

City of Magnolia

Ordinance 2007- 110

AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, PROVIDING FOR THE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION ON MAY 12, 2007, FOR THE PURPOSE OF ELECTING THREE (3) COUNCILMEMBERS, AND FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY ONE PROPOSITION; (1) WHETHER OR NOT TO ABANDON THE CITY MANAGER FORM OF GOVERNMENT IN THE CITY OF MAGNOLIA, TEXAS; 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, the City of Magnolia, Texas (the "City") pursuant to the laws of the State of Texas, as amended, is required to hold a general election by State Law which requires the general election for 2007 be held on the second Saturday of May to elect Councilpersons whose terms are expiring and additionally the City is permitted or required by state law to submit one (1) additional proposition to the qualified voters of the City;

WHEREAS, pursuant to Chapters 31 and 271 of the Texas Election Code the City is authorized to enter into joint election agreement with the Magnolia Independent School District and contracts for election services and election agreement with Montgomery County and the City has entered into said agreements; and

WHEREAS the qualified voters of the City of Magnolia Texas previously and lawfully adopted the city manager form of government pursuant to Chapter 25 of the Local Government Code; and

WHEREAS, a lawful petition was submitted requesting the Mayor of the City of Magnolia to order a special election to abandon the city manager form of government, which was done and the council now is required by Section 25.071 of the Local Government Code to submit a proposition to the voters to vote for or against the proposition to abandon the city manager form of government in the City of Magnolia; and

WHEREAS, by state law the uniform election date for the month of May 2007 falls on May 12, 2007; and

WHEREAS, a general election was held in the City of Magnolia, Texas, on May 12, 2007, 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:

Council Position 1, for a two-year term ending May 2009; and
Council Position 2, for a two-year term ending May 2009; and
Council Position 3, for a two-year term ending May 2009.

and it was submitted to the resident qualified voters of the City one proposition, for their action thereon;

(1) Abandoning the city manager form of government in the municipality of Magnolia, Montgomery County, Texas.

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

Section 1. The facts and opinions in the preamble to this Ordinance are true and correct.

Section 2. The official canvass of the return of the general election held on May 12, 2007 reflects the following:

Council, Position 1

Sammie L. Scott	Total Votes: <u>155</u>
Christopher Neal	Total Votes: <u>88</u>

Council, Position 2

John W. Bramlett	Total Votes: <u>118</u>
Richard A. Carby	Total Votes: <u>117</u>

Council, Position 3

Todd Kana	Total Votes: <u>161</u>
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Proposition 1

Abandoning the city manager form of government in the municipality of Magnolia, Montgomery County, Texas.

For:	<u>126</u>
Against:	<u>106</u>
Total Votes:	<u>232</u>

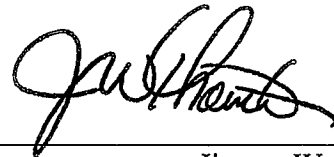
Section 3. The election held in and throughout the City of Magnolia, Texas, on the 12th day of May, 2007, which election is more particularly described in the preamble of this ordinance, was duly called and notice thereof was given and the election was held

Ordinance 2007-110

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.

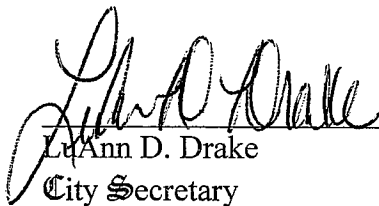
Section 4. It is hereby officially found and determined that notice of the meeting at which this ordinance is adopted was given as required by the Texas Open Meetings Act, and that such meeting has been open to the public at all times when this ordinance as discussed and acted on.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS
ON THIS 21st DAY OF MAY 2007.**



Jimmy W. Thornton, Jr.
Mayor

Attest:


LuAnn D. Drake
City Secretary



**MONTGOMERY COUNTY
ELECTIONS ADMINISTRATION**

P.O. Box 2646

Conroe, Texas 77305-2646

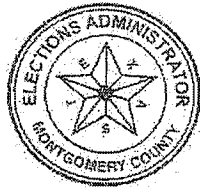
Carol Gaultney, CERA
Administrator/Voter Registrar

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

May 17, 2007

Re: May 12, 2007 Joint Election

I, Carol Gaultney, Montgomery County Elections Administrator, do hereby certify that the attached pages are your entity's final results for the Joint Election held in Montgomery County, Texas on May 12, 2007.



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

City of Magnolia Cumulative — Official Montgomery County, Texas — JOINT ELECTION — May 12, 2007

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Precincts Reporting 16 of 16 = 100.00%
District Precincts Reporting 1 of 1 = 100.00%

Total Number of Voters : 11,604 of 218,269 = 5.32%
Number of District Voters: 245 of 841 = 29.13%

Party	Candidate	Early	Election	Total
Council, Position 1 City of Magnolia, Vote For 1				
	Sammie L. Scott	101 76.52%	54 48.65%	155 63.79%
	Christopher Neal	31 23.48%	57 51.35%	88 36.21%
Cast Votes: 132 100.00%				
Over Votes: 0 0.00%				
Under Votes: 0 0.00%				
Council, Position 2 City of Magnolia, Vote For 1				
	John W. Bramlett	77 60.16%	41 38.32%	118 50.21%
	Richard A. Carby	51 39.84%	66 61.68%	117 49.79%
Cast Votes: 128 96.97%				
Over Votes: 0 0.00%				
Under Votes: 4 3.03%				
Council, Position 3 City of Magnolia, Vote For 1				
	Todd Kana	82 100.00%	79 100.00%	161 100.00%
Cast Votes: 82 62.12%				
Over Votes: 0 0.00%				
Under Votes: 50 37.88%				
Proposition No. 1 City of Magnolia, Vote For 1				
	For	81 62.79%	45 43.69%	126 54.31%
	Against	48 37.21%	58 56.31%	106 45.69%
Cast Votes: 129 97.73%				
Over Votes: 0 0.00%				
Under Votes: 3 2.27%				

City of Magnolia Precinct Report — Official

Montgomery County, Texas — JOINT ELECTION — May 12, 2007

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Total Number of Voters : 11,604 of 218,269 = 5.32%

Number of District Voters: 245 of 841 = 29.13%

Precincts Reporting 16 of 16 = 100.00%

District Precincts Reporting 1 of 1 = 100.00%

Party	Candidate	Early	Election	Total
Precinct D (Ballots Cast: 245)				
Council, Position 1 City of Magnolia, Vote For 1				
	Sammie L. Scott	101 76.52%	54 48.65%	155 63.79%
	Christopher Neal	31 23.48%	57 51.35%	88 36.21%
	Cast Votes:	132 100.00%	111 98.23%	243 99.18%
Council, Position 2 City of Magnolia, Vote For 1				
	John W. Bramlett	77 60.16%	41 38.32%	118 50.21%
	Richard A. Carby	51 39.84%	66 61.68%	117 49.79%
	Cast Votes:	128 99.97%	107 94.69%	235 95.92%
Council, Position 3 City of Magnolia, Vote For 1				
	Todd Kana	82 100.00%	79 100.00%	161 100.00%
	Cast Votes:	82 62.12%	79 69.91%	161 65.71%
Proposition No. 1 City of Magnolia, Vote For 1				
	For	81 62.79%	45 43.69%	126 54.31%
	Against	48 37.21%	58 56.31%	106 45.69%
	Cast Votes:	129 97.73%	103 91.15%	232 94.69%