

ORDINANCE NO. 2019-04

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS AMENDING ORDINANCE NO. 2019-02 CALLING FOR A SPECIAL ELECTION FOR THE PURPOSES OF SUBMITTING TO THE VOTERS PROPOSITIONS TO AMEND THE SAGINAW HOME RULE CHARTER TO BE HELD ON MAY 4, 2019, BY REVISING CERTAIN NON-SUBSTANTIVE ERRORS CONTAINED IN THE WORDING OF CERTAIN CHARTER PROPOSITIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas is a home rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, on February 5, 2019, the City Council of the City of Saginaw, Texas, timely calling a special election for the purposes of submitting to the voters propositions to amend the Saginaw Home Rule Charter to be held on May 4, 2019; and

WHEREAS, four non-substantive errors were identified in the ballot propositions; and

WHEREAS, the proposed amendments to the text of the Charter will not be revised and will continue in their original form, as proposed by Ordinance No. 2019-02; and

WHEREAS, the City Council deems it in the best interest of the public to correct the errors to Proposition G, to change the word “cities” to “city’s;” Proposition I, to delete the word “archaic;” Proposition N, to remove the word “or” from the last line; and Proposition Q, to delete the reference to Section 6.03(5) of the Charter as it is already referenced in Proposition E.

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

SECTION 1.

That Ordinance No. 2019-02 is hereby amended by amending Section 3, Propositions: G, I, N and Q, which shall now read as follows:

“PROPOSITION G – Utilities

Shall the Saginaw Home Rule Charter be revised to clarify and expand the city’s authority to operate city owned utilities and regulate utility franchises to include limiting a franchise term to twenty (20) years, providing procedures to grant franchises, providing terms to be included in a utility franchise, providing for regulation of utilities, and requiring annual reports by adding new Sections 8.01, 8.02, 8.03, 8.04, 8.05, 8.06, 8.07, 8.08 and 8.09 and deleting current Sections 8.01, 8.02, and 9.05, and revising Section 16.09?”

“PROPOSITION I – Acquisition of Property

Shall the Saginaw Home Rule Charter be amended to delete rules for the acquisition of utilities by deleting Sections 10.01(3), 10.01(4), 10.01(5) and 10.01(6), while retaining Sections 10.01(1) and 10.01(2), and updating references to state law?”

“PROPOSITION N – Initiative and Referendum

Shall the Saginaw Home Rule Charter be amended to provide that ordinances levying taxes, authorizing debt, relating to personnel matters, or relating to any matter a court has determined inappropriate for initiative or referendum shall not be subject to initiative or referendum; by revising Section 16.02?”

“PROPOSITION Q – Non-Substantive

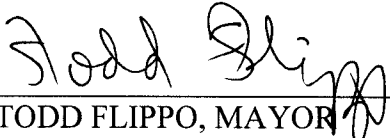
Shall the Saginaw Home Rule Charter be revised to make non-substantive changes including deleting redundancy, making grammatical changes, and compliance with state law, by revising Sections 5.02, 5.07, 5.08, 6.05, 6.07, 10.01(B), 13.01, 15.04, 15.07, 17.07, 17.19 and 19.01, deleting Section 13.03, and renumbering throughout?”

The remainder of Ordinance No. 2019-02 shall remain unmodified.

**SECTION 2.
EFFECTIVE DATE.**


This ordinance shall be effective upon its adoption.

PASSED AND APPROVED ON this the 5th day of March, 2019.



TODD FLIPPO, MAYOR

ATTEST:



JANICE ENGLAND, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:



BRYAN MEREDITH, CITY ATTORNEY

