commission may appoint a successor to serve the remainder of the term. If the position that is vacated has more than one year remaining, then the Commission shall appoint a successor to serve until the next regular city election at which time the position will be placed on the ballot for the unexpired term. If two or more vacancies occur at one time, a special election shall be called by the remaining members of the Commission in accordance with the Election Code to fill the vacancies for the unexpired terms. Section affected: Article VI, Section 7.

Ballot Text: PROPOSITION No. 13

To amend Article VI, Section 7 of the Slaton City Charter by providing that a vacancy in the City Commission of under one (1) year may be filled by majority vote of the remaining members of the City Commission, that a vacancy of over one (1) year shall be filled by appointment until the next regular city election at which time a special election for the unexpired term shall be conducted in accordance with state law, and that if two or more vacancies occur at one time, a special election shall be called by the remaining members of the Commission in accordance with the Election Code to fill the vacancies for the unexpired terms.

FOR
AGAINST

Proposition No. 14 Restrictions upon City Officials; Conflicts of Interest

WHEREAS, the Charter has a conflicts of interest provision for members of the Commission, or any officer or employee of the City that is more restrictive than state law and the City has been following applicable state law. NOW, THEREFORE, this Proposition shall delete the current section 11 of Article VI and amend it to explicitly acknowledge that the Mayor, City Commissioners, or a City Official will follow the rules and regulations regarding conflicts of interests as set out in the Texas Local Government Code, Chapter 171, as amended, or successor statute.

REDLINE VERSION OF APPLICABLE CHARTER SECTION

Sec. 11. Restrictions upon commissioners [mayor, officers and employees; conflict of interest.] For purposes of this Section, the term "City Official" means any individual subject to the requirements of Texas Local Government Code, Chapter 171.

It is hereby prohibited for the Mayor, City Commissioners, or a City Official to violate the rules and regulations regarding conflicts of interests as set out in the Texas Local Government Code, Chapter 171, as amended or successor statute.

If Proposition No. 14 is approved by the voter on November 8, 2022, Section 11 of Article VI of the Slaton City Charter shall thereafter read as follows:

For purposes of this Section term "City Official" means any individual subject to the requirements of Texas Local Government Code, Chapter 171.

It is hereby prohibited for the Mayor, City Commissioners, or a City Official to violate the rules and regulations regarding conflicts of interests as set out in the Texas Local Government Code, Chapter 171, as amended or successor statute.

Ballot text: PROPOSITION No. 14

To amend Article VI, Section 11 of the Slaton City Charter to explicitly acknowledge that the Mayor, City Commissioners, or a City Official will follow the rules and regulations regarding conflicts of interests as set out in the Texas Local Government Code, Chapter 171, as amended, or successor statute.

Proposition No. 15 Special Meetings of the Commission

WHEREAS, the Charter allows for calling special meetings of the Commission in a manner that is inconsistent with the Texas Open Meetings Act. NOW, THEREFORE, this Proposition would clearly provide that a special meeting will be called

in accordance with the Texas Open Meetings Act, as amended, or successor statute.

REDLINE VERSION OF APPLICABLE CHARTER SECTION

Sec. 15. Special meetings of the commission.

The mayor, or two (2) members of the commission, may call special meetings of the commission at any time advisable in accordance with the Texas Open Meetings Act, as amended, or successor statute.

If Proposition No. 15 is approved by the voter on November 8, 2022, Section 15 of Article VI of the Slaton City Charter shall thereafter read as follows:

The mayor, or two (2) members of the commission, may call special meetings of the commission at any time advisable in accordance with the Texas Open Meetings Act, as amended, or successor statute.

Section Affected: Article VI, Section 15.

Ballot Text: PROPOSITION No. 15

To amend Article VI, Section 15 of the Slaton City Charter to explicitly acknowledge that the special meetings of the Commission will be called in accordance with the Texas Open Meetings Act, as amended, or successor statute.

FOR
AGAINST

Proposition No. 16 Legislative Procedure

WHEREAS, Section 18 of Article VI of the City Charter provides for legislative procedures that do not clearly reference the Texas Open Meetings Act and Texas Public Information Act. NOW, THEREFORE, this Proposition would add specific references to the Texas Open Meetings Act and Texas Public Information Act to provide that all meetings will be conducted in accordance with the Texas Open Meetings Act, as amended, or successor statute, and that public access to minutes of the meetings will be in accordance with the Texas Public Information Act.

REDLINE VERSION OF APPLICABLE CHARTER SECTION

Sec. 18. Legislative procedure.

Three (3) members of the commission shall constitute a quorum to do business, and the affirmative vote of a majority shall be necessary to adopt any ordinance or resolution. All meetings of the commission shall be conducted in accordance with the Texas Open Meetings Act, as amended, or successor statute, and minutes of all proceedings shall be kept, to which any citizen may have access in accordance with the Texas Public Information Act, as amended, or successor statute, and which shall constitute one of the archives of the city. The vote upon the passage of all ordinances and resolutions shall be taken by the "ayes" and "nays" and entered upon the minutes, and every ordinance or resolution, upon its final passage, shall be recorded in a book kept for that purpose, and shall be authenticated by the signature of the presiding officer, and the person performing the duties of city clerk or secretary, and the original thereof shall bear the impress of the official seal of the city. If Proposition No. 16 is approved by the voters on November 8, 2022, Section 18 of Article VI of the Slaton City Charter shall thereafter read as follows:

Three (3) members of the commission shall constitute a quorum to do business, and the affirmative vote of a majority shall be necessary to adopt any ordinance or resolution. All meetings of the commission shall be conducted in accordance with the Texas Open Meetings Act, as amended, or successor statute, and minutes of all proceedings shall be kept, to which any citizen may have access in accordance with the Texas Public Information Act, as amended, or successor statute, and which shall constitute one of the archives of the city. The vote upon the passage of all ordinances and resolutions shall be taken by the "ayes" and "nays" and entered upon the minutes, and every ordinance or resolution, upon its final passage, shall be recorded in a book kept for that purpose, and shall be authenticated by the signature of the presiding officer, and the person performing the duties of city clerk or secretary, and the original thereof shall bear the impress of the official seal of the city.

Section affected: Article VI, Section 16

Ballot text: PROPOSITION No. 16

To amend Article IV, Section 16 of the Slaton City Charter to add specific references to the Texas Open Meetings Act and Texas Public Information Act to provide that all meetings will be conducted in accordance with the Texas Open Meetings Act, as amended, or successor statute, and that public access to minutes of the meetings will be in accordance with the Texas Public Information Act, as amended, or successor statute.

Proposition No. 17 Ordinances, enactment of

WHEREAS, the Charter requires that before an Ordinance becomes effective there must be two readings at regular meetings; and WHEREAS, it would be more efficient to require the two readings be done at two separate meetings, whether regular or special meetings called in accordance with the Texas Open Meetings Act. NOW, THEREFORE, this Proposition would require that Ordinances must be passed, read, and voted upon at two (2) separate meetings of the Commission, whether regular or special meetings.

REDLINE VERSION OF

APPLICABLE CHARTER SECTION

Sec. 19. Ordinances; enactment of.

Each proposed ordinance or resolution shall be introduced in written or printed form, and shall not contain more than one (1) subject, which shall be clearly expressed in the title, except ordinances or resolutions making appropriations or authorizing the contracting of indebtedness or issuance of bonds or other evidence of indebtedness. No ordinance, unless it be declared an emergency measure, shall be passed finally on the date it is introduced, but must be passed, read, and voted upon at two (2) separate meetings of the commission, either regular or special meetings. If Proposition No. 17 is approved by the voter on November 8, 2022, Section 19 of Article VI of the Slaton City Charter shall thereafter read as follows:

Each proposed ordinance or resolution shall be introduced in written or printed form and shall not contain more than one (1) subject, which shall be clearly expressed in the title, except ordinances or resolutions making appropriations or authorizing the contracting of indebtedness or issuance of bonds or other evidence of indebtedness. No ordinance, unless it be declared an emergency measure, shall be passed finally on the date it is introduced, but must be passed, read, and voted upon at two (2) separate meetings of the commission, either regular or special meetings. Section Affected: Article VI, Section 19.

APPLICABLE CHARTER SECTION

Sec. 19. Ordinances; enactment of.

Each proposed ordinance or resolution shall be introduced in written or printed form, and shall not contain more than one (1) subject, which shall be clearly expressed in the title, except ordinances or resolutions making appropriations or authorizing the contracting of indebtedness or issuance of bonds or other evidence of indebtedness. No ordinance, unless it be declared an emergency measure, shall be passed finally on the date it is introduced, but must be passed, read, and voted upon at two (2) separate meetings of the commission, either regular or special meetings.

If Proposition No. 17 is approved by the voter on November 8, 2022, Section 19 of Article VI of the Slaton City Charter shall thereafter read as follows:

Each proposed ordinance or resolution shall be introduced in written or printed form and shall not contain more than one (1) subject, which shall be clearly expressed in the title, except ordinances or resolutions making appropriations or authorizing the contracting of indebtedness or issuance of bonds or other evidence of indebtedness. No ordinance, unless it be declared an emergency measure, shall be passed finally on the date it is introduced, but must be passed, read, and voted upon at two (2) separate meetings of the commission, either regular or special meetings. Section Affected: Article VI, Section 19.

Ballot Text: PROPOSITION No. 17

To amend Article VI, Section 19 of the Slaton City Charter to provide that Ordinances must be passed, read, and voted upon at two (2) separate meetings of the Commission, either regular or special meetings.

FOR
AGAINST

Proposition No. 18 City Manager

WHEREAS, Sections 23 and 24 in Article VI provide for the appointment and qualifications, the terms, salary, powers, and the duties of the City Manager after the city has attained a population of twelve thousand (12,000); and WHEREAS, the City has yet to reach the required population so instead has used a City Administrator to fulfill similar duties. NOW, THEREFORE, this proposition would update Article VI, Sections 23 and 24 to create the City Manager position, detail the powers and duties of the City Manager, the appointment and qualifications of the City Manager, the terms and salary of the City Manager, and add a provision regarding the Temporary Absence or Disability of City Manager.

REDLINE VERSION OF APPLICABLE CHARTER SECTION

Sec. 23. City manager

A. Appointment and Qualifications. The Commission shall, upon approval of a majority of the City Commission, appoint a City Manager who shall be the chief administrative and executive officer of the City, and shall be responsible to the Commission for the administration of the affairs of the City. The City Manager shall be chosen by the Commission solely based on the City Manager's executive and administrative training, experience, and ability. Within 6 months of his/her appointment as City Manager, the newly appointed City Manager shall be a resident of the City of Slaton. No member of the Commission shall, during the time for which he or she is elected, nor for one (1) year thereafter, be appointed City Manager.

B. Term and Compensation. Except as may be modified by an Employment Contract entered between the City and the City Manager, the following provisions apply to the term and compensation of the City Manager: The City Manager shall be appointed for an indefinite term and receive compensation as may be fixed by the Commission. The Commission may by affirmative vote of a majority of the City Commission take action to remove the Manager from office. The action of the Commission in removing the Manager shall be final; it being the intention of this Charter to vest all authority and fix all responsibility for such removal in the City Commission.

C. Temporary Absence or Disability of City Manager. The City Manager may, by letter filed with the City Secretary and subject to approval by the City Commission, designate a qualified City administrative officer to be Acting City Manager during the temporary absence or disability of the Manager. If the City Manager fails to make such designation or if the Commission chooses to revoke such designation, the Commission may appoint an Acting City Manager to serve during such time. The Commission may remove an Acting City Manager at any time.

Sec. 24. Powers and duties of the City Manager.

The City Manager shall have the following powers and duties:

(1) Appoint and suspend or remove all city employees and appointive administrative officers provided for, by, or under this Charter, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter.

(2) Direct and supervise the administration of all departments, offices, and agencies of the city, except as otherwise provided by this Charter or by law.

(3) Attend all City Commission meetings, except when excused by the Mayor. The City Manager shall have the right to take part in discussion but shall not vote.

(4) See that all laws, provisions