

City Council/Charter Review Commission

Work Session Handouts

June 1, 2015

- I. Review and Discuss Recommendations from the Charter Review Commission
- II. Review and Discuss Timeline for Appointment to City Council Place 5



CHARTER REVIEW COMMISSION

Summary of Recommendations

June 1, 2015

Charter Review Commission Members

- Bob Dubey, Chair
- Ron Taylor, Vice-Chair
- Gerald Bright
- Marta Gomez Frey
- Helene Lee
- Jason Lemons
- Bill McCalpin
- John Murphy
- Kim Quirk
- Nancy Wilson
- Erica Yaeger

Staff:

- Pete Smith
- Aimee Nemer
- Shanna Sims-Bradish

Charge to Charter Review Commission

- Review the charter to conform to federal and state law where conflict or inconsistencies occur
- Review the charter to clarify and condense existing charter sections to improve effective application of the charter
- Review the charter for any other provisions of the charter as determined necessary

Charter Review Commission Schedule

Date	Topic
October 6, 2014	Orientation
November 5, 2014	Public Hearing, Articles 1-2, 20-21
November 12, 2014	Articles 9-10
December 17, 2014	Articles 5,14
January 14, 2015	Articles 6-8
February 4, 2015	Articles 3-4
February 11, 2015	Articles 11,16, 19
March 4, 2015	Public Hearing, Articles 12, 13,15
March 18, 2015	Articles 17, 18, 22
April 8, 2015	Review of Proposed Revisions
May 13, 2015	Final Review
June 1, 2015	Joint Meeting with the City Council

Opportunities for Public Input

- Public Hearings were held on November 5, 2014 and March 4, 2015
- A web page was created for the Charter Review Commission with a form for public input
- All input received (verbal or written) by the entire Charter Review Commission was reviewed and discussed by the members during its meetings

Focus of Charter Review Commission's Efforts

- Enhancing efforts to have open access and transparency in government
- Receiving and discussing comments and suggestions made by citizens
- Improving the readability of the charter, thus increasing the opportunity for citizens to read and understand the charter

Key Recommendations

- **City Powers**
 - Article 2.04 Street and public improvements
- **Governance**
 - Article 3.03 Mayor pro tem
 - Article 3.04 Compensation
 - Article 3.07 Council vacancies
 - Article 3.10 Open meetings
 - Article 5.04 Recall limitations
 - Article 14.07 Initiative and referendum publication
 - Article 14.09 Power of referendum
- **Administration**
 - Article 6.01 Appointment of city manager
 - Article 7.01 City attorney
 - Article 11.02 Preparation and submission of the budget
 - Article 11.07 Transfer of appropriations
- **Charter Review**
 - Article 19.05 Charter review

Recommendations – City Powers

Key Recommendations

Article 2 - Powers of the City

- *Article 2.04 Street and public improvements:*
 - Added text stating the city has the full power, authority and rights in regards to streets and public improvements (sidewalks, alleys, drainage facilities, sanitary sewer facilities, water and storm drainage) that was previously listed in Articles 17 and 18. Articles 17 and 18 are recommended for deletion

Recommendations - Governance

Key Recommendations

Article 3 – City Council

- *Article 3.03 – Mayor pro tem:*
 - Removed wording added in 2012 that states that upon a vacancy in the mayor's position, the mayor pro tem shall fill the unexpired term and assume the office of mayor
 - Added wording that states the mayor pro tem shall temporarily perform the duties of the mayor in the case of absence or inability of the mayor to perform the duties, but does not assume the office of mayor

Key Recommendations

Article 3 – City Council

- *Article 3.04 – Compensation:*
 - Recommended increasing the compensation for the city council from \$50 to \$100 per meeting

Key Recommendations

Article 3 – City Council

- *Article 3.07 – Council vacancies (Mayoral vacancy):*
 - Added a provision that upon a vacancy in the mayor's position, the city council shall call a special election to be held at the earliest date allowed by state law to elect a person to serve the remainder of the unexpired term, unless the date of the next general election for city council occurs first

Key Recommendations

Article 3 – City Council

- *Article 3.07 – Council vacancies:* Revised wording regarding a vacancy in the city council other than the office of the mayor to state:
 - 1.) for one vacancy, it shall be filled by appointment by the majority vote of the remaining members of the city council to fill the unexpired term;
 - 2.) when there are two or more vacancies at one time, the vacancies shall be filled by special election to be held at the earliest date allowed by state law to elect a person to serve the remainder of the unexpired term, unless the date of the next general election for city council occurs first

Key Recommendations

Article 3 – City Council

- *Article 3.10 – Open meetings:*
 - Clarified that visitors may speak at all city council meetings that are not emergency meetings, authorized closed meetings or council committee meetings

Key Recommendations

Article 5 - Recall

- *Article 5.04 – Recall limitations:*
 - Added a provision that “no recall petition shall be filed within six months after such person’s election or within three months after a recall election, and in no case within three months prior to the expiration of their current term of office.”

Key Recommendations

Article 14 – Initiative and Referendum

- *Article 14.07 – Publication of ordinance proposed by petition initiative:*
 - Reduced the number of days from 45 to 30 prior to the election that a proposed ordinance (either by initiative petition or as required by charter) shall be published in the local newspaper

Key Recommendations

Article 14 – Initiative and Referendum

- *Article 14.09 – Power of referendum:*
 - Increased the number of days from 30 days to 45 days in which citizens can file a petition for referendum after passage of an ordinance/publication of the ordinance

Recommendations - Administration

Key Recommendations

Article 6 – City Manager

- *Article 6.01 – Appointment of a city manager:*
 - Removed a provision that the city council may enter into a contract with a city manager for a period not to exceed two years

Key Recommendations

Article 7 – City Attorney

- *Article 7.01 – City attorney:*
 - Added a provision to Article 7.01 that the city attorney may serve as municipal court prosecutor, may provide a prosecutor or may contract for prosecutor services

Key Recommendations

Article 11 - Budget

- *Article 11.02 - Preparation and submission of the budget:*
 - Simplified the language for the required content of the proposed budget to comply with state law

Key Recommendations

Article 11 - Budget

- *Article 11.07 – Transfer of appropriations:*
 - Added information that there is no prohibition regarding the transfer of budgeted funds of any nontax supported public utility or other enterprise fund for the purpose of reimbursing the general fund for providing administrative services

Recommendations – Charter Review

Key Recommendations

Article 19 – Effective Date and Adoption

- Article 19.05 – Charter review:
 - Added *Article 19.05 Charter review* which states “The city council shall appoint a commission at least every ten years to review the charter. The commission shall be made up of qualified voters from all districts of the city.”

Global Edits Applied Throughout the Document

- Consistent capitalization and spelling of words such as “city”, “charter”, “city council”, “mayor”, “council”, “council member”, “city manager”, “city secretary”
- Consistency in references to federal and state law and the constitution
- Use of modern spelling of words such as “therefore”

Election Propositions

- The Election Code stipulates that propositions amending a city's charter must:
 - Allow voters only two choices: approve or disapprove
 - Include only one subject
- Charter amendment elections often include numerous propositions for citizens to consider
 - For example, the City of Allen considered 20 propositions to amend their charter in May 2015
 - It is estimated that the current Charter Review Commission recommendations could result in over 50 propositions for voters to consider

Next Steps

- **June – July:** City council review and discussion of recommendations
 - June 22nd – City council work session
- **July – August:** City attorney final review and preparation of ballot language
- **August:** City council action to call an election
 - August 3rd – Tentative date to call an election
 - August 24th – Last possible date to call an election
- **November:** Hold election
 - November 3rd – Election day (early voting begins October 19th)

REVIEW AND DISCUSS TIMELINE FOR APPOINTMENT TO CITY COUNCIL PLACE 5

City Council: June 1, 2015

Introduction

- On May 18, 2015, Place 5, an at-large seat, was vacated when Paul Voelker was selected to serve as Mayor for the 2015-17 City Council Term in accordance with Section 3.03 of the City of Richardson Charter.
- Section 3.07 of the Charter establishes the guidelines for filling a vacancy in the city council.
- Section 4.04 of the Charter establishes the minimum qualifications for serving as a member of the city council.

Section 3.07 – Councilmember Vacancies

- Excerpt:
 - Vacancies in the city council, where the same do not exceed two (2) at any one time, shall be filled by a majority vote of the remaining members of the council, and the persons selected to fill such vacancies shall serve only until the next general city council election.
 - A vacancy filled, as in the case of an original election, shall be only for the unexpired period of the term of the councilmember whose office is to be filled.

Section 4.04 - Qualification

- Each member of the city council shall, in addition to the other qualifications prescribed by law, be at the date of the member's election:
 - A registered voter, a resident of the city for one (1) year previous to the date of election,
 - Twenty-one (21) years of age, and
 - Shall not be in arrears in the payment of any taxes or other liabilities due the city.

City Council Discussion