

ARTICLE I. – INCORPORATION AND POWERS OF CITY

Sec. 1 – Corporate Name

The inhabitants of the City of White Settlement, with the boundaries as herein established, or as hereafter established in the manner provided in this Charter, shall continue to be an are hereby constituted to be a body politic, incorporated and to be known by the name of “**City of White Settlement**”.

Sec. 2. - Adoption of council-manager form of government.

The City of White Settlement shall be governed by the city council-city manager form of government.

Sec. 3. – Municipal boundaries.

The boundaries of the city are those previously established and as may be amended from time to time. The official map of the city shall be kept in the office of the city secretary and shall be revised to reflect the city's boundaries each time the boundary of the city is changed.

Sec. 4. – Annexation and Disannexation

The city council shall have power, by ordinance, to fix the boundary limits of the City of White Settlement, and to provide for the alteration and the extension of the corporate boundary limits and the annexation of additional territory to the city, with or without the consent of the territory and the inhabitants annexed, in accordance with law. Upon the final passage of any ordinance defining, extending, or reducing boundaries in its original or amended form, as the city council may determine, the boundary limits of the city shall thereafter be as fixed in such ordinance; and when any additional territory has been so annexed, same shall be a part of the City of White Settlement and the inhabitants shall be entitled to all the rights and privileges of all the other citizens, and shall be bound by the acts, ordinances, resolutions and regulations of said city.

If the city council determines that any territory within the corporate boundaries of the city is not necessary or suitable for city purposes, and approves by resolution or ordinance the exchange or release of territory from the city, the disannexed territory shall cease to be a part of the city, but the disannexed territory shall remain liable for its pro rata share of any indebtedness incurred while the area was a part of the city and the city shall continue to levy, assess, and collect taxes on the

property in the disannexed territory until such indebtedness has been paid, unless the city council determines that it is not necessary or advisable.

ARTICLE II. – CORPORATE POWERS

Sec. 1. – General.

The City of White Settlement, made a body politic and corporate by the adoption of this Charter, shall have and may exercise all the powers, functions, rights, privileges and immunities of every name and nature whatsoever now or hereafter granted to municipal corporations and to cities by the Constitution and Laws of the State of Texas, together with all the implied powers necessary to carry into execution all the powers, functions, rights, privileges and immunities granted.

The enumeration of particular powers by this Charter shall not be deemed to be exclusive, and in addition to the powers enumerated herein or implied hereby, or appropriate to the exercise of such powers, it is intended that the City of White Settlement shall have, and may exercise, all powers of local self-government, and all powers granted to home rule municipalities under state law, or any other powers which, under the Constitution and Laws of the State of Texas, it would be competent for this Charter specifically to enumerate.

ARTICLE III. – CITY COUNCIL AND MAYOR

Sec. 1. – Governing body.

The governing body and lawmaking body of the City of White Settlement shall consist of five councilmembers and a mayor and said body shall be known as the "City council of the City of White Settlement."

Sec. 2. – Elective officers.

The members of the city council of the City of White Settlement, which includes the five councilmembers and a mayor, shall be the only elective officers of the city, and they shall be elected and hold office and be compensated as herein provided. Said councilmembers and mayor shall be elected from the city at large.

Sec. 3. – Candidates: Qualifications and Places.

- A. Each candidate for an elective office shall meet the following qualifications:
 - 1. Be a United States citizen.
 - 2. Be a resident of the City of White Settlement and the State of Texas and shall have been a resident of White Settlement for a period of not less than 12 months immediately preceding the election date.
 - 3. Be a qualified voter of the State of Texas and Tarrant County.
 - 4. Shall be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable.
 - 5. Shall not have been determined to be mentally incompetent by a final judgment of a court.
 - 6. Shall have not been finally convicted of a felony for which the person has not been pardoned or otherwise released from the resulting disabilities.
- B. A member of the council ceasing to possess any of the qualifications specified in this section or any other section of the Charter, or convicted of a felony while in office, shall immediately forfeit the member's office.
- C. Candidates for city council shall run for Place No. 1, Place No. 2, Place No. 3, Place No. 4, Place No. 5 or for mayor, as the case may be, and shall be voted on and elected accordingly.
- D. Any person so qualified who desires to become a candidate for election shall file an application with the city secretary, in accordance with the Texas Election Code.
- E. The city secretary shall determine the qualifications of candidates for election to the City council in accordance with the requirements of the Texas Election Code.

Sec. 4. – Terms for mayor and councilmembers

The regular election shall be held on the November Uniform Election Date, commencing November 2014. The mayor and each councilmember shall hold office for a three-year term, or until their successor is elected and duly qualified. The election of mayor and councilmembers shall be for terms as follows:

(1) The mayor and place 1 shall be elected for a term of three (3) years at the November 2014 general election, and for three (3) year terms thereafter.

(2) Place 2 and place 3 shall be elected for a term of three (3) years at the November 2013 general election, and for three (3) year terms thereafter.

(3) Place 4 and place 5 shall be elected for a term of three (3) years at the November 2012 general election, and for three (3) year terms thereafter.

(Note: Regular municipal elections were held in April each year; superseded by State law in 1988; providing for May elections with terms of office to begin in May. In 2011, H.B. 100 [see Texas Election Code § 41.0052] allowed for municipalities to adopt the November uniform election date with the passage of a resolution; and without the requirement of a Charter amendment election. White Settlement City council unanimously adopted Resolution No. 987-11, selecting the November uniform election date as the municipality's regular municipal election date to begin in 2012.)

Sec. 5. – Officers: oaths and bonds.

All officers of the city, whether elective or appointive, shall qualify by taking the oath prescribed by the Constitution of this State and by executing such bond as may be required under the provisions of this Charter and the ordinances and resolutions of the city.

Sec. 6. – Duties of the mayor.

The mayor of the City of White Settlement shall preside over the meetings of said city council and perform such other duties consistent with the office as may be imposed upon him by this Charter and ordinances and resolutions passed in pursuance thereof. The mayor may participate in the discussion of all matters coming before the council. The mayor shall not be entitled to vote as a member thereof, on legislative or other matters, except in case of a tie, when the mayor shall have the right to cast the deciding vote.

Sec. 7. – Mayor protem.

The mayor protem shall be selected from among the members of the Council and shall perform all duties of the mayor in the mayor's absence. The mayor protem must have at least one-year prior

experience as a City of White Settlement councilmember. If no sitting member has one year of prior experience as a City of White Settlement Councilmember, then any sitting member may be selected as the mayor protem.

Sec. 8. – Compensation of mayor and councilmembers.

The city council may allow the mayor a salary, but the amount of such salary, including payment for meetings attended, shall in no event be more than one hundred and fifty dollars (\$150.00) per month.

The city council may allow each councilmember the sum of twenty-five dollars (\$25.00) for each regular and special meetings of the city council actually attended by him or her, provided that no councilmember shall be allowed a greater compensation than one hundred and fifty dollars (\$150.00) per month.

Sec. 9. – Vacancies; forfeiture of office.

- A. The office of a councilmember shall become vacant upon their death, written resignation submitted to the city secretary, removal from office by recall, expulsion, or forfeiture of their office.
- B. A councilmember shall forfeit their office if he/she:
 - 1. Lacks at any time during their term of office any qualifications for the office prescribed by this Charter or by law.
 - 2. Willfully violates any express prohibition of this Charter.
 - 3. Is convicted of a felony or crime involving moral turpitude; or
 - 4. Fails to attend any three consecutive regularly scheduled meetings of the city council without being excused only for reasons of personal emergency, incapacitation, or personal vacation. A notification of intent to be absent for reason of personal vacation shall be provided in writing to the city secretary prior to the meeting at which the councilmember will not be in attendance. Excusal, recall, expulsion, or forfeiture proceedings shall be initiated at the next regularly scheduled meeting of the city council following the absences, a recall election, or the act constituting the basis for expulsion or forfeiture, if established and proven beyond a reasonable doubt, and shall be approved by a majority vote of the remaining members of the city council in open

session, who shall then immediately begin proceedings, if necessary, for election of a successor.

5. For the purposes of this section, determination of what shall constitute a sufficient "personal emergency" shall be at the discretion of the remaining members of the city council by majority vote in open session.

The city council shall be the sole judge of all elections and of qualifications of its members and for such purposes shall have the power to subpoena witnesses and require the production of records.

- C. In the event a vacancy from any cause in the office of mayor or councilmember with three-year terms, and an unexpired term greater than four (4) months, the city council shall order a special election called for the purpose of filling the vacancy within one hundred and twenty (120) days after such vacancy or vacancies. However, if a vacancy occurs in the office of mayor or councilmember with an unexpired term of four (4) months or less, the city council may call a special election to fill the vacancy or may appoint a person to fill such vacancy until the expiration of the office to be filled, if permitted by the Texas Constitution. Such an appointment shall require an affirmative vote of 75% of the full council.

ARTICLE IV. – RESPONSIBILITIES OF THE CITY COUNCIL

Sec. 1. – Duties of the City council.

The city council shall have all powers enumerated by this Charter and granted to Home Rule Cities and General Law Cities by the Constitution and the laws of the State of Texas as well as those powers that may be reasonably implied therefrom or that may hereinafter be granted to municipalities by the Constitution or the laws of the State of Texas, save and except those powers which by this Charter are expressly vested elsewhere.

Neither the city council nor any of its members shall direct the appointment of any person to office by the city manager or by any of his subordinates. Except for the purpose of inquiry, the city

council and its members shall deal with the administrative services solely through the city manager and neither the city council nor any member thereof shall give orders to any subordinate of the city manager, either publicly or privately, save and except those positions specifically enumerated in the next preceding paragraph.

The city council shall have the power, right and authority to employ, terminate and set the compensation for:

- 1) The city manager;
- 2) The city secretary;
- 3) The city attorney;
- 4) The municipal court judge;
- 5) The city auditor or the person, firm, or corporation employed to conduct periodic audits of the city's financial position and related transactions; and
- 6) One or more city prosecutors.

The city manager and the city secretary may be dismissed only after a written notification, including specific charges, if any, is provided to the party whose dismissal is sought. Such charges shall be presented at least ten days prior to the effective date. A public hearing, if requested by the affected party, shall be held not less than ten days after the written notification is presented to the affected party. The actual dismissal shall be at a regularly scheduled city council meeting.

Sec. 2. – Meetings of the city council.

The city council shall hold one regular meeting per month and as many special meetings as the council may deem necessary.

Sec. 3. – Enactment of Ordinances.

Each proposed ordinance or resolution shall be introduced in written or printed form, and the enacting clause of all ordinances shall be, "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT," but such enacting clause may be omitted when the ordinances of the city are codified and published in book or pamphlet form by the City of White Settlement. All ordinances, resolutions, or orders may be passed at any regular meeting, or may be

passed at any special or called meeting called for that purpose, provided notice has been given in accordance with the Texas Open Meetings Act.

Sec. 4. – Publication of Ordinances.

- A. All ordinances and resolutions, unless otherwise provided by State law, this Charter, or the ordinance itself shall be effective on the passage or adoption by the required majority of the council. Every ordinance, resolution, or motion shall require on final passage the affirmative vote of a majority of a quorum of the council, unless more is required by State law or this Charter.
- B. The descriptive caption or title of an ordinance that imposes a penalty, fine, or forfeiture, and the penalty for violating the ordinance, shall be published at least once in the official newspaper of the city, or by any other means permitted by State law.
- C. All ordinances and resolutions may be admitted and received in all courts, subject to the rules of evidence and laws of jurisdictions where proof of such ordinances and resolutions are tendered, without further proof.

Sec. 5. – Boards and Commissions.

- A. *Creation.* The city council may create, establish, or appoint, as may be required by the laws of the State of Texas or this Charter, or deemed desirable by council, such boards, commissions, and committees as it deems necessary to carry out the functions and obligations of the city. The city council shall, by ordinance or resolution, prescribe the purpose, composition, function, duties, accountability, and tenure of each board, commission, and committee where such are not prescribed by law or this Charter.
- B. *Appointment of Members of Boards.* The members of all boards, commissions, or committees created by the council shall be appointed by the city council and shall be residents of the city.

ARTICLE V. – CITY ADMINISTRATION

Sec. 1. – City manager.

- A. *Selection of city manager.* The city manager shall be appointed by the city council at a rate of compensation fixed by the city council. Such selection shall be based upon executive and administrative training, experience, and ability. No member of the city council shall be eligible to serve as city manager for a period of two years after having been a city councilmember.
- B. *Duties, responsibilities, and authority of the city manager.* The city manager shall be the chief executive officer and the head of the administrative branch of the city government. The city manager shall be responsible to the city council for the proper administration of the affairs of the city under the city manager's supervision and to that end, the city manager's authority shall include, but not be limited to:
- (1) Appoint and remove all the heads of each department except city secretary, city attorney, municipal court judge, city prosecutor, and city auditors;
 - (2) Appoint and, when necessary for the good of the city, remove all other employees of the city except as otherwise provided by this Charter and except as the city manager may authorize the head of a department or office to appoint and remove subordinates in such department or office;
 - (3) Prepare the annual budget, present it to the city council and be responsible for its administration after adoption;
 - (4) Prepare and submit to the city council, at the end of the fiscal year, a complete report of the finances and administrative activities of the city for the preceding year;
 - (5) Keep the council advised of the financial condition and future needs of the city and make such recommendations to the council as may seem to the city manager desirable;
 - (6) Enforce the performance of contracts and franchises to which the city is a party and supervise the administration and implementation of capital improvement programs;
 - (7) Perform such other duties as may be prescribed by this Charter or required of the city manager by the council not inconsistent with this Charter or other provisions of state law.

Sec. 2. – City secretary.

The city council shall appoint a city secretary who shall also be city treasurer. The city secretary shall be a qualified voter residing in the city for at least one year preceding their appointment. The city secretary shall receive compensation as the city council may fix. The city secretary shall perform such duties as are assigned by the city council or required by the laws of the State of Texas.

ARTICLE VI. – MUNICIPAL COURT

Sec. 1. - Municipal court.

There shall be a municipal court of the city, which shall have such jurisdiction, powers and duties as are prescribed by this Charter, by ordinance of this city, and by the laws and Constitution of the State of Texas. The jurisdiction of the court shall be both criminal and civil as set out by law.

Sec. 2. – Municipal court: State laws controlling.

All complaints, prosecutions, the service of process, commitment of those convicted of offenses, the collection and payment of fines, the attendance and service of witnesses and juries, punishment for contempt, bail, and the taking of bonds shall be governed by the provisions of state laws applicable to municipal courts.

Sec. 3. - Court of Record.

The City council may, if it chooses, and if so allowed by law, establish a municipal court of record, to have and exercise all powers of a municipal court.

Sec. 4. - Municipal Court Judge Appointment.

The city council shall appoint a municipal court judge as judge of the municipal court. The judge shall be a competent and duly licensed attorney practicing law in the State of Texas. The city council may also appoint one or more associate city judges, who shall be competent and duly licensed attorney(s) practicing law in the State of Texas, to serve when the municipal court judge fails to act for any reason. The municipal court judge and associate municipal court judge(s) shall serve for terms of two (2) years or until their successors have been qualified.

Sec. 5. - Removal.

The municipal court judge and associate judge(s) shall serve at the will of the council and may be removed after receiving notice and an opportunity for a hearing before the council.

Sec. 6. - Compensation.

The city council shall determine the compensation of the judges, who shall not be paid on a commission basis.

Sec. 7. - Court Clerk.

There shall be a clerk of the municipal court appointed by the city manager to be designated as the court clerk. The court clerk and any deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of the court, and generally do and perform any and all acts usually and necessarily performed by clerks and deputies of courts and as are assigned and required by law. The court clerk may hold other positions of city employment concurrent with, but secondary to and not in conflict with, the position of court clerk.

ARTICLE VII. – CITY ATTORNEY**Sec. 1. - City Attorney.**

- A. The council shall appoint by the affirmative vote of a majority of the full membership of the council, a competent, duly qualified, licensed and practicing attorney in the State of Texas, to be an attorney for the city, hereinafter referred to as the "City Attorney."
- B. The City Attorney shall:
 - (1) Serve as the legal advisor to council and the city manager;
 - (2) Represent the city in litigation and legal proceedings as directed by the council and city manager;
 - (3) Review and provide opinions as requested by council or the city manager on contracts, legal instruments, and ordinances of the city; and
 - (4) Perform other duties prescribed by this Charter, by ordinance, or as directed by the council.

- C. The council may contract with an attorney or with a firm of attorneys who may designate one (1) member of said firm, with council approval, to serve as city attorney.
- D. Compensation shall be fixed by contract with the approval of the council or by appointment subject to the approval of council.
- E. The council shall have the right to retain special counsel at any time that it may deem necessary and appropriate.
- F. The city attorney serves at the pleasure of the council and may be removed by the affirmative vote of a majority of the full membership of council.

Sec. 2. - City Prosecutor.

All cases in the Municipal Court shall be prosecuted by the city attorney, or such designated prosecutor as the council may authorize.

ARTICLE VIII. – ELECTIONS

Sec. 1. – Elections.

- A. All city elections shall be conducted in accordance with the requirements of the Texas Election Code.
- B. The regular city election shall be held annually on the first Tuesday in November, unless specifically prescribed by State law. The council shall fix the hours and place for holding elections.
- C. The council may, by ordinance or resolution, call special elections as are authorized by State law, this Charter, or for any other reason the council deems necessary, and shall fix the time and place of holding same, and provide all means for holding special elections in accordance with State law.
- D. All general and special elections shall be held in accordance with the laws of the State of Texas that regulate the holding of municipal elections and in accordance with this Charter and ordinances or resolutions adopted by the council for the conduct of elections. The council shall appoint the election judges and shall provide for the compensation of all election officials in the city elections and for all other expenses in holding the elections.

Sample ballots identical to the voting format for the specific election shall be posted in the voting place for the benefit of the voter.

- E. All duly qualified electors under the laws of the State of Texas, who are residents of the city, shall be qualified to vote in any city election.

Sec. 2. – Candidates: How elected.

The candidate receiving a majority of all the votes cast for the office for which they are a candidate shall be elected to such office. In the event any candidate for either of said offices fails to receive a majority of all votes cast for all the candidates for such office at such election, the mayor shall call for a runoff election to be held. The runoff election shall be called to be held on the date agreed upon and in accordance with State law and the Texas Election Code. At the runoff election, the two candidates receiving the highest number of votes for any such office in the first election at which no one was elected by receiving a majority of all votes cast for all candidates for such office, shall again be voted for.

In the event of a tie in the vote for two leading candidates for any office at said first election, said office shall be filled at a runoff election as herein provided for, at which such candidates so tied in said first election may again become candidates. The candidates shall have their names printed on said official ballot in the order in which they were printed in the first election.

In the event of a tie between the two candidates for any office at said second election, they shall cast lots to determine who shall be elected to such office.

Sec. 3. – Official canvass.

The city council shall convene to conduct the local canvass of election results in compliance with state law requirements.

ARTICLE IX. – INITIATIVE, REFERENDUM, AND RECALL

Sec. 1. – Initiative and Referendum

- A. *Initiative:* The qualified voters of the city shall have power to propose ordinances to the council and if the council fails to adopt an ordinance so proposed without any change in substance, or to adopt or reject it at a city election, provided that such power shall not

extend to the budget or capital program or any ordinance relating to zoning, appropriation of money, levy of taxes, issuance of bonds and notes, borrowing of money, salaries or duties of city officers or employees, matters related to administration of municipal employees, annexation, municipal boundary adjustments, or in any instance where a court of proper jurisdiction determines that the initiated ordinance has been removed from the field of initiative. Such initiative power may be used to enact a new ordinance, or to repeal or amend sections of any existing ordinances.

B. Referendum: The qualified voters of the city shall have power to require reconsideration by the council of any adopted ordinance, and if the council fails to repeal an ordinance so reconsidered, to approve or reject it at a city election provided that such power shall not extend to the budget or capital program or any ordinance relating to zoning, appropriation of money, levy of taxes, issuance of bonds and notes, borrowing of money, salaries or duties of city officers or employees, matters related to administration of municipal employees, annexation, municipal boundary adjustments, or in any instance where a court of proper jurisdiction determines that the referred ordinance has been removed from the field of referendum.

C. Commencement and Proceedings for Initiative and Referendum:

1. Any ten (10) qualified voters may commence initiative or referendum proceedings by filing with the city secretary an affidavit stating they will constitute the Petitioners' Committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered. The Petitioners' Committee shall designate one contact person for communications with the city and to receive all notices.
2. Promptly after the affidavit of the Petitioners' Committee is filed, the city secretary shall verify that the applicants are qualified voters and, if they are, shall issue the appropriate petition blanks to the Petitioners' Committee.

D. Petitions for Initiative and Referendum:

1. **Number of Signatures:** Initiative and referendum petitions must be signed by qualified voters of the city equal in number to at least fifteen (15) percent of the qualified voters of the city, or fifty-one percent (51%) of the number of qualified votes cast at the most recent regular municipal election, whichever is greater.
2. **Form and Content:** All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. The form and contents of a petition shall meet the requirements of the Texas Election Code. Petitions shall contain, or have attached thereto throughout their circulation, the full text of the ordinance proposed or sought to be reconsidered.
3. *Time for Filing Petitions:* Initiative and Referendum petitions must be filed within sixty (60) days after issuance of the appropriate petition blanks to the Petitioners' Committee. All petitions shall be filed with the city secretary.
4. *Referendum Petitions:* Referendum petitions must be filed with the city secretary within 60 days after the final passage of the ordinance that is the subject of the referendum, or the petition shall be barred by the lapse of time. When such petition has been certified as sufficient by the city secretary, the ordinance specified in the petition shall not go into effect, or if it has gone into effect, then further enforcement of action thereunder shall be suspended unless and until such ordinance is approved by the voters as herein provided.

E. *Procedure After Filing Petition for Initiative or Referendum:*

1. **Review by City secretary.** Upon the filing of a petition for initiative or referendum, the city secretary shall review the petition to determine the existence of the requisite number of signatures of qualified voters and whether the form of the petition complies with the provisions of this Charter. The city secretary shall also review the petition to determine the genuineness of the signatures.
2. **Certificate of City secretary.** Within ten (10) days after the petition is filed, the city secretary shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the Petitioners' Committee by registered mail.

3. *Amendment by Petitioner.* A petition certified insufficient for lack of the required number of valid signatures or due to inadequate form or content may be amended once if the Petitioners' Committee files a notice of intention to amend it with the city secretary within five (5) days after receiving the copy of this certificate and files a supplementary petition with additional papers within ten (10) days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of subsection D. above, and within five (5) days after it is filed the city secretary shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the Petitioners' Committee by registered mail as in the case of an original petition.
4. *Submission to City council.* If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the Petitioners' Committee does not elect to amend as provided in subsection C within the time required, the city secretary shall promptly present this certificate to the council and the certificate shall then be a final determination as to the sufficiency of the petition.

F. Action on Initiative or Referendum Petitions:

1. *Action by Council:* When an initiative or referendum petition has been finally determined sufficient, the council shall promptly consider the proposed initiative ordinance in the manner prescribed for enacting ordinances or reconsider the referred ordinance by voting its repeal. If the council fails to adopt a proposed initiative ordinance without any change in substance within ninety (90) days or fails to repeal the referred ordinance within sixty (60) days after the date the petition was finally determined sufficient, it shall submit the proposed or referred ordinance to the voters of the city.
2. *Submission to Voters:* The vote of the city on a proposed or referred ordinance shall be held on the next election date authorized by the Texas Election Code that allows sufficient time for compliance with the requirements of the Texas Election Code regarding deadlines to call elections. Copies of the proposed or referred ordinance shall be made available at the polls and shall be published at least once in the official

newspaper of the city, or by other means permitted by State law, and on the city's website no later than fifteen (15) days before the date of the election.

3. **Withdrawal Signatures:** No signature shall be withdrawn from any petition after such petition has been filed with the city secretary.

G. *Form of Ballots:* The ballots used when voting upon such proposed and referred ordinance, resolutions, or measures, shall set forth their nature sufficiently to identify them and shall also set forth upon separate lines the words:

“For the Ordinance” or

“Against the Ordinance” or

“For the Resolution” or

“Against the Resolution”

H. *Results of Election for Initiative or Referendum:*

1. *Initiative:* If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.
2. *Referendum:* If a majority of the qualified electors voting on a referendum ordinance vote in favor of repealing it, it shall be considered repealed upon certification of the election results.

I. *Limitation on Initiative and Referendum:* The same initiative or referendum petition shall be prohibited to be filed within one (1) year of the city secretary's certification of the previous petition.

Sec. 2. – Recall.

- A. *Recall.* The voters of the city shall have the power to recall any elected officer of the city on the grounds of incompetency, misconduct, or malfeasance in office.
- B. *Petitions for Recall.* Before the question of recall of such officer shall be submitted to the qualified voters of the city, a petition demanding such question shall first be filed with the

city secretary, which shall be signed by at least thirty percent (30%) of the qualified voters of the City of White Settlement, Texas, or fifty one percent (51%) of the number of qualified votes cast at the most recent regular municipal election, whichever is greater.

- C. *Form of Recall Petition.* The recall petition mentioned above must be addressed to the city council of the City of White Settlement, must distinctly and specifically set forth the ground(s) upon which such petition for removal is predicated, and, if there be more than one (1) ground, such as for incompetency, misconduct, or malfeasance in office, shall specifically state each ground with such certainty as to give the office sought to be removed notice of the matters and things with which they are charged. Each signer of such recall petition shall provide all requisite information as required by the Texas Election Code, as amended, and this Charter. The signature shall be verified by oath in the following form:

“State of Texas)

County of Tarrant)

I, _____, being first duly sworn, on oath depose and say that I am one of the signers of the above petition, and that the statements made therein are true, and that each signature appearing thereto was made in my presence on the day and date it purports to have been made, and I solemnly swear that the same is the genuine signature of the person it purports to be.

Sworn and subscribed before me this _____ day of _____, 20____.

Notary Public in and for the State of Texas.”

- D. *Various Papers Constituting Petition.* The petition may consist of one (1) or more copies, or subscription lists, circulated separately, and the signatures thereon may be upon the paper or papers containing the form of petition or upon other papers attached thereto. Verifications provided for in this section may be made by one (1) or more petitioners; and the several parts of copies of the petition may be filed separately and by different persons, but no signatures to such petition shall remain effective or be counted that were placed thereon more than 180 days prior to the filing of such petition or petitions with the person performing the duties of city secretary on the same day, and the said secretary shall immediately notify, in writing, the officer sought to be removed, by mailing such notice to their city address.

- E. *Presentation of Petition to City council.* Within thirty (30) days after the date of the filing of the papers constituting the recall petition, the person performing the duties of the city secretary shall present such petition to the city council.
- F. *Public Hearing to be Held.* The officer whose removal is sought may, within ten (10) business days after such recall petition has been presented to the city council, request that a public hearing be held to permit the officer to present the facts pertinent to the charges specified in the recall petition. In this event, the council shall order such public hearing to be held not less than five (5) days nor more than thirty (30) days after receiving such request for a public hearing.
- G. *Calling of Recall Election.* If an officer whose removal is sought does not resign, then it shall become the duty of the council to order an election to be held on the first uniform election date that permits the compliance with the requirements of law.
- H. *Ballots in Recall Election.* Ballots used at recall elections shall conform to the following requirements:
1. With respect to each person whose removal is sought, the question shall be submitted:
“Shall (name of person) be removed from the office of (name of office) by recall?”
 2. Immediately below each such question there shall be printed the following words, one above the other, in the order indicated:
“YES”
“NO”
- I. *Results of Recall Election.* If the majority of the legal votes cast at a recall election are for the recall of the officer named on the ballot, the council shall immediately declare such office vacant and such vacancy shall be filled in accordance with the provisions of this Charter. An officer thus removed shall not be eligible to hold office again in the city within a period of four (4) years from the date of such officer's recall.
- J. *Limitation on Recall.* No recall petition shall be filed against an officer within six (6) months after taking office nor within twelve (12) months after election for such officer's recall. Nothing herein shall prevent impeachment of an officer of the city nor removal for other cause as provided herein.
- (Moved from Article VII)

ARTICLE X. - TAXATION

Sec. 1. – Tax levy.

The city council shall have the power under the provisions of State law to levy, assess and collect an annual tax upon taxable property within the city, the tax not to exceed a total of \$1.50 on the \$100.00 assessed valuation of said property. The adoption of a tax rate and imposition of a tax levy shall comply with the requirements of State law.

ARTICLE XI. – MUNICIPAL FINANCE

Sec. 1. - Fiscal Year.

The fiscal year of the city shall begin on the first day of October and end on the last day of September. Such fiscal year shall also constitute the budget and accounting year.

Sec. 2. - Submission of Budget.

The city manager shall, not less than sixty (60) days prior to the close of the fiscal year, prepare and submit to the council a proposed budget for the ensuing fiscal year and an accompanying message.

Sec. 3. – Budget.

- A. *Budget Message:* A budget message explaining the budget both in fiscal terms and in terms of the work programs shall be submitted with the budget. It shall outline the proposed financial policies of the city for the ensuing fiscal year and the impact of those policies on future years. It shall describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the city's debt position, including factors affecting the ability to raise resources through debt issues; and include such other material as the city manager deems desirable.
- B. *Operating Budget.* The operating budget shall provide a complete financial plan of all city funds and activities and, except as required by law or this Charter, shall be in such form as the city manager deems desirable or the council may require. The budget message shall

explain the budget in fiscal terms and in terms of work programs for the ensuing fiscal year. It shall outline the proposed financial policies of the city, and shall include such other materials, as the city manager deems necessary. The authorized expenditures outlined in the operating budget may not exceed an amount greater than the total of estimated income plus funds available to the city from any source.

The budget shall contain information as may be required by State law, the council or as deemed appropriate by the city manager.

Sec. 4. - Public Notice and Hearing.

The council shall cause notice to be published as required by State law prior to any required public hearing on the budget. The notice must state the time and place where copies of the message and budget are available for inspection by the public, and the time and place of any public hearing on the budget.

Sec. 5. - Amendment before Adoption.

The council may adopt the budget with or without amendment at a regular or special meeting. In amending the budget, it may add or increase any programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income plus funds available from prior years.

Sec. 6. – Adoption.

The council, by majority vote of the entire membership, shall adopt the budget. Adoption of the budget shall constitute appropriations of the amount specified therein as expenditures from the fund indicated and shall constitute a levy of the property tax therein proposed.

Sec. 7. - Defect Shall Not Invalidate Tax Levy.

Errors or defects in the form or preparation of the budget or the failure to perform any procedural requirements shall not nullify the tax levy or the tax rate.

Sec. 8. - Lapse of Appropriations.

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned. The purpose of any such appropriation shall be deemed abandoned if three (3) years pass without any disbursement from or encumbrance of the appropriation. Any funds not expended, disbursed or encumbered shall be deemed excess funds.

Sec. 9. - Failure to Adopt a Budget.

If the council fails to adopt the budget in accordance with State law, the amounts appropriated for the prior fiscal year just completed shall be deemed adopted for the ensuing fiscal year on a month-to-month basis with all items in it pro-rated accordingly until such time as the council adopts a budget for the ensuing fiscal year.

Sec. 10. - Public Records.

Copies of the approved budget shall be filed with the city secretary and shall be public record available to the public for inspection upon request.

Sec. 11. - Specified Reserve Fund.

Specified reserve funds may be created for specific purposes and may be used only for such purposes.

Sec. 12. – Transfers.

- A. During the fiscal year, the council shall have the power to transfer funds allocated by the budget to one activity, function, or department to another activity, function, or department, and to re-estimate revenues and expenditures.
- B. During the fiscal year, the city manager may transfer funds between programs or general classifications of expenditures within an office, department, agency, or organizational unit.

Sec. 13. - Amendment after Adoption.

Under conditions that may arise and that could not reasonably have been foreseen in the normal process of planning the budget, the council may, by the affirmative vote of a majority of the full membership of the council, amend or change the budget to provide for any additional expense in which the general welfare of the citizenry is involved. Budget amendments shall only be presented to the city council at an April regular or special meeting, except in the case of emergency amendments, which may be brought at the discretion of the city manager. These amendments shall be by ordinance and shall become an attachment to the original budget. The amendments may be made effective immediately upon adoption of the ordinance.

Sec. 14. – Borrowing.

- A. Authority to Incur Indebtedness: The council shall have the power to incur, create, refund and refinance indebtedness and borrow money for public purposes; to issue special or general obligation bonds, certificates of obligation, industrial bonds, revenue bonds, funding and refunding bonds, time warrants and any other evidences of indebtedness permitted by law, and to secure and pay the same in the manner and in accordance with the procedures provided and required by State law.
- B. Bonds Incontestable: All bonds of the city having been issued and sold and having been delivered to the purchaser thereof, shall thereafter be incontestable and all bonds issued to refund in exchange for outstanding bonds previously issued shall and after said exchange, be incontestable.
- C. Borrowing in Anticipation of Property Tax: In any budget year, the council may, by resolution, authorize the borrowing of money in anticipation of the collection of the property tax for the same year whether levied or to be levied. Notes may be issued for periods not exceeding one (1) year and must be retired by the end of the budget year in which they are issued.
- D. Use of Bond Funds: Any and all bond funds approved by a vote of the citizens of White Settlement will be expended only for the purposes stated in the bond issue.

Sec. 15. – Purchasing.

The council may confer upon the city manager general authority to contract for expenditures without further approval of the council for all budgeted items not exceeding limits set by council or State law. All contracts for expenditures involving more than the set limits must be approved by the council. All contracts or purchases involving more than the set limits, shall be let as provided by law or ordinance; provided that the council, or city manager in such cases as they are authorized to contract for the city, shall have the right to reject any and all bids. Emergency contracts as authorized by law may be negotiated by the council, or city manager if given authority by the council, without competitive bidding. Such an emergency shall be declared by the city manager and approved by the council or may be declared by the council.

Sec. 16. - Administration of the Budget.

- A. Payments and obligations prohibited: No payment shall be made, or obligations incurred except those specifically allowed for in the budget. Any authorization of payment or incurring of any such obligation in violation of the provisions of this Charter will be void and any payment so made will be illegal. Such action may be the cause, at the discretion of the city manager, or the council in reference to the city manager, for the removal of any officer who knowingly authorized or made such payment or incurred such obligation. However, this prohibition shall not be construed to prevent the making or authorizing of payment, or the making of contracts for, payments beyond the end of the fiscal year, provided that such action is made or approved by an ordinance.
- B. Financial reports: The city manager shall submit to council a report of the financial condition of the city budget items for the fiscal year to date. The report shall be submitted periodically, as directed by the council, but in no event less than quarterly.
- C. Independent Audit: At the close of each fiscal year, and at such times as it may be deemed necessary, the council shall cause an independent audit to be made of all accounts of the city by a Certified Public Accountant. The Certified Public Accountant shall be chosen by the council and shall have no personal interest, directly or indirectly, in the financial affairs of the city or any of its officers. Upon completion of the audit, the results thereof in a

summary form shall be presented to the council. A copy of the audit shall be made available to the public for inspection upon request.

ARTICLE XII. – FRANCHISES AND PUBLIC UTILITIES

Sec. 1. - Inalienability of Control of Public Property.

The sole right of control, easement, use, ownership of and title to the public streets, sidewalks, highways, bridges, alleys, public places, and other real property of the city is hereby declared to be inalienable, except by ordinance adopted by a majority of the city council.

Sec. 2. - Powers of the City.

The city shall have the power to buy, sell, construct, lease, maintain, operate, and regulate public services and utilities within and without the city limits, and to manufacture, distribute, and sell such utility services, including but not limited to water, gas, electric, telephone, cable, waste management, recycling, and transportation services. The city shall have such regulatory powers as may now or hereafter be granted under the Constitution and laws of the State of Texas.

Sec. 3. - Power to Grant Franchise.

The council shall have the power by ordinance, to grant, amend, renew, and extend all franchises for all utilities of every character operating within the city and, to amend the same, provided, however, that no franchise shall be granted for an indeterminate term, and that no franchise shall be granted for a term of more than twenty (20) years from the date of the grant, renewal or extension. Council action on all ordinances granting, renewing, extending or amending a utility franchise shall comply with the applicable provisions set forth in this Charter.

Sec. 4. - Exclusiveness of Franchises.

No grant or franchise to construct, maintain, or operate a public utility and no renewal or extension of such grant shall be exclusive.

Sec. 5. - Transfer of Franchise.

No utility franchise shall be transferable except with the approval of the council expressed by ordinance. The term "transferable" as used herein, shall not be construed in such a manner as to prevent the franchise holder from pledging said franchise as security for a valid debt or mortgage.

Sec. 6. - Franchise Value Not to be Allowed.

Franchises granted by the city are of no value in fixing reasonable rates and charges for utility service within the city and in determining the just compensation to be paid by the city for public utility property that the city may acquire by condemnation or otherwise.

Sec. 7. - Right of Regulation.

- (1) All grants, renewals, extensions, or amendments of utility franchises shall be subject to the following rights of the city, whether or not specifically stated in the franchise ordinance:
- (2) To repeal the franchise by ordinance at any time for failure to begin construction or operation within the time prescribed or otherwise to comply with the terms of the franchise.
- (3) To require an adequate extension of plant and service as is necessary to provide adequate service to the public, and maintenance of the plant and fixtures at the highest reasonable standard of efficiency.
- (4) To require at any time compensation and rental as may be permitted by the laws of the State of Texas for use of public streets, sidewalks, highways, alleys, and public places.
- (5) To require reasonable standards of service and quality of product and prevent rate discrimination.
- (6) To examine and audit the accounts and other records of any such utility and to require annual and other reports on local operations of the public service or utility as may be allowed by law.
- (7) To require the franchisee to restore at the franchisee's expense, all public or private property to a condition equally as good as or better than before disturbed by construction, repair or removal.

- (8) To require every franchisee to furnish within a reasonable time to the city, without cost to the city, a general map, with updates outlining the location, character, size, length, and terminals of all facilities of such franchisee in, over, and underground of property in the city and to provide detailed information regarding the same upon request of the city.
- (9) To impose other reasonable regulations, requirements, and conditions as may be deemed necessary to promote the health, safety, welfare, or accommodation of the public and to insure safe, efficient and continuous service to the public.
- (10) To require the franchisee to give notice to any subscriber to its services prior to permanent or temporary discontinuance of such service by the franchisee, except in cases of emergency, and to require that no officer, agent, servant or employee of the franchisee nor any vehicles under their control shall make use of, go upon or cross any private property without first obtaining the permission of the owner or occupant, except in cases of emergency, and to provide a penalty for the violation of such requirements.
- (11) To require every franchisee to indemnify and hold harmless the city against any liability, claims or damages (including attorney's fees and expenses) for injury to persons, including death, or damages to any property, arising out of any intentional or negligent act or omission of the franchisee, or any of its officers, agents, or employees, in connection with the franchisee's construction, maintenance and operation of the franchisee's facilities in the city.

Sec. 8. - Regulation of Rates.

- A. The council shall have full power after due notice and public hearing to regulate by ordinance the rates, charges and fares of all public utility franchise holders operating in the city as authorized by state and federal law.
- B. The council, upon receiving a request from a public service desiring a change in rates, charges, or fares, shall call a meeting for consideration of such a change.
- C. A holder of a franchise to provide a public service or utility in the city must show the necessity for such change by establishing by clear, competent, and convincing evidence:
 - (1) Cost of its investment for service in the city;

- (2) Amount and character of expenses and revenues connected with rendering the service;
and
 - (3) Any additional evidence required by the council.
- D. The council may, if not satisfied with the sufficiency of the evidence furnished by the public service, select and employ rate consultants and auditors to investigate any requests or changes in rates, charges, or fares. The public service shall reimburse the city for the city's reasonable and necessary expenses incurred.

Sec. 9. - Municipal Owned Utilities.

The council shall have the right to:

- (1) Set rates of city-owned public services; and
- (2) Require any city-owned public services to keep accounts of financial operations.

Sec.10. - Franchise Records.

The city shall compile and maintain a public record of utility franchises.

Sec.11. – Extensions.

All extensions of service of utilities within the city limits shall become a part of the aggregate property of the utility, shall operate as such, and shall be subject to all the obligations and reserved rights contained in this Charter and in any original grant hereafter made. The right to use and maintain any extension shall terminate with the original grant and shall be terminable as provided in this Chapter. In the case of extension of a utility operated under a franchise hereafter granted, such right shall be terminable at the same time and under the same conditions as the original grant.

Sec.12. - Franchises Granted Before Ratification of this Charter Amendment.

All franchises granted before ratification of the Charter amendment are recognized as contracts between the city and the grantee, shall continue in full force and effect, and the contractual rights contained in any such franchise shall not be impaired by the provisions of the Charter.

ARTICLE XIII. – MISCELLANEOUS PROVISIONS

Section. 1 Official Newspaper

The city council shall designate as the “Official Newspaper” of the city a newspaper published; daily, semi-weekly, or weekly, and of general circulation in the City of White Settlement.

Section. 2 Singular Includes Plural and Masculine, Feminine

The use of the singular number includes the plural, and the plural the singular, and words used in the masculine gender include the feminine also, unless by reasonable construction, it appears that such was not the intention of the language of this Charter.

Section. 3 Amendments

This Charter may be amended at any time in accordance with the provisions applicable, thereto contained in Chapter 9, Local Government Code, Vernon’s Texas Codes Annotated, or any amendments thereto, or any amendments that may be made hereafter thereto. The qualified voters of the city shall have the opportunity of voting on any such amendments.

Section. 4 Severability Clause

If any section or part of section of this Charter shall be held invalid by the court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

Sec. 5. – Ordinances now in effect.

All ordinances of the City of White Settlement now in existence and not inconsistent with the provisions of this Charter shall remain in full force and effect until altered, amended, or repealed by the city council. If parts of ordinances now in existence are inconsistent with the provisions of this Charter, then such parts are hereby repealed, but the remaining parts of such ordinances shall remain in full force and effect until altered, amended, or repealed by the city council.

Section. 6 Continuance of Contracts, Rights and Privileges

All contracts entered into by the City of White Settlement, or for its benefit, prior to the taking effect of this Charter, shall continue in full force and effect. All rights, immunities, powers, privileges and franchises now possessed by said city shall also continue in full force and effect.

Sec. 7. – Ethics.

No elected or appointed officer of the city, or the city manager of the city, shall have a substantial financial interest in any contract with the city; nor be substantially interested in the sale to the city of any land, materials, supplies, or services, except in compliance with state law. A substantial interest shall have the same meaning as defined by state law. A failure to abide by the ethical standards contained herein shall result in a forfeiture of office of that officer or employee so involved and may void any such contract related thereto.

Sec. 8. – Special provision for damage suits.

Before the city shall be liable for any damage claim or suit for personal injury or damage to property, the person who is injured or whose property is damaged, or someone on their behalf, shall give the mayor, city secretary, or their designee, notice in writing duly verified within 30 days after the occurrence of the alleged injury or damage, stating specifically in such notice when, where and how the injury or damage was sustained, setting forth the extent of the injury or damage as accurately as possible, and giving the names and addresses of all witnesses upon whose testimony such person is relying to establish the injury or damage. No action at law for damages shall be brought against the city for personal injury or damage to property prior to the expiration of 60 days after the notice hereinbefore described has been filed with the mayor or the city secretary.

Sec 9. Nepotism

- A. No person shall hereafter be appointed to a compensated office, position, clerkship or other paid position, permanent or temporary who is related to any member of the city council, the Mayor or the City manager within the second degree of affinity or the third degree of consanguinity. This provision shall not apply to volunteer services to the city.

- B. No person who is related to the head of a department within the second degree of affinity or the third degree of consanguinity shall hereafter be employed in that same department.
- C. The prohibition as to the city council, Mayor and City manager shall not apply to an appointment, confirmation of an appointment or vote for an appointment or confirmation of an appointment of an individual to a position if:
 - 1) the individual is employed in the position immediately before the election or appointment of the public official to whom the individual is related in a prohibited degree; and
 - 2) the individual has held the position continuously for at least:
 - i. 30 days, if the public official is appointed;
 - ii. six (6) months, if the public official is elected.
- D. If an individual continues in a position because of the exception set out above, the public official to whom the individual is related in a prohibited degree may not participate in any deliberation or voting on the appointment, reappointment, employment, reemployment, change in status, compensation or dismissal of the individual if that action applies only to the individual and is not taken regarding a bona fide class or category of employees or other paid positions.

Sec. 10 Emergency Management

The mayor, or Mayor protem in the absence of the mayor, shall, as the Presiding Officer of the governing body, be designated as the Emergency Management Director that reports to the governor, for the City of White Settlement, Texas.

The mayor shall designate, by Resolution, an Emergency Management Coordinator who shall report to the Governing Body all concerns of Emergency Management, and whose duties include:

- (1) To provide and/or arrange for any and all “Civil Defense Measures” and “Public Shelter Measures” for the City of White Settlement, Texas, and for the citizens thereof, deemed necessary for the public welfare.
- (2) To exercise, or delegate to the mayor, or mayor protem, in the absence of the Mayor from the City , extraordinary and total executive powers (on a temporary basis) during the existence and duration of any major public disaster, for the public welfare.

In case of a disaster when a legal quorum of the City council cannot otherwise be assembled due to multiple deaths or injuries, the surviving member of members of the City council, or highest surviving City official, if no elected official remains, shall within twenty-four (24) hours of such disaster, request the County Judge of Tarrant County, Texas to appoint a commission to act during the emergency and call a City election within fifteen (15) days of such disaster for election of a required quorum, if sufficient cause exists to believe that a quorum of the present Council will never again meet.

The succession of authority in the event of disaster, multiple deaths, or injuries shall be as follows: mayor and/or mayor protem along with the emergency management coordinator, members with the longest continuous service on the city council by place number, and most senior administrative official in the City.”

ARTICLE XIV. – VOTE ON PROPOSED CHARTER

Section 1 – Submission and voting

This Charter shall be submitted to the qualified voters of the City of White Settlement for adoption or rejection on April 6, 1954, at a special election called for such purpose, at which election, if a majority of the qualified voters voting in such election shall vote in favor of the adoption of this Charter, it shall then immediately become the Charter and governing law of the City of White Settlement until amended or repealed.

It being impractical to submit this Charter by sections, it is hereby prescribed that the form of ballot to be used in such election shall be as follows, to wit:

FOR THE ADOPTION OF THE CHARTER

AGAINST THE ADOPTION OF THE CHARTER

The present city council of the City of White Settlement shall call such election in accordance with the provisions of the general laws of the state governing such elections, and the same shall be conducted and the returns made and results declared as provided by the laws of the State of Texas

governing municipal elections, and in case a majority of the votes cast at such election shall be in favor of the adoption of such Charter, then an official order shall be entered upon the records of said city by the city council of White Settlement declaring the same adopted, and the city secretary shall record at length upon the records of the city, in a separate book to be kept in his/her office for such purpose, such Charter as adopted, and such secretary shall furnish to the mayor a copy of the Charter, which copy of the Charter shall be forwarded by the mayor as soon as practical, to the Secretary of State under the seal of the city, together with a certificate showing the approval of the qualified voters of such Charter.

SUBMISSION OF CHARTER BY THE CHARTER COMMISSION

We, the undersigned members of the City of White Settlement Charter Commission, do hereby submit the above and foregoing proposed Charter for the City of White Settlement, Texas, by a majority vote of the Commission and recommend its submission to the qualified voters of said city as provided by law.

Respectfully submitted,

/s/ W.B. Fisher

/s/ L.E. Rhine

/s/ Lenard Pemberton

/s/ J.T. Goggans

/s/ E.B. Hill

/s/ O.C. McIntire

/s/ J.L. Pinkerton

/s/ H.C. Harrison

/s/ W.C. Stephens

/s/ J.D. Holder

/s/ W.H. Jones

/s/ S.S. Shelley

/s/ Jack L. Hil