

ORDINANCE NO. 342

AN ORDINANCE AMENDING CITY OF MAGNOLIA, TEXAS, ORDINANCE NO. 339, PASSED AND APPROVED THE 25TH DAY OF MAY, 2004, AND BEING AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD IN THE CITY ON THE 15TH DAY OF MAY, 2004, BY STRIKING THEREFROM ALL OF SECTIONS 2 AND 3 AND SUBSTITUTING THEREFOR NEW SECTIONS 2 AND 3; PROVIDING THAT THE OFFICIAL CANVASS OF THE RETURNS OF THE GENERAL MUNICIPAL ELECTION HELD WITHIN THE CITY ON MAY 15, 2004, REFLECTS THAT THE VOTE FOR COUNCILMEMBER, POSITION 4, RESULTED IN A TIE VOTE; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, a general municipal election was held within the City on the 15th day of May, 2004, for the purpose of electing a Mayor and two Councilmembers; and

WHEREAS, the initial canvass of the returns of said election provided that the vote for the office of Councilmember, Position 4, was 64 votes for Sommy Ham and 63 votes for David Sutherland; and

WHEREAS, pursuant to a petition filed within the time and manner required by law, a recount of the vote for said Councilmember, Position 4, was held on the 1st day of June, 2004, and the tally from such recount indicated a tie vote for such position; now therefore

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

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

Section 2. City of Magnolia, Texas, Ordinance No. 339, passed and approved the 25th day of May, 2004, is hereby amended by deleting all of Sections 2 and 3 thereof and substituting therefor new Sections 2 and 3 to provide as follows:

"Section 2. The official canvass of the returns of the general election held on May 15, 2004, reflects that the following named persons received the number of votes set opposite their names in the respective positions to be filled:

Candidate

Votes Received

Mayor

Jimmy Thornton	83
Hank Wright	37

Councilmember - Position No. 4

Sommy Ham	63
David Sutherland	63

Councilmember - Position No. 5

Patsy Williams (Unopposed)

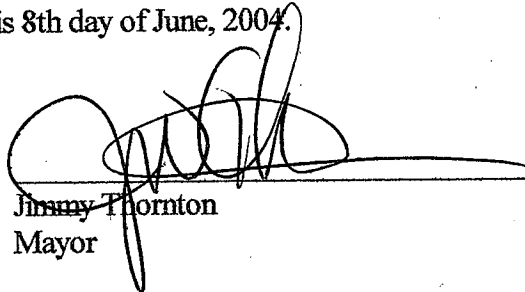
Section 3. In accordance with the official canvass of the returns of the general election held on May 15, 2004, the following persons were duly elected to the respective positions shown:

Mayor – Jimmy Thornton

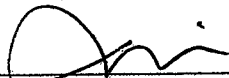
Councilmember - Position No. 4 – None (Tie Vote)

Councilmember - Position No. 5 – Patsy Williams”

PASSED, APPROVED, AND ADOPTED this 8th day of June, 2004.


Jimmy Thornton
Mayor

ATTEST:



Jane Miller
City Manager/City Secretary

ORDINANCE NO. 339

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 15, 2004, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) COUNCILMEMBERS FOR THE CITY OF MAGNOLIA, TEXAS.

* * * * *

WHEREAS, a general election was held in the City of Magnolia, Texas, on May 15, 2004, for the purpose of electing a Mayor and two (2) Councilmembers; and

WHEREAS, 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

WHEREAS, it appears that a total of 133 votes were cast in such election; 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 15, 2004, reflects that the following named persons received the number of votes set opposite their names in the respective positions to be filled:

Mayor

<u>Candidate</u>	<u>Votes Received</u>
Jimmy Thornton	83
Hank Wright	37

Councilmember - Position No. 4

Sommy Ham	64
David Sutherland	63

Councilmember - Position No. 5

Patsy Williams

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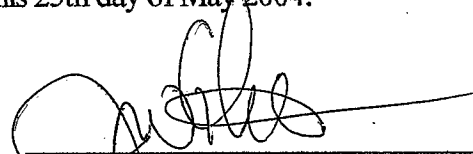
Section 3. In accordance with the official canvass of the returns of the general election held on May 15, 2004, the following persons were duly elected to the respective positions shown:

Mayor – Jimmy Thornton

Councilmember - Position No. 4 – Sommy Ham

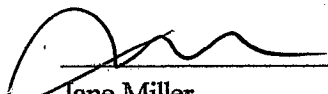
Councilmember - Position No. 5 – Patsy Williams

PASSED, APPROVED, AND ADOPTED this 25th day of May 2004.



Jimmy Thornton
Mayor

ATTEST:



Jane Miller
City Manager/City Secretary