

**ORDINANCE NO. 5046**

**AN ORDINANCE PROVIDING FOR THE CALLING AND ORDERING OF A SPECIAL AND GENERAL ELECTION FOR THE CITY OF LUFKIN, TEXAS TO BE HELD AT SIX (6) POLLING PLACES IN LUFKIN, TEXAS ON MAY 4, 2024 BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M. FOR THE PURPOSE OF ELECTING A MAYOR AND COUNCILMEMBER FOR WARD NO. 2 AND COUNCILMEMBER FOR WARD NO. 4, FOR THREE (3) YEAR TERMS; FOR THE CONSIDERATION OF PROPOSED AMENDMENTS TO THE HOME RULE CITY CHARTER OF THE CITY OF LUFKIN; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICES; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION INCLUDING EARLY VOTING BY PERSONAL APPEARANCE AND ABSENTEE BALLOT; PROVIDING FOR A REPEALING AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council is desirous of holding an election as provided in said Charter of the City of Lufkin, Texas for the election of a Mayor and Councilmember of Ward No. 2 and a Councilmember of Ward No. 4; and

**WHEREAS**, Texas Local Government Code Section 9.004 (a) and Section 19 of the City of Lufkin Charter provide that a governing body of a municipality may on its own motion and by ordinance submit proposed charter amendments to the municipality's qualified voters for their approval at an election; and

**WHEREAS**, the City Council, acting as a Charter Review Commission, has reviewed the proposed amendments to the City of Lufkin Charter and after due consideration desires to call a Special Election in conjunction with the General Election to amend the City of Lufkin Charter.

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

**SECTION 1.** That an election be held in the City of Lufkin, Texas on May 4, 2024 for the purpose of electing the following for a term of three (3) years: Mayor, Councilmember of Ward No. 2 and Councilmember of Ward No. 4; and for the purpose of consideration of amendments to the City of Lufkin Charter.

**SECTION 2.** That the ballot propositions for the proposed amendments to the City of Lufkin Charter are as follows:

**Proposition No. 1.** *Shall Article II. Elections, Section 1, General Elections, be amended to require the publication of elections to be in compliance with the Texas Election Code?*

**Proposition No. 2** *Shall Article II. Elections, Section 3, Filing of Candidates, be amended to require candidates to file for office in accordance with the Texas Election Code?*

**Proposition No. 3** *Shall Article II. Elections, Section 3, Qualifications, be amended to require candidates to meet the requirements for a candidate for office per the Texas Election Code?*

**Proposition No. 4** *Shall Article III, The Council, Section 9, Compensation, be amended to eliminate payment to councilmembers for attendance at city council meetings?*

**Proposition No. 5** *Shall Article III, The Council, Section 10, Meetings of the Council, be amended to prescribe the frequency, day and time of regular council meetings, provisions for cancellation of meetings and require notices, publications and postings to be in accordance with the Texas Open Meetings Act?*

**Proposition No. 6** *Shall Article VI, Taxation, Section 2, Assessor-Collector of Taxes, be amended to allow the Angelina County Tax Assessor/Collector to be designated as the City's Tax Assessor/Collector?*

**Proposition No. 7** *Shall Article VI, Taxation, Section 3, Assessment of Property for tax purposes, be amended to reflect State Law and current City practices?*

**Proposition No. 8** *Shall Article VI, Taxation, Section 4, Board of Equalization, be amended to provide that the City Council may contract with the Angelina County Appraisal District to perform the duties of assessment of property taxes to be consistent with State law and current City organization?*

**Proposition No. 9** *Shall Article VI, Taxation, Section 5, Tax Payments, be amended to allow tax payments to be collected by the Angelina County Tax Assessor/Collector?*

**Proposition No. 10** *Shall Article XI General Provisions, Section 11, Personal Interests in City Contracts, be amended to be consistent with State law and current City practices?*

**Proposition No. 11** *Shall Article XI, General Provisions, Section 12, Unauthorized Gifts, be amended to be consistent with State law and current City practices?*

**Proposition No. 12** *Shall Article XI, General Provisions, Section 15, Boundaries of Wards, be amended to remove meets and bounds ward lines and insert language consistent with State law and current redistricting guidelines?*

**Proposition No. 13** *Shall Article XI, General Provisions, Section 19, Amending the Charter, be amended to provide for a review of the Charter every five (5) years?*

**SECTION 3.** Each amendment, if approved by the majority of qualified voters voting at said Election, shall become a part of the Charter of the City of Lufkin, Texas as soon as the official order has been entered on the Minutes of the City Council of the City of Lufkin, Texas, declaring the same adopted.

**SECTION 4.** That the amendments to the City Charter of the City of Lufkin ("Propositions") attached here to as **Exhibit "A"** as if copied herein verbatim shall be submitted to the qualified voters of the City and official ballots for the Election shall be prepared in accordance with the Texas Election Code. That each amendment submitted must contain only one subject, and the ballot shall be prepared in a manner that the voters may vote "for" or "against" any amendment or amendments without voting "for" or "against" all of said amendments.

**SECTION 5.** Pursuant to Section 9.004(c)(2) of the Texas Local Government Code, requiring a Statement of Anticipated Fiscal Impact, should proposed amendments be approved, the City of Lufkin asserts that is difficult to accurately account for the fiscal impact of the proposed amendments due to the particular unknown effect upon the actual operation of the City of Lufkin government; however, an overall analysis of approval of proposed amendments reflects no immediate fiscal impact to the City.

**SECTION 6.** That the Mayor be, and he is hereby authorized to call said election, at the time, place and in the manner as provided in the Charter of the said City of Lufkin, Texas.

**SECTION 7.** That said election is to be held at six (6) polling places (at locations to be determined) in Lufkin, Texas, on Saturday, May 4, 2024 between the hours of 7:00 a.m. and 7:00 p.m.

**SECTION 8.** Those persons living in the above-listed wards must vote at the corresponding polling places. Those persons living in Ward No. 1 may vote for the Mayor of Lufkin. Those persons living in Ward No. 2 may vote for the Mayor of Lufkin and Councilmember for Ward No. 2. Those persons living in Ward No. 3 may vote for the Mayor of Lufkin. Those persons living in Ward No. 4 may vote for the Mayor of Lufkin and Councilmember for Ward No. 4. Those persons living in Ward No. 5 may vote for the Mayor of Lufkin and Councilmember for Ward No. 5. Those persons living in Ward No. 6 may vote for the Mayor of Lufkin and

Councilmember for Ward No. 6. All persons residing within the City of Lufkin may vote on the proposed amendments to the City of Lufkin Charter.

**SECTION 9.** Notice of such election, including a Spanish translation thereof, is to be given by causing notice to be published in the official newspaper of the City and posted on the City bulletin board and website that the polls shall be open to voters within the City who shall be entitled to vote in said election.

**SECTION 10.** In accordance with Section 9.004(c) of the Texas Local Government Code, the notice of the Election on the proposed Charter amendments containing a substantial copy of the proposed amendments and an estimate of the anticipated fiscal impact to the City if the proposed Amendments are approved at the election, shall be posted in English and Spanish on the bulletin board used for posting notices of meetings of the Lufkin City Council no later than the twenty-first (21<sup>st</sup>) day before Election Day. Notice of the Election on the proposed Charter amendments shall also be published in both English and Spanish in a newspaper of general circulation in the City and include a substantial copy of the proposed amendments. That said notice must be published on the same day in each of two (2) successive weeks, with the first publication occurring no earlier than the thirtieth (30<sup>th</sup>) day and no later than the fourteenth (14<sup>th</sup>) day before the date of the election. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and such person posting the notice shall make a record of the time of posting, starting date and the place of posting.

**SECTION 11.** Early voting shall be conducted by personal appearance and by mail. The period for early voting by personal appearance shall be April 22<sup>nd</sup>, 2024 through April 30<sup>th</sup>, 2024. Early voting by personal appearance shall be conducted at Lufkin City Hall, 300 East Shepherd Avenue, Lufkin, Texas, The Early Voting Clerk for said elections shall be the City Secretary, who will be responsible for hiring and training of election judges, clerks and workers as needed.

**SECTION 12.** That applications for early voting ballot by mail shall be mailed/delivered to the following:

City Secretary  
City of Lufkin  
P.O. Box 190  
300 East Shepherd Avenue  
Lufkin, Texas 75902-0190

Angelina County Elections Administrator  
Angelina County  
P.O. Box 1343  
606 East Lufkin Avenue  
Lufkin, Texas 75902

**SECTION 13.** Applications for early voting ballot by mail must be received by any method of delivery (mail, personal deliver, fax and/or email) by close of business April 23<sup>rd</sup>, 2024.

**SECTION 14.** Direct Record Electronic (DRE) voting machines shall be used in this election for both early voting by personal appearance and Election Day voting.

**SECTION 15.** In all respects, said Election shall be conducted in accordance with the Texas Election Code, Texas Local Government Code and the Charter of the City of Lufkin, Texas. Any omission or irregularity in this Ordinance, or in the signing of the same, shall not in any way affect or invalidate such Election.

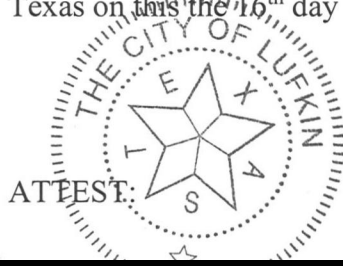
**SECTION 16.** All ordinances of the City of Lufkin, Texas in conflict with the provisions of this Ordinance shall be, and the same are hereby, repealed; provided; however, that all other provisions of said ordinances not in conflict herewith shall remain in full force and effect.

**SECTION 17.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged, or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance, which shall remain in full force and effect.

**SECTION 18.** It is hereby officially found and determined that the meetings at which this Ordinance was adopted and said Election was called was open to the public and public notice of said meeting was posted in accordance with Section 551.002 of the Texas Local Government Code.

**SECTION 19.** Ordinance shall take effect immediately from and after its passage in accordance with law.

**PASSED AND APPROVED** on First Reading by the City Council of the City of Lufkin, Texas on this the 16<sup>th</sup> day of January, 2024.



ATTEST:

[Redacted Signature]  
Mark Hicks, Mayor

[Redacted Signature]  
Kara Andrepont, City Secretary

**PASSED AND APPROVED** on Second and Final Reading by the City Council of the City of Lufkin, Texas on this the 6<sup>th</sup> day of February 2024.

[Redacted Signature]  
Mark Hicks, Mayor

ATTEST:

[Redacted Signature]  
Kara Andrepont, City Secretary

APPROVED AS TO FORM:

[Redacted Signature]  
Kristi C. Skillern, City Attorney

**Exhibit A**  
**Proposed Charter Amendments**

Below are the proposed amendments to the City of Lufkin Charter. Words and punctuation proposed to be added are in **bold** and underlined; words and punctuation to be deleted are notated with a ~~striketrough~~. The proposed amendments to the City Charter are designated below in order of their appearance on the ballot along with the ballot proposition number associated with each such proposed amendment.

**PROPOSITION NO. 1**

**Article II, Elections, Section 1, General Election**

*This change will bring the charter provision regarding election publication in line with the Texas Election Code.*

The City Secretary shall give notice of such election by causing said notice to be published ~~at least forty five (45) days previous to the day of such election~~ **in accordance with the Texas Election Code** in the official newspaper of the City.

**PROPOSITION NO. 2**

**Article II, Elections, Section 3, Filing of Candidates**

*This amendment will bring the charter provision regarding the filing of candidates in line with the Texas Election Code.*

Any qualified person who desires to become a candidate for election to the council shall file with the City Secretary, ~~at least thirty (30) days prior to the election day,~~ an application for his/her name to appear on the ballot **in accordance with the Texas Election Code.**

**PROPOSITION NO. 3**

**Article III, The Council, Section 3, Qualifications**

*This amendment will bring the charter provision regarding the qualifications of candidates for City Council to reflect the Texas Election Code.*

Each member of the Council shall at the time of his/her election to office, ~~be at least twenty five (25) years of age and shall be a qualified voter of the State of Texas and a citizen of and tax payer of the city for a period of time not less than two years next preceding his/her election.~~ **meet the requirements for a candidate for office per the Texas Election Code.**

**PROPOSITION NO. 4**

**Article III, The Council, Section 9, Compensation**

*This amendment will eliminate payment for service as a Councilmember from the Charter. Resolution No. 2926 was passed in 1992 eliminating the provision; however, this will formally remove the section from the Charter.*

~~Each councilman shall receive the sum; of ten and no/100 dollars (\$10.00) and the mayor the sum of fifteen and no/100 dollars (\$15.00) for each meeting of the council; provided that neither the mayor nor any councilman shall receive pay for more than two meetings in any one month; and provide(d) further that neither the mayor nor any councilman shall receive pay for any meeting at which he/she was not present.~~

**Councilmembers and the mayor shall not receive any compensation for attendance at council meetings. All necessary expenses incurred by members of the city council in the performance of their official duties shall be paid by the city, subject to approval by the Mayor.**

## **PROPOSITION NO. 5**

### **Article III. The Council, Section 10. Meetings of the Council**

*This proposition will amend the provisions regarding notices, publications and postings of meetings, both regular, special and emergent to comply with the Texas Open Meetings Act and the current practice of the council meetings being held on the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Tuesday of each month at 5:00 p.m. This amendment will also delineate provisions on the cancellation of meetings*

~~There shall be regular public meetings of the council at such times and places as shall be prescribed by ordinance or resolution. Regular meetings of the council shall be held at least twice each calendar month. Special meetings may be called at anytime by the Mayor or city council. Notice of special meetings shall be given to all members of the council by fax sent to each member of the council at his/her last know address at least eight hours prior to the hour of such special meeting designating the time and place of such meeting designating the time and pale of such meeting and the subject, or subjects, to be considered at the same and no other subject, or subjects, shall be considered at such special meeting; provided however, that any member of the council may, either before or after such special meeting, waive such notice.~~

**There shall be regular public meetings of the council twice a month, generally on the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Tuesday of each calendar month at 5:00 p.m. The date and time of meetings may be altered by the Mayor and/or City Manager as needed. A regular scheduled meeting shall be cancelled by approval of a Resolution by the city council. Special meetings, including emergent meetings, may be called at anytime by the Mayor. Notices, publications and postings of any council meeting, whether regular, special or emergent, shall be in accordance with the Texas Open Meetings Act.**

## **PROPOSITION NO. 6**

### **Article VI. Section 2. Assessor-Collector of Taxes**

*This proposition will amend the Charter to allow for the designation of the Angelina County Tax Assessor/Collector as the City's assessor/collector of taxes.*

~~There shall be a tax assessor-collector appointed by the city responsible for the assessment and collection of all taxes levied by the city. He/she, and all employees under him/her, shall be bonded.~~

**The City hereby designates the Tax Assessor Collector of Angelina County, Texas, in compliance with the V.T.C.A., Tax Code, hereby authorized and required to assess and collect taxes for the City of Lufkin, and to perform all the duties relating to the assessment and collection of such taxes as provided by the laws of the State of Texas.**

## **PROPOSITION NO. 7.**

### **Article VI. Section 3. Assessment of Property for tax purposes**

*This proposition will amend the Charter to reflect current practice and State law regarding the assessment of property for taxes by the Angelina County Tax Assessor Collector.*

~~All property, real, personal or mixed having a situs within the corporate limits of the city on January 1<sup>st</sup> of each year, not expressly exempted by law, shall be subject to taxation by the city for such year. The council shall prescribe the mode and manner of making renditions, tax lists, assessments and tax rolls. Every person, partnership, association or corporation which holds, owns or controls property within the limits of the city shall, between January 1 and April 1 of each year, file with the city tax assessor-collector a full and complete sworn inventory of such property held, owned or controlled within said limits on January 1 of such year. The council may prescribe by ordinance the mode and manner of making such inventories and penalties for failing or refusing to~~

~~submit the same. The city tax assessor-collector shall review all renditions made to him/her and determine the value of the property rendered and fix the value thereof for tax purposes. If the city tax assessor-collector fixes a value higher than that shown on the owner's rendition, he/she shall give written notice thereof to such owner at his/her last known address by depositing the same, postage paid, in the United States mail, notifying him/her of such change and advising him/her that he/she may appear before the board of equalization to protest such change. In all cases where no rendition of real and personal property is made by the owner thereof, the city tax assessor-collector shall ascertain the amount and value of such property and assess the same and such assessment shall be as valid and binding as if the property involved had been rendered by such owner, provided that if the city tax assessor-collector shall assess any such property which has not previously been assessed, or if he/she shall assess any such property at a higher valuation from that shown on the last preceding tax roll, he/she shall give notice of such assessment, or such change in assessment, as above provided.~~

~~All assessments of real property, whether rendered by the owner or assessed by the city tax assessor-collector, shall list the value of land and improvements and describe such property sufficiently to identify it, giving the name of the last known owner thereof. The city tax assessor-collector shall assess all property which has been omitted from assessment in prior years upon a current supplemental assessment roll. The taxes upon such supplemental assessments shall be due at once and if not paid within sixty days thereafter shall be deemed delinquent and shall be subject to the same penalty and interest as other delinquent taxes for such year. If the ownership of any property should be unknown to the city tax assessor-collector, he/she shall enter that fact in the record.~~

~~In addition to the powers granted by this section, he/she shall have the same power as county tax assessors and collectors in Texas to make reassessments, all at the same value and tax rates as such property should have been assessed and taxed for past years and indicating the year or years for which it is assessed.~~

**The City shall review and accept the appraisal rolls from the Angelina County Appraisal District. These rolls shall be the basis for the setting of a tax rate by the City Council.**

## **PROPOSITION NO. 8.**

### **Article VI. Taxation, Section 4. Board of Equalization**

*This proposition will delete any reference to the Board of Equalization for taxation and defer to the Angelina County Appraisal District Board.*

~~The council shall each year prior to June 1 appoint a member to the board of equalization as required by state law. The member of said board shall be a qualified voter and a property owner within the city and shall be well informed of property values within the city. Three members will constitute a quorum for the transaction of business. Said board shall choose from its membership a chairman, who shall preside at all meetings of the board, and a vice chairman who shall act in the chairman's absence. Members of the board shall receive such compensation as may be provided by the council.~~

~~The board of equalization shall convene as soon as practicable after June 1 and shall give public notice of its time and place of meeting. The board shall adjust assessed values and, in addition to the powers herein granted, shall have all the powers of a county commissioner's court in regard to the equalization of assessed values of property for taxation. Whenever the board shall find it necessary to increase the rendered or assessed value of any property appearing on the assessment rolls, it shall give immediate notice to the owner of such property, or the person rendering the same, and provide said owner an opportunity to appear and show cause why the value of such property should not be changed. The notice herein required may be served by mailing the same to the last known address of the owner, postage paid. The board shall have the same powers to subpoena property owners of the city, witnesses, books, and records as are granted by the laws of the state to the county board of equalization and shall have the power to administer oaths and to punish for contempt as provided by ordinance.~~

~~The board shall be governed by such rules and regulations and shall have such additional powers as may be prescribed by ordinance, but it may adopt such further rules and regulations of its own which are not in conflict with any ordinance, this Charter or the laws of the State of Texas. The board shall cause a record of its proceedings to be made and such record shall be preserved to the same extent and in the same manner as other tax records of the city. Immediately upon completion of its work, the board shall certify its approval of the assessment rolls and forward the same to the council. The council shall thereupon consider and approve the assessment rolls of the city for that tax year.~~

**The City Council may contract with the Angelina County Appraisal District Board to perform duties relating to the assessment of taxes including performing appraisals, causing notices to be sent, hearing and ruling on protests and claims and sending final assessment rolls to the City of Lufkin. In these duties, all provisions of the constitution and general laws of the State of Texas, the Ordinances of this City relating thereto, and the provisions of this charter shall be followed.**

## **PROPOSITION NO. 9**

### **Article VI. TAXATION, Section 5. Tax Payments**

*This proposition will amend the Charter to reflect current procedures regarding the collection of tax payments.*

All taxes due to the city shall be payable at the office of the city **Angelina County** tax assessor-collector. Ad valorem taxes shall become due and payable on the first (1<sup>st</sup>) day of October in each year, shall be paid before the first (1<sup>st</sup>) day of February thereafter, and, if not so paid, a penalty shall accrue and be added thereto and be enforced and collected in the same manner as such original taxes; such penalty and collection to be provided by ordinance as designated by the city.

## **PROPOSITION NO. 10**

### **Article XI. General Provisions, Section 11. Personal Interest in City Contracts**

*This proposition will amend the Charter to reflect current procedures and the Texas Local Government Code (Chapter 171) regarding Conflicts of Interest.*

~~No member of the council or other officer or employee of the city shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the city treasury or by an assessment levied by an ordinance or resolution of the council; nor be the surety on the official bond of any officer of the city or for any person having a contract, work or business with the city for the performance of which security may be required, except on behalf of the city as an officer or employee.~~

**Conflicts of interest by City Councilmembers, officers and employees of the City regarding any work, business, contract or purchase which is paid for by the City treasury shall be governed by the provisions of the Texas Local Government Code (Chapter 171). Conflicts of interest shall require a Councilmember to document the interest through an affidavit filed with the City Secretary and publicly abstain from any discussion, proceedings and vote on the same. Employees shall not be directly or indirectly interested in any work, business, contract of purchase of goods which is paid for by the City treasury.**

Any willful violation of this section shall constitute malfeasance in office and any officer or employee guilty thereof shall be subject to removal from his/her office or position. Any violation of this section with the knowledge, expressed or implied, of the person or corporation contracting with the city shall render the contract involved void.

## **PROPOSITION NO. 11**

### **Article XI. General Provisions, Section 12 Unauthorized Gifts**

*This proposition will amend the Charter to reflect current procedures and State law regarding the receiving of gifts.*

No employee of the City of Lufkin nor any member of the city council shall ever accept any unauthorized free tickets, passes, or service or anything of **more than nominal** value, directly or indirectly, from any person, firm, or corporation upon terms more favorable than are granted to the general public and any employee of the City of Lufkin who shall violate this section shall ~~forfeit such employment~~ **be subject to disciplinary action** and any member of the council who shall violate this section shall, ~~ipso facto~~, forfeit his/her position as a member of the council.

## **PROPOSITION NO. 12**

### **Article XI. General Provisions, Section 15. Boundaries of Wards**

*This proposition will remove the printing of the “meets and bounds” descriptions of the wards within the City. These boundaries change with each census.*

The City of Lufkin shall be and is hereby divided into six (6) wards with boundaries **established and amended as required by State law**, and hereafter adopted by the city council with the U.S. Justice Department approval, if required. The official map and legal description of the City of Lufkin wards and their respective boundaries shall be kept on file in the City Secretary’s office. ~~and described as follows:~~ **City Councilmembers shall be residents of their respective ward.**

#### **Central Ward No. 1**

~~Beginning at the point where the existing city limits line intersects the centerline of State Highway No. 103 West, a point for corner;~~

~~Thence in a Southeasterly direction following the centerline of State Highway No. 103 West and Raguet Street to the centerline of West Denman Avenue, a point for corner;~~

~~Thence in a Southeasterly direction following the centerline of West Denman Avenue to the centerline of South First Street, a point for corner;~~

~~Thence in a Southeasterly direction following the centerline of South First Street to the centerline of South End Boulevard, a point for corner;~~

~~Thence in a Northeasterly direction following the centerline of South End Boulevard to the centerline of South Third Street, a point for corner;~~

~~Thence in a Southeasterly direction following the centerline of South Third Street to the centerline of South Timberland Drive (U.S. Highway No. 59 South), a point for corner;~~

~~Thence in a Northeasterly direction following the centerline of South Timberland Drive (U.S. Highway No. 59 South) to the centerline of East Denman Avenue, a point for corner;~~

~~Thence in a Northwesterly direction following the centerline of East Denman Avenue to the centerline of Charlton Street, a point for corner;~~

~~Thence in a Northwesterly direction following the centerline of Charlton Street to the centerline of South Third Street, a point for corner;~~

~~Thence in a Northeasterly direction following the centerline of South Third Street to the centerline of East Frank Avenue (State Highway No. 94), a point for corner;~~

~~Thence in a Southeasterly direction following the centerline of East Frank Avenue (State Highway No. 94 East) to a point on the centerline projection of North Fifth Street, a point for corner;~~

~~Thence in a Northeasterly direction following the centerline of North Fifth Street to the centerline of Paul Avenue, a point for corner;~~

~~Thence in a Easterly direction following the centerline of Paul Avenue to the centerline of North Timberland Drive (U.S. Highway No. 59 North), a point for corner;~~

~~Thence in a Northerly direction following the centerline of North Timberland Drive (U.S. Highway No. 59 North) to the centerline of Atkinson Drive (State Highway No. 103 East), a point for corner;~~

~~Thence in a Easterly direction following the centerline of Atkinson Drive (State Highway No. 103 East) to the centerline of North Warren Street, a point for corner;~~

~~Thence in a Northerly direction following the centerline of North Warren Street to the centerline of Hoskins Avenue, a point for corner;~~

Thence in a Westerly direction following the centerline of Hoskins Avenue to the centerline of North Timberland Drive (U.S. Highway No. 59 North), a point for corner;  
 Thence in a Northerly direction following the centerline of North Timberland Drive (U.S. Highway No. 59 North) to the centerline of Kurth Drive, a point for corner;  
 Thence in a Northwesterly direction following the centerline of Kurth Drive to the centerline of Lakeview Street; a point for corner;  
 Thence in a Southerly direction following the centerline of Lakeview Street to the centerline of Sayers Street, a point for corner;  
 Thence in a Westerly direction following the centerline of Sayers Street to the centerline of North Avenue, a point for corner;  
 Thence in a Southwesterly direction following the centerline of North Avenue to the centerline of the Angelina & Neches River Railroad, a point for corner;  
 Thence in a Northwesterly direction following the centerline of the Angelina & Neches River Railroad to the centerline of McMullen Street, a point for corner;  
 Thence in a Northeasterly direction following the centerline of McMullen Street to the centerline of Kurth Drive, a point for corner;  
 Thence in a Northwesterly direction following the centerline of Kurth Drive to the centerline of U.S. Highway No. 69 North, a point for corner;  
 Thence in a Northwesterly direction following the centerline of U.S. Highway No. 69 North to the existing city limits line, a point for corner;  
 Thence following the existing city limits line around the Northwest Loop area to the point of beginning.

#### North Ward No. 2

Beginning at the point where the existing city limits line intersects the centerline of U.S. Highway No. 69 North a point for corner;  
 Thence in a Southeasterly direction following the centerline of U.S. Highway No. 69 North to the centerline of Kurth Drive, a point for corner;  
 Thence in a Southeasterly direction following the centerline of Kurth Drive to the centerline of McMullen Street, a point for corner;  
 Thence in a Southwesterly direction following the centerline of McMullen Street to the centerline of the Angelina & Neches River Railroad, a point for corner;  
 Thence in a Southeasterly direction following the centerline of the Angelina & Neches River Railroad to the centerline of North Avenue, a point for corner;  
 Thence in a Northeasterly direction following the centerline of North Avenue to the centerline of Sayers Street, a point for corner;  
 Thence in a Easterly direction following the centerline of Sayers Street to the centerline of Lakeview Street, a point for corner;  
 Thence in a Northerly direction following the centerline of Lakeview Street to the centerline of Kurth Drive, a point for corner;  
 Thence in a Southeasterly direction following the centerline of Kurth Drive to the centerline of North Timberland Drive (U.S. Highway No. 59 North), a point for corner;  
 Thence in a Southerly direction following the centerline of North Timberland Drive (U.S. Highway No. 59 North) to the centerline of Hoskins Avenue, a point for corner;  
 Thence in a Easterly direction following the centerline of Hoskins Avenue to the centerline of North Warren Street, a point for corner;  
 Thence in a Southeasterly direction following the centerline of North Warren Street to the centerline of Atkinson Drive (State Highway No. 103 East), a point for corner;  
 Thence in a Southwesterly direction following the centerline of Atkinson Drive (State Highway No. 103 East) to the centerline of North Timberland Drive (U.S. Highway No. 59 North), a point for corner;  
 Thence in a Southeasterly direction following the centerline of North Timberland Drive (U.S. Highway 59 North) to the centerline of East Lufkin Avenue, a point for corner;  
 Thence in a Easterly direction following the centerline of East Lufkin Avenue to the centerline of Shady Pine Street, a point for corner;  
 Thence in a Northerly direction following the centerline of Shady Pine Street to the centerline of North Medford Drive (State Highway Loop No. 287), a point for corner;  
 Thence in a Northwesterly direction following the centerline of North Medford Drive (State Highway Loop No. 287) to the centerline of Atkinson Drive (State Highway No. 103 East), a point for corner;  
 Thence in a Southwesterly direction following the centerline of Atkinson Drive (State Highway No. 103 East) to the centerline of Oleta Street, a point for corner;

~~Thence in a Northwesterly direction following the centerline of Oleta Street to the centerline of Broussard Avenue, a point for corner;~~  
~~Thence in a Northeasterly direction following the centerline of Broussard Avenue to the centerline of Glade Street, a point for corner;~~  
~~Thence in a Northwesterly direction following the centerline of Glade Street to the centerline of Old Moffett Road, a point for corner;~~  
~~Thence in a Easterly direction following the centerline of Old Moffett Road to the centerline of the North Medford Drive (State Highway Loop No. 287), a point for corner;~~  
~~Thence in a Southeasterly direction to an ell corner in the existing city limits line being South of Old Moffett Road and East of North Medford Drive (State Highway Loop No. 287), a point for corner;~~  
~~Thence following the existing city limits line around Kit McConnico Park and the North Loop area to the point of beginning.~~

#### ~~East Ward No. 3~~

~~Beginning at the point where the centerline of North Timberland Drive (U.S. Highway No. 59 North) intersects the centerline of East Lufkin Avenue, a point for corner;~~  
~~Thence in a Easterly direction following the centerline of East Lufkin Avenue to the centerline of Shady Pine Street, a point for corner;~~  
~~Thence in a Northerly direction following the centerline of Shady Pine Street to the centerline of North Medford Drive (State Highway Loop No. 287), a point for corner;~~  
~~Thence in a Northwesterly direction following the centerline of North Medford Drive (State Highway Loop No. 287) to the centerline of Atkinson Drive (State Highway No. 103 East), a point for corner;~~  
~~Thence in a Southwesterly direction following the centerline of Atkinson Drive (State Highway No. 103 East) to the centerline of Oleta Street, a point for corner;~~  
~~Thence in a Northwesterly direction following the centerline of Oleta Street to the centerline of Broussard Avenue, a point for corner;~~  
~~Thence in a Northeasterly direction following the centerline of Broussard Avenue to the centerline of Glade Street, a point for corner;~~  
~~Thence in a Northwesterly direction following the centerline of Glade Street to the centerline of Old Moffett Road, a point for corner;~~  
~~Thence in a Easterly direction following the centerline of Old Moffett Road to the centerline of North Medford Drive (State Highway Loop No. 287), a point for corner;~~  
~~Thence in a Southeasterly direction to an ell corner in the existing city limits line being South of Old Moffett Road and East of North Medford Drive (State Highway Loop No. 287), a point for corner;~~  
~~Thence following the existing city limits line around the East Loop, Herty, Lufkin Jr. High School, and Leslie Lane area to the centerline of East Denman Avenue (U.S. Highway No. 69 South), a point for corner;~~  
~~Thence in a Northwesterly direction following the centerline of East Denman Avenue (U.S. Highway No. 69) to the centerline of Charlton Street, a point for corner;~~  
~~Thence in a Northwesterly direction following the centerline of Charlton Street to the centerline of South Third Street, a point for corner;~~  
~~Thence in a Northeasterly direction following the centerline of South Third Street to the centerline of East Frank Avenue (State Highway No. 94), a point for corner;~~  
~~Thence in a Southeasterly direction following the centerline of East Frank Avenue (State Highway No. 94) to a point on the centerline projection of North Fifth Street, a point for corner;~~  
~~Thence in a Northeasterly direction following the centerline of North Fifth Street to the centerline of Paul Avenue, a point for corner;~~  
~~Thence in a Easterly direction following the centerline of Paul Avenue to the centerline of North Timberland Drive (U.S. Highway No. 59 North), a point for corner;~~  
~~Thence in a Southerly direction following the centerline of North Timberland Drive (U.S. Highway No. 59 North) to the centerline of East Lufkin Avenue, a point of beginning.~~

#### ~~Southeast Ward No. 4~~

~~Beginning at the point where the existing city limits line intersects the centerline of East Denman Avenue (U.S. Highway No. 69 South), a point for corner;~~  
~~Thence in a Northwesterly direction following the centerline of East Denman Avenue (U.S. Highway No. 69 South) to the centerline of South Chestnut Street, a point for corner;~~  
~~Thence in a Southeasterly direction following the centerline of South Chestnut Street to the centerline of Card Drive, a point for corner;~~  
~~Thence in a Southwesterly direction following the centerline of Card Drive to the centerline of Tulane Drive, a point for corner;~~

Thence in a Southeasterly direction following the centerline of Tulane Drive to the centerline of South Medford Drive (State Highway Loop No. 287), a point for corner;  
Thence in a Southwesterly direction following the centerline of South Medford Drive (State Highway Loop No. 287) and South John Redditt Drive (State Highway Loop No. 287) to a point on a line projection of the existing city limits line west of Scenic Acres Drive, a point for corner;  
Thence following the existing city limits line around the Scenic Acres area, Crown Colony area, the Oak Trace area, and the Fuller Spring area to the point of beginning.

Southwest Ward No. 5

Beginning at an ell corner in the existing city limits line, West of Scenic Acres Drive, a point for corner;  
Thence in a Northwesterly direction on a line projection of the existing city limits line West of Scenic Acres Drive to the centerline of South John Redditt Drive (State Highway Loop No. 287), a point for corner;  
Thence in a Northeasterly direction following the centerline of South John Redditt Drive (State Highway Loop No. 287) and North Medford Drive (State Highway Loop No. 287) to the centerline of Tulane Drive, a point for corner;  
Thence in a Northwesterly direction following the centerline of Tulane Drive to the centerline of Card Drive, a point for corner;  
Thence in a Northeasterly direction following the centerline of Card Drive to the centerline of South Chestnut Street, a point for corner;  
Thence in a Northwesterly direction following the centerline of South Chestnut Street to the centerline of Denman Avenue, a point for corner;  
Thence in a Northwesterly direction following the centerline of Denman Avenue to the centerline of South Timberland Drive (U.S. Highway No. 59 South), a point for corner;  
Thence in a Southwesterly direction following the centerline of South Timberland Drive (U.S. Highway No. 59 South) to the centerline of South First Street, a point for corner;  
Thence in a Northerly direction following the centerline of South First Street to the centerline of South Raguet Street, a point for corner;  
Thence in a Northwesterly direction following the centerline of South Raguet Street to the centerline of Sunset Boulevard, a point for corner;  
Thence in a Southwesterly direction following the centerline of Sunset Boulevard to the centerline of Moss Drive, a point for corner;  
Thence in a Northwesterly direction following the centerline of Moss Drive to the centerline of White Oak Drive, a point for corner;  
Thence in a Westerly direction following the centerline of White Oak Drive to the centerline of the Southern Pacific Railroad, a point for corner;  
Thence in a Southwesterly direction following the centerline of the Southern Pacific Railroad to the centerline of Hanks Street, a point for corner;  
Thence in a Westerly direction following the centerline of Hanks Street to the centerline of Southwood Drive, a point for corner;  
Thence in a Northerly direction following the centerline of Southwood Drive to the centerline of Camp Street, a point for corner;  
Thence in a Westerly direction following the centerline of Camp Street to the centerline of McGregor Drive, a point for corner;  
Thence in a Northwesterly direction following the centerline of McGregor Drive to the centerline of Pershing Avenue, a point for corner;  
Thence in a Southwesterly direction following the centerline of Pershing Avenue and Old Union Road to the existing city limits line, a point for corner;  
Thence following the existing city limits line around the Brook Hollow area and South John Redditt Drive (State Highway Loop No. 287) to the point of beginning.

Northwest Ward No. 6

Beginning at the point where the existing city limits line intersects the centerline of State Highway 103 West, a point for corner;  
Thence in a Southeasterly direction following the centerline of State Highway 103 West and Raguet Street to the centerline of West Denman Avenue, a point for corner;  
Thence in a Southeasterly direction following the centerline of West Denman Avenue to the centerline of South First Street, a point for corner;  
Thence in a Southeasterly direction following the centerline of South First Street to the centerline of South End Boulevard, a point for corner;  
Thence in a Northeasterly direction following the centerline of South End Boulevard to the centerline of South Third Street, a point for corner;

~~Thence in a Southeasterly direction following the centerline of South Third Street to the centerline of South Timberland Drive (U.S. Highway No. 59), a point for corner;~~  
~~Thence in a Southwesterly direction following the centerline of South Timberland Drive (U.S. Highway No. 59) to the centerline of South First Street, a point for corner;~~  
~~Thence in a Northerly direction following the centerline of South First Street to the centerline of South Raguet Street, a point for corner;~~  
~~Thence in a Northwesterly direction following the centerline of South Raguet Street to the centerline of Sunset Boulevard, a point for corner;~~  
~~Thence in a Southwesterly direction following the centerline of Sunset Boulevard to the centerline of Moss Drive, a point for corner;~~  
~~Thence in a Northwesterly direction following the centerline of Moss Drive to the centerline of White Oak Drive, a point for corner;~~  
~~Thence in a Westerly direction following the centerline of White Oak Drive to the centerline of the Southern Pacific Railroad, a point for corner;~~  
~~Thence in a Southwesterly direction following the centerline of the Southern Pacific Railroad to the centerline of Hanks Street, a point for corner;~~  
~~Thence in a Westerly direction following the centerline of Hanks Street to the centerline of Southwood Drive, a point for corner;~~  
~~Thence in a Northerly direction following the centerline of Southwood Drive to the centerline of Camp Street, a point for corner;~~  
~~Thence in a Westerly direction following the centerline of Camp Street to the centerline of McGregor Drive, a point for corner;~~  
~~Thence in a Northwesterly direction following the centerline of McGregor Drive to the centerline of Pershing Avenue, a point for corner;~~  
~~Thence in a Southwesterly direction following the centerline of Pershing Avenue and Old Union Road to the existing city limits line, a point for corner;~~  
~~Thence following the existing city limits line around the Four Seasons area and the North John Redditt Drive (State Highway Loop No. 287) area to the point of beginning.~~  
~~The term “city limits” as used in this section shall include any future designation of city limits.~~

## **PROPOSITION NO. 13**

### **Article XI. General Provisions, Section 19. Amending the Charter**

*This proposition will add the requirement that the City of Lufkin Charter be reviewed every five (5) years to determine if the need exists for amending. All other provisions in this Section remain the same.*

**This Charter shall be reviewed by the City Council every five (5) years to ascertain the need for amending.** Amendments to this Charter may be framed and submitted to the electors of the city by a charter commission in the manner provided by law for framing and submitting a new charter. Amendments may also be proposed and submitted by ordinance passed by a majority vote of the membership of the council qualified and serving or by a petition signed by not less than twenty-five per cent (25%) of the number who voted at the last regular municipal election; provided, however, that in the latter case the petition must bear the signatures of at least ten per cent (10%) of the qualified voters of the city. When a charter amendment petition shall have been filed with the council in conformity with the provisions of this Charter the council shall forthwith provide by ordinance for submitting such proposed amendment to a vote of the electors. Any ordinance for submitting a charter amendment to the electors shall provide that such amendment be submitted at the next regular municipal election if one shall occur not less than sixty (60) nor more than one hundred twenty (120) days after the passage of the ordinance; otherwise it shall provide for the submission of the amendment at a special election to be called and held within such time. If a proposed amendment is approved by majority of the electors voting thereon it shall become a part of the Charter at the time fixed therein. Each amendment shall be confined to one subject and when more than one amendment shall be submitted at the same time they shall be so submitted as to enable the electors to vote on each amendment separately.