

**RICHLAND HILLS CITY COUNCIL
SPECIAL MEETING
MAY 16, 2023
MINUTES**

Roll Call:

Council present

Edward Lopez, Mayor
Curtis A Bergthold, Mayor Pro Tem

Council absent

Douglas Knowlton, Place 1
Travis Malone, Place 2
Javier Alvarez, Place 4
GW Estep, Place 5

Staff present

Lindsay Rawlinson, City Secretary

CITY COUNCIL SPECIAL MEETING – 9:00 A.M.

Pursuant to Section 67.004 of the Texas Election Code, two members of the City Council constitute a quorum for purposes of canvassing an election.

1. CALL TO ORDER

Mayor Lopez called the meeting to order at 9:00 a.m.

2. Approved Ordinance No. 1473-23, Canvassing Returns and Declaring Results of the Special Municipal Election Held on May 6, 2023.

City Secretary Lindsay Rawlinson presented the results of the May 6, 2023 Special Election:

Proposition A – City Council

Shall Sections 5.01, 5.08, 5.09, 5.12, 7.01, and 9.04 of the Richland Hills Home Rule Charter be amended to provide that the City Council shall be increased to six Councilmembers; to provide that Councilmembers shall serve three-year terms; to provide that the Mayor and Councilmembers must be elected by a majority vote; to provide for a runoff election in the event a candidate does not receive a majority vote; to provide for the transition to three-year terms by establishing an election schedule; to provide that vacancies in offices with three-year terms with an unexpired term greater than 12 months must be filled by special election and such vacancies with unexpired terms of 12 months or less may be filled by appointment; to provide that vacancies in any offices with two-year terms may be filled by special election or appointment; and to provide that a super-majority of council shall be 5 votes?

YES: 135 (57.45%)

NO: 100 (42.55%)

Proposition B – City Council

Shall Section 5.02 of the Richland Hills Home Rule Charter be amended to provide that qualification requirements for a place on the ballot for city council shall be governed by state application and qualification requirements?

YES: 184 (80.35%)
NO: 45 (19.65%)

Proposition C – Elections

Shall Section 5.03 of the Richland Hills Home Rule Charter be amended to provide that city elections are held on the May uniform election date and are governed by state law and Sections 5.04, 5.05 and 5.06 be deleted as repetitive or moot?

YES: 189 (82.53%)
NO: 40 (17.47%)

Proposition D – Elections

Shall Section 5.07 and 5.08 of the Richland Hills Home Rule Charter be amended to provide that election judges shall be appointed as provided by state law, and to provide that elections shall be canvassed in compliance with the Texas Election Code?

YES: 195 (85.15%)
NO: 34 (14.85%)

Proposition E – City Council

Shall Section 5.11 of the Richland Hills Home Rule Charter be amended to revise the process for removing a council member from office who has four unexcused absences from a regular city council meeting in a term?

YES: 162 (70.13%)
NO: 69 (29.87%)

Proposition F – City Council

Shall Section 5.12 of the Richland Hills Home Rule Charter be amended to provide the Mayor shall be limited to three (3) consecutive terms as Mayor, not including any time served as a councilmember; to provide that councilmembers shall be limited to three (3) consecutive terms, not including any time served as Mayor; and to provide a limit of eighteen (18) consecutive years served on council in any combination of positions?

YES: 157 (68.26%)

NO: 73 (31.74%)

Proposition G – City Council Compensation

Shall Section 5.13 of the Richland Hills Home Rule Charter be amended to provide that members of the city council shall receive ten dollars (\$10.00) per meeting?

YES: 173 (73.93%)
NO: 61 (26.07%)

Proposition H – Duties of the Mayor

Shall Section 6.02 of the Richland Hills Home Rule Charter be amended to provide that the Mayor shall vote on all matters; to provide that the Mayor shall sign contracts that require Council approval; and to remove requirements that the Mayor be recognized as the official for service of process?

YES: 125 (54.35%)
NO: 105 (45.65%)

Proposition I – Powers of the City Council

Shall Section 6.03 of the Richland Hills Home Rule Charter be amended to provide that Council shall be responsible for the appointment and removal of the City Secretary, that it may direct the City Manager to investigate administrative affairs, and that it may determine salaries of appointed City officers; to provide that it possesses all other powers and authorities possessed by the City; and to remove the duties of establishing departments, regulating vehicle owners, and regulating burial grounds and cemeteries?

YES: 161 (69.40%)
NO: 71 (30.60%)

Proposition J – City Council Removal

Shall Section 6.04 of the Richland Hills Home Rule Charter be amended to remove the authority to remove a Councilmember for violating provisions against influencing the appointment or removal of staff members or issuing direct orders to administrative staff?

YES: 158 (69.00%)
NO: 71 (31.00%)

Proposition K – City Manager

Shall Section 7.01 of the Richland Hills Home Rule Charter be amended to remove requirements that the City Manager provide department heads a monthly financial report?

YES: 105 (45.85%)

NO: 124 (54.15%)

Proposition L – City Secretary

Shall Section 7.02 of the Richland Hills Home Rule Charter be amended to provide that the City Council may appoint or remove a City Secretary by a majority vote and to remove authority to appoint Assistant City Secretaries?

YES: 152 (66.67%)
NO: 76 (33.33%)

Proposition M – City Attorney

Shall Section 7.03 of the Richland Hills Home Rule Charter be amended to provide that Council may appoint or remove a City Attorney by majority vote; to describe the duties of the City Attorney; to authorize Council to retain separate counsel as necessary; and to authorize Council to set the City Attorney’s compensation?

YES: 174 (77.33%)
NO: 51 (22.67%)

Proposition N – Municipal Court

Shall Section 7(A).01 of the Richland Hills Home Rule Charter be amended to refer to Associate Judges and to provide that the City Manager shall appoint and supervise the Court Clerk?

YES: 166 (73.13%)
NO: 61 (26.87%)

Proposition O – Personal Services

Shall Section 9.02 of the Richland Hills Home Rule Charter be amended by deleting Section 9.02 prohibiting Personal Service contracts?

YES: 148 (65.20%)
NO: 79 (34.80%)

Proposition P – Franchises

Shall Section 9.04 of the Richland Hills Home Rule Charter be amended to provide that a franchise grant of City property must be approved by a super-majority of City Council; and to remove requirements that franchises must be considered at two regular council meetings?

YES: 158 (69.60%)
NO: 69 (30.40%)

Proposition Q – Street Powers

Shall Section 11.01 of the Richland Hills Home Rule Charter be amended to provide consistency in the types of streets subject to the City’s authority?

YES:	184	(81.42%)
NO:	42	(18.58%)

Proposition R – Budgetary Process

Shall Sections 12.01, 12.02, 12.03, 12.04, and 12.05 of the Richland Hills Home Rule Charter be amended to provide that the annual budgetary process shall comply with state law, and to require the City Manager to include a five-year capital improvement plan with the proposed budget?

YES:	186	(81.58%)
NO:	42	(18.42%)

Proposition S – Board and Commissions

Shall Sections 14.01 and 14.02 of the Richland Hills Home Rule Charter be combined and amended to provide that City Council has the authority to establish boards, commissions, and committees as necessary?

YES:	161	(70.61%)
NO:	67	(29.39%)

Proposition T – Recall of Officers

Shall Section 15.02 of the Richland Hills Home Rule Charter be amended to provide that that State law controls the filing of a recall petition?

YES:	187	(82.74%)
NO:	39	(17.26%)

Proposition U – Initiative and Referendum

Shall Section 16.02 of the Richland Hills Home Rule Charter be amended to provide that ordinances pertaining to levying taxes, setting rates for services, adopting a budget or capital improvement program, zoning, issuances of bonds, borrowing money, salaries or administration of employees, annexation, boundary adjustments, any matter a court has determined inappropriate for initiative or referendum, or any subject requiring a public hearing shall not be subject to initiative or referendum; and to provide petitions for referendum must be signed by the greater of 25% of the number of votes cast in the last municipal election or 250 votes?

YES: 138 (60.00%)
NO: 92 (40.00%)

Proposition V – Oath of Office

Shall Section 17.03 of the Richland Hills Home Rule Charter be amended to provide that any person authorized by law may administer oaths of office?

YES: 166 (73.13%)
NO: 61 (26.87%)

Proposition W – Public Records

Shall Section 17.05 of the Richland Hills Home Rule Charter be amended to provide that the City shall comply with state public records laws?

YES: 186 (81.58%)
NO: 42 (18.42%)

Proposition X – Nepotism

Shall Sections 17.12 and 17.13 of the Richland Hills Home Rule Charter be amended to revise the nepotism provision to apply to a person appointed to a paid position or a board, commission, or committee; to provide a continuous employment exception; and to revise the substantial interest provision to comply with state law?

YES: 187 (82.38%)
NO: 40 (17.62%)

Proposition Y – Discrimination

Shall Section 17.14 of the Richland Hills Home Rule Charter be amended to prohibit discrimination of protected classes in accordance with state and federal law?

YES: 187 (82.02%)
NO: 41 (17.98%)

Proposition Z – Political Activity

Shall Section 17.15 of the Richland Hills Home Rule Charter be amended to remove restrictions on employee campaign contributions or activities?

YES: 119 (52.65%)
NO: 107 (47.35%)

Proposition AA – Removal of Redundant Provisions, Updating Statutory References, and Non-Substantive Corrections

Shall Sections 14.05, 14.06, 17.16, 17.17, and 17.18 of the Richland Hills Home Rule Charter be amended by deleting redundant provisions related to the regulation of buildings, building permits, pools, and bonds for city officials; shall Sections 4.01, 8.01, 8.02, 9.04, and 10.01 of the Richland Hills Home Rule Charter be amended to update statutory references to reflect current State law; and shall the Richland Hills Home Rule Charter be amended to make non-substantive grammatical and textual corrections and clarifications throughout the Charter?

YES:	184	(81.78%)
NO:	41	(18.22%)

Motion: Motion was made by Mayor Pro Tem Bergthold and seconded by Mayor Lopez to approve Ordinance No.1473-23, canvassing returns and declaring results of the Special Municipal Election held on May 6, 2023.

Motion carried by a vote of 2-0.

3. ADJOURNMENT

There being no further business to come before the City Council, Mayor Lopez declared the meeting adjourned at 9:01 a.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Edward Lopez, Mayor