

ACTION FORM BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING: August 15, 2014		DATE SUBMITTED: August 12, 2014	
DEPARTMENT OF ORIGIN: City Secretary		SUBMITTED BY: Mary Lynne Stratta	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	STRATEGIC INITIATIVE:
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1ST READING	<input type="checkbox"/> PUBLIC SAFETY
<input checked="" type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input checked="" type="checkbox"/> SERVICE
<input type="checkbox"/> REGULAR	<input type="checkbox"/> STATUTORY		<input type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input checked="" type="checkbox"/> REGULAR		<input type="checkbox"/> INFRASTRUCTURE
			<input type="checkbox"/> QUALITY OF LIFE
AGENDA ITEM DESCRIPTION: Ordinance – Ordering Non-binding Referendum Election			
<p>First reading of an ordinance providing for the submission of a non-binding referendum to the voters of the City of Bryan at a special election; providing that said special election shall be held jointly with the general election scheduled for November 4, 2014.</p> <p><i>(Ordenanza - Ordenando Elección Especial - Referéndum No-Obligatorio - Una ordenanza del Concejo de la Ciudad de Bryan, Texas, proveyendo la sumisión de un referéndum no-obligatorio a los votantes de la Ciudad de Bryan en una elección especial; proporcionando que dicha elección especial será llevada a cabo en conjunto con la elección general planificada para el 4 de Noviembre, 2014.)</i></p>			
SUMMARY STATEMENT: As directed by the City Council, this ordinance sets out that a special election consisting of a non-binding referendum shall be held jointly with the general election on November 4, 2014.			
STAFF ANALYSIS AND RECOMMENDATION: A second reading is necessary no later than Monday, August 18, in order to comply with the State law deadline for ordering elections to be held on November 4.			
OPTIONS (In Suggested Order of Staff Preference): Again, second reading must be done no later than Monday, August, 18, per state law. At this point, if the Council wishes to move forward, the first reading must be approved Friday, August 15, and second reading on Monday, August 18.			
ATTACHMENTS: Ordinance			
FUNDING SOURCE: City Secretary's Election Budget			
APPROVALS: Mary Lynne Stratta 8-12-14; Hugh R. Walker, 08/12/2014			
APPROVED FOR SUBMITTAL: CITY MANAGER Kean Register, 8/12/2014			
APPROVED FOR SUBMITTAL: CITY ATTORNEY			

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, PROVIDING FOR THE SUBMISSION OF A NON-BINDING REFERENDUM TO THE VOTERS OF THE CITY OF BRYAN AT A SPECIAL ELECTION; PROVIDING THAT SAID SPECIAL ELECTION SHALL BE HELD JOINTLY WITH THE GENERAL ELECTION SCHEDULED FOR NOVEMBER 4, 2014; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE ORDINANCE IS PASSED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City of Bryan, Texas, is a home rule city having its own Charter under the laws and Constitution of the State of Texas; and

WHEREAS the City Council acknowledges that public golfing is a recreational and healthy lifestyle benefit to many of Bryan's citizens; and

WHEREAS the City Council is also aware that several golfing opportunities exist for the general public in the community; and

WHEREAS, the City Council is aware of the desire for additional recreational amenities for various sports such as soccer, football, baseball, softball, etc., especially for the youth of the community; and

WHEREAS, the City Council desires to know the public's opinion regarding the possible conversion of the current municipal golf course to a "super" park composed of various recreational amenities;

NOW, THEREFORE, be it ordained by the City Council of the City of Bryan:

Section 1.

That the hereinafter recited proposition, in the form of a non-binding referendum, shall be submitted for the consideration of the voters of the City of Bryan at a special referendum election to be held on the next uniform election date as prescribed by Section 41.001, Texas Election Code, that same date being November 4, 2014.

Section 2.

That the special election shall be held jointly with the general election scheduled for November 4, 2014, to be conducted by the Brazos County Clerk's Office, as a matter of convenience and cost effectiveness for the voters, and to comply with the provisions of State law, and setting forth that the same polling places, early voting location and hours, election judges and workers, etc., shall be utilized for this special election as for the Brazos County general election scheduled for November 4, 2014.

Section 3.

That the City Secretary shall post and cause the notice of the herein called election to be published in a newspaper of general circulation in Bryan, Texas, in accordance with State law and the City Charter, and in a publication of Spanish language, and shall execute all duties normally required for

conduct of an election within the State of Texas. The Mayor is expressly authorized to sign an Election Order and Notice of Election for said election to be conducted on November 4, 2014.

Section 4.

That the form of the above notice shall be as prescribed by State law.

Section 5.

That the processes and procedures set forth of said election shall in all respects be and conform to State law and the general election set forth for November 4, 2014.

Section 6.

That the ballot proposition in the form of a non-binding referendum to be submitted to the voters of the City of Bryan is as follows:

Proposition No. One

Do you support converting the current municipal golf course to a regional “super” park to include facilities for recreational activities such as baseball, softball, soccer, football, volleyball, tennis, basketball, walking trails, water recreation, special needs amenities, senior exercise stations, disc golf, miniature golf, skate park, sports learning center, etc?

Yes

No

Section 7.

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8.

It is hereby found and determined that the meetings at which this ordinance was passed were open to the public as required by Chapter 551, Texas Government Code, and that advance public notice of time, place and purpose of said meetings was given.

Section 9.

That this ordinance shall go into effect immediately upon its second and final reading.

Presented and given first reading the 15th day of August, 2014, at a special meeting of the Bryan City Council, and given second reading, passed and approved on the 18th day of August, 2014, by a vote of _____ ayes and _____ nays at a special meeting of the City Council of the City of Bryan, Texas.

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney