

ORDINANCE NO. 2025 - 082

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ORDERING A SPECIAL ELECTION FOR PROPOSED UPDATES AND REVISIONS OF THE EXISTING CITY CHARTER, ADDING, AMENDING, AND RESTATING SECTIONS OF THE CITY CHARTER, TO BE PLACED ON THE SPECIAL ELECTION BALLOT ON THE UNIFORM ELECTION DATE FOR NOVEMBER 4, 2025, AND PRESENTED TO THE QUALIFIED VOTERS OF THE CITY OF TEXARKANA, TEXAS; PRESCRIBING THE FORM FOR THE BALLOT PROPOSITIONS; PROVIDING FOR VOTING CENTERS AS ESTABLISHED BY BOWIE COUNTY FOR THE GENERAL ELECTION; PROVIDING FOR EARLY VOTING; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE OF THIS ELECTION; PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Home Rule Charter of the City of Texarkana, Texas, originally adopted in May 1960, and subsequently amended to its present form, contains provisions which need to be clarified or modified to make City operations more efficient and effective; and

WHEREAS, pursuant to Texas Local Government Code Chapter 9, Section 9.004(a), the governing body of a municipality on its own motion may submit a proposed charter amendment to the municipality's qualified voters for their approval at an election; and

WHEREAS, pursuant to Texas Local Government Code Chapter 9, Section 9.004(b), the ordinance ordering the election shall provide for the election to be held on the first authorized uniform election date prescribed by the Election Code or on the earlier of the date of the next municipal general election or presidential general election and the election date must allow sufficient time to comply with other requirements of law and must occur on or after the 30th day after the date the ordinance is adopted; and

WHEREAS, pursuant to Texas Local Government Code Chapter 9, Section 9.004(c), notice of election shall be published in a newspaper of general circulation published in the municipality, the notice must include a substantial copy of the proposed amendment, an estimate of the anticipated fiscal impact to the municipality if the proposed amendment is approved at the election, and be published on the same day in each of two successive weeks, with the first publication occurring before the 14th day before the date of the election; and

WHEREAS, pursuant to Texas Local Government Code Chapter 9, Section 9.004(d), an amendment may not contain more than one subject; and

WHEREAS, pursuant to Texas Local Government Code Chapter 9, Section 9.004(e), the ballot shall be prepared so that a voter may approve or disapprove any one or more amendments without having to approve or disapprove all of the amendments; and

WHEREAS, pursuant to Texas Local Government Code Chapter 9, Section 9.0045, a municipality may not hold an election for voter approval of adding or amending a city charter with certain specific

subject material unless the legislature adopts a resolution approving such material, but no proposed amendments implicate the requirements of Section 9.0045 of the Texas Local Government Code; and

WHEREAS, the City Council, having given due consideration to the recommendations of the city staff, has determined to submit to the qualified voters of the City of Texarkana, Texas, for the voters' adoption or rejection ('yes' or 'no' vote), the proposed amendments to the Charter for the City of Texarkana, Texas, pursuant to the provisions of Chapter 9 of the Texas Local Government Code.

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

SECTION 1: The presented City Charter amendments, attached hereto as **Exhibit "A"** and to which reference is made for all purposes, are hereby accepted and approved.

SECTION 2: A special election is hereby ordered to be held on the next Texas uniform election date, November 4, 2025, pursuant to the laws of the State of Texas and the Charter of the City of Texarkana, Texas, with said election to be held for the purpose of amending the Charter. In all City elections, the Mayor, City Secretary, or City Council shall perform each act as is required to be performed, in connection with the holding and consummation of such election, and to give effect to the intent of this Ordinance. This special election shall be conducted by Bowie County pursuant to a joint election agreement between the City and Bowie County in conjunction with the Bowie County General Election on said same date; and the City Council delegates authority to the City Manager to negotiate and execute such joint election agreement.

SECTION 3: Within the time required for preparation and inclusion of the measures ordered in Section 2 of this Ordinance, the City Attorney shall prepare ballot wording as required by law and forward such to the Bowie County Elections Office. The specimen ballot shall be made available for public inspection in the office of the City Secretary and on the bulletin board in the City Hall as soon as practicable after the official ballots have been prepared for the election, as required by Section 52.007, Texas Election Code.

SECTION 4: Within the time required for notice of the election ordered in Section 2 of this Ordinance, the City Manager or designee shall include in the notice "an estimate of the anticipated fiscal impact to the municipality if the proposed amendment is approved at the election" as required by law.

SECTION 5: The City Secretary shall give notice of this election by publication of a copy of this ordinance on the same day in each of two successive weeks in the Texarkana Gazette, a newspaper of general circulation in the City of Texarkana, with the date of the first publication occurring before the 14th day before the date of the election as required by Texas Local Government Code, Section 9.004 (c).

SECTION 6: The voting centers as established by Bowie County for the November 2025 general and special election, attached hereto as **Exhibit "B"** and to which reference is made for all purposes, for early voting and in-person voting on election day, shall be the polling locations for this special election. Early voting by personal appearance shall be conducted on the dates, times,

and locations as noticed by Bowie County for the General and Special Election on November 4, 2025, as follows:

Early Voting by personal appearance will be conducted each weekday at the following three locations:

[Main Location]

EV1 - Bowie County Courthouse
710 James Bowie Drive
New Boston, Texas

[Branch Location]

EV2 - Southwest Center
3222 West 7th Street
Texarkana, Texas

[Branch Location]

EV3 – Northside Church – East Entrance
5801 Summerhill Road
Texarkana, Texas

Early Voting by Personal Appearance **WEEKDAY** Schedule:

Monday, October 20	8:00 a.m. to 6:00 p.m.
Tuesday, October 21	8:00 a.m. to 6:00 p.m.
Wednesday, October 22	8:00 a.m. to 6:00 p.m.
Thursday, October 23	8:00 a.m. to 6:00 p.m.
Friday, October 24	8:00 a.m. to 6:00 p.m.

Monday, October 27	7:00 a.m. to 7:00 p.m.
Tuesday, October 28	7:00 a.m. to 7:00 p.m.
Wednesday, October 29	7:00 a.m. to 7:00 p.m.
Thursday, October 30	7:00 a.m. to 7:00 p.m.
Friday, October 31	7:00 a.m. to 7:00 p.m.

or as otherwise determined and set by Bowie County, Texas.

Early Voting by Personal Appearance
WEEKEND Schedule:

Saturday, October 25	7:00 a.m. to 7:00 p.m.
Sunday, October 26	12:00 p.m. to 6:00 p.m.

[Main Location Only]

or as otherwise determined and set by Bowie County, Texas.

SECTION 7: The deadline for receipt of applications for mail ballot shall be at 5:00 p.m. on October 24, 2025, in the Bowie County Elections Office in accordance with Section 84.007 of the Texas Election Code. The deadline to receive ballots by mail shall be 7:00 p.m. on November 4, 2025, in the Bowie County Elections Office, if carrier envelope is not postmarked, or Wednesday, November 5, 2025, at 5:00 p.m., in the Bowie County Elections Office, if carrier envelope is postmarked by 7:00 p.m. at the location of the election on Election Day (unless overseas or military voter deadlines apply).

SECTION 8: The City Council shall, at its next regular meeting after the election returns are delivered to the City Secretary's office, canvass the returns and declare the official results of the election. If one or more proposed Charter amendments are approved by a majority of the qualified voters voting in the election, the Charter as amended shall be considered adopted when an official order has been entered upon the records of the City by the City Council declaring the same adopted.

SECTION 9: The ballots for said election shall be prepared by Bowie County in conformity with Chapter 52 of the Texas Election Code so that a voter may approve or disapprove each proposed charter amendment without having to approve or disapprove all of the proposed charter amendments.

SECTION 10: In case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 11: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 12: In the event of any changes made by Bowie County, Texas, or the Governor of the State of Texas, to the dates or deadlines set forth in this Ordinance or other law, then this Ordinance shall be deemed amended to conform with such changes.

SECTION 13: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 14: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **14th** day of **July, 2025**.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

6:38 p.m.

Exhibit A

Amendment A:

Texarkana, Texas, City Charter, Article I, shall be amended as follows to add new Section 8 – “Mission, Vision, and Values statements”:

Sec. 8. – Mission, Vision, and Values statements.

The city council shall adopt and periodically review the City’s official Mission, Vision, and Values to reflect the purpose, goals, and guiding principles of municipal governance. These statements shall be used to inform strategic initiatives, budgetary priorities, community engagement efforts, and internal operations. Adoption or modification of these statements shall be made by resolution of the city council and shall be reviewed no less than once every five years.

Ballot Language:

City of Texarkana Charter Amendment A: Amending the City Charter, Article I. - Incorporation, Form of Government and Powers, by adding Section 8 - Mission, Vision, and Values statements. Providing for the city council to adopt by resolution and periodically review the City’s official Mission, Vision, and Values statements.

Amendment B:

Texarkana, Texas, City Charter, Art. III, Sec. 1, Art. X, Sec. 3, and Art. XVII, Sec. 10, shall be amended as follows [additions in red, deletions in bold/strikethrough]:

ARTICLE III. - CITY MANAGER

Sec. 1. - Qualifications.

The city manager shall be chosen by the council solely on the basis of his executive and administrative qualifications with special reference to his actual experience in or his knowledge of accepted practice in respect to the duties of his office, as hereinafter set forth, provided that any person who is appointed city manager must have had at least two years of experience as a city manager or assistant city manager, or two years of comparable professional engineering or administrative experience within the last five years. ~~At the time of his appointment he need not be a resident of the city or state but d~~During his tenure of office he shall reside as provided in article XVII, Sec. 10 ~~within the city~~, and no person shall be eligible for such appointment who has held any elective office of the city within the two years preceding such appointment.

ARTICLE X. – JUDICIARY

Sec. 3. - City judge.

There shall be a magistrate of said corporation court known as the city judge who shall be elected at a regular or special meeting held in May of each even year by a majority vote of the council for a term of two years beginning on the first day in June after such election. During his tenure of office he shall reside as provided in article XVII, Sec. 10. ~~He shall be a resident of the City of Texarkana, Texas, for at least one year preceding his appointment.~~ His compensation shall be fixed by the council and shall not be decreased during the term for which appointed. He may be removed by the council for incompetency, misconduct or malfeasance, under the terms and procedures provided in article III, section 2, as for the city manager. In the event of failure of the city judge to act for any reason, the mayor shall designate the person to act in the place and stead of the city judge, with such compensation as shall be fixed by the city council.

ARTICLE XVII. - GENERAL PROVISIONS

Sec. 10. - Residence requirements for city manager and city judge ~~officers and employees.~~

The City Manager and City judge appointed under the terms of this Charter shall, upon commencing such position ~~employment~~, be or within 90 days of commencement of such appointment ~~employment~~ shall become, a resident of Bowie County, Texas ~~of the City of Texarkana, Texas~~, and shall remain a resident within said county ~~of the City of Texarkana, Texas~~; so long as appointment ~~employment~~ continues.

Ballot Language:

City of Texarkana Charter Amendment B: Amending the City Charter by revising Article III. - City Manager, § 1 - Qualifications; Article X, Judiciary, § 3 – City judge; and Article XVII. - General Provisions, § 10 - Residence requirements for officers and employees. Providing for retitling Art. XVII, § 10 to “Residence requirements for city manager and city judge”, and expansion of territory for the city manager and city judge residence requirement to include the entirety of Bowie County, Texas.

Amendment C:

Texarkana, Texas, City Charter, Article X, Sec. 4, shall be amended as follows [additions in red, deletions in bold/strikethrough]:

ARTICLE X. – JUDICIARY

Sec. 4. - Clerk of court.

The clerk of the corporation court shall be appointed by the city manager or designee **judge**. He and his deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of said court thereto and generally do and perform any and all acts usual and necessary by clerks of courts in issuing processes of said courts and conducting the business thereof.

Ballot Language:

City of Texarkana Charter Amendment C: Amending the City Charter by revising Article X, Judiciary, § 4 – Clerk of court. Providing for the city manager or designee to appoint the clerk of the court.

Amendment D:

Texarkana, Texas, City Charter, Article XIII, Planning, § 3 – Planning department; director of planning, shall be amended as follows [additions in red, deletions in bold/strikethrough]:

Sec. 3. - Planning department; director of planning.

There shall be a city planning department to be headed by the director of planning. The director of planning or other employee designated by the city manager shall serve as the **regular** technical adviser of the city planning commission, and shall have such other duties and responsibilities as the council may establish.

Ballot Language:

City of Texarkana Charter Amendment D: Amending the City Charter by revising Article XIII, Planning, § 3 – Planning department; director of planning. Providing for the city manager to designate an employee in lieu of the director of planning to serve as the technical adviser to the city planning commission.

Proposed Measures in Ballot Form

City of Texarkana, Charter Amendment A:

Amending the City Charter, Article I. - Incorporation, Form of Government and Powers, by adding Section 8 - Mission, Vision, and Values statements. Providing for the city council to adopt by resolution and periodically review the City's official Mission, Vision, and Values statements.

- ☐ For
☐ Against

City of Texarkana, Charter Amendment B:

Amending the City Charter by revising Article III. - City Manager, § 1 - Qualifications; Article X, Judiciary, § 3 – City judge; and Article XVII. - General Provisions, § 10 - Residence requirements for officers and employees. Providing for expansion of territory for the city manager and city judge residence requirement to include the entirety of Bowie County, Texas, and retitling Art. XVII, § 10 to “Residence requirements for city manager and city judge”.

- ☐ For
☐ Against

City of Texarkana, Charter Amendment C:

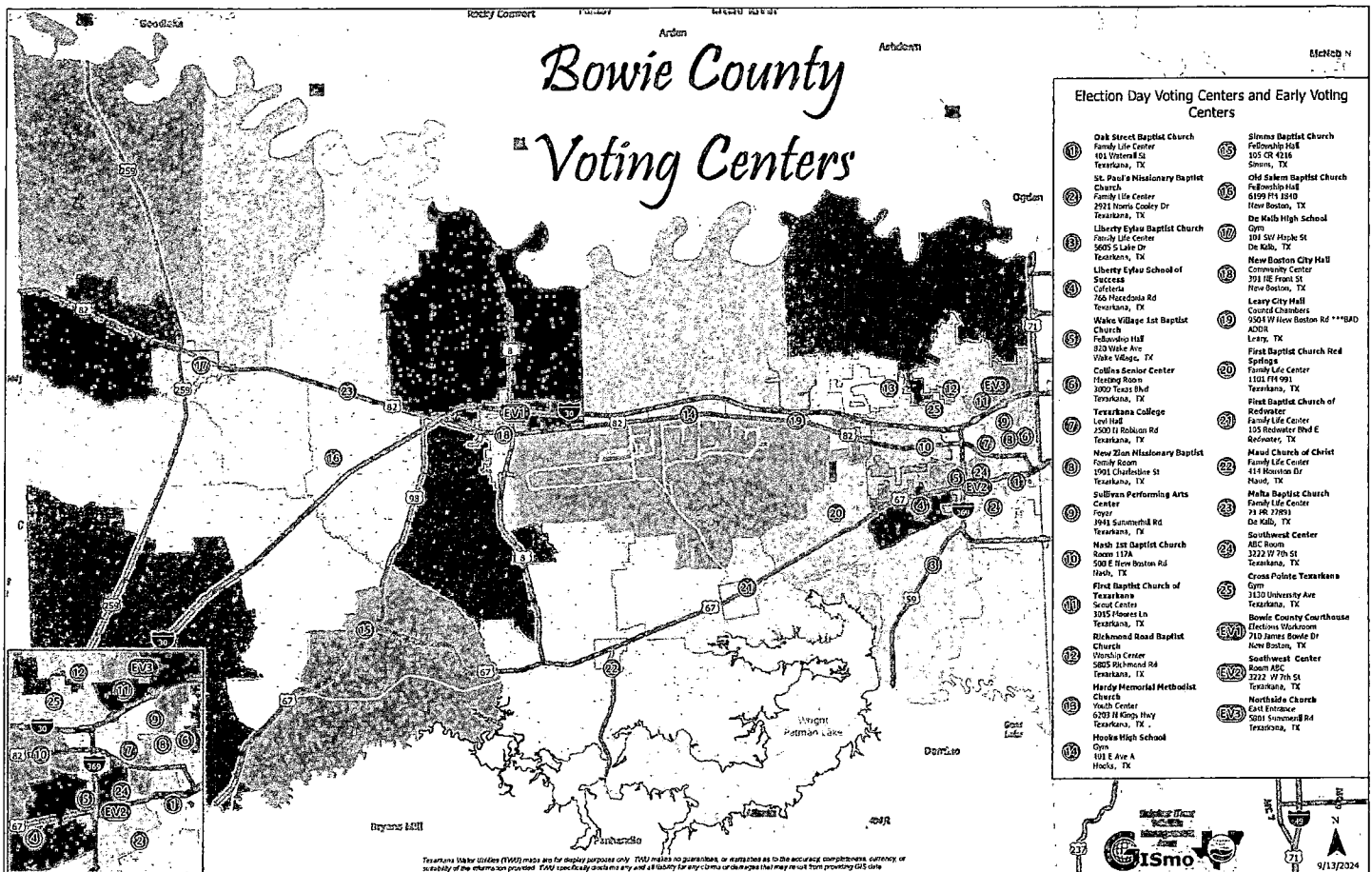
Amending the City Charter by revising Article X, Judiciary, § 4 – Clerk of court. Providing for the city manager or designee to appoint the clerk of the court.

- ☐ For
☐ Against

City of Texarkana, Charter Amendment D:

Amending the City Charter by revising Article XIII, Planning, § 3 – Planning department; director of planning. Providing for the city manager to designate an employee in lieu of the director of planning to serve as the technical adviser to the city planning commission.

- ☐ For
☐ Against





COUNTYWIDE VOTING NOTICE

Voters in Bowie County will now be able to vote at any polling location on Election Day.

Bowie County's Application to Participate in Countywide Voting has been approved by the Texas Secretary of State. The County submitted an Application on July 13, 2022, and received word of approval on Friday, August 12, 2022.

Voters have a choice of 25 Vote Centers strategically located across the county. On election day a registered voter can vote at any location from 7am to 7pm. A list of the locations is posted under the "Where to Vote" banner.

Countywide voting makes voting more convenient, more secure, potentially increases voter turnout, and prevents eligible voters from being turned away or given a provisional ballot because the voter is in the wrong voting precinct on election day.

Voters had their first opportunity to use the new program beginning with the November 8, 2022, General/Joint Elections. In the future, all elections, including general, special, joint, primaries, and runoffs will be eligible to use the countywide polling centers.

For more information on the program or Bowie County Elections please call 903.628.6810 or visit www.co.bowie.tx.us/page/bowie.Elections.