

ORDINANCE NO. 11182024-1

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A BOND ELECTION; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City Council (the *Council*) of the City of Merkel, Texas (the *City*) ordered an election to be held on November 5, 2024 for the purpose of determining whether the qualified voters of the City would authorize the issuance of general obligation bonds by the City; and

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

WHEREAS, the Council has diligently inquired into the poll lists and the official election returns which were duly and lawfully made to the Council by the judges and clerks holding and conducting such election; the poll lists and the official election returns showing separately the votes cast in the election; and

WHEREAS, the precinct returns are attached and incorporated for all purposes; and

WHEREAS, from these returns, this Council hereby finds that the following votes were cast in the election by voters who were qualified voters of the City:

PROPOSITION A

The issuance of general obligation bonds in the amount of \$5,100,000 for a fire station and the levy of taxes sufficient to pay the principal of and interest on the bonds.

	For	Against
Early Votes in Person	230	242
Early Votes by Mail (absentee)	12	8
Election Day Votes	252	251
TOTAL	494	501

Under Votes, if any: 28 Total Votes Cast: 995
Provisional Ballots, if any: Counted: 1 Uncounted: 8

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

SECTION 1: The Council officially finds, determines, and declares that the election was properly ordered, that legal notice of such election was properly given, that proper election officers were appointed prior to the election, that the election was legally held, that all qualified voters of the City were permitted to vote at the election, that due returns of the results of the

election had been made and delivered, and that the Council has duly canvassed such returns, all in accordance with state and federal laws and the document calling the election.

SECTION 2: A MAJORITY of the qualified voters of the City of Merkel, Texas voting in such election, having voted AGAINST Proposition A, the Council hereby finds and determines this Proposition failed at the election.

SECTION 3: The recitals contained in the preamble of this Ordinance are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 4: All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

SECTION 5: This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6: If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 7: It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 8: This Ordinance shall be in force and effect from and after its final passage and it is so resolved.

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PASSED, ADOPTED AND APPROVED on November 18, 2024, the date of the canvassing meeting.

CITY OF MERKEL, TEXAS



Mary Schramper
Mayor

ATTEST:



Evelyn Morse
City Secretary

(CITY SEAL)