

CHARTER AMENDMENT ELECTION

RICHARDSON

2015

www.cor.net/charterelection

The City of Richardson adopted a home rule charter in June of 1956 establishing the council/manager form of government still in place today. A revised charter was approved in 1989 and was amended in 2007 and 2012. The Richardson City Council has called for a City Charter Amendment election Nov. 3, 2015 that will include 83 amendments. The following information details the proposed amendments, the language if approved and the anticipated impact.

Proposition 1

Shall Section 3.01(a) of the Charter be amended to clarify that the city council consists of seven (7) members comprised of a mayor and six (6) council members and to add definitions for the words and phrases "city council", "council", "council member", "member of the city council", and "member of the council" to ensure consistent application and interpretation throughout the charter.

Charter language if approved:

Section 3.01. Number, election, terms.

(a) Except as otherwise provided by this charter, all powers conferred on the city shall be exercised by a city council consisting of seven (7) members comprised of a mayor and six (6) council members. The members of the city council shall each be elected by the qualified voters of the entire City to numbered places in the manner provided in this charter for a term of two (2) years and until a successor is elected and qualified. As used in this charter, unless the context clearly means otherwise, the word or phrase "city council", "council", "member(s) of the city council" and "member(s) of the council" means and includes the mayor and the six (6) council members. The word or phrase "councilmember(s)" or "council member(s)" means the six (6) members of the city council excluding the mayor, unless the context clearly indicates otherwise.

Impact: Clarifies governing body consists of mayor and six council members.

Yes No

Proposition 2

Shall Section 3.02 of the Charter be amended to delete the last sentence referencing the mayor's term of office of two (2) years which is already stated in Section 3.01.

Charter language if approved: Section 3.02. Mayor.

The mayor shall be the presiding officer. The mayor shall vote on all matters coming before the council, shall have no power of veto, shall represent the city on all ceremonial occasions and shall be known as the official head of the government.

Impact: Redundant statement deleted.

Yes No

Proposition 3

Shall Section 3.07 of the Charter be amended to provide that a vacancy in the office of mayor shall be filled by special election and the provisions of Section 3.03 of the Charter providing for the mayor pro tem to assume the office of mayor in the event of a vacancy in the office of the mayor be repealed.

Charter language if approved:

Section 3.07. Council vacancies.

(a) Mayor. A vacancy in the office of the mayor shall be filled by special election to be held on the earliest date allowed by law for the purpose of allowing the qualified voters of the city 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. Until the vacancy is filled in accordance with this section, the mayor pro tem shall perform the duties, but not assume the office, of mayor.

Impact: An election will be held to fill vacancy in mayor's place.

Yes No

Proposition 4

Shall Section 3.07 of the Charter be amended to provide that vacancies in the office of the six (6) council members not including the mayor be filled by special election when there are two (2) or more vacancies of the six (6) council members other than the mayor, without amending the provision that allows the city council to fill by appointment a single vacancy in the office of council member, other than mayor.

Charter language if approved:

Section 3.07. Council vacancies.

b) Council members. Vacancies in the city council other than in the office of mayor, where the same do not exceed one (1) at any one time, shall be filled by appointment by majority vote of the remaining members of the city council by a person meeting the qualifications of the charter to serve the remainder of the unexpired term. When there are two (2) or more vacancies at any one time, the vacancies shall be filled by special election to be held on the earliest date allowed by law for the purpose of allowing the qualified voters of the city 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.

Impact: When there are two or more vacancies on the city council, other than the mayor, an election will be held.

Yes No

Proposition 5

Shall Section 3.10 of the Charter relating to meetings of the city council being open to the public be amended to clarify that, except for emergency called meetings and authorized closed meetings, it is the meetings of the city council which are open to the public at which citizens are allowed by the rules of the city council to be heard in regard to any matter considered at such meetings.

Charter language if approved:

Section 3.10. Open meetings.

All meetings of the city council shall be open to the public except as otherwise permitted by state law, and the rules of the city council shall provide that with the exception of emergency meetings and authorized closed meetings of the city council, citizens of the city shall have a reasonable opportunity to be heard at the meetings of the city council, in regard to any matter there considered.

Impact: Public comments are allowed at all city council meetings except emergency and executive sessions.

Yes No

Proposition 6

Shall Section 3.11 of the Charter relating to the minimum number of members of the city council required to be present in order for the city council to hold a meeting be amended to clarify that the mayor is included in determining the required number for a quorum and to delete language not related to the definition of a quorum.

Charter language if approved: Section 3.11. Quorum.

A quorum shall consist of five (5) members of the council, except where the number of members of the council, due to vacancies, is reduced to less than five (5), in which event a quorum shall consist of all of the remaining members of the council.

Impact: A quorum is five members of city council which may or may not include the mayor.

Yes No

Copies of the current City Charter and this voter's guide are available at:

- Richardson City Hall, 411 W. Arapaho Rd.
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Proposition 7

Shall Section 3.12 of the Charter relating to voting and rules of procedures for the city council be amended to clarify that references to "council" in said section means all members of the city council, including the mayor.

Charter language if approved:

Section 3.12. Voting and rules of procedure.

The yes and no votes shall be taken on the passage of all ordinances or resolutions and entered in the minutes of the proceedings of the council, and every ordinance or resolution shall require for final passage the affirmative vote of a majority of the members of the council present. No member of the council shall be excused from voting except on matters involving the consideration of such member's own official conduct, or where such member's financial interests are involved, unless otherwise required by law. The council shall determine its own rules of procedure, may punish members of the council for misconduct, and may compel the attendance of absent members of the council.

Impact: Defines the mayor as a voting member of the city council.

Yes No

Proposition 8

Shall Section 6.01 of the Charter relating to the terms of appointment of the city manager by the city council be amended to clarify that the city manager, who under the current charter is appointed without a fixed period of time, is accountable to the city council for the proper administration of the city and eliminating inconsistent language.

Charter language if approved: Section 6.01. Appointment.

The council shall appoint a city manager, who shall be the chief administrative and executive officer of the city. The city manager shall be accountable to the council for the proper administration of the city. The city manager may be appointed without a definite fixed time. The city manager shall be removable at the will and pleasure of the council by a vote of the majority of the entire council. The city manager shall receive such compensation as may be fixed by the council.

Impact: The city council determines the length of service for the city manager.

Yes No

Richardson Charter Amendment Election Information

IMPORTANT DATES

Election Day — Nov. 3

Early Voting — Oct. 19-30

Early Voting Dates and Times for Dallas and Collin counties

DATE	DALLAS COUNTY	COLLIN COUNTY
Oct. 19-23	8 a.m.-5 p.m.	8 a.m.-5 p.m.
Oct. 24	8 a.m.-5 p.m.	7 a.m.-7 p.m.
Oct. 25	1-6 p.m.	1-6 p.m.
Oct. 26-28	8 a.m.-5 p.m.	7 a.m.-7 p.m.
Oct. 29-30	7 a.m.-7 p.m.	7 a.m.-7 p.m.

VOTING INFORMATION

Dallas County

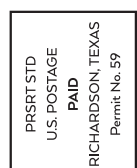
214-819-6389, www.DallasCountyVotes.org

Collin County

972-547-1990, www.co.collin.tx.us/elections

City of Richardson

972-744-4290, charterquestions@cor.gov
www.cor.net/charterelection



Postal Customer
Richardson, TX

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Proposition 9

Shall Section 9.04 of the Charter relating to the meetings of city boards and commissions be amended to clarify that, except as otherwise permitted by state law, all meetings of the city board and commissions are open to the public for which minutes are to be kept.

Charter language if approved: Section 9.04 Meetings

All meetings shall be open to the public except as otherwise permitted by law. Minutes of the meetings open to the public shall be kept and attendance, subject matter and voting shall be recorded.

Impact: Clarifies when boards and commissions meetings are open to the public.

Yes No

Proposition 10

Shall Section 11.02 of the Charter relating to the preparation of the city budget by the city manager be amended to delete the list of the required contents of the city manager's budget message and provide in lieu thereof that the budget prepared by the city manager will comply with, and contain such information, as required by state law.

Charter language if approved:

Section 11.02. Preparation and submission of budget.

The city manager, on or before August 15 of each year, shall prepare and submit to the council a budget for the ensuing fiscal year. In preparing this budget, each employee, officer, board and department shall assist the city manager by furnishing all necessary information. The budget shall comply with and contain such information and itemization, as may be required by state law.

Impact: Summarizes the list of requirements to be included in the budget.

Yes No

Proposition 11

Shall Section 11.03 of the Charter be amended to clarify that the budget and all supporting schedules filed by the city manager with the city secretary and submitted to the city council as required by this section is only the "proposed" budget.

Charter language if approved:

Section 11.03. Proposed budget a public record.

The proposed budget and all supporting schedules shall be filed with the city secretary when submitted to the council and shall be open to public inspection.

Impact: Clarifies that the budget filed by city manager is the "proposed" budget.

Yes No

Proposition 12

Shall Section 11.06 of the Charter relating to budget appropriation of funds be amended by changing the phrase "reserved fund balance" to "unallocated fund balance" to correctly describe the function of such fund consistent with municipal budget and financial practices.

Charter language if approved:

Section 11.06. Budget appropriation; tax levy.

On final adoption, the budget shall be in effect for the budget year. Final adoption of the budget by the council shall constitute the official appropriations for the current year and shall constitute the basis of the official levy of the property tax as the amount of tax to be assessed and collected for the corresponding tax year. Estimated expenditures for operating purposes will in no case exceed proposed revenue, plus unallocated fund balance, and other financing sources. Unused appropriations may be transferred to any item required for the same general purpose.

Impact: Correctly defines the term for unallocated fund balance

Yes No

Proposition 13

Shall Section 11.07 of the Charter be amended to clarify that the prohibition of the transfer of funds of any nontax supported city public utility does not apply to the transfer of budgeted funds of any nontax supported city public utility or other enterprise fund for purposes of reimbursing the general fund for providing administrative services to such operations.

Charter language if approved:

Section 11.07. Transfer of appropriations.

The council may at any time transfer an unencumbered balance of an appropriation made for the use of one department, division, or purpose but no such transfer shall be made of revenues or earnings of any nontax supported public utility for any other purpose. This prohibition does not apply to the transfer of budgeted funds of any nontax supported public utility or other enterprise fund for the purposes of reimbursing the general fund for providing administrative services to such operations.

Impact: Allows the general fund to be reimbursed for administrative expenses from other funds

Yes No

Proposition 14

Shall Section 11.11 of the Charter be amended to clarify that the annual independent audit of the city funds and accounts conducted each fiscal year by a certified public accountant or firm is to be in accordance with applicable auditing standards.

Charter language if approved:

Section 11.11. Independent audit.

At the close of each fiscal year, and at such other times as it may deem necessary, the council shall cause an independent annual audit to be made of accounts of the city in accordance with applicable auditing standards by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the financial affairs of the city or of any of its officers. The council may, without requiring competitive bids, designate such certified public accountant or firm annually or for a period not to exceed five (5) years. The annual audit, including all reports and management letters, shall be submitted and reported to the council. A copy of the annual audit, after acceptance by the council, will be filed with the city secretary and shall be available for public inspection.

Impact: Clarifies audit requirements to meet state law

Yes No

Proposition 15

Shall Section 13.02 of the Charter relating to the requirement that specific listed acts of the city council be accomplished through the adoption of an ordinance be amended to read "Acts of the city council shall be by adoption of an ordinance when state law or other provisions of this charter require such acts to be approved by ordinance".

Charter language if approved:

Section 13.02. Action requiring an ordinance.

Acts of the city council shall be by adoption of an ordinance when state law or other provisions of this charter require such acts to be approved by ordinance.

Impact: Removes requirements already covered by state law.

Yes No

Proposition 16

Shall Section 19.04 of the Charter be repealed and Sections 19.01 and 19.02 of the Charter relating to the issuance of bonds be amended to simplify and clarify the authority of the city to issue and sell bonds in accordance with state law.

Charter language if approved:

Section 19.01. Authority to borrow.

The city shall have the power to borrow money on the credit of the city, in accordance with the Constitution and laws of the State of Texas, for permanent public improvements or for any other public purpose not now or hereafter prohibited by the Constitution and laws of the State of Texas, including the funding of economic development programs permitted by the Constitution and laws of the State of Texas. The city shall have the power to issue general obligation bonds, revenue bonds, funding and refunding bonds, time warrants, certificates of obligation, notes and other evidences of indebtedness permitted by the Constitution and laws of the State of Texas as are now authorized or as may hereafter be authorized to be issued by the Constitution and laws of the State of Texas applicable to the city. In accordance with the Constitution and laws of the State of Texas, the city shall have the right to refund any outstanding bonds or obligations by the issuance of refunding bonds.

Section 19.02. Bond election. Any proposition to issue general obligation bonds, payable from the ad valorem taxes as authorized herein, shall be first submitted to a vote of the qualified voters of the city at an election to be held for that purpose.

Section 19.04. Ordinance authorizing bonds. This section will be deleted.

Impact: Removes the section as requirements are already covered by state law.

Yes No

Proposition 17

Shall Section 21.02 of the Charter relating to the execution of contracts be amended to simplify and clarify that the mayor, city manager, or designee of the city manager, may execute contracts without being attested to by the city secretary consistent with the City Administrative Code and eliminate city council approval of plans and specifications for public improvements consistent with state law.

Charter language if approved: Section 21.02. City contracts. Appropriations and Execution.

No contract shall be entered into by the city council until after an appropriation has been made therefore, and no contract shall be binding upon the city unless it has been signed by the mayor or city manager, or city manager designee.

Impact: City secretary is not required to sign contracts and removes requirements already covered by state law.

Yes No

Proposition 18

Shall Section 21.03 of the Charter relating to the procedures for purchasing and for contracting for public improvements be amended in its entirety to read "The city shall comply with state law regarding purchasing and contracting of municipalities including provisions relating to notice of contracts, advertisements for notice, requirements for taking sealed bids or proposals on specifications for public improvements or purchases, the manner of opening bids and the award of contracts."

Charter language if approved:

Section 21.03. Bid opening.

The city shall comply with state law regarding purchasing and contracting of municipalities including provisions relating to notice of contracts, advertisements for notice, requirements for taking sealed bids or proposals on specifications for public improvements or purchases, the manner of opening bids and the award of contracts.

Impact: Competitive bidding and purchasing procedures will follow state law.

Yes No

Proposition 19

Shall Article XXII, be amended to add Section 22.05 of the Charter to require the city council appoint a commission to review the charter at least every ten (10) years.

Charter language if approved:

Section 22.05. Charter review.

The city council shall appoint a commission at least every ten (10) years to review the charter. The commission shall be made up of qualified voters from all the districts of the city.

Impact: Charter review commission will be convened every 10 years.

Yes No

Proposition 20

Shall Section 1.02 of the Charter be amended to provide for maintaining the official map of the city's boundaries in accordance with state law.

Charter language if approved: Section 1.02. Boundaries.

The boundaries of the City of Richardson shall be those as established and described in ordinances duly passed by the city council of the City of Richardson in accordance with state law. The city secretary shall maintain an official map of the city's boundaries as required by state law.

Impact: City will maintain official map according to state law.

Yes No

Proposition 21

Shall Section 1.03 of the Charter be amended regarding the procedures for the annexation of territory into the corporate limits of the City.

Charter language if approved:

Section 1.03. Additional territory.

The city may from time to time alter its boundaries by annexing any territory adjoining its present or future boundaries in any size or shape desired in any manner provided by state law. In addition, the city may annex additional territory lying adjacent to the city with or without the consent of the territory and the inhabitants of the territory annexed where the same is not inconsistent with state law. Such annexations shall be accomplished by ordinance providing for the alteration and extension of the boundary limits, which ordinance shall describe the territory to be annexed. Any territory annexed shall become a part of the city, and said land and its residents and future residents shall be entitled to all the rights and privileges of other residents of the city subject to state and local laws and regulations.

Impact: Removes requirements already covered by state law.

Yes No

Proposition 22

Shall Section 2.03 of the Charter be amended to clarify and simplify the existing charter language regarding the exercise of the power of eminent domain by the City as authorized by state law and Sections 18.01 and 18.02 of the be repealed to eliminate a redundancy with Section 2.03 as amended.

Charter language if approved:

Section 2.03. Eminent Domain.

The city shall have the full power, authority and right to exercise the power of eminent domain in any manner authorized or permitted by the Constitution and laws of the State of Texas when necessary or desirable to carry out any of the powers conferred upon by this charter or by the Constitution and laws of State of Texas. The power of eminent domain hereby conferred shall include the right of the city to take the fee in land so condemned and such power and authority shall include the right to condemn public property for such purposes. The city shall have and possess the power of eminent domain for any municipal or public purposes even though not specifically enumerated in this charter.

Impact: Removes requirements already covered by state law.

Yes No

Proposition 23

Shall Article II of the Charter be amended to add Section 2.04 relating to the authority of the City to construct, improve, maintain and pay for public streets and other public facilities as authorized by state law, and Article XVII and Sections 18.03, 18.04, 18.05, 18.06, and 18.07 be repealed to eliminate conflicting provisions with the new Section 2.04.

Charter language if approved:

Section 2.04. Streets and public improvements.

The city shall have the full power, authority and right to exercise in any manner authorized or permitted by the Constitution and laws of the State of Texas when necessary or desirable to construct, develop, improve, expand, widen and maintain or cause to be constructed, developed, improved, expanded, widened and maintained, within or outside the city limits any public streets, sidewalks, alleys, drainage facilities, sanitary sewer facilities, water and storm drainage facilities and other public improvements and to impose, levy and collect assessments or other charges for the costs of such development and improvements in any manner not prohibited by state law.

Impact: Removes requirements already covered by state law.

Yes No

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Proposition 24

Shall Section 3.04 of the Charter relating to the compensation paid to the members of the city council be amended by increasing the per diem compensation from \$50 per meeting to \$100 per meeting.

Charter language if approved:

Section 3.04. Compensation.

Each member of the city council shall receive as compensation the sum of one hundred dollars (\$100.00) per diem for each city council meeting attended by such member, said compensation in no event to exceed the sum of five thousand two hundred dollars (\$5,200.00) per annum. In addition to the above, all necessary expenses incurred by members of the city council in the performance of their official duties shall be paid by the city.

Impact: Increases city council compensation to \$100 per meeting.

Yes No

Proposition 25

Shall Section 3.08 of the Charter relating to the time and frequency of city council meetings be amended to clarify that there shall be at least two (2) council meetings each month unless canceled by the city council.

Charter language if approved: Section 3.08. Meetings.

All meetings of the council shall be held in the City Hall or at such other locations as may be designated by the city council and at such times as may be prescribed by council ; but not less than two (2) meetings shall be held each month, unless cancelled by the council.

Impact: There shall be at least two city council meetings per month.

Yes No

Proposition 26

Shall Section 4.01 of the Charter be amended to provide that the boundaries of the council member districts shall be established by ordinance from time to time.

Charter language if approved:

Section 4.01. Number and description of districts.

The city is hereby divided into four (4) districts, known as Districts 1, 2, 3 and 4 established by ordinance of the city from time to time.

Impact: Clarifies that council districts shall be defined by ordinance.

Yes No

Proposition 27

Shall Section 4.06 of the Charter be amended to provide that a petition for nomination of a candidate for the offices of mayor or council member shall be in a form in compliance with the Charter and state law.

Charter language if approved:

Section 4.06. Nomination by petition.

The method of determining the names of the candidates entitled to be placed upon the official ballot for election to the city council shall be by petition, separately circulated, on behalf of each proposed candidate for the office and place on the city council for which they are a candidate. The petition must comply in all respects with the requirements of this charter and state law. Each petition circulated on behalf of each proposed candidate shall designate the office and place to be filled by such candidate. In all elections the name of each candidate shall appear on the official ballot for the office and place number designated on the petition. No candidate's name shall be placed on the official ballot unless requested by a petition as set out above.

Impact: Nomination petitions for city council candidates will comply with state law.

Yes No

Proposition 28

Shall Section 4.07 of the Charter be amended regarding the method for the preparation of the election ballot for the offices of the mayor and council members.

Charter language if approved:

Section 4.07. Official ballot.

The names of candidates for mayor place 7 and council members places 1-6, except such as may have withdrawn, died or become ineligible, shall be printed on the official ballots without party designation and in the order determined by lot, in a drawing held under the supervision of the city secretary conducted in accordance with the election laws of the State of Texas. The election shall be held in conformity with the election laws in the City of Richardson and the State of Texas, or with those that may be hereafter enacted. All members of the city council shall be elected by a vote of the qualified voters of the City of Richardson at large. All qualified voters in the city shall be entitled to vote for candidates for each place number.

Impact: Clarifies that county election offices prepare election ballots.

Yes No

Proposition 29

Shall Section 4.08 of the Charter be amended to provide for the method for conducting runoff elections for the offices of mayor and council members and repeal Sections 4.09 and 4.10 of the Charter to eliminate provisions redundant and inconsistent with said Section 4.08, as amended.

Charter language if approved:

Section 4.08. Election by majority.

The candidate for mayor and council member receiving a majority of all votes cast as provided in the charter hereof for the position of mayor place 7 and council member places 1-6 under the place number which that person's name appears shall be declared the duly elected mayor and council member to hold such position. If no candidate for mayor or a council member shall receive a majority of all votes cast in an election for such office and place, a runoff election shall be called to be held on a date in accordance with the laws of the State of Texas for that office and place on the council. At this special election, only the names of the two (2) candidates receiving the highest number of votes at the regular election, for the office and place for which they are candidates, shall be printed on the ballot and submitted to the qualified voters for election. The candidate receiving the majority of votes in the special election for the office and place for which such person was a candidate shall be declared duly elected. Should one of such candidates for office and place withdraw, die, or become ineligible, the other candidate for such office and place shall be declared elected to such office and place without a second election. Any tie shall be decided by lot in accordance with the election laws of the State of Texas. All elections shall be governed by the charter, the Texas Election Code and the laws applicable to municipal elections.

Impact: Election procedures will comply with state law.

Yes No

Proposition 30

Shall Section 5.02 (a), (d), (e), (f), (g) and (h) of the Charter related to the procedures for calling a special election for the recall and removal for the office of the mayor or council member be amended.

Charter language if approved: Section 5.02. Procedure.

- Before the question of recall of the mayor or a council member shall be submitted to the qualified voters of the city, a petition addressed to the city council of the City of Richardson demanding the recall of the mayor or a council member shall first be filed with the city secretary, which petition shall name the mayor or council member whose removal is sought, and contain a complete statement of the grounds for which the removal is sought. A separate petition shall be required for the mayor and each council member whose removal is sought.
- Notice shall be given in writing to the city secretary by five (5) registered voters on the first day that such petition is circulated, and the total signatures required must be secured and the petition filed within thirty (30) days thereafter.
- The petition may consist of one (1) or more papers circulated separately and the signatures thereto may be upon the paper or papers containing the form of the petition, or upon other paper attached thereto. For a petition signature to be valid, a petition must contain, in addition to the signature: the signer's printed name, residence address, county of residence, date of signing, and either voter registration number or date of birth, and must comply with any other applicable requirements prescribed by state law. One (1) of the signers to each of such papers shall make oath before an official competent to administer oaths that each signature is that of the person whose name it purports to be and was signed by such person on the date indicated.
- Within ten (10) days after the filing of such petition, the city secretary shall examine the same and from the list of qualified voters ascertain whether or not said petition is signed by the requisite number of qualified voters. The city secretary shall attach to said petition a certificate showing the result of such examination.
- If by the secretary's certificate the petition is shown to be insufficient, it may be amended within ten (10) days from the date of said certificate. The secretary shall, within ten (10) days after such amendment is filed, in the event one is filed, make like examination of the said amended petition, and if the certificate shall show the petition to be insufficient, it shall not be further amended.
- If the petition is found to be sufficient, the city secretary shall within five (5) days or at the next regular city council meeting, whichever is later, submit it and the certificate declaring

the petition to be sufficient to the city council, and notify the affected mayor or council member sought to be recalled. The city council, in the event that the mayor or council member fails to resign, shall order and set an election to be held on the earliest date allowed by law following the submission of the certified petition to the city council.

- If the mayor or council member in question resigns, no recall election shall be necessary and the vacancy shall be filled by the council as in other cases of vacancies.

Impact: Election procedures will comply with state law.

Yes No

Proposition 31

Shall Section 5.02 (b) of the Charter be amended to provide that the number of signatures required for a petition for the recall of the mayor or council member shall be based on the percentage of the number of qualified voters on the date of the last regular city election.

Charter language if approved: Section 5.02. Procedure.

- The petition shall be signed by qualified voters equal in number to at least ten (10) percent of the total number of qualified voters on the date of the last regular municipal election of the city.

Impact: Changes to language make this section more understandable.

Yes No

Proposition 32

Shall Section 6.05 of the Charter be amended to incorporate and clarify the authority of the city manager regarding the appointment and removal of the directors of the city departments and Section 6.06 of the Charter be repealed to delete provisions redundant and conflicting with said Section 6.05, as amended.

Charter language if approved:

Section 6.05. Powers and duties.

The powers and duties of the city manager shall be as follows:

- To make certain that all laws and ordinances are enforced.
- To appoint and remove all directors of departments and all subordinate officers and employees of the city except as otherwise provided in this charter; all appointments to be upon merit and qualifications alone, and in the classified civil service all appointments to be subject to the civil service provision of this charter. All such directors of departments shall be immediately responsible to the city manager and may be removed by the city manager at any time.
- To exercise control over all departments and subdivisions thereof created by the charter, or that may hereafter be created by the council.
- To make certain that all terms and conditions imposed in favor of the city or its inhabitants in any public utility franchise are faithfully kept and performed, and upon knowledge of any violation thereof to call the same to the attention of the city attorney, whose duty it shall be to take such steps as may be necessary to enforce the same.
- To attend all meetings of the council with the right to take part in the discussion, but having no vote. The city manager shall be entitled to notice of all special meetings.
- To recommend to the council for adoption such measures as the city manager may deem necessary or expedient.
- To keep the council at all times fully advised as to the financial condition and needs of the city.
- To prepare or cause to be prepared and submitted to the council the annual budget.
- To make certain that the city operates within its budget.
- To execute deeds and to make and execute all contracts on behalf of the city when authorized by ordinance, resolution or motion of the city council.
- To perform such other duties as may be prescribed by this charter, or by ordinance or resolution of the city council.

Impact: City manager has authority to hire and dismiss department directors.

Yes No

Proposition 33

Shall Section 7.01 of the Charter regarding the appointment and duties of the city attorney be amended to provide greater flexibility to city council in relation to services provided by the city attorney and repeal Sections 7.05 and 7.06 of the Charter to delete language redundant or in conflict with the provisions of Section 7.01, as amended.

Charter language if approved: Section 7.01. City attorney.

The city council shall appoint a competent attorney licensed and practicing law in the State of Texas who shall be the city attorney. The city attorney shall receive for services such compensation as may be fixed and approved by the city council, and shall hold office at the pleasure of the city council. The city attorney, or other duly licensed practicing attorneys in the United States selected by the city council, shall represent the city in all litigation and shall serve as the legal advisor of and attorney and counsel for the city. The city attorney may serve as the municipal court prosecutor or may provide a municipal court prosecutor and alternate municipal court prosecutor. The city council may contract with an attorney or with a firm of attorneys who may designate one (1) member of said firm to serve as city attorney.

Impact: Defines duties and role of city attorney.

Yes No

VOTING BOOTH CHECKLIST PAGE 8

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Proposition 34

Shall Section 9.07 of the Charter relating to the purpose, powers, membership and procedures of the city plan commission be amended to clarify and simplify the existing city charter provisions.

Charter language if approved:

Section 9.07. City plan commission.

- (a) *Purpose.* The city plan commission shall exercise all powers granted and shall make recommendations to the city council, and exercise the powers granted thereto on matters affecting the comprehensive plan or plans, zoning, zoning regulations and changes thereto.
- (b) *Powers.* The city plan commission shall have any and all powers granted to planning and zoning commissions by the statutes of the State of Texas, this charter and by ordinance and resolution of the city council of the City of Richardson. The city plan commission shall be responsible to, and advise the city council. The city plan commission shall:
- (1) provide reports and recommend to city council, approval or disapproval of proposed changes to the comprehensive zoning ordinance and map as provided by state law and city ordinance;
 - (2) review and make recommendations to the city council regarding the adoption and amendments to the comprehensive plan;
 - (3) pursuant to city ordinances, exercise control over platting and subdivision of land within the corporate limits of the city, and the extra territorial jurisdiction of the city to the extent authorized by law; and
 - (4) perform such other additional duties and exercise such additional powers as may be prescribed by city ordinance.

- (c) *Membership and Terms.* The commission shall consist of seven (7) members and two (2) alternate members who shall be appointed by the city council for two (2) year terms. At least one (1) member shall reside in each of Districts 1 through 4 of the city. An alternate member shall, at the request of the chairperson, sit for and in place of an absent regular member and shall, for the duration of the absence, be as a regular member.
- (d) *Procedures.* A chairperson and vice-chairperson shall be appointed by the city council. Said commissioners shall serve without pay and shall adopt such rules and regulations as shall best govern their proceedings, deliberations and actions.

Impact: Removes requirements already covered by state law.

Yes No

Proposition 35

Shall Section 9.08 of the Charter be amended to clarify and simplify the existing city charter provision regarding the composition of the city parks and recreation commission.

Charter language if approved:

Section 9.08. Parks and recreation commission.

- (a) *Purpose.* The city parks and recreation commission shall act in an advisory capacity to the city council in all matters pertaining to parks and recreation, and shall exercise such other duties and further powers as are delegated by ordinance.
- (b) *Membership and terms.* The commission shall consist of nine (9) members who shall be appointed for two (2) year terms. At least one (1) member shall reside in each of Districts 1 through 4 of the city.
- (c) *Procedures.* A chairperson and vice-chairperson shall be appointed by the city council. Meetings shall be held monthly or as required. Guidelines, regulations and responsibilities shall be prescribed by ordinance.

Impact: Clarifies language regarding terms and memberships to be consistent throughout the Charter.

Yes No

Proposition 36

Shall Section 9.09 of the Charter be amended to clarify and simplify the existing city charter provision regarding the composition of the city library board.

Charter language if approved:

Section 9.09. Library board.

- (a) *Purpose.* The city library board shall act in an advisory capacity to the city council in all matters pertaining to the public library, and shall exercise such other duties and have such powers as is delegated by ordinance.
- (b) *Membership and terms.* The board shall consist of seven (7) members who shall be appointed for two (2) year terms. At least one (1) member shall reside in each of Districts 1 through 4 of the city.
- (c) *Procedures.* A chairperson and vice-chairperson shall be appointed by the city council. Meetings shall be held monthly or as required. Guidelines, regulations and responsibilities shall be prescribed by ordinance.

Impact: Clarifies language regarding terms and memberships to be consistent throughout the Charter.

Yes No

To view the current City Charter online: www.cor.net/citycharter

Proposition 37

Shall Section 9.10 of the Charter relating to the purpose, powers, composition and procedures of the city zoning board of adjustment be amended to clarify and simplify the existing city charter provision and to conform to state law.

Charter language if approved:

Section 9.10. Zoning board of adjustment.

- (a) *Purpose.* The zoning board of adjustment shall, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the comprehensive zoning ordinance, or any successor thereto, in harmony with its general purpose and intent and in accordance with general or specific rules therein contained.
- (b) *Powers.* The zoning board of adjustment shall have the following powers:
- (1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of any zoning ordinance.
 - (2) To hear and decide special exceptions to the terms of the comprehensive zoning ordinance, or any successor thereto, when the comprehensive ordinance requires the board to do so under such ordinance.
 - (3) To authorize upon appeal in specific cases such variance from the terms of a zoning ordinance if the variance is not contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship, and so that the spirit of the zoning ordinance shall be observed and substantial justice done.

In exercising the above-mentioned powers, such board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to the end shall have all the powers of the administrative official from whom the appeal is taken.

The concurring vote of seventy-five percent (75%) of the members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.

Any person or persons, jointly or severally, aggrieved by any decision of the board of adjustment, or any taxpayer, or any officer, department, board or bureau of the municipality, may present to the District Court a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality, as allowed by state law. Such petition shall be presented to the District Court within ten (10) days after the filing of the decision in the office of the board.

- (c) *Membership and terms.* The board shall consist of at least five (5) regular members and two (2) alternate members, who shall be appointed for two (2) year terms. At least one (1) member shall reside in each of Districts 1 through 4 of the city. An alternate member shall at the request of the chairperson sit for and in place of an absent regular member and shall for the duration of the absence be as a regular member.
- (d) *Procedures.* A chairperson and vice-chairperson shall be appointed by the city council. Meetings shall be held monthly or as required. All matters heard by the board of adjustment shall be heard by the minimum of seventy-five percent (75%) of the members of the board.

The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this section. Meetings of the board shall be held at the call of the chairperson and at such other times as the board may determine. Such chairperson, or in the absence of the acting chairperson, may administer oaths and compel the attendance of witnesses. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative official. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the administrative official from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The administrative official from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

Except as otherwise provided by state law, an appeal stays all proceedings in furtherance of the action appealed from, unless the administrative official from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed and that by reason of facts stated in the certificate a stay would cause imminent peril to life or property. The board of adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

Impact: Removes requirements already covered by state law.

Yes No

Proposition 38

Shall Section 9.11 (a), (b) and (c) of the Charter be amended to clarify and simplify the existing city charter provision regarding the purpose, powers, composition of the city civil service board.

Charter language if approved:

Section 9.11. Civil service board.

- (a) *Purpose.* The primary purpose of the civil service board is to oversee the civil service system of the City of Richardson.
- (b) *Powers.* The civil service board, subject to the approval of the city council, shall adopt, amend, and enforce a code of rules and regulations providing for appointment and employment in all positions in the classified service which shall have the force and effect of law; also rules regulating reduction of forces of employees and in what order they shall be dismissed and reinstated; shall assure the enforcement of the civil service sections of this charter and of the rules adopted under the powers herein granted.
- (c) *Membership and terms.* The civil service board consist of five (5) members who shall be appointed for two (2) year terms.

Impact: Clarifies language regarding terms and memberships to be consistent throughout the Charter.

Yes No

Proposition 39

Shall Section 9.11 (d) of the Charter relating to the procedures of the city civil service board be amended to provide that the civil service board shall meet monthly or as needed.

Charter language if approved:

Section 9.11. Civil service board.

- (d) *Procedures.* The city council shall appoint a chairperson and a vice-chairperson. The board may appoint such other officers as it may deem necessary from time to time. In the absence of one or more of the permanent officers, temporary officers may be appointed by the board for the conduct of business. The board shall meet monthly, or as needed. .

Impact: Clarifies language regarding terms and memberships to be consistent throughout the Charter and eliminates annual report requirement.

Yes No

Proposition 40

Shall Sections 9.12 (a) and (c) of the Charter be amended to clarify and simplify the existing city charter provision regarding the purpose and composition of the city civil service appeals board.

Charter language if approved:

Section 9.12. Civil service appeals board.

- (a) *Purpose.* The civil service appeals board is hereby created for the purpose of hearing and determining any charges made against any employee of the city in the classified service.
- (c) *Membership.* The civil service appeals board shall consist of at least three (3) members of the civil service board.

Impact: Clarifies language regarding terms and memberships to be consistent throughout the Charter.

Yes No

Proposition 41

Shall Section 11.08 of the Charter be amended to clarify the existing charter provision that city council may include in the city budget a reasonable sum set aside as an unallocated fund balance to meet unexpected and unforeseen contingencies in the operating costs of each budget fund of the city.

Charter language if approved:

Section 11.08. Unallocated fund balance.

When recommended by the city manager and at the discretion of the council, the budget may contain a reasonable sum set aside as an unallocated fund balance to meet unexpected and unforeseen contingencies in current operating costs of each fund.

Impact: Changes wording from "unreserved" to "unallocated" for use in city budget.

Yes No

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Proposition 42

Shall Section 11.09 of the Charter be amended to clarify and simplify the existing charter provision relating to the amendment of the budget by the city council for expenditures to meet unusual and unforeseen conditions.

Charter language if approved:

Section 11.09. Amending the budget.

Expenditures to meet unusual and unforeseen conditions, which were not included in the original budget, may from time to time be authorized as amendments to the original budget. Any amendment providing for additional expenditure shall also provide for reductions in other expenditures or supplemental revenues to fund such amendments, or an amount from the unallocated fund balance as a supplement. These amendments shall be ratified by ordinance at the end of the fiscal year.

Impact: Clarifies process for amending annual budget.

Yes No

Proposition 43

Shall Sections 14.01, 14.02, 14.03, 14.04, 14.05, 14.06 and 14.08 of the Charter relating to the procedure for a citizen to request an election be called by the city council for the voters to consider the adoption of an ordinance be amended to clarify and simplify the procedure without making any substantive changes to the existing charter language.

Charter language if approved:

Section 14.01. Power of initiative.

The people of the City of Richardson reserve the power of direct legislation by initiative, and in the exercise of such power may propose that any ordinance, except those not legally authorized to be considered by initiative by the state constitution or state law, be submitted to the qualified voters of the city council by submitting a petition to the city secretary which shall contain the full text of the proposed ordinance, signed by qualified voters of the city equal in number to ten (10) percent of the total number of qualified voters on the date of the last regular municipal election. The signatures to the petition need not all be appended to one (1) paper, but all signers shall in addition to their signature provide their residence address, county of residence, printed name, date of signing and comply with any other applicable requirements prescribed by state law. One (1) of the signers to each of such papers shall make oath before an officer of the State of Texas competent to administer oaths that each signature is that of the person whose name it purports to be and was signed by such person on the date indicated. All petition papers comprising an initiative petition shall be assembled and filed with the city secretary as one instrument on the same day.

Charter language if approved:

Section 14.02. Examination of initiative petition.

Within ten (10) days from the date of filing an initiative petition, the city secretary shall examine the same and ascertain from the list of qualified voters whether or not said petition is signed by the requisite number of qualified voters, and shall attach to said petition a certificate showing the result of such examination. If by the secretary's certificate the petition is shown to be insufficient, it may be amended within ten (10) days from date of said certificate. The secretary shall within ten (10) days after receipt of such amendment make like examinations of the amended petition. If the secretary's certificate shall show the same to be insufficient, the petition may not be further amended, however, a new petition may be filed to the same effect. The city attorney shall review the petition to determine that it is a proper subject and in proper form. If the petition shall be found to be sufficient, the secretary shall submit the same to the city council without delay.

Charter language if approved:

Section 14.03. City council action.

When the city council receives an initiative petition certified by the city secretary to be sufficient, the city council shall either:

- (a) Pass said proposed ordinance without alteration within twenty (20) days after the attachment of the city secretary's certificate of sufficiency to the accompanying petition; or
- (b) call a special election to be held on the next allowable election date as authorized by state law at which said ordinance, without alteration, shall be submitted to a vote of the people.

Charter language if approved:

Section 14.04. Ballots. Proposed initiative ordinance.

The ballots used when voting upon an ordinance proposed by initiative petition shall state the nature of the proposed ordinance and shall contain the words "For the Ordinance," and "Against the Ordinance." Any number of proposed ordinances may be voted at the same election, in accordance with the provisions of this section of the charter.

Charter language if approved:

Section 14.05. Valid and effective date of initiated ordinance.

If a majority of the qualified voters voting upon an ordinance proposed by initiative petition shall vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city, and any ordinance adopted by city council proposed by initiative petition, or which shall be adopted by a vote of the people, cannot be repealed or amended except by a vote of the people.

Charter language if approved:

Section 14.06. Repeal or amendment of initiated ordinance.

The city council may submit a proposition for the repeal of any ordinance adopted by the city council proposed by initiative petition or such ordinance adopted by a vote of the people, or for amendments thereto, to be voted upon at any succeeding city election, and should such proposition so submitted receive a majority of the votes cast thereon at such election, such ordinance shall be repealed or amended accordingly.

Charter language if approved:

Section 14.08. When initiative ordinance is effective.

No ordinance proposed by initiative petition passed by the city council or such ordinance adopted by a vote of the people shall go into effect until thirty (30) days after its final passage, except when otherwise required by the general laws of the state.

Impact: Clarifies process for an initiative petition.

Yes No

Proposition 44

Shall Section 14.09 of the Charter be amended to clarify and simplify the procedure for the qualified voters to submit a referendum petition for an election to consider the approval or disapproval of an ordinance adopted by the city council.

Charter language if approved:

Section 14.09. Power of referendum.

The qualified voters of the city may require that any ordinance enacted by the city council be submitted to the qualified voters of the city for approval or disapproval by filing a petition with the city secretary within forty-five (45) days after passage of said ordinance or within forty-five (45) days after its publication, whichever is later. Said petition shall be signed by qualified voters of the city equal in number to at least ten (10) percent of the total number of qualified voters on the date of the last regular municipal election. Within ten (10) days after the filing of the petition the city secretary shall examine the same and from the list of qualified voters ascertain whether the petition is signed by the requisite number of qualified voters. If by the city secretary's certificate the petition is shown to be sufficient, the petition shall be presented to the city council, the ordinance shall thereupon be suspended from taking effect, and it shall be the duty of the city council to reconsider such ordinance, and if the same is not entirely repealed the city council shall submit the ordinance to the vote of the qualified voters of the city at the next uniform election date or other date allowed by state law. Such ordinance shall be suspended from taking effect and shall not later take effect unless a majority of the qualified voters voting on the same shall vote in favor of the ordinance. The power of referendum shall not apply to ordinances levying taxes, appropriating money, authorizing the issuance of bonds, zoning and any ordinance not the proper subject of referendum by the state constitution or state law.

Impact: Clarifies process for a referendum petition.

Yes No

Proposition 45

Shall Section 16.05 of the Charter relating to the power and authority of the city as a home rule city be repealed since such provision is redundant with other existing charter provisions.

Charter language if approved:

Section 16.05. Power and authority by state law.

This section will be deleted.

Impact: Redundant statement deleted.

Yes No

Proposition 46

Shall Section 20.02 of the Charter be amended to simplify and clarify the existing charter provision requirement that an injured party provide written notice of claim to the city in accordance with state law.

Charter language if approved:

Section 20.02. Notice of damage or injury.

The City of Richardson shall never be liable for any personal injury, whether resulting in death or not, or for damage to real or personal property unless the person who is injured or whose property is damaged or someone in such person's behalf, or in the event the injury results in death, the person or persons who may have a cause of action under the law by reason of such death injury, shall file a notice in writing with the city manager or city secretary within six (6) months after the day that the incident giving rise to the claim for damage or injury occurred, stating specifically in such notice when, where and how the exact injury, death or property damage occurred and the full extent thereof, together with the amount of damages claimed or asserted. Provided, however, nothing herein contained shall be construed to mean that the city waives any rights, privileges, defenses or immunities which are provided under the common law, the Constitution and laws of the State of Texas.

Impact: Redundant statement deleted.

Yes No

Proposition 47

Shall Section 20.05 of the Charter relating to the notice of claims by contractors for public work projects be repealed.

Charter language if approved:

Section 20.05. Notice of claims.

This section will be deleted.

Impact: Redundant statement deleted.

Yes No

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Proposition 48

Shall Section 3.09 of the Charter relating to the procedure to call a special meeting of the city council be amended.

Charter language if approved:

Section 3.09. Special meetings.

Special meetings of the city council shall be called by the city secretary or city manager upon the written request of the mayor, the city manager or three (3) council members. Any such notice shall state the subject to be considered at the special meeting.

Impact: Clarifies process for calling a special meeting.

Yes No

Proposition 49

Shall Section 3.14 of the be amended to change the reference of "city judge" to "municipal judge" to be consistent with state law.

Charter language if approved:

Section 3.14. Administering oaths.

The mayor, city secretary, municipal judge, city attorney, or any member of the city council shall have authority to administer oaths in any matter pertaining to the municipal affairs.

Impact: Changes "city judge" to "municipal judge".

Yes No

Proposition 50

Shall Section 4.04 of the Charter be amended relating to the qualifications of a person to serve as mayor or council member.

Charter language if approved:

Section 4.04. Qualifications.

Each member of the city council shall, in addition to the other qualifications prescribed by law, be on the date of the election a qualified voter, a resident of the city for one (1) year prior to the date of election, and at least twenty-one (21) years of age.

Impact: To serve as mayor or city council member, individual must be a qualified voter, resident for at least one year and at least 21 years of age.

Yes No

Proposition 51

Shall Section 4.05 of the Charter be amended to provide that the biennial general election for city council be held on the uniform election date in May or other date prescribed by state law.

Charter language if approved:

Section 4.05. Election date.

The city council general election shall be held biennially in the City of Richardson in each odd-numbered year on the uniform election date in May or other date as may be prescribed by state law. There shall be elected at that election six (6) city council members and the mayor.

Impact: Election procedures will comply with state law.

Yes No

Proposition 52

Shall Article V of the Charter relating to the procedures for the recall of a member of the city council be amended to add a new Section 5.04 to limit the time period for a resident to file a petition to cause an election to be held to recall the mayor or a council member from office by prohibiting such petition within (i) six (6) months after such person's election, or appointment to the city council if such person was appointed; (ii) within three (3) months after an election for such person's recall, if such person had been the subject of a prior recall election, was not removed from office as result of such recall election and did not resign; and (iii) within three (3) months prior to the expiration of such person's current term of office.

Charter language if approved:

Section 5.04. Recall limitations.

No recall petition shall be filed against the mayor or any council member within six (6) months after such person's election or appointment to the city council and qualifying for office within three (3) months after an election for such person's recall, and in no case within three (3) months prior to the expiration of such person's current term of office.

Impact: Amends procedures for recall of mayor or city council member.

Yes No

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Proposition 53

Shall Section 6.02 of the Charter be amended to provide that the city manager shall be a resident of the city within six (6) months after appointment by the city council.

Charter language if approved:

Section 6.02. Qualifications.

The city manager shall be chosen by the council solely on the basis of executive and administrative training, experience and ability, and without regard to political consideration. The city manager need not, when appointed, be a resident of the City of Richardson or the State of Texas, but shall be a resident within six (6) months after appointment. No member of the council shall, during the time for which elected, and one (1) year thereafter, be chosen as city manager.

Impact: Requires city manager to become a resident of city within six months of appointment.

Yes No

Proposition 54

Shall Section 7.09 of the Charter be repealed to eliminate a redundancy with state law regarding the jurisdiction of the municipal court.

Charter language if approved:

Section 7.09. General laws—Act cumulative of.

This section will be deleted.

Impact: Redundant statement deleted.

Yes No

Proposition 55

Shall Section 9.01 of the Charter be amended to clarify that under the existing charter provision no person may serve more than four (4) consecutive two (2) year terms on any single city board or commission.

Charter language if approved: Section 9.01. Creation.

There are hereby created and placed under the control and direction of the city council the following boards and commissions, and such other boards and commissions as may be hereafter created:

- (a) City Plan Commission.
- (b) Parks and Recreation Commission.
- (c) Library Board.
- (d) Zoning Board of Adjustment.
- (e) Civil Service Board.
- (f) Civil Service Appeals Board.

The council shall have power by ordinance to create, establish and abolish such other boards and commissions as the council shall determine are necessary and desirable. Such ordinance shall as a minimum include:

- (a) Title of the board or commission.
- (b) Purpose and duties.
- (c) Number of persons comprising membership.
- (d) Terms.
- (e) Appointment of chairperson and vice-chairperson.

No person shall be appointed to serve more than four (4) consecutive two (2) year terms on any single board or commission. This provision does not apply to alternate members of boards and commissions.

Impact: Clarifies term limits for boards and commissions members.

Yes No

Proposition 56

Shall Section 9.02 of the Charter be amended to clarify that under the existing charter provision a person appointed to a city board or commission must be a resident of the city for at least six (6) months prior to the date of such appointment.

Charter language if approved:

Section 9.02. Appointments.

The council shall appoint members to all boards and commissions, who are qualified voters of the City of Richardson, who have been residents of the State of Texas for at least one (1) year and residents of the city for at least six (6) months immediately prior to the date of such appointment, and who hold no elected public office and are not in arrears in taxes or other liability due the city.

Impact: Clarifies residency requirements for boards and commissions members.

Yes No

Proposition 57

Shall Section 9.03 of the Charter be amended to clarify that under the existing charter provision the removal of a person from a board or commission by the city council is subject to applicable state law and city ordinances.

Charter language if approved:

Section 9.03. Removal and vacancies.

Except as otherwise provided by state law or ordinance, the council may, upon the affirmative vote of the majority of the full membership of the council, remove members of any board or commission without notice. If an individual appointed to a board or commission shall cease to possess any of the qualifications for appointment, shall file or announce as a candidate for any public office, or shall be convicted of a crime of moral turpitude, such individual shall immediately be considered removed and such appointment vacant. Vacancies in the appointive board or commission, whether by resignation, death, removal or other cause, shall be filled by council appointment for the unexpired term.

Impact: Updates language to conform with state law.

Yes No

Proposition 58

Shall Section 9.05 of the Charter be amended to clarify that under the existing charter provisions that a majority of a board or commission members constitutes a quorum of such board or commission except as otherwise provided by state law or city ordinance.

Charter language if approved: Section 9.05. Quorum.

Except as otherwise provided by state law or ordinance, a majority of board or commission members shall constitute a quorum.

Impact: Updates language to conform with state law.

Yes No

Proposition 59

Shall Section 9.06 of the Charter be amended to eliminate redundant language regarding when a member of a board or commission may be excused by law from voting on a matter.

Charter language if approved: Section 9.06. Voting.

No member of a board or commission shall be excused from voting unless otherwise required by law.

Impact: Removes requirements already covered by state law.

Yes No

Proposition 60

Shall Section 9.11 (d) of the Charter relating to the procedures of the city civil service board be amended to eliminate the requirement to provide an annual report.

Charter language if approved:

Section 9.11. Civil service board.

d) Procedures. The city council shall appoint a chairperson and a vice-chairperson. The board may appoint such other officers as it may deem necessary from time to time. In the absence of one or more of the permanent officers, temporary officers may be appointed by the board for the conduct of business. The board shall meet monthly, or as needed.

Impact: Eliminates unnecessary civil service board annual report.

Yes No

Proposition 61

Shall Section 9.12 (g) of the Charter relating to the prohibition of employment discrimination practices be amended to include age and disabilities.

Charter language if approved:

Section 9.12. Civil service appeals board.

(g) *No discrimination.* No discrimination shall be exercised, threatened, or promised against or in favor of any applicant, competitor, candidate, eligible or employee because of race, color, sex, age, disabilities, religion, national origin or political opinions.

Impact: Change is to conform with state and federal law.

Yes No

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Proposition 62

Shall Section 10.03 of the Charter relating to the list of eligible candidates for the classified service be amended to eliminate the requirement for the civil service board to certify to the city manager that positions in the classified service have been filled.

Charter language if approved:

Section 10.03. List of eligibles.

The board shall provide for examination in accordance with the regulations of the board, and maintain lists of eligibles to each class of the service of those meeting the requirements of said regulations. Positions in the classified service shall be filled from such eligible lists upon requisition of the city manager.

Impact: Eliminates unnecessary certifications.

Yes No

Proposition 63

Shall Section 10.03 of the Charter relating to the list of eligible candidates for the classified service be amended to provide that a designee of the city manager may requisition people from the eligibility list to fill positions.

Charter language if approved:

Section 10.03. List of eligibles.

The board shall provide for examination in accordance with the regulations of the board, and maintain lists of eligibles to each class of the service of those meeting the requirements of said regulations. Positions in the classified service shall be filled from such eligible lists upon requisition of the city manager, or designee.

Impact: Allows city manager or designee to fill positions.

Yes No

Proposition 64

Shall Section 10.06 of the Charter be amended to clarify the procedure for the city manager and department heads to follow relating to disciplinary action of an employee after the probationary period of employment.

Charter language if approved: Section 10.06. Discharge of employee after probation period.

Any employee in the classified service may be removed, suspended, laid off or reduced in grade by the city manager, or the head of the department in which employed, after the probation period has expired. If demanded by such employee, it shall be the duty of the city manager or department head, as the case may be, discharging such employee to furnish a written statement of the reasons therefore. The discharged, suspended or reduced employee shall have the right to demand a public hearing upon said charges within a reasonable time thereafter before the civil service appeals board as hereinafter defined.

Impact: Clarifies employee disciplinary actions.

Yes No

Proposition 65

Shall Section 11.10 of the Charter be amended to clarify the existing charter provision relating to making the adopted budget available to the public.

Charter language if approved:

Section 11.10. Adopted budget made available.

A copy of the budget, as adopted, shall be filed with the city secretary, the Richardson Public Library, and such other places as may be required by state law. The adopted budget shall be printed or otherwise reproduced and sufficient copies shall be made available for the use of all offices, agencies and for the use of interested persons and civic organizations.

Impact: Clarifies how budget is made available as required by state law.

Yes No

Proposition 66

Shall Section 12.02 of the Charter prohibiting the grant of an exclusive franchise for a private or public utility and relating to the time in which such franchises must take effect after adoption of a franchise ordinance be amended in its entirety to read "No franchise to construct, maintain or operate a public or private utility, or renewal or extension thereof, shall be exclusive."

Charter language if approved:

Section 12.02. Exclusive franchises prohibited.

No franchise to construct, maintain or operate a public or private utility, or a renewal or extension thereof, shall be exclusive.

Impact: Clarifies and removes redundant statements.

Yes No

Proposition 67

Shall Section 12.03 of the Charter be amended to clarify and simplify the existing charter provision relating to the authority of the city to grant a franchise for a public or private utility.

Charter language if approved:

Section 12.03. Power to grant a franchise.

Except as otherwise provided by state or federal law, the City of Richardson shall have the full power as now or hereafter granted under the Constitution and laws of the State of Texas by ordinance to grant, renew, amend and extend a franchise for public or private utilities of every character and consents and agreements as to all other users of public property, including, but not limited to users of the public rights-of-way, streets and utility easements, operating within the city.

Impact: Clarifies city's authority to grant a franchise for a public or private utility.

Yes No

To view the current City Charter online:
www.cor.net/citycharter

Proposition 68

Shall Section 12.07 of the Charter be amended to allow the city to charge a public or private utility for the grant of a franchise such sums as are allowed by law.

Charter language if approved:

Section 12.07. Compensation for franchises.

All persons, firms or corporations to whom franchises may hereafter be granted, or their assigns and successors, shall as compensation for the right or privilege enjoyed pay to the city a sum not less than two (2) percent of the gross receipts of the business pursued by the holder of the franchise earned for service rendered in the City of Richardson, or such other sums as may be allowed by applicable law.

All sums required to be paid by the holder of any franchise under the terms of this section shall be due and payable quarterly as shall be set out in the franchise agreement or ordinance, and shall be exclusive of and in addition to all ad valorem taxes upon the value of the franchise and other property of the holder thereof and all lawful occupation taxes imposed upon the occupation or calling of the holder thereof; and the amount of such compensation may be changed from time to time as in the opinion of the city council may be just and reasonable, to the extent and upon such terms and conditions as may be fixed in the ordinance granting such franchise.

Impact: Outlines city's ability to charge franchise fees.

Yes No

Proposition 69

Shall Section 12.08 of the Charter be amended to provide that the authority of the city to regulate the fees charged by a holder of a franchise of the city is subject to state and federal law.

Charter language if approved:

Section 12.08. Right to fix rates.

The right is hereby delegated where applicable to the City of Richardson, acting through its city council, to determine, fix and regulate the charges, fares or rates of any holder of a franchise or other public privilege in Richardson, and to prescribe the kind of service to be furnished and the manner in which it shall be rendered, as allowed by state and federal law. The city has the right to alter or change such rules, regulations, and compensation, from time to time.

Impact: Outlines city's ability to charge franchise fees.

Yes No

Proposition 70

Shall Section 12.12 of the Charter be amended to provide that the authority of the city to regulate railway and transit operations is subject to state and federal law.

Charter language if approved:

Section 12.12. Railway and transit operations.

Except as otherwise provided by state or federal law, the City of Richardson shall have the following powers by ordinance or otherwise:

- (a) To regulate the speed of trains, subways, monorails, or any other engines and locomotives within the limits of Richardson;
- (b) To require railway companies and transit systems to keep the streets over which they run properly drained and to pay all or any part of the paving, grading, draining, and repair thereof along the streets so used by such railway companies or transit systems;
- (c) To require railway companies and transit systems to light streets over which they run wherever deemed necessary or advisable by the city council;
- (d) To require railway companies and transit systems to construct and keep in repair from curb to curb, bridges and crossings over all the ditches made or crossed by them, and to construct and maintain drains and culverts where crossed by any line of said railway companies or transit systems, on all streets over which they run;
- (e) To direct and control the laying and construction of railway companies and transit system tracks, turnouts and switches and to regulate the grade of same, and to require them to conform to the grade of the streets of Richardson as they may hereafter be or are now established;
- (f) To require that said tracks and turnouts and switches be so constructed and laid out as to interfere as little as possible with the ordinary travel in the use of the streets;
- (g) To require any or all railway companies and transit systems operating any track(s) upon or across any public streets of the City of Richardson to reduce such track(s) below or elevate such track(s) above the level of the streets intersected or occupied by such track(s) and to require the company or companies owning or operating such track or tracks to provide necessary and proper crossing for the public travel at intersecting streets; all such work to be done in the manner required by the City of Richardson.

The portion of the street occupied by a railway company and transit system shall be deemed to be the space between the tracks and twenty-four (24) inches on the outside of each of the rails, and all the space between the double tracks, turnouts and switches. Should any railway company and transit system propose to lay a track on any street or portion of a street which shall have been improved under the provisions of this charter, it shall become liable for such portion of the cost of such improvement as the city council may direct, or as is fixed by this charter.

Impact: Outlines city's ability to regulate rail and transit operations.

Yes No

Proposition 71

Shall Section 12.14 of the Charter relating to the minimum amount to be paid to the city by a property owner for use of the abutting public right-of-way be repealed.

Charter language if approved:

Section 12.14. Compensation for grant.

This section will be deleted.

Impact: Eliminates unnecessary language.

Yes No

Proposition 72

Shall Section 12.15 of the Charter be amended to provide that the authority of the city under the existing charter provision to require shared use of facilities of a city franchise is subject to state and federal law.

Charter language if approved:

Section 12.15. Shared use.

Except as otherwise provided by state or federal law, the city council shall have the power to require any corporation or transit system holding a franchise from the city to allow the use of its tracks, poles and wire by any other corporation to which the city shall grant a franchise, upon payment of a reasonable rental therefore to be fixed by the city council.

Impact: Allows city to require shared use of franchised facilities.

Yes No

Proposition 73

Shall Section 12.16 of the Charter be amended to provide that the city council may by ordinance or resolution grant a permit or license for the temporary use of city streets and other public places.

Charter language if approved:

Section 12.16. Revocable permits.

Permits or licenses unconditionally revocable at the will of the city council for minor or temporary privileges in the streets, public ways and public places of the city may be granted and revoked by ordinance or resolution, from time to time, and such permits shall not be deemed franchises as the term is used in this charter.

Impact: Clarifies process for temporary use of city property.

Yes No

Proposition 74

Shall Section 13.03 of the Charter be amended to clarify and simplify the existing charter provision relating to the authentication, recordation and publication of city ordinances consistent with state law.

Charter language if approved:

Section 13.03. Ordinance authentication, recordation and publication.

All measures of the city council shall be authenticated and recorded as established by this charter or by such means as may otherwise be allowed by state law, or as the city council may provide by ordinance from time to time. Every ordinance imposing any penalty, fine, imprisonment or forfeiture for a violation of its provisions shall, after passage thereof, be published by publishing the caption thereof at least once in a local newspaper or by such other means as may be allowed by state law.

Impact: Clarifies process for public notification of city ordinances.

Yes No

Proposition 75

Shall Section 13.07 of the Charter relating to the enrollment of city ordinances by the city secretary be amended.

Charter language if approved:

Section 13.07. Enrollment.

Each ordinance passed by the city council shall be enrolled by the city secretary within five (5) days after its passage, or as soon thereafter as is practicable.

Impact: Clarifies process for correcting ordinances.

Yes No

Proposition 76

Shall Section 14.07 of the Charter be amended to change the number of days that an ordinance proposed by initiative petition must be published by the city secretary from 45 days to 30 days.

Charter language if approved:

Section 14.07. Publication of ordinance proposed by petition initiative.

Whenever any ordinance proposed by initiative petition is required by the charter to be submitted to the qualified voters of the city at any election, the city secretary shall cause the proposed ordinance to be published at least thirty (30) days before such election in a local newspaper or other official publication of the city, or by such other means as may be allowed by state law.

Impact: Reduces time required to publish an ordinance proposed by petition.

Yes No

Proposition 77

Shall Article XV of the Charter relating to the authentication, recording and publishing of city ordinances be repealed since such matters are governed by charter Section 13.03 as amended and state law.

Charter language if approved: Article XV. Publications

This section will be deleted.

Impact: Redundant statement deleted.

Yes No

Proposition 78

Shall Section 16.03 of the Charter relating to the payment of property taxes be amended to conform to state law.

Charter language if approved:

Section 16.03. Tax payments.

Except as otherwise provided by state law, taxes are due on receipt of the tax bill and are delinquent if not paid before February 1 of the year following the year in which imposed. The city council may by ordinance provide for penalty and interest to be assessed on all delinquent taxes in such amounts as may be authorized by law.

Impact: Removes requirements already covered by state law.

Yes No

Proposition 79

Shall Sections 20.01 and 20.03 of the Charter be amended to simplify and clarify the authority of the city to exempt property from assessments.

Charter language if approved:

Section 20.01. Church and school property assessments.

No property of any kind, church, school or otherwise, in the City of Richardson shall be exempt from any of the special taxes and assessments authorized by this charter or state law; except as provided by state law.

Impact: Clarifies city's property assessment authority.

Yes No

Proposition 80

Shall Sections 20.03 and 20.04 of the Charter relating to the execution of any judgment or writ against the city, the garnishment of city funds, and liens against city property be amended to simplify and clarify that such acts shall conform to state law.

Charter language if approved:

Section 20.03. Execution, garnishment and assignment.

Except as provided by state or federal law, property, real and personal, belonging to the city shall not be liable to be sold or appropriated under any writ of execution or cost bill, nor shall the funds belonging to the city, in the hands of any person, be liable to garnishment on account of any debt it may owe or funds it may have on hand due any person, nor shall the city or any of its officers or agents be required to answer to any writ of garnishment on any account whatsoever, nor shall the city be liable to the assignee of any wages of any officer, agent or employee of the city, whether earned or unearned, upon any claim or account whatsoever, and as to the city and such assignment shall be void.

Section 20.04. Liens on public property.

No lien of any kind can ever exist against the property, real and personal, of the City of Richardson.

Impact: Updates language to conform with state law.

Yes No

Proposition 81

Shall Section 21.04 of the Charter be amended to clarify the existing charter provision relating to the acquisition of land for parks.

Charter language if approved:

Section 21.04. Acquisition of land for parks.

The City of Richardson may acquire and appropriate land inside or outside of the City of Richardson for use as parks, open space or other recreational activities.

Impact: Clarifies city's ability to acquire park property.

Yes No

Proposition 82

Shall Article XXII of the Charter be amended to add Section 22.06 to provide that the city council may by ordinance renumber the articles, sections, subsections and paragraphs of the charter as necessary following any charter amendment election.

Charter language if approved:

Section 22.06. Renumbering.

The city council shall have the power, by ordinance, to renumber articles, sections, subsections, and subparagraphs of this Charter or any amendments thereto, as it shall deem appropriate.

Impact: Allows city to renumber Charter, as necessary, after voter approval of the Charter.

Yes No

Proposition 83

Shall the Charter be amended to correct spelling and capitalization without making any substantive changes.

Impact: Allows for spelling and grammatical changes throughout the Charter.

Yes No

2015 Bond Election

A 2015 Bond election will also be held Nov. 3.

For more information:
www.cor.net/bondelection
bondquestions@cor.gov
 972-744-4280

Voting booth checklist

State election law allows voters to bring this page into the voting booth.

Proposition 1

Yes
 No

Proposition 2

Yes
 No

Proposition 3

Yes
 No

Proposition 4

Yes
 No

Proposition 5

Yes
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Proposition 6

Yes
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Proposition 7

Yes
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Proposition 8

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Proposition 9

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Proposition 10

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Proposition 11

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Proposition 12

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Proposition 13

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Proposition 14

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Proposition 15

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Proposition 81

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Proposition 82

Yes
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Proposition 83

Yes
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