

**ORDINANCE NO. 23-502**

**AN ORDINANCE ORDERING AN ELECTION TO BE HELD IN THE CITY OF RICHWOOD, ON SATURDAY, MAY 6, 2023 FOR THE PURPOSE OF AMENDING THE CITY OF RICHWOOD HOME RULE CHARTER; PROVIDING FOR SEVERABILITY.**

**Whereas**, the residents of the City of Richwood, approved the adoption the City of Richwood Home Rule Charter by majority vote on May 11, 2013;

**Whereas**, the City Council appointed six residents to serve as the Charter Review Commission at their first regularly scheduled meeting in October 2022;

**Whereas**, the Charter Review Commission met and reviewed all sections of the Charter and presented their recommendations to City Council for approval to be placed on the May 6, 2023, ballot to be presented to the voters;

**Whereas**, the City Council finds it appropriate to call the special election to propose amendments to the City Charter be placed on the May 6, 2023 ballot to be presented to the voters; and

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

**Section 1.** That an election to amend the City of Richwood Home Rule Charter is hereby ordered and shall be held in and throughout the City of Richwood, Texas, on the 6th day of May 2023, being the first Saturday in May, between the hours of 7 am and 7 pm. Voting locations are attached as Exhibit B.

**Section 2.** That early voting by personal appearance will begin on April 24, 2023, and end on May 2, 2023. Early voting locations are attached as Exhibit C.

**Section 3.** That the proposed text amendments are hereby attached as Exhibit A.

**Section 4.** That the election is ordered for the purpose of submitting the following proposed amendments to the Home Rule Charter of the City of Richwood to the qualified voters:

**Proposition A**

Shall Section 7.02 be amended to require petitions for legislation initiative be signed by the qualified voters of the City equal in number to at least ten percent (10%) of the qualified voters of the City?

**Proposition B**

Shall Section 11.12 (b) be amended to require the City Council to call for any amendments to the Charter of the City of Richwood recommended by the Charter Review Commission be presented to qualified voters of the City.

**Section 6.** That said election shall be held in accordance with the Constitution and laws of the State of Texas and the Charter of the City of Richwood, and all duly qualified resident electors of the City of Richwood, Texas, shall be qualified to vote.

**Section 7. NECESSARY ACTIONS:** The Mayor or the City Secretary of the City of Richwood, in consultation with the City Attorney as needed, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and the Contract in carrying out and conducting the election, whether or not expressly authorized herein.

**Section 8.** If any part or portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of this ordinance.

**PASSED AND APPROVED** on this 09th day of January 2023.

---

**Mayor**

**ATTEST:**

---

**City Secretary**

## EXHIBIT A

### Proposed Text Amendments to the City of Richwood Home Rule Charter

#### PROPOSITION A

##### **Section 7.02. Initiative.**

Qualified voters of the City of Richwood may initiate legislation by submitting a petition addressed to the City Council which requests the submission of a proposed ordinance or resolution to a vote of the qualified voters of the City. The petition must be signed by the qualified voters of the City equal in number to at least ~~twenty percent (20%)~~ **ten percent (10%)** of the qualified voters of the City. The petition shall be signed as provided in section 6.03 of this Charter. The petition may consist of one or more copies as permitted in section 6.04 of this Charter, but each copy shall have attached to it a copy of the proposed ordinance or resolution. The petition shall be filed with the person performing the duties of City Secretary. In the next regularly scheduled City Council meeting and noticed in accordance with the Texas Open Meetings Act, the person performing the duties of City Secretary shall present the petition and the proposed ordinance or resolution to the City Council. Upon presentation to it of the petition and the proposed ordinance or resolution, it shall become the duty of the City Council, within ten (10) days after the receipt thereof, to pass and adopt such ordinance or resolution without alteration as to meaning or effect in the opinion of the persons filing the petition or within the time frames established by law, call a special election to be held on the next uniform election date under state law by which lawful notices can be given and full absentee balloting had, at which the qualified voters of the City of Richwood shall vote on the question of adopting or rejecting the proposed legislation. City Council shall be permitted to make any such alterations as are necessary to make such legislation compliant with state law. If any such legislation seeks the enforcement of any illegal act or any act for which the City lacks authority to enforce, City Council shall not pass or adopt the ordinance or resolution.

## **PROPOSITION B**

### **Section 11.12. Charter Review Commission.**

The City Council shall appoint each even numbered year a Charter Review Commission of five citizens of the City.

(a) Duties of the Commission. It shall be the duty of such Charter Review Commission to:

1. Inquire into the operations of the City government under the Charter provisions and determine whether any such provisions require revision. To this end public hearings may be held, and the Commission shall have the power to compel the attendance of any officer or employee of the City and to require the submission of any of the City records which it may deem necessary to the conduct of such hearing;

2. Propose any recommendations it may deem desirable to ensure compliance with the provisions of the Charter by the several departments of the City government;

3. Propose, if it deems desirable, amendments to this Charter to improve the effective application of said Charter to current conditions;

4. Report its findings and present its proposed amendments if any, to the City Council.

(b) Action by the City Council. The City Council shall receive and have published in a newspaper of general circulation in the City any report presented by the Charter Review Commission, shall consider any recommendations made, and if any amendments or amendment be presented as a part of such report ~~may~~ **shall** order such amendment or amendments to be submitted to the voters of the City in the manner provided by the applicable statute of the State of Texas.

(c) Term of office. The term of office of such Charter Review Commission shall be one year and, if during such term no report is presented to the City Council, then all records of the proceedings of such Commission shall be filed with the person performing the duties of City Secretary and shall become a public record.

**EXHIBIT B**

<i>CITY (CIUDAD)</i>	<i>POLLING PLACE (SITIO DE VOTACIÓN)</i>	<i>ADDRESS (DIRECCIÓN)</i>
Alvin	Alvin Library	105 S Gordon
Alvin	Heights Baptist Church	1591 County Road 144
Alvin	Nolan Ryan Center	3110 Mustang Rd
Angleton	East Annex (Old Walmart) Room 144	1524 E Mulberry
Angleton	West Annex	451 N Velasco
Bonney	Bonney Annex Building	19025 FM 521
Brazoria	Brazoria Library	620 S Brooks
Brazoria	Greater Mount Zion Event Center	6437 FM 521
Brookside Village	Brookside Village Community Center	6243 Brookside Rd
Clute	Clute Event Center	100 Parkview Dr
Damon	Damon Elementary School	1211 Mulcahy
Danbury	Danbury Community Center	6115 5th St
Freeport	Freeport Library	410 Brazosport Blvd
Holiday Lakes	Holiday Lakes City Hall	195 N Texas Ave
Iowa Colony	Alvin ISD Heritage Complex	10855 Iowa Colony Blvd
Jones Creek	Jones Creek Community House	7207 Stephen F Austin Rd
Lake Jackson	Lake Jackson Annex Courtroom	202 Peach St
Lake Jackson	Lake Jackson Civic Center	333 Hwy 332 East
Liverpool	Liverpool City Hall	8901 County Road 171
Manvel	ESD No. 3 Station	6931 Masters Rd
Manvel	North Annex	7313 Corporate Dr
Manvel	Pct. 4 North Annex	3633 County Road 58
Oyster Creek	Oyster Creek City Hall	3210 FM 523
Pearland	Delores Fenwick Nature Center	5750 Magnolia Pkwy
Pearland	Drainage Dist No. 4 Building	4813 W Broadway
Pearland	First Church of Pearland	1850 E Broadway
Pearland	New Harvest Christian Fellowship	12216 Broadway
Pearland	Pearland Recreation Center	4141 Bailey Rd
Pearland	Shadycrest Baptist Church	3017 Yost Blvd
Pearland	Silverlake Church	1865 Cullen Blvd
Pearland	Silverlake Recreation Center	2715 Southwyck Pkwy
Pearland	Tom Reid Library	3522 Liberty Dr
Pearland	West Pearland Community Center	2150 Countryplace Pkwy

Pearland	West Pearland Library	11801 Shadow Creek Pkwy
Richwood	Richwood City Hall	1800 Brazosport Blvd N
Sandy Point	Sandy Point Bible Church	119 County Road 42
Surfside Beach	Surfside Beach City Hall	1304 Monument Dr
Sweeny	Sweeny Community Center	205 Ashley Wilson Rd
West Columbia	Precinct 4 Building #2	121 N 10th St

**EXHIBIT C**

**EARLY VOTING BRANCH POLLING PLACES**  
**LOS SITIOS DE VOTACIÓN AUXILIARES PARA VOTACIÓN ADELANTADA**

Early voting by personal appearance will be conducted at the following locations:  
*La votación adelantada en persona se llevará a cabo en los siguientes sitios de esta manera:*

- Angleton (Main) .....East Annex, 1524 E Mulberry
- Alvin .....Alvin Library, 105 S Gordon
- Brazoria .....Brazoria Library, 620 S Brooks
- Freeport .....Freeport Library, 410 Brazosport Blvd
- Lake Jackson .....Lake Jackson Library, 250 Circle Way
- Manvel .....North Annex, 7313 Corporate Dr
- Pearland East .....Tom Reid Library, 3522 Liberty Dr
- Pearland West .....Westside Event Center, 2150 Countryplace Pkwy
- Shadow Creek .....Pearland Westside Library, 2803 Business Center Dr #101
- Sweeny .....Sweeny Community Center, 205 W Ashley Wilson Rd
- West Columbia .....Precinct 4 Building 2, 121 N 10<sup>th</sup> St

**DATES AND HOURS:**

**FECHAS Y HORAS**

- April 19-23 ..... 8 AM – 5 PM
- April 24 ..... 7 AM – 7 PM
- April 26-27 ..... 7 AM – 7 PM