

**CITY OF LAGO VISTA, TEXAS  
ORDINANCE NO. 15-11-12-01**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS PROVIDING FOR AN ORDER CANVASSING THE RETURNS OF THE CITY OF LAGO VISTA'S NOVEMBER 3, 2015 SPECIAL ELECTION FOR THE OFFICE OF MAYOR, COUNCIL MEMBER PLACE 1, COUNCIL MEMBER PLACE 3, AND COUNCIL MEMBER PLACE 5, ALL OFFICES OF WHICH ARE ELECTED ON AN AT LARGE BASIS; PROVIDING FOR AN ORDER CANVASSING THE RETURNS OF THE SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO THE DULY QUALIFIED VOTERS OF THE CITY FOR ADOPTION OR REJECTION NINE (9) CHARTER PROPOSED AMENDMENTS TO THE EXISTING CHARTER OF THE CITY .**

**WHEREAS**, on November 3, 2015, a Special Election was held at which the qualified voters of the City had the opportunity to vote for the purpose of electing the hereinafter named officials; and

**WHEREAS**, the qualified voters of the City were also provided the opportunity to vote for the purpose of adoption or rejection of nine (9) proposed amendments to the existing Charter of the City of Lago Vista; and

**WHEREAS**, pursuant to and in compliance with the Texas Election Code, the City Council of the City of Lago Vista is required to canvass the returns of the Special Elections held on November 3, 2015 and the City Council having met to canvass the returns and to declare the results of said election in the manner provided by law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:**

**Section 1. THAT**, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 4,003 valid and legal votes; that each of the candidates in said election received the following votes:

**SPECIAL ELECTION:**

**MAYOR**

Dale "Mitch" Mitchell	600
Rodney Cox	493

**COUNCIL MEMBER PLACE 1**

Richard Raley	756
James "Jimmy" Lyman	277

**COUNCIL MEMBER PLACE 3**

Ed Tidwell	438
Kevin Sullivan	370
Michael Panter	248

**Section 2. THAT**, said election was duly called, that notice of said election was given in accordance with law, and that said election was held in accordance with law; and that **Dale Mitchell** was duly elected to the Office of Mayor; that **Richard Raley** was duly elected to the office of Council Member Place 1; that **Ed Tidwell** was duly elected to the office of Council Member Place 3; and that **Stephanie Smith** was duly elected to the office of Council Member Place 5 at large for the City of Lago Vista, Texas. Said above-named parties are hereby declared duly elected to their said respective offices, subject to the taking of their Oaths of Office as provided by the laws of the State of Texas.

**Section 3. THAT**, for the purpose of determining the adoption or rejection of the proposed amendments to the existing Charter of the City, that there were cast for each of the Propositions the following votes:

**Proposition 1:**

Shall Article III, Section 3.02, Qualifications subsection (b), be amended to remove the words "or annexed area" to conform to state law requirements?

For: 971

Against: 113

**Proposition 2:**

Shall Article III, Section 3.09, Filling Vacancies, be amended to allow the Chairperson of the Planning and Zoning Commission and the Chairperson of the Board of Adjustment, to select Chairpersons from any other standing City Council Committee who, together with any remaining members of the City Council, shall immediately call an election and serve as members of a temporary City Council of not more than five (5) members that shall be able to act and conduct urgent City business in cases where less than a quorum of members of the City Council are able to serve.

**For: 818**

Against: 267

**Proposition 3:**

Shall Article III, Section 3.17, Publication of Ordinances, be amended to require that all ordinances that shall be published in a newspaper of general circulation shall also be posted to the City's website prior to being enrolled and codified into the City's Code of Ordinances as well as the posting of Resolutions, Proclamations, and Official Notices.

**For: 1060**

Against: 47

**Proposition 4:**

Shall Article III, Section 3.22, Transition, of the City Charter directing the method of transition on and after the general City elections held in 2005 and 2006 after approval of the City Charter be deleted and all subsequent sections be renumbered?

**For: 855**

Against: 174

Proposition 5:

Shall Article V, Section 4.01, City Manager, of the City Charter be amended to provide clarification of the administrative duties and responsibilities of the City Manager, clarify that the City Manager is the chief administrative officer, clarify that the City Manager is solely responsible for employment decisions except for the City Secretary, City Attorney and the Police Chief, and clarify that the Mayor and/or City Council do not direct the employees under the City Manager's authority?

**For: 905**

**Against: 179**

Proposition 6:

Shall Article V, Section 5.01, City Elections, of the City Charter be amended to move the City Council election date from May to November and set forth transition terms for Places 2, 4 and 6 to the November election date?

**For: 1003**

**Against: 81**

Proposition 7:

Shall Article VII, Section 7.03, Planning and Zoning Commission, of the City Charter be amended to remove the specific duties, terms and make-up of the Planning and Zoning Commission from the Charter and allow those to be established solely by ordinance?

**For: 754**

**Against: 293**

Proposition 8:

Shall Article VII, Section 7.05, Roads and Grounds Committee, be deleted in its entirety from the Charter and all subsequent sections be renumbered, allowing the City Council by ordinance to determine what other committees it desires or needs to fulfill its duties and responsibilities.

**For: 819**

**Against: 242**

Proposition 9:

Shall Article VII, Section 7.06, Building Committee, be deleted in its entirety from the Charter and all subsequent sections be renumbered, allowing the City Council by ordinance to determine what other committees it desires or needs to fulfill its duties and responsibilities.

**For: 807**

**Against: 256**

**Section 4. THAT,** the City Council further finds that such returns are correct, and adopts them as the returns of the Special Election, that a copy of the Official Cumulative Report

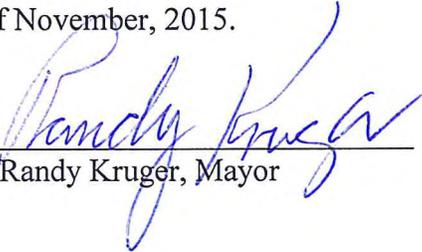
is attached hereto as Exhibit "A" and incorporated herein, and an Official Precinct Report is on file with the office of the City Secretary.

**Section 5. THAT**, the above listed Propositions be declared adopted by the City and the City's Charter shall be amended to reflect the above adopted Propositions.

**Section 6. THAT** it is found that the meeting of the City Council as which this Ordinance was adopted was open to the public and it is further found and determined that in accordance with the Order of this Governing Body that the City Secretary posted written notice of the date, place and subject of this meeting on the Bulletin Board located in the City Hall, a place convenient to the public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the date of this meeting.

**AND, IT IS SO ORDERED.**

**PASSED AND APPROVED** this 12<sup>th</sup> day of November, 2015.

  
Randy Kruger, Mayor

ATTEST:

  
Sandra Barton, City Secretary

On a motion by Council Member Darrel Hunt, seconded by D'Anne Gloris, the above and foregoing ordinance was passed and approved.

11/03/15

**City of Lago Vista, Texas  
November 3, 2015 Special Election  
Final Unofficial Results**

	<u>Early Voting</u>		<u>Election Day</u>		<u>Total Vote</u>	
<b><u>MAYOR</u></b>						
Dale "Mitch" Mitchell	171	59.38%	429	53.29%	600	54.89%
Rodney Cox	<u>117</u>	40.63%	<u>376</u>	46.71%	<u>493</u>	45.11%
Total Votes Counted in this Race:	288		805		1,093	

**COUNCIL MEMBER, PLACE 1, CITY OF LAGO VISTA**

<b>Richard Raley</b>	<b>219</b>	<b>78.21%</b>	<b>537</b>	<b>71.31 %</b>	<b>756</b>	<b>73.18%</b>
James "Jimmy" Lynam	<u>61</u>	21.79%	<u>216</u>	35.96%	<u>277</u>	26.82%
Total Votes Counted in this Race:	280		753		1,033	

**COUNCIL MEMBER, PLACE 3, CITY OF LAGO VISTA**

<b>Ed Tidwell</b>	<b>128</b>	<b>45.55%</b>	<b>310</b>	<b>40.00%</b>	<b>438</b>	<b>41.48%</b>
Kevin Sullivan	99	35.23%	271	34.97%	370	35.04%
Michael Panter	<u>54</u>	19.22%	<u>194</u>	25.03%	<u>248</u>	23.48%
Total Votes Counted in this Race:	281		775		1,056	

11/03/15

**COUNCIL MEMBER, PLACE 5, CITY OF LAGO VISTA**

<b>Stephanie Smith</b>	<b><u>216</u></b>	<b>100.00%</b>	<b><u>605</u></b>	<b>100.00%</b>	<b><u>821</u></b>	<b>100.00%</b>
Total Votes Counted in this Race:	216		605		821	

Unofficial Results  
**Cumulative results for jurisdictions in Travis County**

	<u>Early Voting</u>		<u>Election Day</u>		<u>Total Vote</u>	
<b>PROPOSITION 1, CITY OF LAGO VISTA</b>						
3 of 3 Precincts Reporting						
For	267	93.36%	704	88.22%	971	89.58%
Against	19	6.64%	94	11.78%	113	10.42%
Total Votes Counted in this Race:	<u>286</u>		<u>798</u>		<u>1,084</u>	
<b>PROPOSITION 2, CITY OF LAGO VISTA</b>						
3 of 3 Precincts Reporting						
For	215	74.65%	603	75.66%	818	75.39%
Against	73	25.35%	194	24.34%	267	24.61%
Total Votes Counted in this Race:	<u>288</u>		<u>797</u>		<u>1,085</u>	
<b>PROPOSITION 3, CITY OF LAGO VISTA</b>						
3 of 3 Precincts Reporting						
For	283	96.92%	777	95.34%	1,060	95.75%
Against	9	3.08%	38	4.66%	47	4.25%
Total Votes Counted in this Race:	<u>292</u>		<u>815</u>		<u>1,107</u>	
<b>PROPOSITION 4, CITY OF LAGO VISTA</b>						
3 of 3 Precincts Reporting						
For	235	85.14%	620	82.34%	855	83.09%
Against	41	14.86%	133	17.66%	174	16.91%
Total Votes Counted in this Race:	<u>276</u>		<u>753</u>		<u>1,029</u>	
<b>PROPOSITION 5, CITY OF LAGO VISTA</b>						
3 of 3 Precincts Reporting						
For	234	82.98%	671	83.67%	905	83.49%
Against	48	17.02%	131	16.33%	179	16.51%
Total Votes Counted in this Race:	<u>282</u>		<u>802</u>		<u>1,084</u>	
<b>PROPOSITION 6, CITY OF LAGO VISTA</b>						
3 of 3 Precincts Reporting						
For	271	94.43%	732	91.84%	1,003	92.53%
Against	16	5.57%	65	8.16%	81	7.47%
Total Votes Counted in this Race:	<u>287</u>		<u>797</u>		<u>1,084</u>	
<b>PROPOSITION 7, CITY OF LAGO VISTA</b>						
3 of 3 Precincts Reporting						
For	203	71.73%	551	72.12%	754	72.02%
Against	80	28.27%	213	27.88%	293	27.98%
Total Votes Counted in this Race:	<u>283</u>		<u>764</u>		<u>1,047</u>	
<b>PROPOSITION 8, CITY OF LAGO VISTA</b>						
3 of 3 Precincts Reporting						
For	232	81.40%	587	75.64%	819	77.19%
Against	53	18.60%	189	24.36%	242	22.81%
Total Votes Counted in this Race:	<u>285</u>		<u>776</u>		<u>1,061</u>	
<b>PROPOSITION 9, CITY OF LAGO VISTA</b>						
3 of 3 Precincts Reporting						
For	224	78.32%	583	75.03%	807	75.92%
Against	62	21.68%	194	24.97%	256	24.08%
Total Votes Counted in this Race:	<u>286</u>		<u>777</u>		<u>1,063</u>	