

**Office of the City Manager**

City of Richland Hills, Texas

## Memorandum

**To:** Honorable Mayor Bill Agan and members of the Richland Hills City Council  
**From:** Eric Strong, City Manager  
**Date:** May 6, 2014  
**Subject:** Continuation Referendum for Crime Control and Prevention District

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### **City Council Action Requested:**

Staff requests that City Council direct staff to prepare and bring back to Council at the May 20<sup>th</sup> meeting a planning and election calendar for a CCPD continuation referendum to be held on the Tuesday, November 4, 2014 uniform election date.

### **Background Information:**

The Richland Hills Crime Control and Prevention District was created by referendum of the voters in a special election held on November 8, 2005. The measure was approved with 834 (74%) votes for and 300 (26%) votes against creation of the district, out of 1134 votes cast in the election. An election to continue the CCPD for five (5) years was approved by voters on May 8, 2010 by a vote of 694 (86.97%) for and 104 (13.03%) against, out of 798 votes cast.

Future Continuation or Dissolution. A letter from the Texas Comptroller of Public Accounts dated December 2, 2010 noted that the effective date for the continuation of the district was April 1, 2011, and that the Richland Hills Crime Control and Prevention District “will be dissolved five (5) years after ... if the district does not hold a continuation or dissolution referendum.” The Texas Crime Control and Prevention District Act (Chapter 363, Local Government Code) provides in Section 363.301 (c) that the **“district is dissolved at the end of the period for which it was continued.”**

The statute provides that the district is dissolved on the first uniform election date that occurs after the 5<sup>th</sup> anniversary of the most recent continuation referendum. Five years

Manager's Memo to Council,  
CCPD Continuation  
May 6, 2014  
Page 2 of 2

after the May 8, 2010 continuation referendum would be the May 2015 uniform election date. In order to keep the district from automatically dissolving without a referendum for continuation or dissolution, a referendum must be held on the question of whether to continue (or dissolve) the district.

Staff would recommend to the CCPD board and to City Council that a referendum to continue the district be held on the November 4, 2014 uniform election date. The last day to order an election for the November 4<sup>th</sup> date would be August 18, 2014 (the 78<sup>th</sup> day before the election). The statute provides that the CCPD board **may** order a referendum to continue the district **“on its own motion by a majority vote of its members”** [Section 363.251 (b)] and **shall** order a referendum **“if a majority of the governing body of the political subdivision that created the district by resolution requests a referendum on continuation or dissolution after notice and a public hearing on the matter.”** [Section 363.251 (c) (2)]

Specific number of years to continue. The statute provides that the **“board or ...governing body of the municipality that created the district may specify the number of years for which a district should be continued”** [Sec. 363.2515 (a)], and that a **“district may be continued under Subsection (a) only for 5, 10, 15, or 20 years.”** [Sec. 363.2515 (b)] Staff would recommend that the ballot for the continuation referendum state that the district should be continued for (at a minimum) ten (10) years.

**Board/Citizen Input:**

This item will be presented to the CCPD on May 20<sup>th</sup>.

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