

## **ORDINANCE NUMBER 1038**

### **AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, CANVASSING THE ELECTION RETURNS AND DECLARING ELECTION RESULTS IN THE GENERAL ELECTION HELD IN THE CITY OF BURKBURNETT ON MAY 6, 2023 TO ELECT COMMISSIONER FOR PLACE 5 AND COMMISSIONER FOR PLACE 6; CANVASSING THE ELECTION RETURNS OF THE SPECIAL CHARTER AMENDMENT ELECTION TO AUTHORIZE AMENDMENT TO THE BURKBURNETT HOME RULE CHARTER, WHICH AMENDMENT WAS ADOPTED.**

**WHEREAS**, the City of Burkburnett held a general election on May 6, 2023, for the purpose of electing a Commissioner for Place 5 and a Commissioner for Place 6;

**WHEREAS**, the City of Burkburnett, held Special Called Election on May 6, 2023 to amend the City Charter; and

**WHEREAS**, on this, the 15<sup>th</sup> day of May 2023, The Board of Commissioners of the City of Burkburnett, Texas, convened in a Regular Meeting open to the public at the regular meeting place thereof with the following members present, to wit:

Lori Kemp	Mayor
Randy Brewster	Commissioner, Place 2
Susan Mitchell	Commissioner, Place 3
Michael Richter	Mayor Pro-Tem, Commissioner, Place 4
Marguerite Love	Commissioner, Place 5
Bill Lindenborn	Commissioner, Place 6
Fred Tillman	Interim City Manager
Margie Poole	City Clerk

**WHEREAS**, said Board of Commissioners has investigated all matters pertaining to said elections, including the ordering, giving notice, appointing of officers, holding and making returns of said elections;

and

**WHEREAS**, the election officers who held said elections have duly made the returns of the result thereof, and said returns have been duly delivered to said Board of Commissioners.

### **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS:**

#### **SECTION 1.**

That said general and special elections were duly called, that said notice of elections was given in accordance with law, and the elections were held in accordance with the law.

## **SECTION 2. General Election Results**

There came to be considered the returns of a general election held on the 6<sup>th</sup> day of May 2023 for the purpose of electing the hereinafter named officials, and it appears from said returns, duly and legally made, that there were cast at said election 435 ballots; that each of the candidates in said election received the following votes:

<b>COMMISSIONER, PLACE 5</b>	<b>ABSENTEE/EARLY</b>	<b>ELECTION DAY</b>	<b>TOTAL</b>
Marguerite Love	212	152	364
<b>COMMISSIONER, PLACE 6</b>	<b>ABSENTEE/EARLY</b>	<b>ELECTION DAY</b>	<b>TOTAL</b>
Theophile (Ted) Kwas	86	55	141
Bill Lindenborn	161	122	283

Marguerite Love and Bill Lindenborn were duly elected as Commissioners, and that Marguerite Love will serve in Place 5 for a three-year term, and that Bill Lindenborn will serve in Place 6 for a three-year term.

Said above-named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths as provided by the laws of the State of Texas.

## **SECTION 3. Special Charter Election**

The official canvass of the returns for the Charter Amendment Election held May 6, 2023, shows that 435 ballots were cast for the City of Burkburnett Home Rule Charter Amendment.

### **PROPOSITION A**

“The City Manager may or may not be a resident of the City of Burkburnett when appointed. The individual hired as City Manager will have ninety (90) days from their appointment as City Manager to move within five (5) miles of the City limits of the City of Burkburnett and within Texas and must continue to reside within five (5) miles of the City limits of the City of Burkburnett and within Texas during their term of employment as City Manager.”

<b>PROPOSITION A</b>	<b>ABSENTEE/EARLY</b>	<b>ELECTION DAY</b>	<b>TOTAL</b>
FOR	190	140	330
AGAINST	62	40	102

The Board of Commissioners hereby declares that Proposition A, which was submitted to the voters in this election, has been chosen by a majority of the voters who voted in said election and is hereby adopted.

## **SECTION 4.**

It is further found and determined that the meeting at which this Ordinance was passed was open to the public as required by law.

**PASSED AND APPROVED THIS 15<sup>TH</sup> DAY OF MAY 2023.**

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Lori Kemp, Mayor

**ATTEST:**

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Margie Poole, City Clerk