

**ORDINANCE NO. 2025-08-05-13**

**AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, CALLING A SPECIAL ELECTION ON NOVEMBER 4, 2025, FOR THE PURPOSE OF AMENDING THE CITY'S HOME RULE CHARTER AND PROVIDING FOR OTHER MATTERS RELATING TO SUCH CITY ELECTION**

**WHEREAS**, On February 4, 2025, City Council ("Council") created a charter review commission ("CRC") and appointed persons to the CRC and charged it with reviewing and proposing amendments to the Charter; and

**WHEREAS**, the CRC recommends certain amendments to the City Charter; and

**WHEREAS**, the Council now believes it in the public interest that City of Elgin voters, in accordance with Section 9.004 of the Texas Local Government Code, should vote on certain amendments to the City charter, in the form of propositions, at the next uniform election date to be held on November 4, 2025.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTY, TEXAS, THAT:**

**Section 1. Special Election Ordered.**

A special election to amend the City's home rule charter shall be held on Monday, November 4, 2025, between the hours of 7:00 A.M. and 7:00 P.M., in accordance with this Ordinance and Order of Election, the City Charter and State law.

**Section 2. Early Voting.**

**Early Voting.** Early voting shall be conducted by personal appearance at the early voting polling places and temporary polling places designated by the Bastrop County Elections Administrator and Travis County Administrator in accordance with State law and approved by the Bastrop County Commissioners Court and Travis County Commissioners Court and as delineated on Exhibit "B-1" and Exhibit "B-2" attached hereto.

**Times for Early Voting.** During the period in which early voting is required or permitted by law, that being Monday, October 20, 2025, and continue through Friday, October 31, 2025, the hours designated for early voting by personal appearance shall be designated in writing by the Bastrop County Elections Administrator and Travis County Elections Administrator.

**Section 4. Measures and Propositions.**

The measures in the form of their associated propositions shall be submitted to the qualified voters of the City at the special election as provided for in Exhibit C, attached hereto, in accordance with Section 9.004 of the Texas Local Government Code and other applicable laws and the charter.


**Section 5. Charter Renumbering**

The Charter shall be renumbered consistent with the approved amendments.

**Section 6. Severability.**

The provisions of this ordinance are severable; and in case any one or more of the provisions of this ordinance or the application thereof to any person or circumstance should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, then the remainder of this ordinance nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby. By motion duly made, seconded, and passed with an affirmative vote of the City Council members present, the requirement for reading this ordinance was dispensed.

**READ, PASSED and ADOPTED** on first reading on this 5th day of August 2025.

  
THERESA Y. MCSHAN  
Mayor, City of Elgin, Texas

Attest:

  
PEYTON STANDIFER  
City Secretary



## **EXHIBIT A**

### **ORDER OF SPECIAL ELECTION CITY OF ELGIN, TEXAS**

An election is hereby ordered to be held on Tuesday, November 4, 2025, for the purpose of voting on amending the City's Home Rule Charter.

For voters in Bastrop County, early voting by personal appearance will be conducted at the locations designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court, all as are delineated on Exhibit "B-1" attached hereto and incorporated herein by reference for all purposes.

For voters in Travis County, early voting by personal appearance will be conducted at the locations designated by the Travis County Elections Administrator and approved by the Travis County Commissioners Court, all as are delineated on Exhibit "B-2" attached hereto and incorporated herein by reference for all purposes.

For voters in Bastrop County, applications for ballots by mail shall be mailed to:

Kristin Miles  
Bastrop County Elections Administrator  
804 Pecan Street  
Bastrop, TX 78602

For voters in Bastrop County, a completed, scanned application for a ballot by mail containing an original signature may be submitted electronically to [elections@co.bastrop.tx.us](mailto:elections@co.bastrop.tx.us).

For voters in Travis County, applications for ballots by mail shall be mailed to:

Travis County Early Voting Clerk  
PO Box 149325  
Austin, TX 78714-9325

For voters in Travis County, a completed, scanned application for a ballot by mail containing an original signature may be submitted electronically to [ebbm@traviscountytexas.gov](mailto:ebbm@traviscountytexas.gov).


Applications for Ballot by Mail must be received no later than the close of business on Friday, October 24, 2025.

Applications for Federal Post Card Applications must be received no later than the close of business on Friday, October 24, 2025.

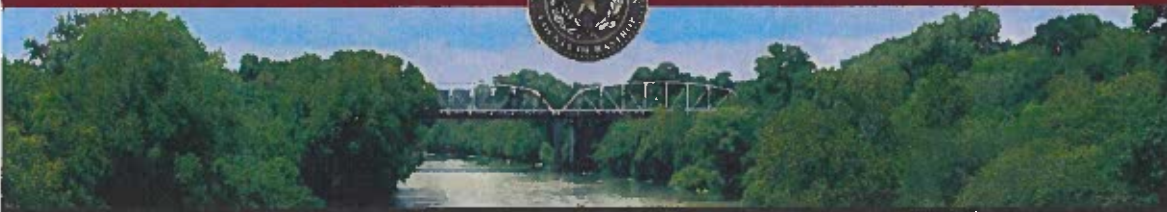
Issued this fifth day of August 2025.

  
THERESA L. MCSHAN, Mayor  
City of Elgin, Texas

Bastrop County, *Texas*



ELECTIONS DEPARTMENT



Bastrop County Elections

804 PECAN STREET

BASTROP, TX 78602

www.bastropvotes.org

512.581.7160

elections@co.bastrop.tx.us

## 2025 SPECIAL ELECTION

EXHIBIT B-1

### -EARLY VOTING LOCATIONS, DATES AND TIMES-

#### MAIN EARLY VOTING LOCATION

- ❖ Bastrop County Courthouse Annex, 804 Pecan St., Lower Level, Conference Room, Bastrop

#### BRANCH EARLY VOTING LOCATIONS

- ❖ Smithville Recreation Center, 106 Royston St., Smithville
- ❖ Bastrop County Cedar Creek Annex, 5785 FM 535, Cedar Creek
- ❖ North Bastrop County Community Annex, 704 Bull Run, Elgin

### October 20, 2025 - October 31, 2025

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	20	21	22	23	24	25
	8am – 5pm	8am – 5pm	8am – 5pm	8am – 5pm	8am – 5pm	9am – 12pm
	27	28	29	30	31	
	8am – 5pm	8am – 5pm	8am – 5pm	7am – 7pm	7am – 7pm	

### -ELECTION DAY POLLING LOCATIONS-

7am - 7pm

### TUESDAY, NOVEMBER 4, 2025

On Election Day, a voter may vote at any of the locations listed below:

- ❖ Aqua Water Supply, 401 Old Austin Hwy., Bastrop
- ❖ River Valley Christian Fellowship, 1224 W. Hwy 71, Bastrop
- ❖ Bastrop County Courthouse Annex, 804 Pecan St., Bastrop
- ❖ Paige Community Center, 107 S. Main St., Paige
- ❖ Bastrop County Community Center, 15 American Legion Dr., Bastrop
- ❖ Smithville Rec Center, 106 Royston St., Smithville
- ❖ Rosanky Community Center, 135 Main St., Rosanky
- ❖ Bastrop County Cedar Creek Annex, 5785 FM 535, Cedar Creek
- ❖ Red Rock Community Center, 114 Red Rock Rd., Red Rock
- ❖ North Bastrop County Community Annex, 704 Bull Run, Elgin
- ❖ Faith Lutheran Church, 230 Waco St., McDade
- ❖ Family Worship Center, 2425 FM 1704, Elgin
- ❖ Bastrop County ESD#2 Station 4, 1432 N. Hwy 95, Bastrop



Bastrop County Elections

804 PECAN STREET  
BASTROP, TX 78602

www.bastropvotes.org

512.581.7160  
elections@co.bastrop.tx.us**ELECCIONES ESPECIALES DE 2025****- LUGARES DE VOTACIÓN ANTICIPADA, FECHAS Y HORARIOS -****SITIO PRINCIPAL DE VOTACIÓN ADELANTADA**

❖ Bastrop County Courthouse Annex, 804 Pecan St., Lower Level, Conference Room, Bastrop

**SUCURSAL SITIOS DE VOTACIÓN ADELANTADA**

❖ Smithville Recreation Center, 106 Royston St., Smithville

❖ Bastrop County Cedar Creek Annex, 5785 FM 535, Cedar Creek

❖ North Bastrop County Community Annex, 704 Bull Run, Elgin

**20 de octubre de 2025 – 31 de octubre de 2025**

DOMINGO	LUNES	MARTES	MIÉRCOLES	JUEVES	VIERNES	SÁBADO
	20	21	22	23	24	25
	8am – 5pm	8am – 5pm	8am – 5pm	8am – 5pm	8am – 5pm	9am – 12pm
	27	28	29	30	31	
	8am – 5pm	8am – 5pm	8am – 5pm	7am – 7pm	7am – 7pm	

**- LUGARES DE VOTACIÓN EL DÍA DE LAS ELECCIONES -**  
**7am - 7pm**

**MARTES 4 DE NOVIEMBRE DE 2025**

El día de las elecciones, un votante puede votar en cualquiera de los lugares que se enumeran a continuación:

- ❖ Aqua Water Supply, 401 Old Austin Hwy., Bastrop
- ❖ River Valley Christian Fellowship, 1224 W. Hwy 71, Bastrop
- ❖ Bastrop County Courthouse Annex, 804 Pecan St., Bastrop
- ❖ Paige Community Center, 107 S. Main St., Paige
- ❖ Bastrop County Community Center, 15 American Legion Dr., Bastrop
- ❖ Smithville Rec Center, 106 Royston St., Smithville
- ❖ Rosanky Community Center, 135 Main St., Rosanky
- ❖ Bastrop County Cedar Creek Annex, 5785 FM 535, Cedar Creek
- ❖ Red Rock Community Center, 114 Red Rock Rd., Red Rock
- ❖ North Bastrop County Community Annex, 704 Bull Run, Elgin
- ❖ Faith Lutheran Church, 230 Waco St., McDade
- ❖ Family Worship Center, 2425 FM 1704, Elgin
- ❖ Bastrop County ESD#2 Station 4, 1432 N. Hwy 95, Bastrop

**EXHIBIT "B-2"**

**TRAVIS COUNTY ELECTION DAY PRECINCTS AND POLLING PLACES**

\*As of the date the Election Order was issued, Travis County had not determined the Election Day precincts and polling places. As soon as this information is made available from Travis County, it will be attached as Exhibit "B-2" to this Election Order.

## EXHIBIT C

### Proposition A

An amendment to the City Elgin Charter revising and deleting any provisions which are repetitive of state law, repetitive of other sections of the Charter or otherwise unnecessary to be in the Charter.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

### Measure A

#### Article II

~~The city may exercise all powers of local self-government not inconsistent with the Constitution or the laws of this state or by special limitations in this charter, and has all powers and authority possible for a city to have under the Constitution and laws of this state, as fully and completely as though all such powers and authority were specifically enumerated in this Charter. The city may exercise all powers of local self-government not inconsistent with the Constitution or the laws of this state or by special limitations in this charter, and has all powers and authority possible for a city to have under the Constitution and laws of this state, as fully and completely as though all such powers and authority were specifically enumerated in this Charter. The City shall have all the powers granted to cities by the Constitution and laws of the State of Texas together with all of the implied powers necessary to carry into execution such granted powers. The city may use a corporate seal; may sue and be sued; may contract and be contracted with; may cooperate with the government of the State of Texas or any agency or any political subdivision thereof; or with the federal government or any agency thereof, to accomplish any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety and convenience of the city and its inhabitants; may acquire property within or without its corporate limits for any municipal purpose in fee simple, or in any lesser interest or estate, by purchase, gift, devise, lease or condemnation, and, subject to the provisions of this Charter, may sell, lease, mortgage, hold, manage, improve, and control such property as may now or hereafter be owned by it; may exercise the power of eminent domain when necessary or desirable to carry out any of its powers; may pass ordinances and enact such regulations as may be expedient for the maintenance of good government, order and peace of the city and the welfare, health, morals, comfort, safety, and convenience of its inhabitants. The powers hereby conferred upon the city shall include, but are not restricted to, the powers conferred expressly and permissively by Chapter 147, page 307, of the Acts of the 33rd Legislature, Regular Session enacted in 1913 pursuant to the Home Rule Amendment of the Constitution of Texas, known as the Enabling Act and including Articles, 1175, 1176, 1177, 1178, and 1180 of Vernon's Annotated Civil Statutes of Texas, as now or hereafter amended, all of which are hereby adopted. In addition to the powers enumerated herein, and subject only to the limitations imposed by the State Constitution, the state laws, and this Charter, the city shall have without the necessity of express enumeration in this Charter, each and every power which, by virtue of Article XI, Section 5 of the Constitution of Texas, the people of the city are empowered by election to grant to or confer upon the city by expressly and specifically granting and enumerating the same herein. The city council may by ordinance annex territory lying adjacent to the city with or without the consent of the inhabitants in such territory of the owners thereof, not inconsistent with the procedural rules prescribed by law applicable to the citizens operating under charter adopted or amended under Article XI,~~



~~Section 5 of the Constitution of the State of Texas . All such powers, whether expressed or implied, shall be exercised and enforced in the same manner prescribed by this Charter; or when not prescribed herein, in such manner as shall be provided by ordinance or the council.~~

~~The City has the power to spend taxpayer money to construct and maintain streets, roads, highways, bike trails, sidewalks and mass transit facilities, except that .No taxpayer money may be spent on or contractually pledged to any passenger train project unless a public bus line shall have first demonstrated a need for train service by having 500 intercity boardings in Elgin per weekday, averaged over three months, connecting to the City of Austin.~~

## **Article VIII**

### **Sec. 9. Franchise Records.**

~~Within six (6) months after this Charter takes effect, every public service company and every owner of a public service company franchise shall file with the city certified copies of all franchises owned or claimed, or under which such public service company is operated. The city shall compile and maintain a public record of public service company franchises.~~

## **Article X**

### **Sec. 7. Personal Financial Interests.**

The Mayor, council members, candidates for mayor or city council, and other officials and employees of the city shall not have a substantial interest, either directly or indirectly, in any contract, job, work or service to the city, including the sale or lease of any real or personal property by or to the city

"Substantial interest" is defined as 1) owning 10 percent or more of the voting stock or shares of a business entity or owning either 10 percent or more or \$5,000.00 or more of the fair market value of a business entity, or 2) if the funds received by person from the city exceed 10 percent of the person's gross income for the previous year, or 3) if a person has an equitable or legal ownership on real or personal property of \$2,500.00 or more. A person is considered to have a substantial interest if a person is related to the mayor, council member, candidate for mayor or city council, or an officer or employee of the city in the first degree by consanguinity or affinity, ~~as determined under Article 5996h V.A.T.S.~~

If a mayor, councilmember or candidate for mayor or city council knowingly violates this section, he or she shall immediately forfeit his or her office

### **Proposition B**

Amendments to the City Elgin Charter for compliance with state law.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

### **Measure B**

## **Article III**

1       **Sec. 3. Official Ballots.**

2       A. *Names on Ballot.* ~~The full names of all candidates nominated for office, except~~  
3 ~~those who have withdrawn, died or become ineligible, shall be printed on the official ballots~~  
4 ~~without party designation or symbol. If two (2) or more candidates have the same surname or~~  
5 ~~surnames so similar as to be likely to cause confusion, their residence addresses shall be~~  
6 ~~printed with their names on the ballot. A candidate's name shall be printed on the ballot with~~  
7 ~~the given name or initials first, followed by a nickname, if any, followed by the surname, in~~  
8 ~~accordance with this section.~~

9       (a) A person may use any surname acquired by law or marriage.

10      (b) In combination with the surname, a candidate may use one or more of the following:

11          (1) a given name;

12          (2) a contraction or familiar form of a given name by which the candidate is known;

13          or

14          (3) an initial of a given name.

15      (c) A nickname of one unhyphenated word of not more than 10 letters by which the  
16 candidate has been commonly known for at least three years preceding the election may be  
17 used in combination with a candidate's name. A nickname that constitutes a slogan or  
18 otherwise indicates a political, economic, social, or religious view or affiliation may not be  
19 used. A nickname may not be used unless the candidate executes and files with the  
20 application for a place on the ballot an affidavit indicating that the nickname complies with  
21 this subsection.

22      (d) A suffix such as "Sr.," "Jr.," or "2nd" may be used in combination with a candidate's  
23 name.

24      (e) A married woman or widow may use in combination with her surname, if the same  
25 as her husband's surname, the given name or initials of her husband with the prefix "Mrs."

26  
27       **Sec. 4. Canvassing and Election Results: Mayor and Ward Positions for Wards**  
28 **Numbers 1, 2, 3 and 4.**

29       The following provisions set forth in this section shall apply with regard to elections to fill  
30 the offices of Mayor, Councilmen from Ward No. 1, Councilmen from Ward No. 2,  
31 Councilmen from Ward No. 3 and Councilmen from Ward No. 4.

32       A.       Conducting and Canvassing Elections. The election judges and other necessary  
33 election officials for conducting all the elections shall conduct the elections, determine, record  
34 and report the results as provided by the Texas Election Laws. ~~Within five (5) days or as soon~~  
35 ~~as practical after an election, the council shall meet, open the returns, canvass and officially~~  
36 ~~declare the result of the election as to candidates and questions, and the Mayor shall issue~~  
37 ~~certificates of election to candidates elected as hereinbefore provided. City Council shall~~  
38 ~~convene to conduct the canvass at the time set by the Mayor, which shall be not later than the~~  
39 ~~11th day after election day and not earlier than the later of:~~

40          (1) the third day after election day;

(2) the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or

(3) the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

B. Majority Vote. A majority vote for an elective office is that number of votes which is greater than one-half ( $\frac{1}{2}$ ) of the total number of valid ballots cast for the office concerned. Any candidate for elective office who receives a majority vote shall be declared elected. If none of the candidates for an elective position receives a majority vote, none of such candidates shall be elected.

C. Notification and Taking Office. It shall be the duty of the city secretary to notify all persons elected. A candidate who is elected in the regular city election or special election shall take office and enter upon his duties after qualifying by taking and subscribing to his oath of office at the next regular council meeting after closing of the polls.

D. Run-Off Election. In the event no candidate for these elective offices receives a majority of the votes cast for that position in a regular or special election, a run-off election shall be held between the candidates receiving the greatest number of votes. Such run-off election shall be held the date designated by the Secretary of State within thirty (30) days following the preceding regular or special election.

## **Article VII**

### **Sec. 2. Budget.**

The budget shall be finally adopted not later than three (3) calendar days prior to the end of the fiscal year by the favorable votes of at least a majority of all members of the council. ~~Should the council take no final action on or prior to such day on a proposed budget which has been timely and duly submitted by the city manager, the budget, as submitted, shall be deemed to have been adopted by the council.~~ In the event the city manager fails to timely submit a proposed budget as provided herein, the council may cause the same to be prepared by someone else and may consider and adopt the same.

## **Article IX**

### **Sec. 12. Submission to Voters of Initiative or Referred Petitions.**

If the council shall fail to pass an ordinance proposed by initiative petition in the exact form proposed, or it fails to repeal a referred ordinance, the initiated or referred ordinance shall be submitted to the voters on the first authorized uniform election date authorized by law not less than thirty (30) days no more than ninety (90) days from the date the council takes its final vote thereon, or upon the next official election date, as authorized by state law, should an official election date not fall within the designated time specified.

## **Proposition C**

1 Amendments to the City of Elgin Charter to provide for greater clarity as to intent and to  
2 simplify the language for ease of understanding as to eligibility for file for office.

3 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

4  
5 **Measure C**

6 **Article III**

7 **Sec. 2. Filing for Office.**

8 A. Eligibility to File. Candidates for an elective city office shall meet the following  
9 qualifications.

10 1. Shall be a qualified voter of the city.

11 2. Candidates for mayor shall reside for at least twelve (12) months immediately  
12 preceding the election within the corporate limits of the city, including territory  
13 annexed prior to the filing deadline.

14 Candidates for ~~council~~ Wards shall reside for at least twelve (12) months  
15 immediately preceding the election and within the Ward from which they are  
16 seeking election ~~corporate limits of the city, including territory annexed prior to the~~  
17 ~~filing deadline.~~

18 3. An incumbent councilmember may not file for mayor until after tendering a  
19 resignation to the City Secretary prior to filing his/her application for Mayor.

20 4. No candidate's name may appear on the ballot for more than one (1) position per  
21 election.

22  
23 **Proposition D**

24 An amendment to the City of Elgin Charter to eliminate the requirement that a public bus line  
25 shall have first demonstrated a need for train service by having 500 intercity boardings in Elgin  
26 per weekday, averaged over three months, connecting to the City of Austin before taxpayer money  
27 may be spent on or contractually pledged to any passenger train project.

28 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

29  
30 **Measure D**

31 **Article II**

32 The City shall have all the powers granted to cities by the Constitution and laws of the State  
33 of Texas together with all of the implied powers necessary to carry into execution such granted  
34 powers. The city may use a corporate seal; may sue and be sued; may contract and be contracted  
35 with; may cooperate with the government of the State of Texas or any agency or any political  
36 subdivision thereof; or with the federal government or any agency thereof, to accomplish any  
37 lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety and

1 convenience of the city and its inhabitants; may acquire property within or without its corporate  
2 limits for any municipal purpose in fee simple, or in any lesser interest or estate, by purchase, gift,  
3 devise, lease or condemnation, and, subject to the provisions of this Charter, may sell, lease,  
4 mortgage, hold, manage, improve, and control such property as may now or hereafter be owned  
5 by it; may exercise the power of eminent domain when necessary or desirable to carry out any of  
6 its powers; may pass ordinances and enact such regulations as may be expedient for the maintenance  
7 of good government, order and peace of the city and the welfare, health, morals, comfort, safety,  
8 and convenience of its inhabitants. The powers hereby conferred upon the city shall include, but  
9 are not restricted to, the powers conferred expressly and permissively by Chapter 147, page 307,  
10 of the Acts of the 33rd Legislature, Regular Session enacted in 1913 pursuant to the Home Rule  
11 Amendment of the Constitution of Texas, known as the Enabling Act and including Articles, 1175,  
12 1176, 1177, 1178, and 1180 of Vernon's Annotated Civil Statutes of Texas, as now or hereafter  
13 amended, all of which are hereby adopted. In addition to the powers enumerated herein, and subject  
14 only to the limitations imposed by the State Constitution, the state laws, and this Charter, the city  
15 shall have without the necessity of express enumeration in this Charter, each and every power  
16 which, by virtue of Article XI, Section 5 of the Constitution of Texas, the people of the city are  
17 empowered by election to grant to or confer upon the city by expressly and specifically granting  
18 and enumerating the same herein. The city council may by ordinance annex territory lying adjacent  
19 to the city with or without the consent of the inhabitants in such territory of the owners thereof,  
20 not inconsistent with the procedural rules prescribed by law applicable to the citizens operating  
21 under charter adopted or amended under Article XI, Section 5 of the Constitution of the State of  
22 Texas . All such powers, whether expressed or implied, shall be exercised and enforced in the  
23 same manner prescribed by this Charter; or when not prescribed herein, in such manner as shall be  
24 provided by ordinance or the council.

25 The City has the power to spend taxpayer money to construct and maintain streets, roads,  
26 highways, bike trails, sidewalks and mass transit facilities, ~~except that no taxpayer money may be~~  
27 ~~spent on or contractually pledged to any passenger train project unless a public bus line shall have~~  
28 ~~first demonstrated a need for train service by having 500 intercity boardings in Elgin per weekday,~~  
29 ~~averaged over three months, connecting to the City of Austin.~~

### 31 **Proposition E**

32 An amendment to the City of Elgin Charter changing the City Council and Mayor's terms of  
33 office from two years to three years.

34 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

### 36 **Measure E**

#### 37 **Article IV**

#### 38 **Sec. 3. Terms of Office.**

39 A. The mayor and eight (8) councilmen shall be elected by a majority vote for ~~two (2)~~ three  
40 (3) year terms and until their successors are elected, qualified and take office in the manner  
41 hereinafter provided. ~~The mayor and one (1) councilman from each ward shall be elected for a two~~  
42 ~~(2)-year term at the regular city election to be held on the 1st Saturday in April of 1986 and at two~~

(2) year intervals thereafter. One (1) councilman from each of the four (4) wards shall be elected at the regular city election to be held on the 1st Saturday in April of 1987 and at two (2) year intervals thereafter.

#### **Sec. 8. Vacancies, Forfeiture, Filling of Vacancies.**

C. Filling of Vacancies. In the event of a vacancy in the City Council, if there are 365 days or more remaining on the term of the vacated Mayoral or City Council position, the City Council shall call a special election to fill such vacancy. If there are less than 365 days remaining in the term of the vacated Mayoral or City Council position, the City Council may, by majority vote of the remaining Councilmembers, at its discretion, appoint a new Mayor or Councilmember to fill such vacancy or call a special election to fill such vacancy. For purposes of transitioning to three (3) year terms, elections for terms ending in 2026 shall be for a three (3) year term and elections for terms ending in 2027 shall be for a three (3) year term. All future terms shall be for three (3) years.

~~When any vacancy occurs on the council for any reason, a special election shall be ordered as soon as practicable and shall be held in accordance with the Texas Election Code; and further providing that, if such vacancy occurs within 90 days of the Next Regular Election, the Council shall not appoint a replacement but if such vacancy occurs at a time greater than 90 days of the next Regular Election, the Council shall appoint a replacement.~~

	Term Expires
Mayor Marvin Carter	April 1986
Councilman Beth L. Hall	April 1986
Councilman Jesse P. Mendez	April 1986
Councilman Eric Carlson	April 1986
Councilman Verdie P. Murphy	April 1986
Councilman Gladys Y. Ward	April 1987
Councilman Gordon Swenson	April 1987
Councilman Rudy Hernandez	April 1987
Councilman Jan Schroeder	April 1987

#### **Proposition F**

An amendment to the City of Elgin Charter requiring council members to reside within the ward from which they are elected during their term of office.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

#### **Measure F**

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1       **Article IV**

2       **Sec. 4. Qualifications.**

3       In addition to any other qualifications prescribed by law, the mayor and each council member  
4 shall meet the conditions of Article III of this Charter while in office, and shall reside within the  
5 city, and within the ward from which they were elected, while in office.

6  
7       **Proposition G**

8       An amendment to the City of Elgin Charter changing the number of meeting absences without  
9 an excuse which results in a forfeiture of office from three (3) consecutive regular meetings to two  
10 (2) consecutive regular meetings.

11       FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

12  
13       **Measure G**

14       **Article IV**

15       **Sec. 8. Vacancies, Forfeiture, Filling of Vacancies.**

16       B. *Forfeiture of Office.* A councilman or the mayor shall forfeit his office if he:

- 17           1. Lacks at any time during his term of office any qualification for the office  
18           prescribed by this Charter or by law;  
19           2. Is convicted of a crime involving moral turpitude; or  
20           3. Fails to attend two (2) ~~three (3)~~ consecutive regular council meetings without being  
21           excused by the council.

22  
23       **Proposition H**

24       An amendment to the City of Elgin Charter requiring the mayor and council members to  
25 recuse themselves from voting on any item where they have a conflict of interest under state law.

26       FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

27  
28       **Measure H**

29       **Article IV**

30       **Sec. 11. Rules of Procedure and Quorum Requirements.**

31       All members of the council present, including the mayor, shall vote upon every resolution or  
32 ordinance, except where there is a conflict of interest under state law, the reason for which shall  
33 be stated concisely.

34  
35       **Proposition I**



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1 An amendment to the City of Elgin Charter requiring the city manager to be evaluated  
2 annually.

3 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_  
4

5 **Measure I**

6 **Article V**

7 **Sec. 1. City Manager.**

8 D. Annual Review. The council shall annually review the performance of the city  
9 manager.  
10

11 **Proposition J**

12 An amendment to the City of Elgin Charter subjecting city council members elected by  
13 Ward to recall by only those citizens within their Ward.

14 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_  
15

16 **Measure J**

17 **Article IX**

18 **Sec. 16. Recall Procedure.**

19 ~~The qualified and registered voters shall have the power to recall any elected or~~  
20 ~~appointed member of the council, and may exercise such power by filing with the city~~  
21 ~~secretary a petition which shall be signed and verified by the same number of signers with~~  
22 ~~the same qualifications and in the same manner required in this Charter for an initiative~~  
23 ~~petition. If the petition is certified by the city secretary to be sufficient, the council shall order~~  
24 ~~and hold an election to determine whether such officer shall be recalled.~~

25 Before the question of recall of such officer shall be submitted to the qualified voters of the  
26 City, a petition demanding such questions to be so submitted shall first be filed with the person  
27 performing the duties of City Secretary. As to the Mayor and Council Members elected at  
28 large, said petition shall be signed by qualified voters of the city equal in number to at least  
29 twenty-five (25) percent of the number of votes cast in the last regular city-wide municipal  
30 election of the City, but in no event less than two hundred (200) such petitioners. As to the  
31 Council Members elected by Ward, said petition shall be signed by qualified voters in such  
32 District equal in number to at least twenty-five (25) percent of the number of votes cast in the  
33 last regular district council municipal election in such Ward, excluding any special elections  
34 or run-off elections. Each signer of such recall petition shall personally sign his name thereto  
35 in ink or indelible pencil, and shall write after his signature his printed name, his place of  
36 residence, giving name of street and number, his county of residence, his voter registration  
37 number, and shall also write thereon the day, the month and year his signature was affixed. A



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1 separate petition shall be circulated with respect to each elected City official whose removal  
2 is sought.

3  
4 **Proposition K**

5 An amendment to the City of Elgin Charter requiring the City Secretary to issue  
6 appropriate blanks to a recall, initiative or referendum petitioners' committee within three  
7 business days after the affidavit of the petitioners' committee is filed.

8 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

9  
10 **Measure K**

11 **Article IX**

12 **Sec. 5. Commencement of Proceedings: Petitioners' Committee and Affidavit.**

13 Any five (5) qualified and registered voters may commence initiative or referendum  
14 proceedings by filing with the city secretary an affidavit stating they will constitute the  
15 petitioners' committee and shall become circulators of the petition, and will be responsible for  
16 filing it in proper form, stating their names and addresses, and specifying the addresses to  
17 which all notices to the committee are to be sent, and setting out in full the proposed initiative  
18 ordinances or citing the ordinance sought to be reconsidered.

19 ~~Immediately~~ Within three business days after the affidavit of the petitioners' committee is  
20 filed, the city secretary shall issue the appropriate blanks to the petitioners' committee.

21  
22 **Proposition I**

23 An amendment to the City of Elgin Charter requiring initiative ordinances adopted or  
24 approved by the electors to be published on the City's website instead of the official  
25 newspaper of the city.

26 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

27  
28 **Measure I**

29 **Sec. 15. Publication of Ordinances.**

30 Initiative ordinances adopted or approved by the electors shall be published on the City's  
31 website for a period of five business days ~~in the official newspaper of the city~~ within thirty  
32 (30) days after certification of the election.

33  
34 **Proposition M**

35 An amendment to the City of Elgin Charter to provide for gender neutrality.

36 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

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**Measure M**

Except where otherwise amended by other approved amendments:

**ARTICLE III.**

**Sec. 2. Filing for Office.**

A. Eligibility to File. Candidates for an elective city office shall meet the following qualifications.

1. Shall be a qualified voter of the city.

2. Candidates for mayor shall reside for at least twelve (12) months immediately preceding the election within the corporate limits of the city, including territory annexed prior to the filing deadline.

Candidates for council shall reside for at least twelve (12) months immediately preceding the election within the corporate limits of the city, including territory annexed prior to the filing deadline.

3. An incumbent councilmember may not file for mayor until after tendering a resignation to the City Secretary prior to filing ~~his/her~~ an application for Mayor.

4. No candidate's name may appear on the ballot for more than one (1) position per election.

**Sec. 4. Canvassing and Election Results: Mayor and Ward Positions for Wards Numbers 1, 2, 3 and 4.**

The following provisions set forth in this section shall apply with regard to elections to fill the offices of Mayor, Councilmen from Ward No. 1, Councilmen from Ward No. 2, Councilmen from Ward No. 3 and Councilmen from Ward No. 4.

*A. Conducting and Canvassing Elections.* The election judges and other necessary election officials for conducting all the elections shall conduct the elections, determine, record and report the results as provided by the Texas Election Laws. Within five (5) days or as soon as practical after an election, the council shall meet, open the returns, canvass and officially declare the result of the election as to candidates and questions, and the Mayor shall issue certificates of election to candidates elected as hereinbefore provided.

*B. Majority Vote.* A majority vote for an elective office is that number of votes which is greater than one-half ( $\frac{1}{2}$ ) of the total number of valid ballots cast for the office concerned. Any candidate for elective office who receives a majority vote shall be declared elected. If none of the candidates for an elective position receives a majority vote, none of such candidates shall be elected.

*C. Notification and Taking Office.* It shall be the duty of the city secretary to notify all persons elected. A candidate who is elected in the regular city election or special election shall take office and enter upon ~~his~~ their duties after qualifying by taking and subscribing to his oath of office at the next regular council meeting after closing of the polls.

1 D. *Run-Off Election*. In the event no candidate for these elective offices receives a majority of  
2 the votes cast for that position in a regular or special election, a run-off election shall be held  
3 between the candidates receiving the greatest number of votes. Such run-off election shall be  
4 held within thirty (30) days following the preceding regular or special election.

5  
6 **ARTICLE IV.**

7 **Sec. 7. Mayor and Mayor Pro-Tem.**

8 The mayor shall be the official head of the city government. He shall be the chairman and  
9 shall preside at all meetings of the council. The mayor may vote on every proposition before  
10 the council but shall have no power of veto. ~~He~~ shall, when directed by the council, sign all  
11 official documents such as ordinances, resolutions, conveyances, grant agreements, official  
12 plats, contracts, and bonds. ~~He~~ shall appoint committees and commission members with the  
13 advice and consent of the council members. ~~He and~~ shall perform such other duties consistent  
14 with this Charter as may be imposed ~~upon him~~ by the council.

15 The mayor pro tem shall be a council member elected by the council at the first regular council  
16 meeting following each regular city election. The mayor pro tem shall act as mayor during  
17 the absence or disability of the mayor and shall have power to perform every act the mayor  
18 could perform if present.

19 **Sec. 8. Vacancies, Forfeiture, Filling of Vacancies.**

20 A. *Vacancies*. The office of a councilman or office of the mayor shall become vacant upon ~~his~~  
21 their death, resignation, removal from office in any manner authorized by law, or forfeiture  
22 of ~~his~~ office.

23 B. *Forfeiture of Office*. A councilman or the mayor shall forfeit ~~his~~ their office if ~~he~~:

- 24 1. Lacks at any time during ~~his~~ the term of office any qualification for the office prescribed  
25 by this Charter or by law;  
26 2. Is convicted of a crime involving moral turpitude; or  
27 3. Fails to attend three (3) consecutive regular council meetings without being excused by the  
28 council.

29 C. *Filling of Vacancies*. When any vacancy occurs on the council for any reason, a special  
30 election shall be ordered as soon as practicable and shall be held in accordance with the Texas  
31 Election Code; and further providing that, if such vacancy occurs within 90 days of the Next  
32 Regular Election, the Council shall not appoint a replacement but if such vacancy occurs at a  
33 time greater than 90 days of the next Regular Election, the Council shall appoint a  
34 replacement.

35 **Sec. 9. Prohibitions.**

36 A. *Holding Other Office*. Except where authorized by law, no mayor or councilman shall hold  
37 any other office or city employment during ~~his~~ their term as mayor or councilman, and no  
38 former mayor or councilman shall hold any compensated appointive city office or

employment or contractual agreement until one year after the expiration of ~~his~~ their term as mayor or councilman.

*B. Appointments and Removals.* Neither the council nor any of its members shall in any manner dictate the appointment or removal of any city administrative officers or employees who the city manager or any ~~of his~~ subordinates are empowered to appoint, but the council may express its views and fully and freely discuss with the city manager anything pertaining to appointment and removal of such officers and employees.

*C. Interference with Administration.* The council or its members shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager, and neither the council nor its members shall give orders to any such officer or employee, either publicly or privately.

#### **Sec. 14. Authentication and Recording, Codification.**

*A. Authentication and Recording.* The city secretary shall authenticate by ~~his~~ their signature and record in full in a properly indexed book kept for the purpose, all ordinances and resolutions adopted by the council. All ordinances shall be categorically filed in the order in which adopted. This record shall be open for public inspection.

*B. Codification.* The Elgin City Code shall be reviewed and revised at least every five (5) years. The council shall repeal and revise any ordinances as may be obsolete or in conflict with this Charter.

### **ARTICLE V.**

#### **Sec. 1. City Manager.**

*A. Appointment and Removal.* The council shall appoint an officer of the city who shall have the title of "city manager," who shall have the powers and perform the duties as provided in this Charter. No mayor or council member shall receive such appointment during the term for which ~~he~~ they shall have been elected or within one (1) year after the expiration of his term.

*B. Qualifications.* The city manager shall be chosen by the council solely on the basis of ~~his~~ executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of ~~his~~ the office. During the as hereinafter during his tenure of office, the City Manager ~~he~~ shall reside within the Elgin Independent School District's boundaries.

*C. Term.* The city manager shall not be appointed for a definite term but may be removed at the discretion of the council, by vote of the majority of the entire council. The action of the council in suspending or removing the city manager shall be final, it being the intention of this Charter to rest all authority and fix all responsibility for such suspension or removal in the city council. During the extended absence or disability of the city manager, the council shall designate some properly qualified person to perform the duties of the office.

#### **Sec. 2. Powers and Duties of the City Manager.**

*A. Appointment and Removal of Employees.* ~~He~~ The City Manager shall appoint and remove any officer or employee of the city except those officers and employees whose appointment or election is otherwise provided for by law of this Charter.

1 B. *Preparation of Budget.* The City Manager shall prepare the budget annually, submit it to  
2 the council and be responsible for its administration after its adoption.

3 C. *Information for the Council.* He shall keep the council informed of the financial condition  
4 of the city and make recommendations on current and future needs of the city as may seem  
5 desirable.

6 1. Prepare and submit a quarterly report to the council on the finances and administrative  
7 activities of each department.

8 2. Prepare and submit to the council at the end of the fiscal year a complete report on the  
9 finances and administrative activities of the city for preceding fiscal year.

10 D. *Delegation to Contract.* The council may, by ordinance, confer upon the City Manager  
11 general authority to contract for budgeted expenditures involving an amount approved by the  
12 Council.

13 E. *Other Responsibilities.* ~~He~~ The City Manager shall perform such other duties as may be  
14 prescribed by the Charter or required of ~~him~~ by the council which are not inconsistent with  
15 the provision of the Charter.

#### 16 **Sec. 4. City Attorney.**

17 The council shall appoint an attorney, or attorneys, licensed to practice law in the State of  
18 Texas, to serve as legal advisor to the city and to all officers and departments of the city. ~~He~~  
19 The city attorney shall represent the city or be responsible for the representation of the city in  
20 all cases; ~~He~~ shall either draft, approve, or file ~~his~~ written legal objections to every ordinance  
21 adopted by the council and ~~he~~ shall pass upon all documents, contracts, and legal instruments  
22 in which the city may have an interest.

#### 23 **Sec. 5. City Secretary.**

24 The city manager, with the consent of council, shall appoint the city secretary and such  
25 assistant city secretaries as may be necessary and advisable. The duties of the city secretary,  
26 or an assistant city secretary, shall include, but not be limited to, the following:

27 1. ~~He shall give~~ Give notice of council meetings.

28 2. Record the minutes of all official meetings of the council; provided, however, only the  
29 captions of duly enacted ordinances and resolutions shall be recorded in the minutes;

30 3. Be the custodian of all official records of the council;

31 4. Recommend to the council rules and regulations to be adopted by ordinances to protect the  
32 safety and security of the municipal records;

33 5. Hold and maintain the city seal and affix to all instruments requiring such seal; and

34 6. ~~He shall perform~~ perform such other duties as the city manager shall assign and those elsewhere  
35 provided for in this Charter. ARTICLE VII. FINANCIAL ADMINISTRATION

#### 36 **Sec. 2. Budget.**

37 The department heads of the city shall prepare annual departmental budget requests for the  
38 ensuing fiscal year as directed by the city manager and submit said requests ~~to him for his~~ to

1 the city manager for review. It shall be the duty of the city manager to submit a balanced  
2 annual budget not later than forty-five (45) days prior to the end of the current fiscal year to  
3 the council for review, consideration, and revision, if desired. The council shall call a public  
4 hearing on the budget in accordance with the state laws.

5 When recommended by the city manager and in the discretion of the city council the budget  
6 may contain a reasonable sum set aside as an unallocated reserve fund, to meet unexpected  
7 and unforeseen contingencies in current operating costs of any budget project.

8 The budget shall be finally adopted not later than three (3) calendar days prior to the end of  
9 the fiscal year by the favorable votes of at least a majority of all members of the council.  
10 Should the council take no final action on or prior to such day on a proposed budget which  
11 has been timely and duly submitted by the city manager, the budget, as submitted, shall be  
12 deemed to have been adopted by the council. In the event the city manager fails to timely  
13 submit a proposed budget as provided herein, the council may cause the same to be prepared  
14 by someone else and may consider and adopt the same.

## 16 **ARTICLE IX.**

### 17 **Sec. 6. Petitions.**

18 *A. Number of Signatures.* Initiative and Referendum petitions must be signed by qualified and  
19 registered voters of the city equal in number to at least twenty-five (25) percent of the number  
20 of votes cast in the last regular municipal election of the city, or two hundred (200), whichever  
21 is greater.

22 *B. Form and Content.* All papers of a petition shall be uniform in size and style and shall be  
23 assembled as one instrument for filing. Each signature shall be dated, and shall be executed  
24 in ink or indelible pencil and shall be followed by ~~his~~ their place of residence by street and  
25 number or other description sufficient to identify the place. Petitions shall contain or have  
26 attached thereto throughout their circulation and [sic] the full text of the ordinance proposed  
27 or sought to be reconsidered.

### 28 **Sec. 7. Affidavit or Circulator.**

29 When filed, each paper of a petition shall have attached to it an affidavit executed by the  
30 circulator thereof stating that the circulator personally circulated the paper, that the signatures  
31 were affixed in ~~his~~ their presence, that ~~he~~ they believes them to be the genuine signatures of  
32 the persons whose names they purport to be, and that each signer had an opportunity before  
33 signing to read the full text of the ordinance proposed or sought to be reconsidered.

### 34 **Sec. 17. Results of Recall Election.**

35 If the majority of the legal votes cast at a recall election be for the recall of the officer named  
36 on the ballot, the council shall immediately declare ~~his~~ the office vacant and such vacancy  
37 shall be filled in accordance with the provisions of this Charter.

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No recall petition shall be filed against any officer within six (6) months after ~~he~~ taking office, and no officer shall be subject to more than one (1) recall election during a term of office.

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1       **Proposition N**

2       An amendment to the City of Elgin Charter to provide for term limits of four consecutive  
3       terms of mayor or council member and eight consecutive combined terms of mayor and  
4       council member.

5       FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

6  
7       **Measure N**

8  
9       Sec. 3. – Terms of Office; Term Limits

10  
11      F. Term Limits

- 12      (1) No person who shall have served four (4) consecutive terms as a councilmember,  
13      either in the same ward or any combination of wards, shall be eligible for election to  
14      the office of councilmember thereafter.
- 15      (2) No person who shall have served four (4) consecutive terms as mayor shall be  
16      eligible for election to the office of mayor thereafter.
- 17      (3) No person who shall have served eight (8) consecutive combined terms as mayor  
18      and councilmember shall be eligible for election to the office of mayor or  
19      councilmember thereafter.
- 20      (4) No person who holds the office of councilmember or mayor when this section  
21      becomes effective shall be barred from subsequent election to the office of  
22      councilmember or mayor by virtue of any period of office holding prior to the  
23      expiration of the term of office then in effect when this section shall become effective



**ORDENANZA NO. 2025-08-05-13**

**UNA ORDENANZA DE LA CIUDAD DE ELGIN, TEXAS, QUE CONVOCA A UNA ELECCIÓN ESPECIAL EL 4 DE NOVIEMBRE DE 2025, CON EL PROPÓSITO DE ENMENDAR LA CARTA DE AUTONOMÍA DE LA CIUDAD Y QUE DISPONE SOBRE OTROS ASUNTOS RELACIONADOS CON DICHA ELECCIÓN MUNICIPAL**

**CONSIDERANDO QUE**, el 4 de febrero de 2025, el Consejo Municipal (“Consejo”) creó una comisión de revisión de la carta orgánica (“CRC”) y nombró personas a dicha comisión, encargándola de revisar y proponer enmiendas a la Carta de Autonomía ; y

**CONSIDERANDO QUE**, la CRC recomienda ciertas enmiendas a la Carta de Autonomía de la Ciudad; y

**CONSIDERANDO QUE**, el Consejo ahora considera que es de interés público que los votantes de la Ciudad de Elgin, conforme a la Sección 9.004 del Código de Gobierno Local de Texas, voten sobre ciertas enmiendas a la Carta de Autonomía de la Ciudad, en forma de proposiciones, en la próxima fecha uniforme de elecciones que se celebrará el 4 de noviembre de 2025.

**POR LO TANTO, SE ORDENA POR EL CONSEJO DE LA CIUDAD DE ELGIN, CONDADOS DE BASTROP Y TRAVIS, TEXAS, QUE:**

**Sección 1. Elección Especial Ordenada.**

Se llevará a cabo una elección especial para enmendar la carta de autonomía de la Ciudad el lunes 4 de noviembre de 2025, entre las 7:00 A.M. y las 7:00 P.M., conforme a esta Ordenanza y Orden de Elección, la Carta de Autonomía de la Ciudad y la legislación estatal aplicable.

**Sección 2. Votación Anticipada.**

**Votación Anticipada.** la votación anticipada se llevará a cabo en persona en los lugares de votación anticipada y lugares de votación temporales designados por el Administrador de Elecciones del Condado de Bastrop y el Administrador del Condado de Travis, conforme a la legislación estatal y aprobados por las Cortes de Comisionados de los Condados de Bastrop y Travis, como se indica en los Anexos “B-1” y “B-2” adjuntos al presente documento.

**Horarios para la Votación Anticipada.** Durante el período en que la ley requiere o permite la votación anticipada, que comenzará el lunes 20 de octubre de 2025 y continuará hasta el viernes 31 de octubre de 2025, los horarios designados para la votación anticipada en persona serán establecidos por escrito por los Administradores de Elecciones de los Condados de Bastrop y Travis.

**Sección 3. Medidas y Propositiones.**

Las medidas en forma de sus respectivas proposiciones serán sometidas a los votantes calificados de la Ciudad en la elección especial, conforme a lo dispuesto en el Anexo C, adjunto al presente documento, de acuerdo con la Sección 9.004 del Código de Gobierno Local de Texas y otras leyes aplicables y la carta orgánica.

#### **Sección 4. Renumeración de la Carta Orgánica**

La Carta Orgánica será renumerada de manera coherente con las enmiendas aprobadas.

#### **Sección 5. Cláusula de Separabilidad.**

Las disposiciones de esta ordenanza son separables; y en caso de que una o más de sus disposiciones, o su aplicación a alguna persona o circunstancia, se considere inválida, inconstitucional o ineficaz, las disposiciones restantes de esta ordenanza seguirán siendo válidas, y la aplicación de cualquier disposición inválida a personas o circunstancias distintas de aquellas a las que se declare inválida no se verá afectada. Por moción debidamente hecha, secundada y aprobada con el voto afirmativo de los miembros del Consejo Municipal presentes, se eximió el requisito de lectura de esta ordenanza.

**LEÍDA, APROBADA Y ADOPTADA** en primera lectura el día 5 de agosto de 2025.

  
THERESA Y. MCSHAN  
Alcalde, Ciudad DE Elgin, Texas

Attest:

  
PEYTON STANDIFER  
Secretaria Municipal



## **ANEXO A**

### **ORDEN DE ELECCIÓN ESPECIAL CIUDAD DE ELGIN, TEXAS**

Por la presente se ordena la celebración de una elección el martes 4 de noviembre de 2025, con el propósito de votar sobre la enmienda a la Carta de Autonomía de la Ciudad.

Para los votantes del Condado de Bastrop, la votación anticipada en persona se llevará a cabo en los lugares designados por el Administrador de Elecciones del Condado de Bastrop y aprobados por la Corte de Comisionados del Condado de Bastrop, todos los cuales se detallan en el Anexo “B-1” adjunto al presente e incorporado aquí como referencia para todos los efectos.

Para los votantes del Condado de Travis, la votación anticipada en persona se llevará a cabo en los lugares designados por el Administrador de Elecciones del Condado de Travis y aprobados por la Corte de Comisionados del Condado de Travis, todos los cuales se detallan en el Anexo “B-2” adjunto al presente e incorporado aquí como referencia para todos los efectos.

Para los votantes del Condado de Bastrop, las solicitudes para boletas por correo deben enviarse por correo a:

Kristin Miles  
Administradora de Elecciones del Condado de Bastrop  
804 Pecan Street  
Bastrop, TX 78602

Para los votantes del Condado de Bastrop, una solicitud completa y escaneada de boleta por correo que contenga una firma original puede enviarse electrónicamente a [elections@co.bastrop.tx.us](mailto:elections@co.bastrop.tx.us).

Para los votantes del Condado de Travis, las solicitudes para boletas por correo deben enviarse por correo a:

Travis County Early Voting Clerk  
PO Box 149325  
Austin, TX 78714-9325

Para los votantes del Condado de Travis, una solicitud completa y escaneada de boleta por correo que contenga una firma original puede enviarse electrónicamente a: [ebbm@traviscountytexas.gov](mailto:ebbm@traviscountytexas.gov).

Las solicitudes para boletas por correo deben recibirse a más tardar al cierre de operaciones del viernes 24 de octubre de 2025.

Las solicitudes para boletas federales tipo tarjeta postal (Federal Post Card Applications) deben recibirse a más tardar al cierre de operaciones del viernes 24 de octubre de 2025.

Emitida este día cinco de agosto de 2025.

  
THERESA Y. MCSHAN, Alcalde  
Ciudad de Elgin, Texas

# 2025 SPECIAL ELECTION

## -EARLY VOTING LOCATIONS, DATES AND TIMES-

EXHIBIT B-1

### MAIN EARLY VOTING LOCATION

- ❖ Bastrop County Courthouse Annex, 804 Pecan St., Lower Level, Conference Room, Bastrop

### BRANCH EARLY VOTING LOCATIONS

- ❖ Smithville Recreation Center, 106 Royston St., Smithville
- ❖ Bastrop County Cedar Creek Annex, 5785 FM 535, Cedar Creek
- ❖ North Bastrop County Community Annex, 704 Bull Run, Elgin

**October 20, 2025 - October 31, 2025**

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	20	21	22	23	24	25
	8am – 5pm	8am – 5pm	8am – 5pm	8am – 5pm	8am – 5pm	9am – 12pm
	27	28	29	30	31	
	8am – 5pm	8am – 5pm	8am – 5pm	7am – 7pm	7am – 7pm	

## -ELECTION DAY POLLING LOCATIONS-

### 7am - 7pm

**TUESDAY, NOVEMBER 4, 2025**

**On Election Day, a voter may vote at any of the locations listed below:**

- ❖ Aqua Water Supply, 401 Old Austin Hwy., Bastrop
- ❖ River Valley Christian Fellowship, 1224 W. Hwy 71, Bastrop
- ❖ Bastrop County Courthouse Annex, 804 Pecan St., Bastrop
- ❖ Paige Community Center, 107 S. Main St., Paige
- ❖ Bastrop County Community Center, 15 American Legion Dr., Bastrop
- ❖ Smithville Rec Center, 106 Royston St., Smithville
- ❖ Rosanky Community Center, 135 Main St., Rosanky
- ❖ Bastrop County Cedar Creek Annex, 5785 FM 535, Cedar Creek
- ❖ Red Rock Community Center, 114 Red Rock Rd., Red Rock
- ❖ North Bastrop County Community Annex, 704 Bull Run, Elgin
- ❖ Faith Lutheran Church, 230 Waco St., McDade
- ❖ Family Worship Center, 2425 FM 1704, Elgin

**ELECCIONES ESPECIALES DE 2025****- LUGARES DE VOTACIÓN ANTICIPADA, FECHAS Y HORARIOS -****SITIO PRINCIPAL DE VOTACIÓN ADELANTADA**

❖ Bastrop County Courthouse Annex, 804 Pecan St., Lower Level, Conference Room, Bastrop

**SUCURSAL SITIOS DE VOTACIÓN ADELANTADA**

❖ Smithville Recreation Center, 106 Royston St., Smithville

❖ Bastrop County Cedar Creek Annex, 5785 FM 535, Cedar Creek

❖ North Bastrop County Community Annex, 704 Bull Run, Elgin

**20 de octubre de 2025 – 31 de octubre de 2025**

DOMINGO	LUNES	MARTES	MIÉRCOLES	JUEVES	VIERNES	SÁBADO
	20	21	22	23	24	25
	8am – 5pm	8am – 5pm	8am – 5pm	8am – 5pm	8am – 5pm	9am – 12pm
	27	28	29	30	31	
	8am – 5pm	8am – 5pm	8am – 5pm	7am – 7pm	7am – 7pm	

**- LUGARES DE VOTACIÓN EL DÍA DE LAS ELECCIONES -**  
**7am - 7pm**

**MARTES 4 DE NOVIEMBRE DE 2025**

**El día de las elecciones, un votante puede votar en cualquiera de los lugares que se enumeran a continuación:**

- ❖ Aqua Water Supply, 401 Old Austin Hwy., Bastrop
- ❖ River Valley Christian Fellowship, 1224 W. Hwy 71, Bastrop
- ❖ Bastrop County Courthouse Annex, 804 Pecan St., Bastrop
- ❖ Paige Community Center, 107 S. Main St., Paige
- ❖ Bastrop County Community Center, 15 American Legion Dr., Bastrop
- ❖ Smithville Rec Center, 106 Royston St., Smithville
- ❖ Rosanky Community Center, 135 Main St., Rosanky
- ❖ Bastrop County Cedar Creek Annex, 5785 FM 535, Cedar Creek
- ❖ Red Rock Community Center, 114 Red Rock Rd., Red Rock
- ❖ North Bastrop County Community Annex, 704 Bull Run, Elgin
- ❖ Faith Lutheran Church, 230 Waco St., McDade

**ANEXO "B-2"**

**PRECINTOS Y CENTROS DE VOTACIÓN DEL DÍA DE LA ELECCIÓN EN EL  
CONDADO DE TRAVIS**

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\*En la fecha en que se emitió la Orden de Elección, el Condado de Travis aún no había determinado los precintos y centros de votación para el Día de la Elección. Tan pronto como esta información esté disponible por parte del Condado de Travis, se adjuntará como Anexo "B-2" a esta Orden de Elección.

## EXHIBIT C

### Proposition A

An amendment to the City Elgin Charter revising and deleting any provisions which are repetitive of state law, repetitive of other sections of the Charter or otherwise unnecessary to be in the Charter.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

### Measure A

#### Article II

~~The city may exercise all powers of local self-government not inconsistent with the Constitution or the laws of this state or by special limitations in this charter, and has all powers and authority possible for a city to have under the Constitution and laws of this state, as fully and completely as though all such powers and authority were specifically enumerated in this Charter. The city may exercise all powers of local self government not inconsistent with the Constitution or the laws of this state or by special limitations in this charter, and has all powers and authority possible for a city to have under the Constitution and laws of this state, as fully and completely as though all such powers and authority were specifically enumerated in this Charter. The City shall have all the powers granted to cities by the Constitution and laws of the State of Texas together with all of the implied powers necessary to carry into execution such granted powers. The city may use a corporate seal; may sue and be sued; may contract and be contracted with; may cooperate with the government of the State of Texas or any agency or any political subdivision thereof, or with the federal government or any agency thereof, to accomplish any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety and convenience of the city and its inhabitants; may acquire property within or without its corporate limits for any municipal purpose in fee simple, or in any lesser interest or estate, by purchase, gift, devise, lease or condemnation, and, subject to the provisions of this Charter, may sell, lease, mortgage, hold, manage, improve, and control such property as may now or hereafter be owned by it; may exercise the power of eminent domain when necessary or desirable to carry out any of its powers; may pass ordinances and enact such regulations as may be expedient for the maintenance of good government, order and peace of the city and the welfare, health, morals, comfort, safety, and convenience of its inhabitants. The powers hereby conferred upon the city shall include, but are not restricted to, the powers conferred expressly and permissively by Chapter 147, page 307, of the Acts of the 33rd Legislature, Regular Session enacted in 1913 pursuant to the Home Rule Amendment of the Constitution of Texas, known as the Enabling Act and including Articles, 1175, 1176, 1177, 1178, and 1180 of Vernon's Annotated Civil Statutes of Texas, as now or hereafter amended, all of which are hereby adopted. In addition to the powers enumerated herein, and subject only to the limitations imposed by the State Constitution, the state laws, and this Charter, the city shall have without the necessity of express enumeration in this Charter, each and every power which, by virtue of Article XI, Section 5 of the Constitution of Texas, the people of the city are empowered by election to grant to or confer upon the city by expressly and specifically granting and enumerating the same herein. The city council may by ordinance annex territory lying adjacent to the city with or without the consent of the inhabitants in such territory of the owners thereof, not inconsistent with the procedural rules prescribed by law applicable to the citizens operating under charter adopted or amended under Article XI,~~



~~Section 5 of the Constitution of the State of Texas . All such powers, whether expressed or implied, shall be exercised and enforced in the same manner prescribed by this Charter; or when not prescribed herein, in such manner as shall be provided by ordinance or the council.~~

~~The City has the power to spend taxpayer money to construct and maintain streets, roads, highways, bike trails, sidewalks and mass transit facilities, except that .No taxpayer money may be spent on or contractually pledged to any passenger train project unless a public bus line shall have first demonstrated a need for train service by having 500 intercity boardings in Elgin per weekday, averaged over three months, connecting to the City of Austin.~~

## **Article VIII**

### **~~Sec. 9. Franchise Records.~~**

~~Within six (6) months after this Charter takes effect, every public service company and every owner of a public service company franchise shall file with the city certified copies of all franchises owned or claimed, or under which such public service company is operated. The city shall compile and maintain a public record of public service company franchises.~~

## **Article X**

### **Sec. 7. Personal Financial Interests.**

The Mayor, council members, candidates for mayor or city council, and other officials and employees of the city shall not have a substantial interest, either directly or indirectly, in any contract, job, work or service to the city, including the sale or lease of any real or personal property by or to the city

"Substantial interest" is defined as 1) owning 10 percent or more of the voting stock or shares of a business entity or owning either 10 percent or more or \$5,000.00 or more of the fair market value of a business entity, or 2) if the funds received by person from the city exceed 10 percent of the person's gross income for the previous year, or 3) if a person has an equitable or legal ownership on real or personal property of \$2,500.00 or more. A person is considered to have a substantial interest if a person is related to the mayor, council member, candidate for mayor or city council, or an officer or employee of the city in the first degree by consanguinity of affinity,~~as determined under Article 5996h V.A.T.S.~~

If a mayor, councilmember or candidate for mayor or city council knowingly violates this section, he or she shall immediately forfeit his or her office

## **Proposition B**

Amendments to the City Elgin Charter for compliance with state law.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

## **Measure B**

## **Article III**

1       **Sec. 3. Official Ballots.**

2           A. *Names on Ballot.* ~~The full names of all candidates nominated for office, except~~  
3 ~~those who have withdrawn, died or become ineligible, shall be printed on the official ballots~~  
4 ~~without party designation or symbol. If two (2) or more candidates have the same surname or~~  
5 ~~surnames so similar as to be likely to cause confusion, their residence addresses shall be~~  
6 ~~printed with their names on the ballot.~~ A candidate's name shall be printed on the ballot with  
7 the given name or initials first, followed by a nickname, if any, followed by the surname, in  
8 accordance with this section.

9           (a) A person may use any surname acquired by law or marriage.

10          (b) In combination with the surname, a candidate may use one or more of the following:

11               (1) a given name;

12               (2) a contraction or familiar form of a given name by which the candidate is known;

13               or

14               (3) an initial of a given name.

15          (c) A nickname of one unhyphenated word of not more than 10 letters by which the  
16 candidate has been commonly known for at least three years preceding the election may be  
17 used in combination with a candidate's name. A nickname that constitutes a slogan or  
18 otherwise indicates a political, economic, social, or religious view or affiliation may not be  
19 used. A nickname may not be used unless the candidate executes and files with the  
20 application for a place on the ballot an affidavit indicating that the nickname complies with  
21 this subsection.

22          (d) A suffix such as "Sr.," "Jr.," or "2nd" may be used in combination with a candidate's  
23 name.

24          (e) A married woman or widow may use in combination with her surname, if the same  
25 as her husband's surname, the given name or initials of her husband with the prefix "Mrs."

26  
27       **Sec. 4. Canvassing and Election Results: Mayor and Ward Positions for Wards**  
28 **Numbers 1, 2, 3 and 4.**

29       The following provisions set forth in this section shall apply with regard to elections to fill  
30 the offices of Mayor, Councilmen from Ward No. 1, Councilmen from Ward No. 2,  
31 Councilmen from Ward No. 3 and Councilmen from Ward No. 4.

32       A.       Conducting and Canvassing Elections. The election judges and other necessary  
33 election officials for conducting all the elections shall conduct the elections, determine, record  
34 and report the results as provided by the Texas Election Laws. ~~Within five (5) days or as soon~~  
35 ~~as practical after an election, the council shall meet, open the returns, canvass and officially~~  
36 ~~declare the result of the election as to candidates and questions, and the Mayor shall issue~~  
37 ~~certificates of election to candidates elected as hereinbefore provided.~~ City Council shall  
38 convene to conduct the canvass at the time set by the Mayor, which shall be not later than the  
39 11th day after election day and not earlier than the later of:

40               (1) the third day after election day;

(2) the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or

(3) the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

B. Majority Vote. A majority vote for an elective office is that number of votes which is greater than one-half ( $\frac{1}{2}$ ) of the total number of valid ballots cast for the office concerned. Any candidate for elective office who receives a majority vote shall be declared elected. If none of the candidates for an elective position receives a majority vote, none of such candidates shall be elected.

C. Notification and Taking Office. It shall be the duty of the city secretary to notify all persons elected. A candidate who is elected in the regular city election or special election shall take office and enter upon his duties after qualifying by taking and subscribing to his oath of office at the next regular council meeting after closing of the polls.

D. Run-Off Election. In the event no candidate for these elective offices receives a majority of the votes cast for that position in a regular or special election, a run-off election shall be held between the candidates receiving the greatest number of votes. Such run-off election shall be held the date designated by the Secretary of State, within thirty (30) days following the preceding regular or special election.

## **Article VII**

### **Sec. 2. Budget.**

The budget shall be finally adopted not later than three (3) calendar days prior to the end of the fiscal year by the favorable votes of at least a majority of all members of the council. ~~Should the council take no final action on or prior to such day on a proposed budget which has been timely and duly submitted by the city manager, the budget, as submitted, shall be deemed to have been adopted by the council.~~ In the event the city manager fails to timely submit a proposed budget as provided herein, the council may cause the same to be prepared by someone else and may consider and adopt the same.

## **Article IX**

### **Sec. 12. Submission to Voters of Initiative or Referred Petitions.**

If the council shall fail to pass an ordinance proposed by initiative petition in the exact form proposed, or it fails to repeal a referred ordinance, the initiated or referred ordinance shall be submitted to the voters on the first authorized uniform election date authorized by law not less than thirty (30) days no more than ninety (90) days from the date the council takes its final vote thereon, or upon the next official election date, as authorized by state law, should an official election date not fall within the designated time specified.

## **Proposition C**

Amendments to the City of Elgin Charter to provide for greater clarity as to intent and to simplify the language for ease of understanding as to eligibility for file for office.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

## **Measure C**

### **Article III**

#### **Sec. 2. Filing for Office.**

A. Eligibility to File. Candidates for an elective city office shall meet the following qualifications.

1. Shall be a qualified voter of the city.
2. Candidates for mayor shall reside for at least twelve (12) months immediately preceding the election within the corporate limits of the city, including territory annexed prior to the filing deadline.

Candidates for council Wards shall reside for at least twelve (12) months immediately preceding the election and within the Ward from which they are seeking election ~~corporate limits of the city, including territory annexed prior to the filing deadline.~~

3. An incumbent councilmember may not file for mayor until after tendering a resignation to the City Secretary prior to filing his/her application for Mayor.
4. No candidate's name may appear on the ballot for more than one (1) position per election.

## **Proposition D**

An amendment to the City of Elgin Charter to eliminate the requirement that a public bus line shall have first demonstrated a need for train service by having 500 intercity boardings in Elgin per weekday, averaged over three months, connecting to the City of Austin before taxpayer money may be spent on or contractually pledged to any passenger train project.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

## **Measure D**

### **Article II**

The City shall have all the powers granted to cities by the Constitution and laws of the State of Texas together with all of the implied powers necessary to carry into execution such granted powers. The city may use a corporate seal; may sue and be sued; may contract and be contracted with; may cooperate with the government of the State of Texas or any agency or any political subdivision thereof; or with the federal government or any agency thereof, to accomplish any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety and

convenience of the city and its inhabitants; may acquire property within or without its corporate limits for any municipal purpose in fee simple, or in any lesser interest or estate, by purchase, gift, devise, lease or condemnation, and, subject to the provisions of this Charter, may sell, lease, mortgage, hold, manage, improve, and control such property as may now or hereafter be owned by it; may exercise the power of eminent domain when necessary or desirable to carry out any of its powers; may pass ordinances and enact such regulations as may be expedient for the maintenance of good government, order and peace of the city and the welfare, health, morals, comfort, safety, and convenience of its inhabitants. The powers hereby conferred upon the city shall include, but are not restricted to, the powers conferred expressly and permissively by Chapter 147, page 307, of the Acts of the 33rd Legislature, Regular Session enacted in 1913 pursuant to the Home Rule Amendment of the Constitution of Texas, known as the Enabling Act and including Articles, 1175, 1176, 1177, 1178, and 1180 of Vernon's Annotated Civil Statutes of Texas, as now or hereafter amended, all of which are hereby adopted. In addition to the powers enumerated herein, and subject only to the limitations imposed by the State Constitution, the state laws, and this Charter, the city shall have without the necessity of express enumeration in this Charter, each and every power which, by virtue of Article XI, Section 5 of the Constitution of Texas, the people of the city are empowered by election to grant to or confer upon the city by expressly and specifically granting and enumerating the same herein. The city council may by ordinance annex territory lying adjacent to the city with or without the consent of the inhabitants in such territory of the owners thereof, not inconsistent with the procedural rules prescribed by law applicable to the citizens operating under charter adopted or amended under Article XI, Section 5 of the Constitution of the State of Texas . All such powers, whether expressed or implied, shall be exercised and enforced in the same manner prescribed by this Charter; or when not prescribed herein, in such manner as shall be provided by ordinance or the council.

The City has the power to spend taxpayer money to construct and maintain streets, roads, highways, bike trails, sidewalks and mass transit facilities, ~~except that no taxpayer money may be spent on or contractually pledged to any passenger train project unless a public bus line shall have first demonstrated a need for train service by having 500 intercity boardings in Elgin per weekday, averaged over three months, connecting to the City of Austin.~~

### **Proposition E**

An amendment to the City of Elgin Charter changing the City Council and Mayor's terms of office from two years to three years.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

### **Measure E**

#### **Article IV**

#### **Sec. 3. Terms of Office.**

A. The mayor and eight (8) councilmen shall be elected by a majority vote for ~~two (2)~~ three (3) year terms and until their successors are elected, qualified and take office in the manner hereinafter provided. ~~The mayor and one (1) councilman from each ward shall be elected for a two (2)-year term at the regular city election to be held on the 1st Saturday in April of 1986 and at two~~

~~(2) year intervals thereafter. One (1) councilman from each of the four (4) wards shall be elected at the regular city election to be held on the 1st Saturday in April of 1987 and at two (2) year intervals thereafter.~~

**Sec. 8. Vacancies, Forfeiture, Filling of Vacancies.**

C. Filling of Vacancies. In the event of a vacancy in the City Council, if there are 365 days or more remaining on the term of the vacated Mayoral or City Council position, the City Council shall call a special election to fill such vacancy. If there are less than 365 days remaining in the term of the vacated Mayoral or City Council position, the City Council may, by majority vote of the remaining Councilmembers, at its discretion, appoint a new Mayor or Councilmember to fill such vacancy or call a special election to fill such vacancy. For purposes of transitioning to three (3) year terms, elections for terms ending in 2026 shall be for a three (3) year term and elections for terms ending in 2027 shall be for a three (3) year term. All future terms shall be for three (3) years.

~~When any vacancy occurs on the council for any reason, a special election shall be ordered as soon as practicable and shall be held in accordance with the Texas Election Code; and further providing that, if such vacancy occurs within 90 days of the Next Regular Election, the Council shall not appoint a replacement but if such vacancy occurs at a time greater than 90 days of the next Regular Election, the Council shall appoint a replacement.~~

	Term Expires
Mayor Marvin Carter	April 1986
Councilman Beth L. Hall	April 1986
Councilman Jesse P. Mendez	April 1986
Councilman Eric Carlson	April 1986
Councilman Verdie P. Murphy	April 1986
Councilman Gladys Y. Ward	April 1987
Councilman Gordon Swenson	April 1987
Councilman Rudy Hernandez	April 1987
Councilman Jan Schroeder	April 1987

**Proposition F**

An amendment to the City of Elgin Charter requiring council members to reside within the ward from which they are elected during their term of office.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

**Measure F**

1       **Article IV**

2       **Sec. 4. Qualifications.**

3       In addition to any other qualifications prescribed by law, the mayor and each council member  
4 shall meet the conditions of Article III of this Charter while in office, and shall reside within the  
5 city, and within the ward from which they were elected, while in office.

6  
7       **Proposition G**

8       An amendment to the City of Elgin Charter changing the number of meeting absences without  
9 an excuse which results in a forfeiture of office from three (3) consecutive regular meetings to two  
10 (2) consecutive regular meetings.

11       FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

12  
13       **Measure G**

14       **Article IV**

15       **Sec. 8. Vacancies, Forfeiture, Filling of Vacancies.**

16       B. *Forfeiture of Office.* A councilman or the mayor shall forfeit his office if he:

- 17           1. Lacks at any time during his term of office any qualification for the office  
18           prescribed by this Charter or by law;  
19           2. Is convicted of a crime involving moral turpitude; or  
20           3. Fails to attend two (2) three (3) consecutive regular council meetings without being  
21           excused by the council.

22  
23       **Proposition H**

24       An amendment to the City of Elgin Charter requiring the mayor and council members to  
25 recuse themselves from voting on any item where they have a conflict of interest under state law.

26       FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

27  
28       **Measure H**

29       **Article IV**

30       **Sec. 11. Rules of Procedure and Quorum Requirements.**

31       All members of the council present, including the mayor, shall vote upon every resolution or  
32 ordinance, except where there is a conflict of interest under state law, the reason for which shall  
33 be stated concisely.

34  
35       **Proposition I**



1 An amendment to the City of Elgin Charter requiring the city manager to be evaluated  
2 annually.

3 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

4  
5 **Measure I**

6 **Article V**

7 **Sec. 1. City Manager.**

8 D. Annual Review. The council shall annually review the performance of the city  
9 manager.

10  
11 **Proposition J**

12 An amendment to the City of Elgin Charter subjecting city council members elected by  
13 Ward to recall by only those citizens within their Ward.

14 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

15  
16 **Measure J**

17 **Article IX**

18 **Sec. 16. Recall Procedure.**

19 ~~The qualified and registered voters shall have the power to recall any elected or~~  
20 ~~appointed member of the council, and may exercise such power by filing with the city~~  
21 ~~secretary a petition which shall be signed and verified by the same number of signers with~~  
22 ~~the same qualifications and in the same manner required in this Charter for an initiative~~  
23 ~~petition. If the petition is certified by the city secretary to be sufficient, the council shall order~~  
24 ~~and hold an election to determine whether such officer shall be recalled.~~

25 Before the question of recall of such officer shall be submitted to the qualified voters of the  
26 City, a petition demanding such questions to be so submitted shall first be filed with the person  
27 performing the duties of City Secretary. As to the Mayor and Council Members elected at  
28 large, said petition shall be signed by qualified voters of the city equal in number to at least  
29 twenty-five (25) percent of the number of votes cast in the last regular city-wide municipal  
30 election of the City, but in no event less than two hundred (200) such petitioners. As to the  
31 Council Members elected by Ward, said petition shall be signed by qualified voters in such  
32 District equal in number to at least twenty-five (25) percent of the number of votes cast in the  
33 last regular district council municipal election in such Ward, excluding any special elections  
34 or run-off elections. Each signer of such recall petition shall personally sign his name thereto  
35 in ink or indelible pencil, and shall write after his signature his printed name, his place of  
36 residence, giving name of street and number, his county of residence, his voter registration  
37 number, and shall also write thereon the day, the month and year his signature was affixed. A



1 separate petition shall be circulated with respect to each elected City official whose removal  
2 is sought.

3  
4 **Proposition K**

5 An amendment to the City of Elgin Charter requiring the City Secretary to issue  
6 appropriate blanks to a recall, initiative or referendum petitioners' committee within three  
7 business days after the affidavit of the petitioners' committee is filed.

8 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_  
9

10 **Measure K**

11 **Article IX**

12 **Sec. 5. Commencement of Proceedings: Petitioners' Committee and Affidavit.**

13 Any five (5) qualified and registered voters may commence initiative or referendum  
14 proceedings by filing with the city secretary an affidavit stating they will constitute the  
15 petitioners' committee and shall become circulators of the petition, and will be responsible for  
16 filing it in proper form, stating their names and addresses, and specifying the addresses to  
17 which all notices to the committee are to be sent, and setting out in full the proposed initiative  
18 ordinances or citing the ordinance sought to be reconsidered.

19 ~~Immediately~~ Within three business days after the affidavit of the petitioners' committee is  
20 filed, the city secretary shall issue the appropriate blanks to the petitioners' committee.  
21

22 **Proposition I**

23 An amendment to the City of Elgin Charter requiring initiative ordinances adopted or  
24 approved by the electors to be published on the City's website instead of the official  
25 newspaper of the city.

26 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_  
27

28 **Measure I**

29 **Sec. 15. Publication of Ordinances.**

30 Initiative ordinances adopted or approved by the electors shall be published on the City's  
31 website for a period of five business days ~~in the official newspaper of the city~~ within thirty  
32 (30) days after certification of the election.  
33

34 **Proposition M**

35 An amendment to the City of Elgin Charter to provide for gender neutrality.

36 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

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**Measure M**

Except where otherwise amended by other approved amendments:

**ARTICLE III.**

**Sec. 2. Filing for Office.**

A. Eligibility to File. Candidates for an elective city office shall meet the following qualifications.

1. Shall be a qualified voter of the city.

2. Candidates for mayor shall reside for at least twelve (12) months immediately preceding the election within the corporate limits of the city, including territory annexed prior to the filing deadline.

Candidates for council shall reside for at least twelve (12) months immediately preceding the election within the corporate limits of the city, including territory annexed prior to the filing deadline.

3. An incumbent councilmember may not file for mayor until after tendering a resignation to the City Secretary prior to filing ~~his/her~~ an application for Mayor.

4. No candidate's name may appear on the ballot for more than one (1) position per election.

**Sec. 4. Canvassing and Election Results: Mayor and Ward Positions for Wards Numbers 1, 2, 3 and 4.**

The following provisions set forth in this section shall apply with regard to elections to fill the offices of Mayor, Councilmen from Ward No. 1, Councilmen from Ward No. 2, Councilmen from Ward No. 3 and Councilmen from Ward No. 4.

*A. Conducting and Canvassing Elections.* The election judges and other necessary election officials for conducting all the elections shall conduct the elections, determine, record and report the results as provided by the Texas Election Laws. Within five (5) days or as soon as practical after an election, the council shall meet, open the returns, canvass and officially declare the result of the election as to candidates and questions, and the Mayor shall issue certificates of election to candidates elected as hereinbefore provided.

*B. Majority Vote.* A majority vote for an elective office is that number of votes which is greater than one-half ( $\frac{1}{2}$ ) of the total number of valid ballots cast for the office concerned. Any candidate for elective office who receives a majority vote shall be declared elected. If none of the candidates for an elective position receives a majority vote, none of such candidates shall be elected.

*C. Notification and Taking Office.* It shall be the duty of the city secretary to notify all persons elected. A candidate who is elected in the regular city election or special election shall take office and enter upon ~~his~~ their duties after qualifying by taking and subscribing to his oath of office at the next regular council meeting after closing of the polls.

1 D. *Run-Off Election*. In the event no candidate for these elective offices receives a majority of  
2 the votes cast for that position in a regular or special election, a run-off election shall be held  
3 between the candidates receiving the greatest number of votes. Such run-off election shall be  
4 held within thirty (30) days following the preceding regular or special election.

## 6 **ARTICLE IV.**

### 7 **Sec. 7. Mayor and Mayor Pro-Tem.**

8 The mayor shall be the official head of the city government. He shall be the chairman and  
9 shall preside at all meetings of the council. The mayor may vote on every proposition before  
10 the council but shall have no power of veto; ~~He~~ shall, when directed by the council, sign all  
11 official documents such as ordinances, resolutions, conveyances, grant agreements, official  
12 plats, contracts, and bonds; ~~He~~ shall appoint committees and commission members with the  
13 advice and consent of the council members; ~~He and~~ shall perform such other duties consistent  
14 with this Charter as may be imposed ~~upon him~~ by the council.

15 The mayor pro tem shall be a council member elected by the council at the first regular council  
16 meeting following each regular city election. The mayor pro tem shall act as mayor during  
17 the absence or disability of the mayor and shall have power to perform every act the mayor  
18 could perform if present.

### 19 **Sec. 8. Vacancies, Forfeiture, Filling of Vacancies.**

20 A. *Vacancies*. The office of a councilman or office of the mayor shall become vacant upon ~~his~~  
21 their death, resignation, removal from office in any manner authorized by law, or forfeiture  
22 of ~~his~~ office.

23 B. *Forfeiture of Office*. A councilman or the mayor shall forfeit ~~his~~ their office if ~~he~~:

- 24 1. Lacks at any time during ~~his~~ the term of office any qualification for the office prescribed  
25 by this Charter or by law;  
26 2. Is convicted of a crime involving moral turpitude; or  
27 3. Fails to attend three (3) consecutive regular council meetings without being excused by the  
28 council.

29 C. *Filling of Vacancies*. When any vacancy occurs on the council for any reason, a special  
30 election shall be ordered as soon as practicable and shall be held in accordance with the Texas  
31 Election Code; and further providing that, if such vacancy occurs within 90 days of the Next  
32 Regular Election, the Council shall not appoint a replacement but if such vacancy occurs at a  
33 time greater than 90 days of the next Regular Election, the Council shall appoint a  
34 replacement.

### 35 **Sec. 9. Prohibitions.**

36 A. *Holding Other Office*. Except where authorized by law, no mayor or councilman shall hold  
37 any other office or city employment during ~~his~~ their term as mayor or councilman, and no  
38 former mayor or councilman shall hold any compensated appointive city office or

1 employment or contractual agreement until one year after the expiration of ~~his~~ their term as  
2 mayor or councilman.

3 *B. Appointments and Removals.* Neither the council nor any of its members shall in any  
4 manner dictate the appointment or removal of any city administrative officers or employees  
5 who the city manager or any ~~of his~~ subordinates are empowered to appoint, but the council  
6 may express its views and fully and freely discuss with the city manager anything pertaining  
7 to appointment and removal of such officers and employees.

8 *C. Interference with Administration.* The council or its members shall deal with city officers  
9 and employees who are subject to the direction and supervision of the city manager solely  
10 through the city manager, and neither the council nor its members shall give orders to any  
11 such officer or employee, either publicly or privately.

## 12 **Sec. 14. Authentication and Recording, Codification.**

13 *A. Authentication and Recording.* The city secretary shall authenticate by ~~his~~ their signature  
14 and record in full in a properly indexed book kept for the purpose, all ordinances and  
15 resolutions adopted by the council. All ordinances shall be categorically filed in the order in  
16 which adopted. This record shall be open for public inspection.

17 *B. Codification.* The Elgin City Code shall be reviewed and revised at least every five (5)  
18 years. The council shall repeal and revise any ordinances as may be obsolete or in conflict  
19 with this Charter.

## 20 **ARTICLE V.**

### 21 **Sec. 1. City Manager.**

22 *A. Appointment and Removal.* The council shall appoint an officer of the city who shall have  
23 the title of "city manager," who shall have the powers and perform the duties as provided in  
24 this Charter. No mayor or council member shall receive such appointment during the term for  
25 which ~~he~~ they shall have been elected or within one (1) year after the expiration of his term.

26 *B. Qualifications.* The city manager shall be chosen by the council solely on the basis of ~~his~~  
27 executive and administrative qualifications with special reference to his actual experience in,  
28 or his knowledge of, accepted practice in respect to the duties of ~~his~~ the office. During the as  
29 hereinafter during his tenure of office, the City Manager ~~he~~ shall reside within the Elgin  
30 Independent School District's boundaries.

31 *C. Term.* The city manager shall not be appointed for a definite term but may be removed at  
32 the discretion of the council, by vote of the majority of the entire council. The action of the  
33 council in suspending or removing the city manager shall be final, it being the intention of  
34 this Charter to rest all authority and fix all responsibility for such suspension or removal in  
35 the city council. During the extended absence or disability of the city manager, the council  
36 shall designate some properly qualified person to perform the duties of the office.

### 37 **Sec. 2. Powers and Duties of the City Manager.**

38 *A. Appointment and Removal of Employees.* ~~He~~ The City Manager shall appoint and remove  
39 any officer or employee of the city except those officers and employees whose appointment  
40 or election is otherwise provided for by law of this Charter.

1 B. *Preparation of Budget.* The City Manager shall prepare the budget annually, submit it to  
2 the council and be responsible for its administration after its adoption.

3 C. *Information for the Council.* He shall keep the council informed of the financial condition  
4 of the city and make recommendations on current and future needs of the city as may seem  
5 desirable.

6 1. Prepare and submit a quarterly report to the council on the finances and administrative  
7 activities of each department.

8 2. Prepare and submit to the council at the end of the fiscal year a complete report on the  
9 finances and administrative activities of the city for preceding fiscal year.

10 D. *Delegation to Contract.* The council may, by ordinance, confer upon the City Manager  
11 general authority to contract for budgeted expenditures involving an amount approved by the  
12 Council.

13 E. *Other Responsibilities.* ~~He~~ The City Manager shall perform such other duties as may be  
14 prescribed by the Charter or required of ~~him~~ by the council which are not inconsistent with  
15 the provision of the Charter.

#### 16 **Sec. 4. City Attorney.**

17 The council shall appoint an attorney, or attorneys, licensed to practice law in the State of  
18 Texas, to serve as legal advisor to the city and to all officers and departments of the city. ~~He~~  
19 The city attorney shall represent the city or be responsible for the representation of the city in  
20 all cases; ~~He~~ shall either draft, approve, or file ~~his~~ written legal objections to every ordinance  
21 adopted by the council and ~~he~~ shall pass upon all documents, contracts, and legal instruments  
22 in which the city may have an interest.

#### 23 **Sec. 5. City Secretary.**

24 The city manager, with the consent of council, shall appoint the city secretary and such  
25 assistant city secretaries as may be necessary and advisable. The duties of the city secretary,  
26 or an assistant city secretary, shall include, but not be limited to, the following:

27 1. ~~He shall give~~ Give notice of council meetings.

28 2. Record the minutes of all official meetings of the council; provided, however, only the  
29 captions of duly enacted ordinances and resolutions shall be recorded in the minutes;

30 3. Be the custodian of all official records of the council;

31 4. Recommend to the council rules and regulations to be adopted by ordinances to protect the  
32 safety and security of the municipal records;

33 5. Hold and maintain the city seal and affix to all instruments requiring such seal; and

34 6. ~~He shall p~~Perform such other duties as the city manager shall assign and those elsewhere  
35 provided for in this Charter. ARTICLE VII. FINANCIAL ADMINISTRATION

#### 36 **Sec. 2. Budget.**

37 The department heads of the city shall prepare annual departmental budget requests for the  
38 ensuing fiscal year as directed by the city manager and submit said requests ~~to him for his~~ to

1 the city manager for review. It shall be the duty of the city manager to submit a balanced  
2 annual budget not later than forty-five (45) days prior to the end of the current fiscal year to  
3 the council for review, consideration, and revision, if desired. The council shall call a public  
4 hearing on the budget in accordance with the state laws.

5 When recommended by the city manager and in the discretion of the city council the budget  
6 may contain a reasonable sum set aside as an unallocated reserve fund, to meet unexpected  
7 and unforeseen contingencies in current operating costs of any budget project.

8 The budget shall be finally adopted not later than three (3) calendar days prior to the end of  
9 the fiscal year by the favorable votes of at least a majority of all members of the council.  
10 Should the council take no final action on or prior to such day on a proposed budget which  
11 has been timely and duly submitted by the city manager, the budget, as submitted, shall be  
12 deemed to have been adopted by the council. In the event the city manager fails to timely  
13 submit a proposed budget as provided herein, the council may cause the same to be prepared  
14 by someone else and may consider and adopt the same.

## 15 16 **ARTICLE IX.**

### 17 **Sec. 6. Petitions.**

18 *A. Number of Signatures.* Initiative and Referendum petitions must be signed by qualified and  
19 registered voters of the city equal in number to at least twenty-five (25) percent of the number  
20 of votes cast in the last regular municipal election of the city, or two hundred (200), whichever  
21 is greater.

22 *B. Form and Content.* All papers of a petition shall be uniform in size and style and shall be  
23 assembled as one instrument for filing. Each signature shall be dated, and shall be executed  
24 in ink or indelible pencil and shall be followed by ~~his~~ their place of residence by street and  
25 number or other description sufficient to identify the place. Petitions shall contain or have  
26 attached thereto throughout their circulation and [sic] the full text of the ordinance proposed  
27 or sought to be reconsidered.

### 28 **Sec. 7. Affidavit or Circulator.**

29 When filed, each paper of a petition shall have attached to it an affidavit executed by the  
30 circulator thereof stating that the circulator personally circulated the paper, that the signatures  
31 were affixed in ~~his~~ their presence, that ~~he~~ they believes them to be the genuine signatures of  
32 the persons whose names they purport to be, and that each signer had an opportunity before  
33 signing to read the full text of the ordinance proposed or sought to be reconsidered.

### 34 **Sec. 17. Results of Recall Election.**

35 If the majority of the legal votes cast at a recall election be for the recall of the officer named  
36 on the ballot, the council shall immediately declare ~~his~~ the office vacant and such vacancy  
37 shall be filled in accordance with the provisions of this Charter.

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No recall petition shall be filed against any officer within six (6) months after ~~he~~ taking office, and no officer shall be subject to more than one (1) recall election during a term of office.

## 6

## 7

89

1       **Proposition N**

2       An amendment to the City of Elgin Charter to provide for term limits of four consecutive  
3       terms of mayor or council member and eight consecutive combined terms of mayor and  
4       council member.

5       FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

6  
7       **Measure N**

8  
9       Sec. 3. – Terms of Office; Term Limits

10  
11      F. Term Limits

- 12      (1) No person who shall have served four (4) consecutive terms as a councilmember,  
13      either in the same ward or any combination of wards, shall be eligible for election to  
14      the office of councilmember thereafter.
- 15      (2) No person who shall have served four (4) consecutive terms as mayor shall be  
16      eligible for election to the office of mayor thereafter.
- 17      (3) No person who shall have served eight (8) consecutive combined terms as mayor  
18      and councilmember shall be eligible for election to the office of mayor or  
19      councilmember thereafter.
- 20      (4) No person who holds the office of councilmember or mayor when this section  
21      becomes effective shall be barred from subsequent election to the office of  
22      councilmember or mayor by virtue of any period of office holding prior to the  
23      expiration of the term of office then in effect when this section shall become effective