

A RESOLUTION CANVASSING THE RETURNS AND  
DECLARING THE RESULTS OF THE SPECIAL ELECTION  
HELD MAY 7, 2022, FOR THE PURPOSE OF THE SPECIAL  
ELECTION REGARDING VARIOUS CITY CHARTER  
AMENDMENTS TO THE LIVE OAK CITY CHARTER

**WHEREAS**, Election Code Section 67.003 states that each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not later than the 11th day after election day and not earlier than the third day after election day; and

**WHEREAS**, the City Council of the City of Live Oak created a Charter Review Commission for the purpose of reviewing the City of Live Oak Charter and appointed members to review and recommend revisions to the Charter; and

**WHEREAS**, the Charter Review Commission presented a report, together with proposed changes to the City's Charter to the City Council and the City Council ordered a special election for such recommended revisions to the Charter; and

**WHEREAS**, a special election was held in the City of Live Oak, Texas, on May 7, 2022, for the purpose of proposed Charter Amendments to the Live Oak City Charter in conformity with the election laws of the State of Texas; and

**WHEREAS**, said elections were duly and legally held in conformity with the election laws of the State of Texas, and the results of said elections have been verified and returned by the proper judges and clerks; and

**WHEREAS**, it appears that a total of 645 votes were cast in such elections; and

**WHEREAS**, the City of Live Oak hereby declares the results of such special election.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
LIVE OAK, TEXAS:**

**Section 1.** The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

**Section 2.** The official canvass of the returns of the special election held on May 7, 2022 reflects that the following votes set under the respective Propositions were cast for or against the adoption of the respective Proposition to amend the City of Live Oak Charter:

**Proposition No. B**

FOR/AGAINST Amending the Charter of the City of Live Oak by deleting and amending those provisions which are redundant of state law, duplicative of other sections of the Charter or otherwise unnecessary for placement in the Charter.

FOR 551 AGAINST 81

Total Votes Yes 551 No 81

Under Votes 13 Over Votes 0

**Proposition No. C**

FOR/AGAINST Amending the Charter of the City of Live Oak to require city officials to comply with state law regarding conflicts of interest.

FOR 582 AGAINST 50

Total Votes Yes 582 No 50

Under Votes 13 Over Votes 0

**Proposition No. D**

FOR/AGAINST Amending the City Charter of Live Oak by deleting those provisions which authorize the Mayor to delay the adoption of an ordinance or resolution passed by the City Council.

FOR 429 AGAINST 195

Total Votes Yes 429 No 195

Under Votes 21 Overt Votes 0

**Proposition No. E**

FOR/AGAINST Amending the Charter of Live Oak to allow the municipal judge to set court sessions.

FOR 530 AGAINST 100

Total Votes Yes 530 No 100

Under Votes 15 Over Votes 0

**Proposition No. F**

FOR/AGAINST Amending the Charter of Live Oak to provide for the appointment, suspension, or removal of the municipal court judge, at will, by a majority vote of the city council.

FOR 465 AGAINST 168

Total Votes Yes 465 No 168

Under Votes 12 Over Votes 0

**Proposition No. G**

FOR/AGAINST Amending the Charter of Live Oak to provide that any individual who violates Section 12.02 Prohibitions, of the City Charter, shall be ineligible for a period of five (5) years thereafter to hold any City office or position and, if an officer or employee of the City shall immediately forfeit their office or position. .

FOR 555 AGAINST 73

Total Votes Yes 555 No 73

Under Votes 17 Over Votes 0

**Proposition No. H**

FOR/AGAINST Amending the charter of Live Oak to add a general criminal and civil penalty for violations of the City Charter.

FOR 484 AGAINST 140

Total Votes Yes 484 No 140

Under Votes 21 Over Votes 0

Vote Totals By Precinct

Precinct	Prop B	Prop C	Prop D	Prop E	Prop F	Prop G	Prop H
4054	204	205	204	204	207	203	204
4055	132	132	128	132	131	131	130
4056	235	236	232	233	234	233	229
4100	54	52	53	54	54	54	54
4158	7	7	7	7	7	7	7
4185	0	0	0	0	0	0	0

**Section 3:** The official canvass of the returns of the Special Election held on May 7, 2022, reflects that the following propositions are adopted and approved:

**Proposition No. B**

FOR/AGAINST Amending the Charter of the City of Live Oak by deleting and amending those provisions which are redundant of state law, duplicative of other sections of the Charter or otherwise unnecessary for placement in the Charter.

FOR 551 AGAINST 81

Total Votes Yes 551 No 81

Under Votes 13 Over Votes 0

**Proposition No. C**

FOR/AGAINST Amending the Charter of the City of Live Oak to require city officials to comply with state law regarding conflicts of interest.

FOR 582 AGAINST 50

Total Votes Yes 582 No 50

Under Votes 13 Over Votes 0

**Proposition No. D**

FOR/AGAINST Amending the City Charter of Live Oak by deleting those provisions which authorize the Mayor to delay the adoption of an ordinance or resolution passed by the City Council.

FOR 429 AGAINST 195

Total Votes Yes 429 No 195

Under Votes 21 Overt Votes 0

**Proposition No. E**

FOR/AGAINST Amending the Charter of Live Oak to allow the municipal judge to set court sessions.

FOR 530 AGAINST 100

Total Votes Yes 530 No 100

Under Votes 15 Over Votes 0

**Proposition No. F**

FOR/AGAINST Amending the Charter of Live Oak to provide for the appointment, suspension, or removal of the municipal court judge, at will, by a majority vote of the city council.

FOR 465                      AGAINST 168

Total Votes    Yes 465            No 168

Under Votes   12            Over Votes 0

**Proposition No. G**

FOR/AGAINST        Amending the Charter of Live Oak to provide that any individual who violates Section 12.02 Prohibitions, of the City Charter, shall be ineligible for a period of five (5) years thereafter to hold any City office or position and, if an officer or employee of the City shall immediately forfeit their office or position. .

FOR 555                      AGAINST 73

Total Votes    Yes 555            No 73

Under Votes    17            Over Votes 0

**Proposition No. H**

FOR/AGAINST        Amending the charter of Live Oak to add a general criminal and civil penalty for violations of the City Charter.

FOR 484                      AGAINST 140

Total Votes    Yes 484            No 140

Under Votes   21            Over Votes 0

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

**Section 5.** This Resolution 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 Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

**Section 7.** It is officially found, determined, and declared that the meeting at which this Resolution 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 Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.


**Section 8.** This Resolution shall be in force and effect from and after its final passage, and it

is so resolved.

PASSED and APPROVED this the 17<sup>th</sup> day of May, 2022.

  
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Mary M. Dennis, Mayor

ATTEST:

  
\_\_\_\_\_  
Deborah L. Goza, City Secretary

APPROVED AS TO LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
City Attorney