



NOTICE

The City of Floresville will not be holding a general election on November 5, 2019 pursuant to Resolution No. 2019-014

La Ciudad de Floresville no realizará una elección general el 5 de noviembre de 2019 de conformidad con la Resolución Número 2019-014.

FLORESVILLE



RESOLUTION NO. 2019-014

“A RESOLUTION OF THE CITY OF FLORESVILLE, TEXAS, TO REPEAL AND REPLACE A RESOLUTION WHICH WAS PASSED ON OR ABOUT SEPTEMBER 8, 2011, CHANGING THE CITY OF FLORESVILLE’S GENERAL ELECTION FROM MAY TO NOVEMBER WHICH SAID RESOLUTION IS CONTRARY TO THE CITY OF FLORESVILLE’S HOME RULE CHARTER SECTION V. CHAPTER 5.01 WHICH INDICATES THAT THE GENERAL CITY ELECTION SHALL BE HELD ANNUALLY EACH SPRING; AND THIS RESOLUTION SHALL FURTHER SERVE TO CANCEL ANY FUTURE ELECTIONS CONTRARY TO THE CITY OF FLORESVILLE HOME RULE CHARTER AND TO ESTABLISH AN EFFECTIVE DATE.”

WHEREAS, a Home Rule is the right of citizens at the grassroots level to manage their own affairs with minimum interference from the State; and

WHEREAS, the City of Floresville became incorporated and elected to adopt a Home Rule Charter which would define the structure, power, duties and authority of their local government; and

WHEREAS, Article XI, Section 5 of the Texas Constitution, allows municipalities to change and/or amend their Home Rule Charter; and

WHEREAS, in order to amend the City of Floresville Home Rule Charter, the City Council for the City shall submit the proposed charter amendment to the voters for their approval; and

WHEREAS, pursuant to Texas Local Government Code Section 9.005 which states that a proposed amendment to a municipality’s charter is adopted if it is approved by a majority of the qualified voters of the municipality; and

WHEREAS, an amendment does not take effect until the governing body of the municipality enters an order in the records of the municipality declaring that the amendment is adopted; and

WHEREAS, the previous City Council passed the Resolution dated September 8, 2011, in an attempt to change and/or amend the City of Floresville Home Rule Charter Section V, Chapter 5.01 which states: The general City election shall be held annually each spring election date as designated by the Texas Election Code between the hours of 7:00 a.m. and 7:00 p.m. At which time the officers will be elected to fill those offices which become vacant that year; and

WHEREAS, the Resolution passed on September 8, 2011, did not comply with the requirements as set out in Chapter 9 of the Texas Local Government Code Chapter 9, and is contrary to the City of Floresville Home Rule Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORESVILLE, TEXAS, THAT:

Section 1. The Resolution passed on September 8, 2011, changing and/or amending the date of the general election for its officers did not comply with the requirements of Texas Local Government Code Chapter 9.

Section 2. That the Resolution previously approved on September 8, 2011, is contrary to the Home Rule Charter for the City of Floresville, Texas Section V, Chapter 5.01 which states: The general City election shall be held annually each spring election date as designated by the Texas Election Code between the hours of 7:00 a.m. and 7:00 p.m. At which time the officers will be elected to fill those offices which become vacant that year.

Section 3. That the City Council for the City of Floresville herein repeals the Resolution dated September 8, 2011 and replaces it with this Resolution.

Section 4. The City Council intends to follow The City of Floresville Home Rule Charter and therefore cancels any future elections which are held contrary to its Home Rule Charter.

Section 5. The next election pursuant to Section V, Chapter 5.01 shall be held in the spring 2020, and every spring thereafter, with the date designated by the Texas Election Code.

Section 6. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

PASSED, APPROVED AND ADOPTED on this 17th day of July, 2019 at a special meeting of the City Council of the City of Floresville, Texas, such meeting was held in compliance with the Open Meetings Act, Tex. Gov't code, Chapter 551.001 et seq. At which meeting a quorum was present and voting.



Cecelia Gonzalez-Dippel, Mayor

Attest:



Monica Veliz, City Secretary

