

ORDINANCE NO. O:2024-029

An Ordinance in Accordance with the Del Rio City Charter and State Law Ordering and Calling for a Special Election for the Purpose of Proposing Amendments to the Existing Charter for Adoption or Rejection; Providing Measures and Propositions for Proposed Amendments to the Existing Charter

WHEREAS, the City Council of the City of Del Rio, Texas, in the exercise of the discretion granted by the laws of this State, and in accordance with the provisions of Chapter 9 of the Texas Local Government Code, has determined to submit proposed amendments to the existing Charter of the City of Del Rio at a special election to be held on November 5, 2024; and

WHEREAS, Texas Local Government Code Section 9.004 governs the amendments to a City's Home Rule Charter and the City Council finds it in the best interest to place the measures herein in the form the of the propositions herein on the ballot for the special election.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEL RIO, TEXAS THAT:

Section 1. Order

It is hereby ordered that a special election shall be held in and throughout the corporate limits of the City of Del Rio, Texas on Tuesday, November 5, 2024, for the purpose of submitting the proposed amendments to the existing charter of the City of Del Rio.

Section. 2. Joint Election

The election shall be held as a joint election pursuant to the joint election agreement between the County of Val Verde and the City of Del Rio and such other political subdivisions as may be participating in the joint election. Pursuant to the joint election agreement, the Val Verde County Clerk shall serve as the election administrator for the election and shall appoint such election officials as may be required by law, according to the terms of the joint election agreement.

Section 2. Election Precincts

The following Municipal Election Precincts for the aforesaid regular election are hereby designated as follows:

- a. Election Polling Location No. 1 shall comprise that territory situated within the City of Del Rio and included in Val Verde County Election Precincts 10, 10B, 11, 12, and 13.
- b. Election Polling Location No. 2 shall comprise that territory situated within the City of Del Rio and included in Val Verde County Election Precincts 20, 21, 22, 22B, 23, and 24.
- c. Election Polling Location No. 3 shall comprise that territory situated within the City of Del Rio and included in Val Verde County Election Precincts 30, 30B, 31, and 33.
- d. Election Polling Location No. 3 shall comprise that territory situated within the City of Del Rio and included in Val Verde County Election Precincts 40, and 41.

Ordinance Relating to City Charter Amendments

The City Council Districts shall be the same as those established and fully described in Ordinance No. O: 2002-07B. Said ordinance is codified in Section 2-29 of the Del Rio Code of Ordinances and is incorporated herein by reference for all purposes.

Section 3. Time and Polling Places

The polls in the aforesaid election herein called shall be open from 7:00 a.m. to 7:00 p.m.

The polling places are Polling Location 1, the Joe Ramos Facility-1105 W. De La Rosa St.; Polling Location 2, the Del Rio Civic Center, 1915 Veterans Blvd.; Polling Location 3, North Side Baptist Church- 1100 Amistad Blvd.; and Polling Location 4., St. Joseph's Catholic Church-510 Wernett St.

The polling places are subject to change in accordance with a general election for state and county officers.

Section 4. Appointment of Election Judges

Election Judges will be determined and appointed by the Election Administrator. The appointments shall be for the single elections specified herein.

Section 5. Election Officers

The maximum number of election clerks for Polling Location No. 1 is hereby established as seven (7); the maximum number of election clerks for Polling Location 2 is hereby established as seven (7); the maximum number of election clerks for Polling Location 3 is hereby established as seven (7); and the maximum number of election clerks for the Early Voting Ballot Board is hereby established as six (6). Each Judge and clerk shall be compensated at the rate of \$12.00 per hour. A judge who delivers the returns of the election and performs such other services as provided in Section 32.092 of the Texas Election Code shall also receive an additional one-time sum of \$25.00.

Section 6. Early Voting

- a. Early Voting by Personal Appearance -Voting Period - Polling Places. The early voting period shall commence at 8:00 a.m. on October 21, 202 and shall end at 7:00 p.m. on November 1, 2024. Early voting by personal appearance at the main early polling place shall be conducted on *weekdays* of the early voting period and during the hours of 8:00 a.m. to 5:00 p.m. beginning October 21, 2024 through October 25, 2024, and on *weekdays* during the hours of 7:00 a.m. to 7:00 p.m. beginning October 28, 2024 through November 2, 2024; additional early voting will be held on Saturday, October 26, 2024 during the hours of 7:00 a.m. to 7:00 p.m. and Sunday, October 27, 2024 during the hours of 10:00 a.m. to 4:00 p.m.. The location of the main early polling place shall be the Del Rio Civic Center, located at 1915 Veterans Blvd., Del Rio, Texas.

- b. Early Voting by Mail – The Elections Administrator shall be responsible for the Early Voting applications with ballots. The City Secretary is directed to forward applications and ballots immediately upon receipt to the Elections Administrator designated in the joint election agreement.

Section 7. Notice of City Election and Order of Election

The Mayor of the City of Del Rio, Texas is hereby authorized and directed to cause notice of the special election ordered herein to be given in accordance with the requirements of Article III, Section 40 of the Del Rio City Charter and the Texas Election Code. The Notice of Special Election shall be published in accordance with the provisions of the Texas Election Code. Further, the Mayor of the City of Del Rio is hereby authorized and directed to sign the Order of Election for Municipalities as prescribed by the Texas Election Code.

Section 8. Statutory Requirements for Preparation of Ballots

Each amendment must contain only one subject, and the ballot shall be prepared in a manner that the voters may vote “for” or “against” any amendment or amendments without voting “for” or “against” all amendments.

Section 9. Effect of Election Results

Each proposed amendment, if approved by the majority of qualified voters voting at this special election, shall become a part of the Charter of the City of Del Rio, Texas.

Section 10. Direct Recording Electronic Voting Machines

A direct recording electronic voting machine shall be used for voting at each of the foregoing election precincts as mandated by the Texas Election Code and the Help America Vote Act which requires that at least one voting system be equipped for individuals with disabilities at each polling place so that individuals can vote independently and privately.

Section 11. Effective Date

This Ordinance shall become effective immediately after its final passage.

Section 12. PROPOSITIONS AND MEASURES

The following measures shall be submitted to the qualified voters of the City at the Special Election in the form of the associated propositions in accordance with Section 9.004 of the Texas Local Government Code and other applicable laws:

Proposition A

An amendment to the City of Del Rio Charter to delete any provisions which are repetitive of state law, repetitive of other sections of the Charter and otherwise unnecessary to be in the Charter?

FOR _____ AGAINST _____

Measure A

Section 3. General powers of the city.

The city shall have all the powers granted to municipal corporations and to cities by the constitution and general and special laws of the State of Texas, together with all the implied powers necessary to carry into execution all the powers granted. ~~The city may acquire any character of property within or without its corporate limits for any city or corporate purpose or purposes in fee simple or any lesser interest or estate, by purchase, gift, devise, lease, or condemnation, and may sell, lease, mortgage, hold, manage and control such property as its interests may require; and, except as prohibited by the constitution or laws of this state or restricted by this charter, the city shall and may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever. The city may use a corporate seal; may sue and be sued, may contract and be contracted with, may implead and be impleaded in all courts and places and in all matters whatever; may cooperate with the government of the State of Texas or any agency thereof, the Federal Government or any agency thereof, or any political subdivision of the State of Texas, to accomplish any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety and convenience of the city or its inhabitants; and may pass such ordinances as may be expedient for maintaining and promoting the peace, welfare and government of the city, and for the performance of the functions thereof. The enumeration of particular powers by this charter shall not be deemed to be exclusive, and in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such powers, it is intended that the city shall have, and may exercise, all powers of local self government, and all powers enumerated in or authorized by the constitution, statutes and general laws of the State of Texas, it would be competent for this charter specifically to enumerate.~~

Section 5. Eminent domain.

The city shall have the power of eminent domain where necessary or desirable to execute any power conferred upon it by this charter, or by the constitution and laws of the State of Texas. ~~Such power may be exercised in any manner authorized by the constitution and general laws of the State of Texas and as may be prescribed by ordinance. The right of eminent domain may be exercised by the city to acquire either private or public property within or without the corporate limits of the city for any public purpose authorized by law, upon payment of just compensation for the property so acquired. The city, acting hereunder, may condemn the fee or any lesser interest in the property taken.~~

Section 17. Powers.

~~The city shall have the full power of local self government as provided for in the constitution and laws of the State of Texas and this charter. All such powers of the city shall be vested in the city council except as otherwise provided by law and by this charter, and the council shall provide for the exercise of such powers and for the performance of all duties and obligations of the city.~~

Section 31.1. City auditor.

~~There may be appointed by the city council a city auditor, who shall serve at the pleasure of the city council. The auditor shall report to the council and have such duties, responsibilities, and staff as determined by ordinance including the responsibility to conduct, or cause to be conducted, financial, performance, investigative, and other audits. The city auditor shall assist the city council in establishing accountability and in improving city system and service delivery.~~

Section 48. Qualifications of attorney and assistants.

The attorney and the attorney's assistants shall be members in good standing of the State Bar of Texas.

~~Section 56. Date of final adoption; failure to adopt.~~

~~The budget for the ensuing fiscal year shall be finally adopted as required by state law.~~

~~Section 57. Effective date of budget; certification; copies made available.~~

~~Upon final adoption, the budget shall be in effect for the budget year. A copy of the budget, as finally adopted, shall be filed with the city secretary, and shall be made publicly available as required by state law.~~

~~Section 58. Budget establishes appropriations.~~

~~From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes therein named.~~

~~Section 59. Budget establishes amount to be raised by property tax.~~

~~From the effective date of the budget, the amount stated therein as the amount to be raised by property tax shall constitute a determination of the amount of the levy for the purposes of the city, in the corresponding tax year, subject, however, to the limitations of this charter and the constitution and laws of the State of Texas.~~

~~Section 74. Division of purchases; purchasing agent.~~

~~A division of purchases shall be established, the chief of which shall be the city purchasing agent who shall be the city manager or be designated by the city manager. The division of purchases, pursuant to rules and regulations established by ordinance, shall contract for, purchase, store and distribute all supplies, materials and equipment required by any office, department or agency of the city.~~

- ~~(1) Establish and enforce specifications with respect to supplies, materials, and equipment required by the city.~~
- ~~(2) Inspect or supervise the inspection of all deliveries of supplies, materials, and equipment, and determine their quality, quantity, and conformance with specifications.~~
- ~~(3) Have charge of such general storerooms and warehouses as the council may provide by ordinance.~~
- ~~(4) Transfer to or between offices, departments or agencies; or with the approval of the council, sell surplus, obsolete, or unused supplies, material[s] and equipment.~~
- ~~(5) Cause a running inventory to be kept showing receipts and disbursements of materials, supplies and equipment.~~

~~Section 75. Sale of city personal property; procedure.~~

~~Any sale or contract for the sale of any personal or real property belonging to the city shall conform to the requirements in state law.~~

~~Section 76. Purchasing procedure; competitive bidding.~~

~~All purchases or contract for supplies, materials, equipment or contractual services shall be completed in compliance with state law.~~

~~Section 77. Contracts for public works projects.~~

~~All contracts for public works projects shall be executed in writing upon approval of the city manager except that where such a contract calls for the expenditure of city funds in an amount in excess of that amount for which competitive bidding is required by state law, the same must be approved by the city council prior to its execution. Any contract in which the city is a party shall conform to applicable requirements of state law.~~

~~State law reference(s) — Purchasing and contracting, V.T.C.A., Local Government Code ch. 252.~~

~~Section 78. Accounting control of purchases.~~

~~All purchases made and contracts executed by the division of purchases shall be pursuant to state law.~~

~~Section 79. Disbursement of funds.~~

~~All electronic funds transfers, checks, vouchers or warrants for the withdrawals of money from the city depository shall be prepared by or under the direction of the finance director or his deputy; shall be signed by the city manager or his deputy and shall be countersigned by the city secretary or by some other officer designated by the council by resolution; the signatures of two (2) different persons being required. In the absence of the city manager or his deputy, checks may be signed by the city secretary and countersigned by some other persons designated by the council by resolution, the signatures of two (2) different persons being required.~~

~~No payment of any claim in connection with city purchases shall be made unless such claim shall be evidenced by an itemized account or invoice and by the required references to purchase orders. Claims so evidenced must be recommended for payment by the head of the office, department, or agency whose appropriation will be charged and must be approved for payment by the city manager or his deputy.~~

~~Section 80. Borrowing in anticipation of property taxes.~~

~~All borrowing of money shall be in accordance with state law.~~

~~Section 81. Borrowing in anticipation of other revenues.~~

~~All borrowing of money shall be in accordance with state law.~~

~~Section 82. Sale of notes; report of sale; other borrowing.~~

~~All notes issued shall be in accordance with state law.~~

~~ARTICLE VIII. TAX ADMINISTRATION~~

~~Section 83. Department of taxation; assessor and collector.~~

- ~~(a) There shall be a department of taxation, the head of which shall be the city assessor and collector of taxes. The city tax assessor/collector shall have those powers and duties and shall follow those procedures as may be prescribed by a state law and by ordinance. The assessor and collector of taxes shall provide a bond in an amount of not less than two hundred thousand dollars (\$200,000.00) with such surety as the council may require. The premium of such bond shall be paid by the city.~~
- ~~(b) The council may enter into an agreement with the county, school, or any other local district for the assessment and collection of city taxes.~~

- ~~(c) The city shall participate in and with the appraisal district responsible for appraising property subject to city taxes, and shall follow the procedures prescribed by the Texas Property Tax Code (V.T.C.A., § 1.01 et seq.) despite any provisions of this charter to the contrary. The city may enter into contracts with such districts for any lawful purpose.~~

~~Section 84. Property subject to tax; levy and assessment.~~

- ~~(a) The council shall have the power and is hereby authorized to levy, assess, and collect annual taxes not to exceed the maximum limits set by the constitution and laws of the State of Texas as they now exist or as they may be hereafter amended, on each one hundred dollars (\$100.00) assessed valuation of all property having a situs within the corporate limits of the city and not exempt from taxation by the constitution and laws of the State of Texas.~~
- ~~(b) The provisions of the Texas Property Tax Code (V.T.C.A., Tax Code § 1.01 et seq.) shall govern the rendition of property for taxation, collections and delinquencies, split payments, tax liens, seizure of personal property, delinquent tax suits, taxpayer protests and appeals, and all other phases of taxation.~~

~~Section 85. Reserved.~~

~~Editor's note(s) — Section 4 of Ord. No. 98-17, adopted May 5, 1998, deleted § 85 in its entirety. Formerly, § 85 pertained to the board of equalization and derived from § 1 of Ord. No. 81-14, adopted April 28, 1981 and the home rule charter of May 27, 1967.~~

ARTICLE IX. ISSUANCE AND SALE OF BONDS

~~Section 92. Bonds, general obligation.~~

- ~~(a) The city shall have the power, except as prohibited by law, to borrow money by whatever method it may deem to be in the public interest.~~
- ~~(b) The city shall have the power to borrow money on the credit of the city and issue general obligation bonds for permanent public improvements or for any other public purpose not prohibited by the constitution and laws of the State of Texas, and to issue refunding bonds to refund outstanding bonds of the city previously issued. All such bonds shall be issued in conformity with the laws of the State of Texas.~~
- ~~(c) The city shall have the power to borrow money for the purpose of constructing, purchasing, improving, extending or repairing of public utilities, recreational facilities or any other self-liquidating municipal function not prohibited by the constitution and laws of the State of Texas, and to issue revenue bonds to evidence the obligation created thereby. Such bonds shall be a charge upon and payable from the properties, or interest therein, pledged, or the income therefrom, or both. The holders of the revenue bonds shall never have the right to demand payment thereof out of monies raised or to be raised by taxation. All such bonds shall be issued in conformity with the laws of the State of Texas.~~
- ~~(d) Additionally, the city may borrow funds on the credit of the city for a term not to exceed one year provided that such obligations are scheduled to be retired by the end of the budget year in which they were issued.~~

~~Section 93. Election on issuance of bonds.~~

~~All bond elections shall be in accordance with state law.~~

Proposition B

Amendments to the City of Del Rio Charter for consistency with state law?

FOR _____ AGAINST _____

Measure B

Section 29. Procedure for passage of ordinances.

A. The City Council shall legislate by ordinance only, and the enacting clause of every ordinance shall read:

“Be it ordained by the City Council of the City of Del Rio, Texas...”.

B. Each proposed ordinance shall be introduced in the written or printed form required for adoption and shall contain a title or caption that fairly and accurately identifies the subject(s) addressed in the ordinance.

C. Except as otherwise provided for in this Charter, every ordinance shall become effective upon adoption or at any later time(s) specified in the ordinance, except that every penal ordinance imposing any penalty, fine or forfeiture shall become effective only after having the descriptive title or caption of the same published for at least eleven (11) days on the City’s website for at least two days in a newspaper of general circulation within the City.

D. If a majority of the City Council present at a City Council meeting request that an ordinance title and caption or the entirety if an ordinance be read, it shall be read.

~~Every ordinance shall be introduced in written or printed form and, upon passage, shall take effect at the time indicated therein; provided that any ordinance imposing a penalty, fine, or forfeiture for a violation of its provisions shall become effective not less than ten (10) days from the date of its passage. The city secretary shall give notice of the passage of every ordinance imposing a penalty, fine, or forfeiture for a violation of the provisions thereof, by causing the descriptive caption or title, including the penalty of any such ordinance, to be published in the official newspaper in the city once a week for two (2) consecutive weeks after the passage of said ordinance. He shall note on every ordinance, the caption of which is hereby required to be published, and on the record thereof, the fact that same has been published as required by the charter, and the dates of such publication, which shall be prima facie evidence of the legal publication and promulgation of such ordinance; provided, that the provisions of this section shall not apply to the correction, amendment, revision, and codification of the ordinances of the city for publication in book or pamphlet form. Except as otherwise provided in section 117 of this charter, it shall not be necessary to the validity of any ordinance that the caption thereof be read more than one (1) time or considered at more than one (1) session of the city council. Every ordinance shall be authenticated by the signature of the mayor or mayor pro tem and city secretary and shall be systematically recorded in an ordinance book in a manner approved by the council. It shall only be necessary to record the caption or title of ordinances in the minutes or journal of council meetings. The city council shall have power to cause the ordinances of the city to be corrected,~~

~~amended, revised, codified, and printed in code form as often as the council deems advisable, and such printed code, when adopted by the council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. Such code shall be updated by supplement at least every two (2) years. Such printed code shall be admitted in evidence in all courts and places without further proof.~~

Section 34. Voting precincts.

~~The city council shall subdivide the city into convenient election or voting precincts; such election or voting precincts shall be well defined; shall contain approximately the same number of qualified voters; in each precinct there shall be established at least one (1) voting place; and provided that each voter shall vote at the election precinct of his actual residence. There shall be one (1) or more voting precincts in each of the councilperson districts provided for in section 35. No voting precinct boundary shall cross a boundary of any of said councilperson districts.~~

Section 35. Councilperson districts.

There are hereby established three (3) districts to be known as councilperson district number 1, councilperson district number 2, and councilperson district number 3. From each district there shall be elected a district councilperson by a majority vote of the qualified voters voting for district councilperson candidates in the particular district. The city council shall adjust the boundaries of the districts by ordinance at least once every ten (10) years, according to [the] latest available census figures, in order to keep each of the three (3) districts in approximately the same qualified voter strength. ~~The boundaries of said districts shall not cross the boundaries of any of the voting precincts provided for in section 34.~~

Section 37. Mayor and councilperson ballots.

The names of all candidates for the office of mayor or councilperson as hereinbefore provided, except such as may have withdrawn, died or become ineligible, shall be printed on the official ballots without party designations. ~~If two (2) candidates with the same surnames, or with names so similar as to be likely to cause confusion have made application to have a place on the ballot, the addresses of their places of residence shall be placed with their names on the ballot. The order of the names on the ballot shall be determined by lot.~~

Section 39. Vacancies in office of mayor or councilperson.

- (a) When a vacancy occurs from any cause in the office of mayor, councilperson at large or district councilperson, the remaining members of the city council shall call a special election to fill said vacancy pursuant to the requirements of state law.
- (b) ~~In case of vacancies in all of the elective offices at the same time, such vacancies shall be filled by a special election called by the county judge of Val Verde County as provided herein for action by the city council or remaining members of the city council. In the event of a single vacancy in the City Council, if there are 365 days or more remaining on the term of the vacated 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 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.~~

Section 134. Oath of office.

The mayor and each of the councilpersons shall, before entering upon the duties of his office, take and subscribe to the oath of office as required by state law. ~~based upon the one prescribed for elective officers of the state in the constitution of the State of Texas, and appointive officers of the city shall take and subscribe to the oath of office based upon the one prescribed for appointive officers of the state; provided that the city attorney shall prepare the form of the oath of office for elective and appointive officers of the city, which form shall contain all of the essential and applicable elements of the oath of office prescribed for state officers.~~

Proposition C

An amendment to the City of Del Rio Charter to provide for greater clarity as to intent and to simplify the language ease of understanding?

FOR _____ AGAINST _____

Measure C

Section 15. Presiding officer; mayor; mayor pro tem.

The mayor shall preside at meetings of the council and shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law but shall have no regular administrative duties. The mayor shall sign all bonds, time warrants and such other official documents as directed by this charter or by the council and perform such other duties consistent with the office as may be imposed upon him by this charter, and ordinances or resolutions passed in pursuance to the provisions of this charter. The mayor shall be entitled to vote upon all matters considered by the council, but he shall have no veto power. Following each regular biennial election, ~~upon the induction of the newly elected mayor and councilperson into office,~~ the members of the city council shall elect one of the councilpersons to be mayor pro tem.

Section 19. Removal of city manager.

The council may by ~~affirmative~~ a majority vote of ~~a majority of the full~~ city council adopt a resolution removing the manager from office. The action of the council in removing the manager shall be final, it being the intention of this charter to vest all authority and fix all responsibility for such removal in the city council.

Section 43. The city manager; powers and duties.

The city manager shall be the chief executive officer and the head of the administrative branch of the city government. He shall be responsible to the council for the proper administration of all affairs of the city, except as otherwise provided in this charter, and to that end, he shall ~~have power and be required to:~~

- (1) See that the laws and ordinances of the city are enforced.

- (2) Appoint and, ~~when necessary for the good of the service,~~ remove all officers and employees of the city except as otherwise provided by this charter ~~and except as he may authorize the head of the department to appoint and remove subordinates in such department, such appointments being made upon merit alone.~~
- (3) Prepare and submit to the council his recommendations concerning the establishment, and the revision from time to time, of a merit system and personnel policy for city employees.
- (4) Prepare the budget annually and submit it to the council and be responsible for its administration after adoption.
- (5) Prepare and submit to the council as of the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year.
- (6) Keep the council advised of the financial condition and future needs of the city and make such recommendations ~~as may seem to him desirable.~~
- (7) Carry out the program or programs adopted by the council.
- (8) Perform such other duties as may be prescribed by this charter or required of him by the council, ~~not inconsistent with this charter.~~

Section 49. Powers and duties.

The City Council shall appoint a City Attorney for an indefinite term and fix his or her compensation. The City Attorney must be a member of the State Bar of Texas. He or she shall serve as chief legal advisor to the City, including the City Council, and, subject to applicable rules of the State Bar of Texas, the City Manager, supervisors of City departments and other City officers and agencies. He or she shall represent the City in all legal proceedings and shall perform any other duties prescribed by this Charter, ordinances of the City, or State laws. The City Council may retain an additional attorney or attorneys for the City when the City Attorney is absent or as other circumstances require. The city attorney shall be the chief legal advisor and attorney for the city. He shall attend all meetings of the council, all advisory board meetings, when designated by the council, unless excused for good cause. He shall give such necessary written opinions as may be requested of him by the council, the city manager, the various departments of the city government, or the chairmen of the various advisory boards appointed by the council. The city attorney or one of his assistants shall represent the city in the prosecution of all cases tried in the municipal court and shall file such suits on behalf of the city or defend the city in all such suits against the city as the need therefor arises and shall have charge of all litigation involving the city in state and federal courts. The city attorney shall approve all ordinances prior to their passage, prepare contracts and other legal instruments for the city, and approve as to form all bonds required to be submitted to the city.

~~The city attorney shall be the chief legal advisor and attorney for the city. He shall attend all meetings of the council, all advisory board meetings, when designated by the council, unless excused for good cause. He shall give such necessary written opinions as may be requested of him by the council, the city manager, the various departments of the city government, or the chairmen of the various advisory boards appointed by the council. The city attorney or one of his~~

~~assistants shall represent the city in the prosecution of all cases tried in the municipal court and shall file such suits on behalf of the city or defend the city in all such suits against the city as the need therefor arises and shall have charge of all litigation involving the city in state and federal courts. The city attorney shall approve all ordinances prior to their passage, prepare contracts and other legal instruments for the city, and approve as to form all bonds required to be submitted to the city.~~

Section 69. Director of finance; powers and duties; city treasurer.

~~The director of finance shall have charge of the administration of the financial affairs of the city and to that end he shall have authority and shall be required to perform such duties as required by state law, set forth in their job description and as otherwise required by the City Manager.~~

- ~~(1) Compile the estimate of revenues and expenditures for the budget as directed by the city manager.~~
- ~~(2) Supervise and be responsible for the disbursement of all moneys and have control over all expenditures to ensure that budget appropriations are not exceeded.~~
- ~~(3) Maintain a general accounting system for the city government and each of its offices, departments, and agencies; keep books for and exercise financial budgetary control over each office, department, and agency; maintain a system of accounting which conforms to the standards set by nationally recognized authorities in the fields of governmental accounting; and require reports of receipts and disbursements from each receiving and spending agency of the city government, to be made daily or at such intervals as he may deem expedient.~~
- ~~(4) Submit to the council through the city manager a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the city.~~
- ~~(5) Prepare, as of the end of each fiscal year, a complete financial statement and report, a summary of which shall be made available to the public.~~
- ~~(6) Supervise the collection of all revenues of the city or for whose collection the city is responsible and receive all money receivable by the city from the state or federal government, or from any court, or from any office, department, or agency of the city.~~
- ~~(7) Serve as ex officio city treasurer, and have custody of all public funds belonging to or under the control of the city, or any office, department, or agency of the city, and deposit all funds coming into his hands in such depositories as may be designated by resolution of the council, or by the city manager, if no such resolution be adopted, subject to the requirements of law as to surety and the payment of interest on deposits, but all such interest shall be the property of the city and shall be accounted for and credited to the proper account; provided that some other officer of the city may by ordinance be designated to perform the duties of treasurer.~~
- ~~(8) Have custody of and be responsible to the council for all investments and invested funds of the city government, or in possession of such government in a fiduciary capacity, and have the safe-keeping of all bonds and notes of the city and the receipt and delivery of city bonds and notes for transfer, registration, or exchange.~~

- (9) ~~Supervise and be responsible for the purchase, storage, and distribution of all supplies, materials, equipment, and other articles used by any office, department, or agency of the city; provided that these duties may be imposed upon some other officer of the city by ordinance.~~
- (10) ~~Approve all proposed expenditures; and unless he shall certify that there is an unencumbered balance of appropriation and available funds, no appropriation shall be encumbered and no expenditure shall be made.~~

Section 71. Accounting supervision and control.

The director of finance shall have power and shall be required to:

- (1) Prescribe the forms of receipts, vouchers, bills or claims to be used by all the offices, departments and agencies of the city.
- (2) Examine and approve all contracts, orders and other documents by which the city incurs financial obligations having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable.
- (3) Audit and approve before payment all bills, invoices, payrolls and other evidence of claims, demands or charges against the city government, and with the advice of the city attorney determine the regularity, legality and correctness of such claims, demands or charges.
- (4) Inspect and audit any accounts or records of financial transactions which may be maintained in any office, ~~department or agency of the city apart from or subsidiary to the accounts kept in his office.~~

Section 112. Ballots and recall election.

- (a) The ballot used in any recall election shall, with respect to each person whose removal is sought, contain the following question: "Shall (name of person) be removed from the office of (name of office) by recall?"
- (b) Immediately below each such question, there shall be printed the following words, one above the other, in the order indicated:

"Yes"

"No"

~~The form of the response to the ballot question stated in subsection (a) hereof, as well as any other matter in connection therewith, shall be determined by the city council in accordance with state law.~~

Proposition D

An amendment to the City of Del Rio Charter to change the limits of Council Member compensation from one hundred dollars to two hundred dollars for attendance upon each regular meeting of the city council?

FOR _____ AGAINST _____

Measure D

Section 14. Compensation of members of the city council.

The compensation of the mayor and of each councilperson shall not exceed ~~one~~ two hundred dollars (\$200.00) for attendance upon each regular meeting of the city council, such compensation to be set by the city council by ordinance. The mayor and council shall be entitled to all expenses necessarily incurred in the performance of their official duties or when officially representing the city when such expenses are authorized and approved by a majority vote of the members of the council.

Proposition E

An amendment to the City of Del Rio Charter to require the City Council to solicit the recommendation of the city manager prior to the adoption of any ordinance creating, changing, or abolishing any offices and departments?

FOR _____ AGAINST _____

Measure E

Section 22. Administrative departments.

The council by ordinance may create, change, and abolish offices and departments. Prior to the adoption of any ordinance creating, changing, or abolishing any offices and departments, the city council shall solicit the recommendation of the city manager on the proposed ordinance, but shall not be prohibited from adopting the ordinance should the city manager fail to make a recommendation or recommend against the adoption of the ordinance. The council by ordinance may, consistent with this charter, define the powers and duties of offices, departments, and agencies.

Proposition F

An amendment to the City of Del Rio Charter to remove the requirement that a city attorney be licensed to practice before the Federal Western District of Texas court as a condition of continued employment with the City?

FOR _____ AGAINST _____

Measure F

Section 48. Qualifications of attorney and assistants.

The attorney and the assistants shall be licensed to practice before the Supreme Court of Texas. ~~shall not be required to be licensed to practice before the United States District Court for the Western District of Texas at the time of their appointment. Within one and one half (1½) years from the date of their appointment, the assistants shall obtain a license to practice before the United States District Court for the Western District of Texas as a condition of their continued employment with the city.~~ The attorney and his assistants shall be members in good standing of the State Bar of Texas.

Proposition G

Shall the City of Del Rio Charter be amended to require the finance director to receive the advice of the city attorney prior to the approval of contracts, orders and other documents by which the city incurs financial obligations?

FOR _____ AGAINST _____

Measure G

Section 71. Accounting supervision and control.

The director of finance shall have power and shall be required to:

- (1) Prescribe the forms of receipts, vouchers, bills or claims to be used by all the offices, departments and agencies of the city.
- (2) Examine and approve all contracts, orders and other documents by which the city incurs financial obligations, with the advice of the city attorney, having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable.
- (3) Audit and approve before payment all bills, invoices, payrolls and other evidence of claims, demands or charges against the city government, and with the advice of the city attorney determine the regularity, legality and correctness of such claims, demands or charges.

- (4) Inspect and audit any accounts or records of financial transactions which may be maintained in any office, department or agency of the city apart from or subsidiary to the accounts kept in his office.

Proposition H

An amendment to the City of Del Rio Charter to require the City Council to, within forty-five (45) days of a vacancy occurring in a position appointed by the City Council, either engage a person or entity to begin the search to permanently fill the vacancy or actively advertise to fill the vacancy?

FOR _____ AGAINST _____

Measure H

Section 137. Filling Council Vacancies Repealed. Appointed

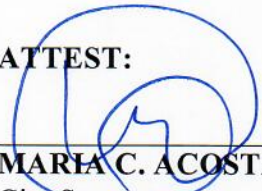
The City Council shall, within forty-five (45) days of a vacancy occurring in a position appointed by the City Council, either engage a person or entity to begin the search to permanently fill the vacancy or actively advertise to fill the vacancy.

PASSED and APPROVED on this 13th day of August 2024



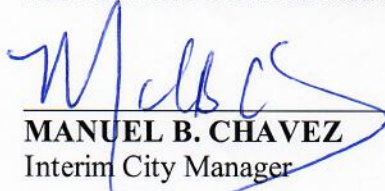
ALVARO ARREOLA
Mayor

ATTEST:



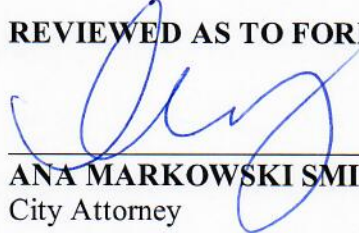
MARIA C. ACOSTA
City Secretary

REVIEWED FOR ADMINISTRATION:



MANUEL B. CHAVEZ
Interim City Manager

REVIEWED AS TO FORM AND LEGALITY:



ANA MARKOWSKI SMITH
City Attorney