

ORDINANCE NO. 2022-101

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, AMENDING ORDINANCE 2022-99 ADOPTED ON NOVEMBER 17, 2022, BY UPDATING INFORMATION REGARDING THE NUMBER OF VOTES CAST IN THE NOVEMBER 8, 2022 GENERAL AND SPECIAL ELECTION FOR THE PURPOSE OF ELECTING A MAYOR, CITY COUNCIL MEMBER, PLACE 1, AND CITY COUNCIL MEMBER, PLACE 2, AND TO SUBMIT A CITIZEN-INITIATED ORDINANCE TO ELIMATE LOW-LEVEL MARIJUANA ENFORCEMENT TO THE VOTERS; DECLARING AN EMERGENCY CREATING THE NEED TO ADOPT THIS ORDINANCE WITH ONLY ONE READING; AND PROVIDING AN EFFECTIVE DATE.

**RECITALS:**

1. On November 8, 2022 a general and special election was held for the purpose of electing a Mayor, City Council Member, Place One and City Council Member, Place Two and to submit a citizen-initiated ordinance to elimate low-level marijuana enforcement to the voters.
2. The City Council of the City of San Marcos, Texas convened on November 17, 2022 to consider the returns of the runoff election held on November 8, 2022 with the following members present: Mayor Jane Hughson, Council Members Maxfield Baker, Saul Gonzales, Alyssa Garza, Shane Scott, Mark Gleason and Jude Prather.
3. Subsequent to adoption of Ordinance No. 2022-99, the city received updated information regarding the votes cast in said election on provisionsal ballots and this amending ordinance is necessary only to revise the official record of the number of votes cast for each candidate and the number votes cast for or against Proposition A in said election.
4. The revised vote totals reflected in this ordinance do not change the outcome of the City of San Marcos general election or special election held on November 8, 2022.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. Sections 2 and 3 and Exhibit "A" of Ordinance No. 2022-99 are hereby amended as follows (added information is underlined; deleted information is shown with strikethroughs)

SECTION 2. The updated tabulation of votes cast in the general and special election held on November 8, 2022, for the purposes stated in Recital 1 above, a copy of which is attached to

and made a part of this ordinance as Exhibit “A,” is adopted as the official tabulation of the votes cast at the election, and the tabulation will be filed and recorded in the official records of the City of San Marcos as the official canvass of the election in place of the tabulation that was attached to Ordinance No. 2022-99.

SECTION 3. The updated official canvass of the returns of the election reflects the following:

A. For Mayor:

|                |                          |               |
|----------------|--------------------------|---------------|
| Jane Hughson   | <u><del>11,101</del></u> | <u>11,199</u> |
| John Thomaides | <u><del>6,587</del></u>  | <u>6,643</u>  |

B. For City Council Member, Place One:

|                 |                         |              |
|-----------------|-------------------------|--------------|
| Matthew Mendoza | <u><del>8,866</del></u> | <u>8,942</u> |
| Maxfield Baker  | <u><del>8,160</del></u> | <u>8,239</u> |

C. For City Council Member, Place Two:

|                |                          |               |
|----------------|--------------------------|---------------|
| Saul Gonzales  | <u><del>12,212</del></u> | <u>12,319</u> |
| Atom Von Arndt | <u><del>4,013</del></u>  | <u>4,053</u>  |

D. The following votes were cast for and against the following proposition:

PROPOSITION - A


An ordinance to eliminate low-level marijuana enforcement.

FOR: ~~15,664~~ 15,808


AGAINST: ~~3,475~~ 3,502

PART 2. The importance of this ordinance creates an emergency and an imperative public necessity, and the provisions of the city charter requiring that ordinances be presented at two separate meetings be waived and, this ordinance will take effect immediately upon adoption.


CONSIDERED, APPROVED, AND ADOPTED on December 6, 2022.

  
Jane Hughson  
Mayor

Attest:

  
Elizabeth Trevino  
City Clerk

Approved:

  
Michael J. Cosentino  
City Attorney