

Office of the City Secretary

Memorandum

To: Honorable Mayor Bill Agan and members of the Richland Hills City Council
From: Cathy Bourg, City Secretary
Date: February 2, 2016
Subject: Consider approval of an ordinance amending Ordinance 1289-15, which called a special election to determine whether to withdraw from the T, by changing the date of the special election and the polling place.

City Council Action Requested:

Consider approval of an ordinance amending Ordinance 1289-15, which called a special election to determine whether to withdraw from the T, by changing the date of the special election and the polling place.

Background Information:

Attachment – Ordinance 1306-16

Board/Citizen Input:

N/A

Financial Impact:

N/A

Staff Contacts:

Cathy Bourg, City Secretary
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CITY OF RICHLAND HILLS ORDINANCE NO. 1306-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHLAND HILLS, TEXAS, AMENDING SECTION 1 AND SECTION 3 OF ORDINANCE NO. 1289-15 WHICH CALLED A SPECIAL ELECTION TO DETERMINE WHETHER TO WITHDRAW FROM THE FORT WORTH TRANSPORTATION AUTHORITY, BY CHANGING THE DATE OF THE ELECTION TO MAY 7, 2016 AND THE LOCATION OF THE ELECTION DAY POLLING PLACE TO THE LIBRARY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, when Ordinance No. 1289-15 was adopted Section 41.001 of the Texas Election Code (the “Code”) specified that the second Saturday in May was a “Uniform Election Date” and that a special election of a City may be held on such day; and

WHEREAS, House Bill 2354 (2015) changed the uniform election day to the first Saturday in May; and

WHEREAS, May 7, 2016 is now designated as the May uniform election day; and

WHEREAS, the City of Richland Hills will demolish the Community Center prior to May 7, 2016, and therefore needs to establish a different election day polling place.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RICHLAND HILLS, TEXAS, THAT:

Section 1.

Section 1 of Ordinance No. 1289-15 is hereby revised to read as follows:

“Section 1. Election Order for Special Election.

The City Council hereby orders that a special election shall be held in the City of Richland Hills on Saturday, May 7, 2016, at which there shall be submitted to the qualified voters of Richland Hills for adoption or rejection the following proposition:

Shall the Fort Worth Transportation Authority be continued in the City of Richland Hills?

YES _____
NO _____”

Section 2.

Section 3 of Ordinance No. 1289-15 is hereby revised to read as follows:

“Section 3. Polling Place.

The main polling place for the Election shall be as follows:

Richland Hills Library
6724 Rena Dr
Richland Hills, Texas 76118

Other polling places may be provided as provided in the Contract. The polls shall be open from 7:00 a.m. to 7:00 p.m. on the date of the election, in accordance with and pursuant to the requirements of the Texas Election Code.

The City shall constitute a single election precinct for said election.”

Section 3. Other Sections Remain Unchanged.

The remaining sections and recitals and other provisions of Ordinance No. 1289-15 shall remain unchanged and fully effective.

Section 4. Severability Clause.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this order are severable and if any phrase, clause, sentence, paragraph, or section shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this order, since the same would have been enacted by the City Council without the incorporation in this order of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. Effective Date.

This order shall be effective upon adoption, signature and attestation.

PASSED AND APPROVED ON THIS 2nd DAY OF FEBRUARY, 2016.

THE HONORABLE BILL AGAN, MAYOR

ATTEST:

CATHY BOURG, CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

BETSY ELAM, CITY ATTORNEY