



City of Magnolia

P.O. BOX 396
MONTGOMERY COUNTY
MAGNOLIA, TEXAS 77353-0396
281-356-2266
Fax 281-259-7811



Ordinance 2006-089

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION ON MAY 13, 2006, FOR THE PURPOSE OF ELECTING THREE (3) COUNCILMEMBERS AND THE ELECTION OF A MAYOR, AND FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY FOUR PROPOSITIONS; (1) TO APPROVE OR REJECT THE DISSOLUTION OF THE MAGNOLIA COMMUNITY DEVELOPMENT CORPORATION; AND (2) TO APPROVE OR REJECT THE USE OF SALES AND USE TAX PROCEEDS FOR INFRASTRUCTURE RELATING TO WATER SUPPLY FACILITIES AND WATER CONSERVATION PROGRAMS; (3) TO APPROVE OR REJECT ISSUING CERTIFICATES OF OBLIGATION FOR THE REPAIR OF A WATER WELL AND THE ACQUISITION AND RENOVATION OF THE BUILDING LOCATED AT 18111 BUDDY RILEY BLVD., MAGNOLIA, TEXAS TO BE USED AS THE NEW CITY HALL; (4) TO REAUTHORIZE THE LOCAL SALES AND USE TAX IN THE CITY OF MAGNOLIA, TEXAS AT THE RATE OF ONE-FOURTH OF ONE PERCENT; AND DESIGNATING THE POLLING PLACES AND APPOINTING ELECTION OFFICIALS FOR SUCH ELECTION; PROVIDING THE FORM OF THE BALLOTS AT SUCH ELECTION; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, a general election was held in the City of Magnolia, Texas, on May 13, 2006, at which election it was submitted to the resident qualified voters of the City for the purpose of electing the following officials of the City:

Office of Mayor (for a two year term to end in May, 2008)
Councilmember, Position No. 1 (for a one year term to end in May, 2007)
Councilmember, Position No. 4 (for a two year term to end in May, 2008)
Councilmember, Position No. 5 (for a two year term to end in May, 2008)

and it was submitted to the resident qualified voters of the City four propositions, for their action

thereon;

- (1) To Approve or Reject the Dissolution of the Magnolia Community Development Corporation;
- (2) To Approve or Reject the Use of Sales and Use Tax Proceeds for Infrastructure Relating to Water Supply Facilities and Water Conservation Programs
- (3) To Approve or Reject Issuing Certificates of Obligation for the Repair of a Water Well and the Acquisition and Renovation of the Building Located at 18111 Buddy Riley Blvd., Magnolia, Texas to be Used as the New City Hall; and
- (4) To Reauthorize the Local Sales and Use Tax in the City of Magnolia, Texas at the rate of one-fourth of one percent.

WHEREAS, said election was duly called; that notice thereof was given in accordance with law; and said election was duly and legally held in conformity with the election laws of the State of Texas, and the results of said election have been verified and returned by the proper judges and clerks and canvassed by the City Council of Magnolia; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:

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

Section 2. The official canvass of the returns of the general election held on May 13, 2006 reflects the following:

Office of Mayor:

Jimmy W. Thornton, Jr. Total Votes: **104**

Councilmember, Position No. 1

Christopher Neal Total Votes: **99**

Councilmember, Position No. 4

David Sutherland Total Votes: **109**

Councilmember, Position No. 5

Patsy Williams Total Votes: **116**

Richard Anderson Total Votes: **52**

Proposition No. 1

Dissolution of the City of Magnolia Community Development Corporation, a development corporation created and operating under Section 4B, Article 5190.6, Vernon's Ann. Tex. Civ. St., as amended (The Development Corporation Act of 1979).

For: 40

Against: 128

Total Vote: 168

Proposition No. 2

The use of sales and use tax proceeds for infrastructure relating to water supply facilities including transmission and distribution lines, well field developments, and ground and elevated storage facilities and to pay for the maintenance and operating costs of such infrastructure, pursuant to the authority contained in Section 4B(a)(2)(D), Article 5190.6 Vernon's Ann. Tex. Civ. St., as amended.

For: 143

Against: 24

Total Vote: 167

Proposition No. 3

The issuance of \$1,500,000 Certificates of Obligation for the repair of the water well and the acquisition and renovation of a building located at 1811 Buddy Riley Blvd., Magnolia, Texas, to be used as a new city hall, and the cost of professional services incurred in connection therewith, the limited pledge of a subordinate lien on the net revenues of the City of Magnolia's waterworks and sanitary sewer system to secure payment thereof, and the levying of a tax in payment thereof.

For: 103

Against: 54

Total Vote: 157

Proposition No. 4

The reauthorization of the local sales and use tax in the City of Magnolia, Texas at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets.

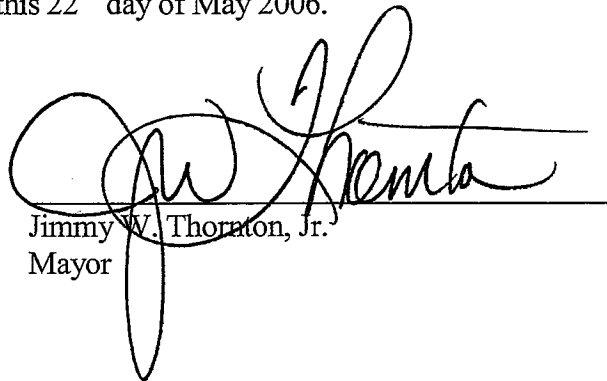
For: 142
Against: 25
Total Vote: 167

Section 3. The election held in and throughout the City of Magnolia, Texas, on the 13th day of May, 2006, which election is more particularly described in the preamble of this ordinance, was duly called and notice thereof was given and the election was held under and in strict conformity with law; that only duly qualified resident electors of the City voted at the election; that due returns of the election have been made by the proper officers; that the election has resulted in the election of the officers set forth above; that the election has resulted favorably to the issuance the certificates of obligation mentioned in Proposition 3; and that a majority of the qualified voters voting in the election have voted in favor of the issuance of the certificates of obligation mentioned in the preamble of this ordinance and the levy of a tax for payment thereof.

Section 4: The City Council of the City is now authorized to issue all of the certificates of obligation described above, and the City Council is authorized to do any and all things necessary and/or convenient in connection therewith.

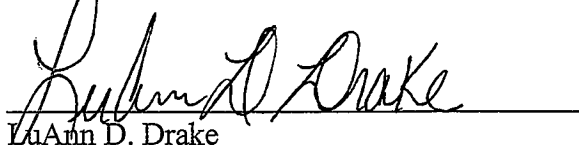
Section 5: It is hereby officially found and determined that notice of the meeting at which this ordinance is adopted was given as required by the Texas Open Meetings Act, and that such meeting has been open to the public at all times when this ordinance was discussed and acted on.

PASSED, APPROVED, AND ADOPTED this 22nd day of May 2006.



Jimmy W. Thornton, Jr.
Mayor

ATTEST:



LuAnn D. Drake
Acting City Secretary



**MONTGOMERY COUNTY
ELECTIONS ADMINISTRATION**

P.O. Box 2646

Conroe, Texas 77305-2646

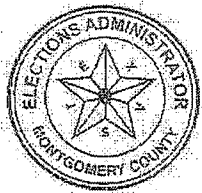
Carol Gaultney, CERA
Administrator/Voter Registrar

(936) 539-7843
Fax (936) 538-8143

March 17, 2006

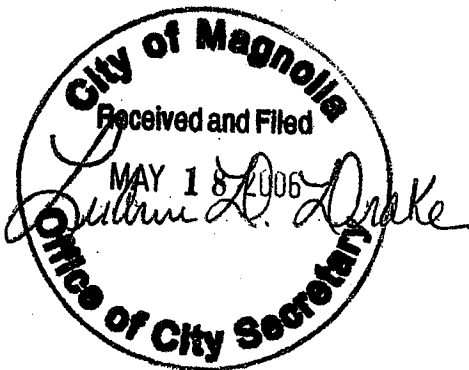
Re: City of Magnolia

I, Carol Gaultney, Montgomery County Elections Administrator, do hereby certify that the attached pages are the final results of the Joint Election held in Montgomery County, Texas on May 13, 2006.



Carol Gaultney

Carol Gaultney
Elections Administrator



Metro
(936) 442-7700

Cleveland
(281) 689-3133

East County
(281) 354-5511

Houston
(281) 353-9791

election@co.montgomery.tx.us * www.co.montgomery.tx.us/election

Canvass Report - Official Montgomery County Texas - Joint Election - May 13, 2006

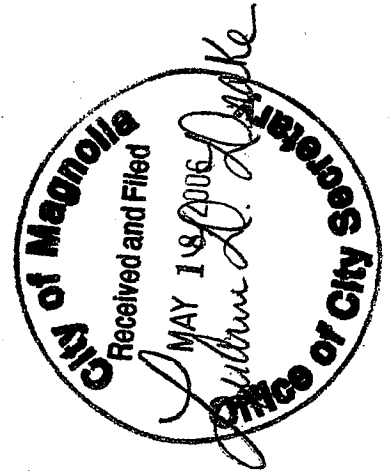
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City of Magnolia

Council, Position 1

Precinct	Early Voting Ballots Cast	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Christopher Neal	Totals
18	79	70	149	591	25.21%	79	79
29	18	9	27	277	9.75%	20	20
Totals:	97	79	176	868	20.28%	99	99



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City of Magnolia

Council, Position 4

Precinct	Early Voting Ballots Cast	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	David Sutherland	Totals
18	79	70	149	591	25.21%	89	89
29	18	9	27	277	9.75%	20	20
Totals:	97	79	176	868	20.28%	109	109



Canvass Report - Official

Montgomery County Texas - Joint Election - May 13, 2006

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City of Magnolia

Council, Position 5

Precinct	Early Voting Ballots Cast	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Patsy Williams	Richard Anderson	Totals
18	79	70	149	591	25.21%	96	47	143
29	18	9	27	277	9.75%	20	5	25
Totals:	97	79	176	868	20.28%	116	52	168



Canvass Report - Official Montgomery County Texas - Joint Election - May 13, 2006

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City of Magnolia

Mayor

Precinct	Early Voting Ballots Cast	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Jimmy W Thornton Jr	Totals
18	79	70	149	591	25.21%	88	88
29	18	9	27	277	9.75%	16	16
Totals:	97	79	176	868	20.28%	104	104



Canvass Report - Official

Montgomery County Texas - Joint Election - May 13, 2006

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City of Magnolia

Proposition No. 1

Precinct	Early Voting Ballots Cast	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	No	Yes	Totals
18	79	70	149	591	25.21%	106	35	141
29	18	9	27	277	9.75%	22	5	27
Totals:	97	79	176	868	20.28%	128	40	168



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City of Magnolia

Proposition No. 2

Precinct	Early Voting Ballots Cast	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	No	Yes	Totals
18	79	70	149	591	25.21%	21	121	142
29	18	9	27	277	9.75%	3	22	25
Totals:	97	79	176	868	20.28%	24	143	167



Canvass Report - Official

Montgomery County Texas - Joint Election - May 13, 2006

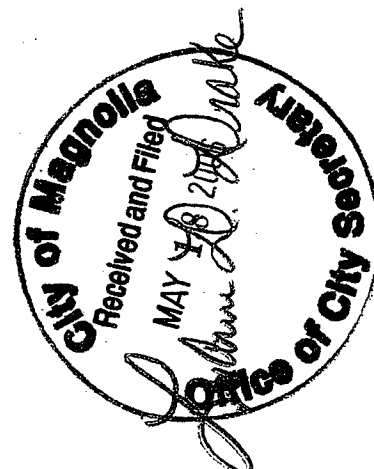
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City of Magnolia

Proposition No. 3

Precinct	Early Voting Ballots Cast	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	No	Yes	Totals
18	79	70	149	591	25.21%	46	86	132
29	18	9	27	277	9.75%	8	17	25
Totals:	97	79	176	868	20.28%	54	103	157



Canvass Report - Official Montgomery County Texas - Joint Election - May 13, 2006

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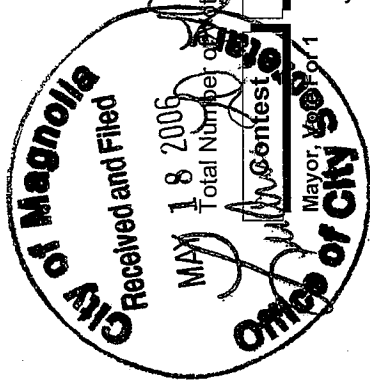
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City of Magnolia

Proposition No. 4

Precinct	Early Voting Ballots Cast	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	No	Yes	Totals
18	79	70	149	591	25.21%	22	119	141
29	18	9	27	277	9.75%	3	23	26
Totals:	97	79	176	868	20.28%	25	142	167





Montgomery County Texas - Joint Election - May 13, 2006

City of Magnolia Cumulative Report - Official

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Precincts Reporting 85 of 85 = 100.00%

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May 18 2006
Total Number of Precincts 132 of 220,490 = 3.23%

Candidate	Early	Election	Total
Jimmy W Thornton Jr	58 100.00%	46 100.00%	104 100.00%
Cast Votes:	58	46	104
Council, Position 1, Vote For 1			
Christopher Neal	58 100.00%	41 100.00%	99 100.00%
Cast Votes:	58	41	99
Council, Position 4, Vote For 1			
David Sutherland	62 100.00%	47 100.00%	109 100.00%
Cast Votes:	62	47	109
Council, Position 5, Vote For 1			
Patsy Williams	56 60.87%	60 78.95%	116 69.05%
Richard Anderson	36 39.13%	16 21.05%	52 30.95%
Cast Votes:	92	76	168
Proposition No. 1, Vote For 1			
No	67 70.53%	61 83.56%	128 76.19%
Yes	28 29.47%	12 16.44%	40 23.81%
Cast Votes:	95	73	168
Proposition No. 2, Vote For 1			
No	16 17.39%	8 10.67%	24 14.37%
Yes	76 82.61%	67 89.33%	143 85.63%
Cast Votes:	92	75	167
Proposition No. 3, Vote For 1			
No	39 44.32%	15 21.74%	54 34.39%
Yes	49 55.68%	54 78.26%	103 65.61%
Cast Votes:	88	69	157
Proposition No. 4, Vote For 1			
No	17 18.28%	8 10.81%	25 14.97%
Yes	76 81.72%	66 89.19%	142 85.03%
Cast Votes:	93	74	167