

ORDINANCE NO. 3882-12-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ADOPTING AN AMENDMENT TO THE HOME RULE CHARTER APPROVED BY THE VOTERS OF THE CITY OF ALLEN AT AN ELECTION HELD ON NOVEMBER 2, 2021; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council ordered that an election be held in the City of Allen, Collin County, Texas, on November 2, 2021, for the purpose of adopting amendments to the Home Rule Charter of the City of Allen, Collin County, Texas; and,

WHEREAS, immediately after said election, the presiding judges and other election officials holding said election made their returns and results thereof to the City Council; and,

WHEREAS, majority of the votes cast at said election were for the adoption of Proposition B amending the Home Rule Charter of the City of Allen, Collin County, Texas; and,

WHEREAS, the City Council canvassed the results of the election on November 15, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. Proposition B amending the Home Rule Charter, approved and adopted by the voters of the City of Allen, Collin County, Texas, in an election held for the purpose on November 2, 2021, a copy of which is attached hereto as Exhibit "A" and made a part hereof for all purposes, is hereby declared to be an amendment to the Home Rule Charter of the City of Allen, Collin County, Texas, to take effect immediately from or after the passage of this Ordinance.

SECTION 2. In accordance with Section 1 of this Ordinance, the Articles, Sections, Subsections, and Paragraphs of the Home Rule Charter of the City of Allen, Texas, set forth in Exhibit "A," attached hereto shall be amended to read as set forth in Exhibit "A" attached hereto.

SECTION 3. The City Secretary shall record in the Office of the City Secretary, the Charter amendment adopted by the voters of the City; and pursuant to Section 9.007, TEX. LOC. GOV'T CODE, the Mayor shall certify to the Secretary of State of the State of Texas, an authenticated copy of this Ordinance and said amendment to the Home Rule Charter under the seal of the City, showing the approval by the qualified voters of the City of Allen, Collin County, Texas.

SECTION 4. This ordinance shall take effect immediately from and after its passage, as the law and charter in such case provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 14TH DAY OF DECEMBER 2021.

APPROVED:

Kenneth M. Fulk, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith

Peter G. Smith, CITY ATTORNEY
(PGS:11-3-21:TM 125815)

Shelley B. George, TRMC, CITY SECRETARY

MAYOR'S CERTIFICATE OF AUTHENTICATION

Pursuant to TEX. LOC. GOV'T CODE ANN., Section 9.007, I, Kenneth M. Fulk, Mayor of the City of Allen, Collin County, Texas, hereby certify that the above and forgoing is a true and correct copy of the City of Allen Ordinance No. 3882-12-21 adopted by the City Council of the City of Allen, Collin County, Texas, on the 14TH day of December 2021, and attached thereto as Exhibit "A" is a true and correct copy of the amendment to the City of Allen Home Rule Charter approved by the voters of the City of Allen, Collin County, Texas at an election held for that purpose on November 2, 2021.

This certificate of authentication executed this 14th day of December 2021.

Kenneth M. Fulk, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

Peter G. Smith
Peter G. Smith, City Attorney

Seal of the City of Allen, Collin County, Texas

EXHIBIT “A”

Sec. 2.01A. – Term Limits.

No person shall serve as mayor for more than two (2) consecutive elected terms, and no person shall serve as a council member for more than two (2) consecutive elected terms. No person shall serve as a member of the City Council, either as a council member or mayor for more than 12 years. For purposes of this section to the City Charter and computing the limitations on terms:

- (1) A mayor or city council member, who vacates for any reason, city office before the end of the term for which he or she was elected, shall be considered to have completed that term.
- (2) An appointment or election to fulfill an unexpired council member term, or unexpired mayor term, shall be computed as follows:
 - (i) If fifty percent (50%) or more of the term is remaining, it shall be included as part of the computation of term limits: or
 - (ii) If less than fifty percent (50%) of the term is remaining, it shall not be included in the computation of term limits.

Any council member or mayor, who is ineligible to run for elected city office due to limitations on terms provided herein, shall remain ineligible to hold an elected city office for the period of time between the expiration of the most recent term of city office, for which he or she was elected until the day prior to the date of the next regular election for city officers with the exception of a council member seeking the office of mayor or the mayor seeking the office of a council member.