

RESOLUTION 24-R-158

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, ORDERING AND DECLARING THE NOVEMBER 2024 CHARTER AMENDMENTS, AS APPROVED BY THE VOTERS OF THE CITY OF SCHERTZ, ADOPTED; REQUIRING CERTIFICATION AND REGISTRATION IN ACCORDANCE WITH STATE LAW

WHEREAS, on November 5TH, 2024 the City of Schertz held an election on the adoption of amendments to the City's Home Rule Charter; and

WHEREAS, on November 18th, 2024 the City Council canvassed the votes of said election; and

WHEREAS, Texas Local Government Code Section 9.05 (b) provides that an amendment to a charter does not take effect until the governing body of the municipality enters an order in the records of the municipality declaring that the amendment is adopted; and

WHEREAS, pursuant to notice of a public meeting held in compliance with the Texas Open Meetings Act, the City Council of the City of Schertz, Texas, convened into a regular meeting of the City Council on this the 19th day of November 2024 for the purpose of entering an order into the records of the City and declaring that the amendments to the City Charter are adopted.

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Proceedings. That an election was duly called and held on November 5th, 2024 and final votes were canvassed on November 18th, 2024 on the question of the adoption of amendments to the City of Schertz Home Rule Charter, where it was determined that all legal votes were properly counted.

Section 3. Immediate Adoption of Amendments. It is hereby ordered that the amendments passed and approved by the voters as stated in **Propositions A,B,C,D,E,F,G,H,I, L,M,N, and O** are hereby adopted and that the corresponding **Measure** language is hereby incorporated into the City of Schertz's Home Rule Charter. Exhibit A

Section 4. Certification of Charter Amendment. That the Mayor or City Manager of the City of Schertz shall certify to the secretary of state an authenticated copy of the Charter or amendment under the municipality's seal showing the approval by the voters of the municipality. Exhibit B

Section 5. Registration of Charter Amendment. That the City Secretary shall record in the City Secretary's office the charter amendment adopted by the voters of the municipality. Exhibit C

Section 6. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Commission.

Section 7. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 8. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision

Section 9. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 10. This Resolution shall be effective upon the date of final adoption hereof and any publication required by law.

PASSED AND APPROVED on the _____ day of _____ 2024.

By: _____

Ralph Gutierrez, Mayor

Attest: _____

Sheila Edmondson, City Secretary