

**RESOLUTION R-16-4027**

**A RESOLUTION AMENDING RESOLUTION R-16-4019 OF THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS, CALLING A SPECIAL ELECTION FOR NOVEMBER 8, 2016, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF COLLEYVILLE THE ADOPTION OR REJECTION OF PROPOSED AMENDMENTS TO THE EXISTING CITY CHARTER; DESIGNATING THE OFFICIAL POLLING PLACES AND ADOPTING ELECTION OFFICIALS; PRESCRIBING THE FORM OF THE BALLOTS; PROVIDING FOR NOTICE OF THE ELECTION; AND PROVIDING GENERALLY FOR THE CONDUCT OF THE ELECTION**

**WHEREAS,** the Colleyville City Council has determined that certain amendments and changes should be made to the Colleyville City Charter which was originally adopted by the citizens of Colleyville on January 15, 1977, and which was subsequently amended on May 7, 2005; and

**WHEREAS,** the Colleyville City Charter has not been amended within the two years preceding the proposed election date herein designated; and

**WHEREAS,** the Colleyville City Council now deems it proper to submit proposed amendments to the Colleyville City Charter to the registered voters of the City of Colleyville for adoption or rejection at a special election to be held on November 8, 2016.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:**

- Sec. 1. THAT all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.
- Sec. 2. THAT the following ballot propositions shall be submitted to the voters to amend the existing Charter of the City of Colleyville:

**Proposition No. 1**

Amend the Colleyville City Charter by adding Section 3.01A, Limitations on Terms to provide that no person shall serve as Mayor for more than two (2) consecutive elected terms, and no person shall serve as a Council Member for more than two (2) consecutive elected terms. Under no circumstances may any person ever serve for more than twelve (12) consecutive years in combination as a Council Member or Mayor. The amendment shall be effective, at the next municipal election, shall apply to all persons currently occupying the Office of Mayor or Council Member, and shall apply to all municipal elections conducted after the date of adoption; provided however that this amendment will not cause a Council Members' current term to be terminated prior to the completion of their elected term.

\_\_\_\_\_ FOR  
\_\_\_\_\_ AGAINST

**Proposition No. 2**

Amend Section 3.09(C) to allow for electronic voting by City Council and to provide that voting on nominations to City Boards, Committees, and Commissions do not require a roll call vote.

\_\_\_\_\_ FOR  
\_\_\_\_\_ AGAINST

**Proposition No. 3**

Change Sections 7.02, 7.03, 7.04(A), 7.05, and 7.06 to provide that the appointment of the City Secretary, Police Chief, Fire Chief, Director of Public Works and Head of Department of Finance will require the approval of the City Council, for an indefinite term.

\_\_\_\_\_ FOR  
\_\_\_\_\_ AGAINST

**Proposition No. 4**

To eliminate and delete Article XIII which provided for transitional matters after the 2005 Charter amendments.

\_\_\_\_\_ FOR  
\_\_\_\_\_ AGAINST

**Proposition No. 5**

To amend Section 14.02 "Personal Financial Interest" by adding to subsection (F) providing that a complaint can be filed 15 days from when a citizen knew or should have known of the asserted violation and adding subsection (K) to provide that Council and Mayoral candidates, Planning and Zoning and Board of Adjustment applicants, City Manager and senior staff shall file financial disclosure and conflict of interest forms, providing a time frame for initial filing and for filing due to changes, and a duty to supplement, providing for the information to be contained in such forms to include certain described property owned in Dallas, Denton, and Tarrant County or property held in trust or by certain family members or business entities; and the name and address of any person or corporation with a contractual relationship with the City and from which the person(s) stated above or family members have received something of value over \$100; or the person or family members own more than 2% of the outstanding equity interest or more than 2% of the assets; and such reporting that is required by Section 14.02(K) applies to all of the relationships listed above.

\_\_\_\_\_ FOR  
\_\_\_\_\_ AGAINST

Sec. 3. THAT such election shall be held and conducted in the City of Colleyville, Texas, on Tuesday, November 8, 2016 by Tarrant County pursuant to a Joint Election Agreement and Contract for Election Services, with respect to such Special Election approved by the City Council of the City of Colleyville, Texas and the Tarrant County Elections Administrator.

Sec. 4. THAT the polling locations where registered voters shall cast ballots for this Special Election will be designated in accordance with the provisions of the Joint Election Agreement and Contract for Election Services with Tarrant County to include the polling locations as provided by Tarrant County and as posted in accordance with the Texas Election Code. Election officers for each polling place shall be appointed and compensated pursuant to the Joint Election Agreement and Contract for Election Services with Tarrant County for said election on Tuesday, November 8, 2016.



Express Courier Delivery: Early Voting Clerk  
Tarrant County Elections  
P.O. Box 961011  
Fort Worth, Texas, 76161-3011

Fax: 817-831-6118

Email: [votebyemail@tarrantcounty.com](mailto:votebyemail@tarrantcounty.com)

- Sec. 8. THAT the election shall be conducted according to the Texas Election Code and the Charter of the City of Colleyville.
- Sec. 9. THAT the notice of the election on the proposed Charter amendments shall be given by publication of the propositions on the same day of two successive weeks in a newspaper of general circulation published within the City of Colleyville, the date of the first publication to be not less than fourteen (14) days before the election date set herein. Such notice must include a substantial copy of the proposed amendments.
- Sec. 10. THAT the Charter of the City of Colleyville, containing all proposed revisions, shall be kept in the office of the City Secretary of the City of Colleyville, and copies of it shall be made available to any person upon request free of charge. The notices required in Section 9 above shall state that the proposed text of the Charter of the City of Colleyville will be available to all interested persons in the office of the City Secretary of the City of Colleyville.
- Sec. 11. THAT should any section, provision, word, phrase, or clause of this resolution or the application thereof to any person, or circumstance be held to be invalid, unconstitutional or ineffective, the remainder of the resolution and the application of such provisions to the other persons or circumstances shall not be affected thereby.

Sec. 12. THAT any non-substantive changes that need to be made for the ballot, in particular, but not limited to, removing underlining or bolding from the text or dividing into additional propositions or summarizing for word limits, as presented above is hereby approved.

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF 6 AYES, 1 NAYS, AND 0 ABSTENTIONS ON THIS THE 25<sup>TH</sup> DAY OF AUGUST 2016.

Mayor Richard Newton	<u>Aye</u>	Mayor Pro Tem Chris Putnam	<u>Aye</u>
Place 1, Tammy Nakamura	<u>Aye</u>	Place 5, Nancy Coplen	<u>Aye</u>
Place 2, Bobby Lindamood	<u>Aye</u>	Place 6, Mike Taylor	<u>Aye</u>
Place 4, Jody Short	<u>Nay</u>		

**ATTEST:**



Amy Shelley, TRMC  
City Secretary

**CITY OF COLLEYVILLE**



Richard Newton  
Mayor