

RESOLUTION NO. R-16-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, CHANGING THE GENERAL ELECTION DATE FOR THE MAYOR AND CITY COUNCILMEMBERS FROM THE MAY UNIFORM ELECTION DATE TO THE NOVEMBER UNIFORM ELECTION DATE, AS AUTHORIZED BY TEXAS ELECTION CODE, SECTION 41.0052(A); PROVIDING FOR THE TERMS OF OFFICE OF THE MAYOR AND CITY COUNCILMEMBERS TO BE ADJUSTED ACCORDINGLY; PROVIDING FOR SEVERABILITY; AND MAKING CERTAIN FINDINGS RELATING THERETO.

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WHEREAS, pursuant to Texas Election Code § 41.0052(c), a city council may, by resolution, change the date on which the city holds its general election for officers from the May uniform election date to the November uniform election date; and

WHEREAS, § 6.01 of the City Charter of the City of Missouri City, Texas (the "City"), provides that elections for the mayor and the at-large councilmembers must be held in May of each even-numbered year and elections for district councilmembers must be held in May of each odd-numbered year; and

WHEREAS, Texas Election Code § 41.0052(c) also provides that a resolution of a home-rule city which implements the change from the May uniform election date to the November uniform election date, as authorized by that section, supersedes a city charter provision that requires a different general election date; and

WHEREAS, Texas Election Code § 41.0052(b) provides that cities that adopt a resolution pursuant to § 41.0052(a) are required to adjust the terms of office of councilmembers to conform to the new election date; and

WHEREAS, the City Council has determined that it is in the best interest of the residents of the City to change the City's election date from May to November; and

WHEREAS, the City, through the adoption of this Resolution and any other necessary means, is striving to modify its election procedures in compliance with the laws of the State of Texas and other federal laws; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:

Section 1. The facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 2. Pursuant to Texas Election Code § 41.0052(a), the City Council of the City of Missouri City, Texas, changes the City's general election date from the May uniform election date to the November uniform election date established by law.

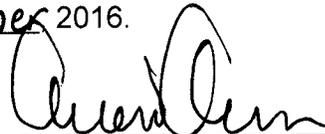
Section 3. Pursuant to Texas Election Code § 41.0052(b), the City Council of the City of Missouri City, Texas, adjusts the terms of office of the Mayor and Councilmembers to conform to the November election date as follows:

- a. The terms of the Mayor and Councilmember at-large, Positions 1 and 2, which currently expire in May 2018, shall be extended until the November 2018 uniform election date;
- b. The terms of the Councilmember, District A; Councilmember, District B; Councilmember, District C; and Councilmember, District D, which currently expire in May 2017, shall be extended until the November 2017 uniform election date.
- c. Thereafter, in accordance with Section 6.01 of the City Charter, the mayor and each councilmember shall serve for two-year terms.

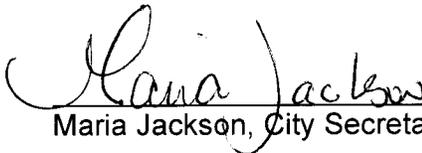
Section 4. The officers and employees of the City are hereby authorized and directed to take such actions as are consistent with the provisions of this Resolution.

Section 5. Severability. In the event any clause, phrase, provision, sentence or part of this Resolution or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

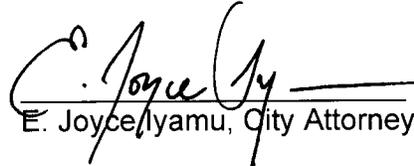
PASSED, APPROVED and ADOPTED this 17th day of October 2016.


Allen Owen, Mayor

ATTEST:


Maria Jackson, City Secretary

APPROVED AS TO FORM:


E. Joyce Iyamu, City Attorney

