

**ORDINANCE NO. 2021-42**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS INCORPORATING THE RECENTLY ADOPTED CHARTER AMENDMENTS INTO A SINGULAR FORM.**

**WHEREAS**, Chapter 9 of the Texas Local Government Code governs the adoption or amendment of a Home-Rule Charter as authorized by Article XI, Section 5 of the Texas Constitution; and

**WHEREAS**, pursuant to Section 9.003 of the Texas Local Government Code, on May 1, 2021 the proposed city charter amendments for the City of New Braunfels, Texas were submitted to the voters of New Braunfels in a special election; and

**WHEREAS**, on May 1, 2021, the voters of the City of New Braunfels voted to adopt each the proposed city charter amendments; and

**WHEREAS**, the City Council has reviewed and investigated all matters pertaining to this election, including the ordering, notices, election officers, holding, and returns thereof; and

**WHEREAS**, the City Council canvassed the returns of this election on Monday, May 10, 2021, wherein City Council adopted the charter amendments and said amendments became effective immediately; and

**WHEREAS**, the City Council of the City of New Braunfels desires to have a single, incorporated form of the Charter for its citizens and the public.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS THAT:**

**SECTION 1.** The City Council of the City of New Braunfels officially declared that the election was duly and properly ordered, that proper legal notice of such election was duly given in the English language and the Spanish language, that proper election officers were duly appointed prior to the election, that the election was duly and legally held, that all required preclearance submissions were made and that no objections were interposed; that all qualified voters of the City were permitted to vote at the election, that due returns of the results of the election have been made and delivered, and that the City Council of the City has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America and the order calling the election.

**SECTION 2.** A majority of the qualified voters of the City of New Braunfels, Texas, voting in the election voted FOR the adoption of the listed Charter Amendments.

**SECTION 3.** The Mayor of the City was authorized to perform any and all acts necessary to implement the provisions of this canvass in the manner prescribed by law. The Mayor caused

this ordinance, as an appropriate order regarding the charter to be entered into the records of the municipality declaring the charter amendments adopted as prescribed by Section 9.005(b) of the Texas Local Government Code and such shall constitute an authenticated copy of the incorporated charter amendments.

**SECTION 4.** The City Council of the City of New Braunfels hereby adopts Exhibit A, incorporated herein to this ordinance, as the fully incorporated charter amendments into the City's home-rule charter.

**DULY PASSED ON FIRST READING**, on the 24th day of May, 2021 at a regular meeting of the City Council of the City of New Braunfels, Texas, which was held in compliance with the Texas Open Meetings Act, codified in the Texas Government Sections 551.001 *et seq.*, at which meeting a quorum was present and voting.

**DULY PASSED AND APPROVED**, on the 14th day of June, 2021 at a regular meeting of the City Council of the City of New Braunfels, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, *et. Seq.* at which meeting a quorum was present and voting.

CITY OF NEW BRAUNFELS, TEXAS

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Rusty Brockman, Mayor

**ATTEST:**

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Caitlin Krobot, City Secretary

**APPROVED AS TO FORM:**

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Valeria M. Acevedo, City Attorney