



## **AGENDA MEMORANDUM**

Ordinance for the City Council Meeting of March 29, 2016

**DATE:** March 29, 2016  
**TO:** Mayor and Council  
**FROM:** Rebecca Huerta, City Secretary  
RebeccaH@cctexas.com  
(361) 826-3105

<p><b>Request by Petitioners to Repeal Ordinance No. 030788 Regarding Transportation Network Companies</b></p>
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**CAPTION:**

Ordinance considering a request by petitioners, pursuant to Article I, Section 4 of the City Charter to repeal Ordinance No. 030788 which amended Chapter 57 of the Code of Ordinances regarding transportation network companies; repealing adopted ordinance; providing for publication; and declaring an emergency.

**BACKGROUND AND FINDINGS:**

Under Article I, Section 4 of the City Charter, citizens have the right to ask the Council to reconsider any adopted ordinance (or portions of an ordinance). The process for reconsideration, or referendum, begins when five registered voters submit a statement of intent to circulate a petition calling for a referendum. On March 15, 2016, the attached statement of intent was filed by five registered voters, requesting that the Council reconsider Ordinance No. 030788 regarding transportation network companies (approved on March 8, 2016). The charter requires that the statement be filed no later than the tenth day after the city council adopts the ordinance.

The City Council has until the adjournment of the next regular Council meeting following receipt of the statement to reconsider the ordinance. If the Council does not take the requested action within the required timeframe, then the city secretary provides petition pages for circulation among the City's registered voters. A valid petition containing signatures equal to at least five percent of the City's registered voters must be filed with the City Secretary within 90 days. The charter requires that all signatures be made **in ink**.

If a valid petition is filed within 60 days, the effectiveness of the ordinance is suspended and an election is called at the next available uniform election date under state law. However, the next uniform election date is on May 7, and the statutory last day to call for such election has passed (February 19).

If a valid petition is filed after 60 days, but within the 90 day deadline, the ordinance can remain in effect and an election is called at the next regular City Council election, which

is November 8, 2016. The city council can repeal the subject ordinance at any time during this period.

**ALTERNATIVES:**

- 1) Vote in favor of the ordinance, which would repeal Ordinance No. 030788 regarding transportation network companies.
- 2) Vote against the ordinance, which would keep the ordinance in place.
- 3) Take no action.

Options 2 and 3 would initiate referendum proceedings.

**CONFORMITY TO CITY POLICY:**

City Charter.

**EMERGENCY / NON-EMERGENCY:**

Staff is requesting an emergency reading due to charter provision requiring action at the next regular council meeting.

**DEPARTMENTAL CLEARANCES:**

Legal

**FINANCIAL IMPACT:**

☐ Operating      ☐ Revenue      ☐ Capital      ☒ Not applicable

<b>Fiscal Year: 2015-2016</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

**Comments:** None

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance  
Statement of Intent