

**RICHARDSON CITY COUNCIL
MONDAY, AUGUST 17, 2015
SPECIAL CALLED MEETING AT 6:00 PM
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX**

The Richardson City Council will conduct a Special Called Meeting at 6:00 p.m. on Monday, August 17, 2015, in the Council Chambers of the Civic Center, 411 W. Arapaho Road, Richardson, Texas.

As authorized by Section 551.071 (2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

SPECIAL CALLED MEETING – 6:00 PM, COUNCIL CHAMBERS

• **CALL TO ORDER**

1. **INVOCATION – MARK SOLOMON**

2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – MARK SOLOMON**

3. **MINUTES OF THE AUGUST 3, 2015 AND AUGUST 10, 2015 MEETINGS**

A. VISITORS

The City Council invites citizens to address the Council on any topic not already scheduled for Public Hearing. Citizens wishing to speak should complete a “City Council Appearance Card” and present it to the City Secretary prior to the meeting. Speakers are limited to 5 minutes and should conduct themselves in a civil manner. In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. However, your concerns will be addressed by City Staff, may be placed on a future agenda, or by some other course of response.

B. CONSIDER RESOLUTION NO. 15-24, ORDERING A BOND ELECTION TO BE HELD IN THE CITY OF RICHARDSON, TEXAS, ON NOVEMBER 3, 2015, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION.

C. CONSIDER ORDINANCE NO. 4127, ORDERING A SPECIAL ELECTION ON PROPOSED AMENDMENTS TO THE HOME RULE CITY CHARTER OF THE CITY OF RICHARDSON TO BE HELD ON NOVEMBER 3, 2015; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROPOSING AMENDMENTS TO THE HOME RULE CITY CHARTER OF THE CITY OF RICHARDSON; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT WITH DALLAS COUNTY AND COLLIN COUNTY ELECTIONS DEPARTMENTS.

D. PUBLIC HEARING FOR PROPOSED TAX RATE OF \$0.63516 PER \$100 VALUATION FOR FISCAL YEAR 2015-2016

E. REPORT ON ITEMS OF COMMUNITY INTEREST

The City Council will have an opportunity to address items of community interest, including: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of Richardson; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City of Richardson that was attended or is scheduled to be attended by a member of the City of Richardson or an official or employee of the City of Richardson; and announcements involving an imminent threat to the public health and safety of people in the City of Richardson that has arisen after posting the agenda.

• **ADJOURN**

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, AUGUST 14, 2015, BY 5:00 P.M.

AIMEE NEMER, CITY SECRETARY

ACCOMMODATION REQUESTS FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS PRIOR TO THE MEETING BY CONTACTING SUSAN MATTISON, ADA COORDINATOR, VIA PHONE AT 972 744-0809, VIA EMAIL AT ADACoordinator@cor.gov, OR BY APPOINTMENT AT 1621 E. LOOKOUT DRIVE, RICHARDSON, TX 75082.

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND COUNCIL MEETING
AUGUST 3, 2015

WORK SESSION – 6:00 P.M.:

• **Call to Order**

Mayor Voelker called the meeting to order at 6:01 p.m. with the following Council members present:

Paul Voelker	Mayor
Bob Townsend	Councilmember
Scott Dunn	Councilmember
Mabel Simpson	Councilmember
Marta Gomez Frey	Councilmember
Steve Mitchell	Councilmember

Absent:

Mark Solomon	Mayor Pro Tem
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The following staff members were also present:

Dan Johnson	City Manager
Don Magner	First Assistant City Manager
Kent Pfeil	Chief Financial Officer
Cliff Miller	Assistant City Manager Development Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Aimee Nemer	City Secretary
Taylor Paton	Management Analyst
Michael Spicer	Director of Development Services
Bill Alsup	Director of Health

A. REVIEW AND DISCUSS ITEMS LISTED ON THE CITY COUNCIL MEETING AGENDA

Michael Spicer, Director of Development Services, reviewed Zoning Files 15-16 and 15-19.

B. PROVIDE UPDATE ON PROPOSED CITY CHARTER PROPOSITIONS

Shanna Sims-Bradish, Assistant City Manager, provided an update on the Charter propositions.

C. REVIEW AND DISCUSS THE STORMWATER MANAGEMENT PROGRAM

Bill Alsup, Director of Health, reviewed the Stormwater Management Program.

D. REPORT ON ITEMS OF COMMUNITY INTEREST

Mayor Voelker and Councilmember Frey reported on the success of the ribbon-cutting for the dog park. Mayor Voelker also reported on the Miss Asian American Pageant announcing that the winner was a junior at the University of Dallas at Richardson.

COUNCIL MEETING – 7:00 PM, COUNCIL CHAMBERS

1. INVOCATION – STEVE MITCHELL

2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – STEVE MITCHELL**
3. **MINUTES OF THE JULY 27, 2015 MEETING**

Council Action

Councilmember Dunn moved to approve the Minutes as presented. Councilmember Townsend seconded the motion. A vote was taken and passed, 6-0 with Mayor Pro Tem Solomon absent.

4. **VISITORS**

Mr. C.B. Halliday addressed Council regarding an issue with his alley.

PUBLIC HEARING ITEMS:

5. **PUBLIC HEARING, ZONING FILE 15-16, A REQUEST BY KALER NGUYEN, REPRESENTING ABC BEAUTY ACADEMY, FOR APPROVAL OF A SPECIAL PERMIT FOR A BEAUTY TRAINING ACADEMY TO BE LOCATED AT 2109 E. BUCKINGHAM ROAD (NORTH SIDE OF BUCKINGHAM ROAD, WEST OF JUPITER ROAD). THE PROPERTY IS CURRENTLY ZONED LR-M(2) LOCAL RETAIL.**

Public Hearings

There were no public comments submitted. Council discussed the pros and cons of tying the permit to the applicant. Councilmember Dunn moved to close the Public Hearing, seconded by Councilmember Simpson and approved 6-0 with Mayor Pro Tem Solomon absent.

Council Action

Councilmember Mitchell moved to approve the special permit with the permit to be tied to the applicant. Councilmember Simpson seconded the motion but requested to amend it so that it is not tied to the applicant. Councilmember Mitchell withdrew his original motion and moved to approve the special permit as presented. Councilmember Simpson seconded the motion. A vote was taken and passed, 6-0 with Mayor Pro Tem Solomon absent.

6. **PUBLIC HEARING, ZONING FILE 15-19, A REQUEST BY KIRK M. HERMANSEN, REPRESENTING RICHARDSON RP PROPERTY LLC, FOR AN AMENDMENT TO EXHIBIT C – SIGN STANDARDS OF ORDINANCE NUMBER 4054, A MAJOR MODIFICATION TO THE WEST SPRING VALLEY CORRIDOR PD ADOPTED IN JUNE 2014, LOCATED ON THE WEST SIDE OF CENTRAL EXPRESSWAY, SOUTH OF JAMES DRIVE. THE PROPERTY IS CURRENTLY ZONED PD PLANNED DEVELOPMENT (WEST SPRING VALLEY CORRIDOR PD).**

Public Hearings

With no public comments submitted, Councilmember Frey moved to close the Public Hearing, seconded by Councilmember Simpson and approved 6-0 with Mayor Pro Tem Solomon absent.

Council Action

Councilmember Townsend moved to approve the request as presented. Councilmember Frey seconded the motion. A vote was taken and passed, 6-0 with Mayor Pro Tem Solomon absent.

ACTION ITEMS:

- 7. CONSIDER SETTING PUBLIC HEARINGS ON AUGUST 17 AND AUGUST 24, 2015 ON THE PROPOSED TAX RATE OF \$0.63516 PER \$100 VALUATION FOR FISCAL YEAR 2015-2016.**

Council Action

Councilmember Frey moved to set the Public Hearings on August 17 and August 24, 2015 on the proposed tax rate of \$0.63516 per \$100 valuation for fiscal year 2015-2016. Councilmember Simpson seconded the motion. A vote was taken and passed, 6-0 with Mayor Pro Tem Solomon absent.

- 8. CONSIDER SETTING PUBLIC HEARING ON AUGUST 24, 2015 FOR THE PROPOSED FISCAL YEAR 2015-2016 RICHARDSON MUNICIPAL BUDGET.**

Council Action

Councilmember Mitchell moved to set a Public Hearing on August 24, 2015 on the proposed 2015-2016 City of Richardson Municipal Budget. Councilmember Frey seconded the motion. A vote was taken and passed, 6-0 with Mayor Pro Tem Solomon absent.

- 9. CONSENT AGENDA:**

- A. CONSIDER ADOPTION OF ORDINANCE NO. 4126, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM LR-M(2) LOCAL RETAIL WITH SPECIAL CONDITIONS TO LR-M(2) LOCAL RETAIL AND TO GRANT A SPECIAL PERMIT FOR A MOTOR VEHICLE SERVICE STATION ON A 0.7-ACRE TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF RENNER ROAD AND CUSTER PARKWAY, RICHARDSON, TEXAS.**
- B. CONSIDER AWARD OF BID #63-15 – WE RECOMMEND THE AWARD TO GHB EQUIPMENT CO., LLC, FOR THE RESERVATION HOA BRIDGE ENHANCEMENTS: MELROSE DRIVE AT WEST FORK OF COTTONWOOD CREEK, AND MIMOSA DRIVE AT MIMOSA PARK AND GREENWOOD HILLS HOA SCREENING WALL EXTENSIONS AND BRIDGE ENHANCEMENTS: CAMPBELL ROAD FROM WATERVIEW DRIVE TO N. FLOYD ROAD IN THE AMOUNT OF \$1,380,807.00.**

Council Action

Councilmember Townsend moved to approve the Consent Agenda as presented. Councilmember Dunn seconded the motion. A vote was taken and passed, 6-0 with Mayor Pro Tem Solomon absent.

EXECUTIVE SESSION

In compliance with Section 551.072 of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Deliberation Regarding Real Property

- Property Considerations in the N. Glenville Dr./Columbia Dr. Area

Council Action

Council convened into Executive Session at 7:37 p.m.

RECONVENE INTO REGULAR SESSION

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

Council Action

Council reconvened into Regular Session at 8:32 p.m. There was no action as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 8:32 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND COUNCIL MEETING
AUGUST 10, 2015

WORK SESSION – 6:00 P.M.:

- **Call to Order**

Mayor Voelker called the meeting to order at 6:02 p.m. with the following Council members present:

Paul Voelker	Mayor
Mark Solomon	Mayor Pro Tem
Bob Townsend	Councilmember
Scott Dunn	Councilmember
Mabel Simpson	Councilmember
Marta Gomez Frey	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
Don Magner	First Assistant City Manager
Kent Pfeil	Chief Financial Officer
Cliff Miller	Assistant City Manager Development Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Gary Beane	Budget Officer
Robert Clymire	Assistant Budget Officer
Vickie Schmid	Deputy City Secretary
Taylor Paton	Management Analyst

A. VISITORS

There were no visitors comments submitted.

B. FIREMAN'S FUND HERITAGE/ALLIANZ GLOBAL AND BILL BEATTY INSURANCE AGENCY GRANT PRESENTATION TO THE RICHARDSON FIRE DEPARTMENT

Judy Simmons representing Beatty Insurance Agency and Laura Cain representing Allianz Global presented Chief Alan Palomba with a check for \$5,207 for the purchase of 139 carbon dioxide detectors and 157 smoke detectors as part of the Fire Departments fire safety program.

C. REVIEW AND DISCUSS THE CITY MANAGER'S PROPOSED BUDGET AND PROPOSED TAX RATE OF \$0.63516 PER \$100 VALUATION (SAME AS CURRENT 2014-2015 RATE) FOR FISCAL YEAR 2015-2016

Dan Johnson, City Manager, reviewed the fiscal year 2015-2016 budget, outlining four key initiatives including enhanced infrastructure maintenance, public safety facility and staff enhancements, economic development funding, and enhanced customer and City experiences.

Mayor Voelker recessed the meeting at 6:51pm for a short dinner break and reconvened the meeting at 6:57pm.

D. REPORT ON ITEMS OF COMMUNITY INTEREST

Mayor Voelker offered condolences to Dan Johnson on the passing of his mother. Councilmember Solomon announced that Dog Splash Day at Terrace Park Pool was scheduled for Saturday, August 15 from 11:00 – 4:00.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:28 p.m.

MAYOR

ATTEST:

CITY SECRETARY

RESOLUTION NO. 15-24

A RESOLUTION ordering a bond election to be held in the City of Richardson, Texas, making provisions for the conduct of the election and resolving other matters incident and related to such election.

WHEREAS, the City Council of the City of Richardson, Texas hereby finds that an election should be held to determine whether said governing body shall be authorized to issue bonds of said City in the amounts and for the purposes hereinafter identified; now, therefore,

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

SECTION 1: An election shall be held on the 3rd day of November, 2015, in the City of Richardson, Texas, which date is not less than seventy-one (71) nor more than ninety (90) days from the date of the adoption hereof and is a uniform election date pursuant to Texas Election Code, Section 41.001, for the purpose of submitting the following measures:

PROPOSITION NUMBER 1

“SHALL the City Council of the City of Richardson, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$67,000,000 for permanent public improvements and public purposes, to wit: constructing, improving, renovating, expanding and equipping municipal public buildings and the acquisition of land therefor; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

PROPOSITION NUMBER 2

“SHALL the City Council of the City of Richardson, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$38,570,000 for permanent public improvements and public purposes, to wit: acquiring, constructing, improving and maintaining streets, thoroughfares, alleyways and sidewalks within the City including related storm drainage improvements, traffic signalization and signage, traffic management equipment, creek erosion, bridge and culvert improvements and utility relocations and the acquisition of land therefor, such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

PROPOSITION NUMBER 3

“SHALL the City Council of the City of Richardson, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$7,230,000 for permanent public improvements and public purposes, to wit: acquiring, constructing, improving, expanding, renovating and equipping park and recreation facilities of the City and the acquisition of land therefor; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

PROPOSITION NUMBER 4

“SHALL the City Council of the City of Richardson, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$2,200,000 for permanent public improvements and public purposes, to wit: constructing, improving, extending, repairing sidewalks and related improvements; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

SECTION 2: Pursuant to an agreement with the Dallas County Elections Department, for that portion of the City located in Dallas County and the Collin County Elections Department for that portion of the City located in Collin County, the election shall be conducted by the Dallas County Elections Department and the Collin County Elections Department, respectively, in accordance with the provisions of the respective agreements for election services (the “Contracts”).

The City shall be divided into multiple election precincts or vote center areas for this election and the polling places for this election are shown in **Exhibit A**, which is attached hereto and incorporated herein by reference as a part of this Resolution for all purposes. The election officers and maximum number of clerks for each polling place shall be determined and appointed in accordance with the Contracts.

On election day, the polls shall be open from 7:00 a.m. to 7:00 p.m.

SECTION 3: With respect to that portion of the City located in Dallas County, the locations, dates and times for early voting for this election shall be as shown in Exhibit B-1, which is attached hereto and incorporated herein by reference as a part hereof for all purposes. Toni Pippins-Poole, Dallas County Elections Administrator, is hereby appointed early voting clerk and shall appoint and designate deputy clerks at such early voting polling place in accordance with the agreement with the Dallas County Elections Department.

With respect to that portion of the City located in Collin County, the locations, dates and times for early voting for this election shall be as shown in Exhibit B-2, which is attached hereto and incorporated herein by reference as a part hereof for all purposes. Sharon Rowe, Collin County Elections Administrator, is hereby appointed as early voting clerk and shall appoint and designate deputy clerks for early voting in accordance with the agreement with the Collin County Elections Department.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board for this election shall be appointed and designated in accordance with the provisions of the Contracts.

SECTION 4: With respect to voters of the City residing in Dallas County, the Central Counting Station for the tabulation and counting of ballots for this election shall be located at the Office of the Elections Department, 2377 N. Stemmons Freeway, Suite 800, Dallas, Texas and the Manager, Tabulation Supervisor, Presiding Judge and Alternate Presiding Judge at such Central Counting Station shall be determined, appointed and designated in accordance with the agreement with the Dallas County Elections Department. The Manager and Presiding Judge of such Central Counting Station may appoint clerks to serve at such Station, as provided by Texas Election Code, Section 127.006, as amended.

With respect to voters of the City residing in Collin County, the Central Counting Station for the tabulation and counting of ballots for this election shall be located at the Collin County Election Department, 2010 N. Rosebud Blvd., #102, McKinney, Texas and the Manager, Tabulation Supervisor, Presiding Judge and Alternate Presiding Judge at such Central Counting Station shall be determined, appointed and designated in accordance with the agreement with the Collin County Elections Department. The Manager and Presiding Judge of such Central Counting Station may appoint clerks to serve at such Station, as provided by Section 127.006 of the Election Code, as amended.

SECTION 5: A voting system or systems meeting the standards and requirements of the Texas Election Code, as amended, is hereby adopted and approved for early voting by person appearance and by mail and for election day voting.

Ballots shall be prepared in accordance with Texas Election Code, and permit electors to vote "FOR" or "AGAINST" the aforesaid measures which shall appear on the ballot substantially as follows:

PROPOSITION NUMBER 1

"THE ISSUANCE OF \$67,000,000 GENERAL OBLIGATION BONDS FOR MUNICIPAL PUBLIC BUILDINGS AND THE LEVY OF A TAX IN PAYMENT THEREOF"

PROPOSITION NUMBER 2

"THE ISSUANCE OF \$38,570,000 GENERAL OBLIGATION BONDS FOR STREET IMPROVEMENTS AND THE LEVY OF A TAX IN PAYMENT THEREOF"

PROPOSITION NUMBER 3

"THE ISSUANCE OF \$7,230,000 GENERAL OBLIGATION BONDS FOR PARK AND RECREATION FACILITIES AND THE LEVY OF A TAX IN PAYMENT THEREOF"

PROPOSITION NUMBER 4

"THE ISSUANCE OF \$2,200,000 GENERAL OBLIGATION BONDS FOR
SIDEWALK IMPROVEMENTS AND THE LEVY OF A TAX IN PAYMENT
THEREOF"

SECTION 6: All resident qualified electors of the City shall be permitted to vote at said election, and on the day of the election, such electors shall vote at the polling place designated for the election precinct in which they reside or at a vote center, as applicable. This election shall be held and conducted in accordance with the provisions of Texas Election Code and Texas Government Code, Chapter 1251, and as may be required by law, all election materials and proceedings shall be printed in both English and Spanish.

SECTION 7: A substantial copy of this Resolution shall serve as proper notice of said election. Said notice shall be published on the same day in each of two successive weeks in a newspaper of general circulation in said City, the first of said publications to appear in said newspaper not more than thirty (30) days and not less than fourteen (14) full days prior to the day of the election. Additionally, said notice shall be posted (i) at three (3) public places within the City and at the City Hall not less than twenty-one (21) full days prior to the date on which said election is to be held, (ii) on the City's Internet website during the twenty-one (21) days prior to election day, and (iii) in a prominent location at each polling place on the day of the election and during early voting.

SECTION 8: In accordance with Texas Election Code, Section 3.009(b)(5) and (7) through (9), as amended, the City, as of its fiscal year beginning October 1, 2014, had outstanding an aggregate amount of outstanding principal of debt obligations equal to \$262,347,421; the aggregate amount of outstanding interest on the debt totaled \$73,293,132; and the ad valorem debt service tax rate for the City is \$0.26485 per \$100 of taxable assessed valuation. Given current tax values of the City, the projected timing of the issuance of the bonds and projected interest rates, among other factors, the City estimates an ad valorem debt service tax rate of \$0.25485 per \$100 of taxable assessed valuation if the bonds are approved and are issued (taking into account the outstanding City bonds and bonds approved at the election to be held November 3, 2015, but not future bond authorizations of the City). This is only an estimate provided for Texas statutory compliance and does not serve as a cap on any City ad valorem debt service tax rate.

SECTION 9: This Resolution shall incorporate the provisions of the Contracts, and to the extent of any conflict between this Resolution and the Contracts, the provisions of the Contracts shall control. The Mayor, City Manager, City Secretary or other appropriate official, is hereby authorized to correct, modify or change the exhibits to this Resolution based upon the final locations and times agreed upon by the respective elections departments and the City.

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PASSED AND APPROVED, this the 17th day of August, 2015.

Mayor
City of Richardson, Texas

ATTEST:

City Secretary
City of Richardson, Texas

(City Seal)

Exhibit A

FOR THE PORTION OF CITY OF RICHARDSON LOCATED IN DALLAS COUNTY, TEXAS

NOVEMBER 3, 2015 ELECTION DAY VOTING LOCATIONS

<u>Precinct Number(s)</u>	<u>Location</u>
1026, 1029	Richland College 12800 Abrams Road Dallas, Texas 75243
1027	Audelia Creek Elementary School 12600 Audelia Rd. Dallas, Texas 75243
1037	RISD Academy 1360 Coit Road Dallas, Texas 75240
1500	Dover Elementary School 700 Dover Dr. Richardson, Texas 75080
1501	Professional Development Ctr-RISD 701 W. Beltline Rd. Richardson, Texas 75080
1502	Math Science Technology Magnet-RISD 450 Abrams Rd. Richardson, Texas 75081
1503, 1504	Richardson Elementary School 550 Park Bend Dr. Richardson, Texas 75081
1703	A R Davis Elementary School 1621 McCallum Dr. Garland, Texas 75040
1704, 1705	O Henry Elementary School 4100 Tynes Dr. Garland, Texas 75042
2500, 2503	Mohawk Elementary School 1500 Mimosa Richardson, Texas 75080
2501	Canyon Creek Elementary School 2100 Copper Ridge Dr.

	Richardson, Texas 75080
2502	Prairie Creek Elementary School 2120 E Prairie Creek Dr. Richardson, Texas 75080
2504	Richardson North Junior High School 1820 N Floyd Road Richardson, Texas 75080
2505	Northrich Elementary School 1301 Custer Rd. Richardson, Texas 75080
2506	Arapaho Classical Magnet School 1300 Cypress Richardson, Texas 75080
2507	Richardson Heights Elementary School 101 N Floyd Road Richardson, Texas 75080
2508	Richardson Terrance Elementary School 300 N Dorothy Richardson, Texas 75081
2509	Richardson East Church of Christ 1504 E Campbell Road Richardson, Texas 75081
2510	Yale Elementary School 1900 E Collins Blvd Richardson, Texas 75081
2511, 2512	Dartmouth Elementary School 417 Dartmouth Ln Richardson, Texas 75081
2513	Springridge Elementary School 1801 E Spring Valley Richardson, Texas 75081
2514	Jess Harben Elementary School 600 S Glenville Dr. Richardson, Texas 75081
2700, 2701,	Big Springs Elementary 3301 W Campbell Rd Garland, Texas 75044

2702	Spring Creek Elementary School 1510 Spring Creek Dr. Garland, Texas 75044
2705	Hickman Elementary School 3114 Pinewood Dr. Garland, Texas 75044
2706	Wallace Ethridge Elementary School 2301 Sam Houston Dr. Garland, Texas 75044

Exhibit B-1

FOR THE PORTION OF CITY OF RICHARDSON LOCATED IN COLLIN COUNTY, TEXAS

NOVEMBER 3, 2015 ELECTION DAY VOTING LOCATIONS

Election Day Vote Centers - November 3, 2015

Polling Place	Address	City
Akin Elementary School	1100 Springwood	Wylie
Aldridge Elementary School	720 Pleasant Valley	Richardson
Allen Municipal Courts Facility	301 Century Parkway	Allen
Armstrong Middle School	3805 Timberline	Plano
Blue Ridge ISD Administration Building	318 West School Street	Blue Ridge
Bowman Middle School	2501 Jupiter Road	Plano
Brinker Elementary School	3800 Clark Parkway	Plano
Carpenter Middle School	3905 Rainier Road	Plano
Carpenter Park Recreation Center	6701 Coit Road	Plano
Celina ISD Administration Building	205 S. Colorado	Celina
Christ the Servant Lutheran Church	821 S. Greenville Ave.	Allen
Christ United Methodist Church	3101 Coit Road	Plano
Clark High School - Plano	523 Spring Creek	Plano
Clark Middle School	4600 Colby Drive	Frisco
Collin College - Higher Education Center	3452 Spur 399	McKinney
Collin College Central Park Campus	2200 University	McKinney
Collin College Preston Ridge Campus	9700 Wade Blvd.	Frisco
Collin College Spring Creek Campus	2800 Spring Creek Parkway	Plano
Collin County Elections Office	2010 Redbud Blvd, Ste. 102	McKinney
Community ISD Technology and Conference Center	615 FM 1138	Nevada
Davis Library	7501 Independence Parkway	Plano
Dowell Middle School	301 Ridge Road	McKinney
Dr. Pepper Star Center at Craig Ranch	6993 Stars Ave.	McKinney
Eldorado Country Club	2604 Country Club Drive	McKinney
First Baptist Church - Branch	7011 FM 546	Princeton
First Baptist Church Farmersville, Youth Building	201 Farmersville Pkwy.	Farmersville
Ford Middle School	630 Park Place Drive	Allen

Polling Place	Address	City
Fowler Middle School	3801 McDermott Road	Plano
Frisco Senior Center	6670 Moore Street	Frisco
Gay Library	6861 W. Eldorado Parkway	McKinney
Haggar Elementary School	17820 Campbell Road	Dallas
Harrington Library	1501 18th Street	Plano
Heritage High School	14040 Eldorado Pkwy.	Frisco
Hunt Middle School	4900 Legendary Drive	Frisco
John Q. Hammons Center - Courtyard Marriott	210 East Stacy Road	Allen
Lavon City Hall	120 School Road	Lavon
Liberty High School	15250 Rolater Road	Frisco
Lowry Crossing City Hall	1405 S. Bridgefarmer Road	Lowry Crossing
Lucas City Hall	665 Country Club Road	Lucas
McKinney Fire Station #7	861 Independence Pkwy.	McKinney
McKinney Senior Recreation Center	1400 S. College	McKinney
Melissa City Hall	3411 Barker Ave.	Melissa
Mitchell Elementary School	4223 Briargrove	Dallas
Murphy Community Center	205 N. Murphy Road	Murphy
Old Settlers Recreation Center	1201 E. Louisiana	McKinney
Parker City Hall	5700 E. Parker Road	Parker
Parr Library	6200 Windhaven Pkwy.	Plano
Plano ISD Administration Center	2700 W. 15th Street	Plano
Plano Senior Center	401 W. 16th Street	Plano
Princeton High School	1000 E. Princeton Drive	Princeton
Prosper ISD Administration	605 E. Seventh Street	Prosper
Renner-Frankford Library	6400 Frankford Road	Dallas
Royse City Lady Bulldog Gymnasium	1412 FM 1777	Royse City
Seis Lagos Community Services Association	222 Seis Lago Trail	Wylie
Shepton High School	5505 Plano Pkwy.	Plano
Shiloh Missionary Baptist Church	1310 Avenue "I"	Plano
Smith Library	300 Country Club	Wylie
Staley Middle School	6927 Stadium Drive	Frisco

Polling Place	Address	City
Stonebridge United Methodist Church	1800 S. Stonebridge Drive	McKinney
Suncreek United Methodist Church	1517 W. McDermott Drive	Allen
Texas Star Bank	402 W. White Street	Anna
Weston Community Center	117 Main Street	Weston
Whitt Elementary School	7520 Woodcreek Way	Sachse
Woodcreek Church	3400 E. Renner Road	Richardson

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Exhibit B-2

EARLY VOTING LOCATIONS, DATES AND HOURS

FOR THE PORTION OF CITY OF RICHARDSON LOCATED IN DALLAS COUNTY, TEXAS

Early voting for this election shall begin on Monday, October 19, 2015 and end on Friday, October 30, 2015, and the dates and hours designated for early voting by personal appearance at the below locations shall be as set forth below:

<u>Dates</u>	<u>Hours</u>
Monday, October 19 through Friday, October 23	8:00 a.m. – 5:00 p.m.
Saturday, October 24	8:00 a.m. – 5:00 p.m.
Sunday, October 25	1:00 p.m. – 6:00 p.m.
Monday, October 26 through Wednesday, October 28	8:00 a.m. – 5:00 p.m.
Thursday, October 29 and Friday, October 30	7:00 a.m. – 7:00 p.m.

Main Early Voting Polling Place:

Dallas County Records Building
509 Main Street, 1st Floor
Dallas, Texas 75202

Mailing Address:

Dallas County Elections Department
2377 N. Stemmons Freeway, 8th Floor
Dallas, Texas 75207
Attention: Toni Pippins-Poole, Elections Administrator

Branch Early Voting Polling Places:

**DATES AND TIMES OF EARLY VOTING FOR THE CONSTITUTIONAL AMENDMENT
AND JOINT ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015**

01	BALCH SPRINGS NEW CITY HALL	13503 ALEXANDER ROAD	BALCH SPRINGS	75181
02	BALCH SPRINGS MUNICIPAL BLDG (OLD CITY HALL)	3117 HICKORY TREE	BALCH SPRINGS	75180
03	BETHANY LUTHERAN CHURCH (Replaces Lake Highlands North Rec. Center)	10101 WALNUT HILL LANE	DALLAS	75238
04	CHURCHILL RECREATION CENTER (Replaces Fretz Park Library)	6906 CHURCHILL WAY	DALLAS	75230
05	COPPELL TOWN CENTER	255 PARKWAY BLVD	COPPELL	75019
06	CROSSWINDS HIGH SCHOOL	1100 N CARRIER PKWY	GRAND PRAIRIE	75050
07	DESOTO (Pending Location)		DESOTO	75115
08	DUNCANVILLE LIBRARY	201 JAMES COLLINS	DUNCANVILLE	75116
09	EASTFIELD COLLEGE PLEASANT GROVE CAMPUS (Replaces Prairie Creek)	802 S BUCKNER	DALLAS	75217
10	EL CENTRO COLLEGE-WEST CAMPUS (Replaces Dallas West Library)	3330 NORTH HAMPTON ROAD	DALLAS	75212
11	GLENN HEIGHT CITY HALL	1938 S HAMPTON ROAD	GLENN HEIGHTS	75154
12	GRAUWYLER PARK REC CTR	7780 HARRY HINES BLVD	DALLAS	75235
13	HIGHLAND PARK ISD	7015 WESTCHESTER DRIVE	DALLAS	75205
14	IRVING CITY HALL	825 W IRVING BLVD	IRVING	75060
15	JOSEY RANCH LIBRARY	1700 KELLER SPRINGS	CARROLLTON	75006
16	LAKESIDE ACTIVITY CENTER	101 HOLLEY PARK DR	MESQUITE	75149
17	LANCASTER VET. MEMORIAL LIB	1600 VETERANS MEMORIAL PKWY	LANCASTER	75134
18	LOCHWOOD LIBRARY	11221 LOCHWOOD BLVD	DALLAS	75218
19	MARSH LANE BAPTIST CHURCH	10716 MARSH LANE	DALLAS	75229
20	MARTIN LUTHER KING CORE BLDG	2922 MLK BLVD	DALLAS	75215
21	MARTIN WEISS REC CENTER	1111 MARTINDELL AVE	DALLAS	75211
22	OAK CLIFF SUB-COURTHOUSE	410 S BECKLEY	DALLAS	75203
23	OUR REDEEMER LUTHERAN CHURCH	7611 PARK LANE	DALLAS	75225
24	PAUL L DUNBAR – LANCASTER Kiest LIBRARY	2008 EAST Kiest BLVD	DALLAS	75216
25	RECORDS BUILDING (MAIN LOCATION)	509 MAIN STREET	DALLAS	75202
26	RICHARDSON CIVIC CENTER	411 W ARAPAHO ROAD	RICHARDSON	75080
27	RICHLAND COLLEGE – GARLAND CAMPUS (Replaces Garland City Hall)	675 W WALNUT STREET	GARLAND	75040

28	ROWLETT CITY HALL ANNEX	4004 MAIN STREET	ROWLETT	75088
29	SAMUELL GRAND REC CENTER Replaces St. Luke's Community Life Ctr)	6200 EAST GRAND AVE	DALLAS	75223
30	VALLEY RANCH LIBRARY	401 CIMARRON TRAIL	IRVING	75063

EARLY VOTING LOCATIONS, DATES AND HOURS

FOR THE PORTION OF CITY OF RICHARDSON LOCATED IN COLLIN COUNTY, TEXAS

**NOVEMBER 3, 2015
GENERAL AND SPECIAL ELECTIONS
Early Voting Locations, Dates and Hours – Collin County**

Polling Place	Address	City	Commissioner Precinct
Collin County Elections (Main Early Voting Location)	2010 Redbud Blvd. St 102	McKinney	Precinct 3
Allen Municipal Courts Facility	301 Century Pkwy.	Allen	Precinct 3
Carpenter Park Recreation Center	6701 Coit Road	Plano	Precinct 1
Celina ISD Administration Building	205 S. Colorado	Celina	Precinct 1
Christ United Methodist Church	3101 Coit Road	Plano	Precinct 4
Collin College - Central Park Campus	2200 W. University Drive	McKinney	Precinct 3
Collin College - Preston Ridge Campus	9700 Wade Blvd.	Frisco	Precinct 1
Collin College - Spring Creek Campus	2800 E. Spring Creek	Plano	Precinct 2
Collin College – Higher Education Center	3452 Spur 399	McKinney	Precinct 3
Davis Library	7501 Independence	Plano	Precinct 1
Frisco Senior Center	6670 Moore Street	Frisco	Precinct 1
Gay Library	6861 W. Eldorado	McKinney	Precinct 3
Haggard Library	2501 Coit Road	Plano	Precinct 4
Harrington Library	1501 18 th Street	Plano	Precinct 2
Lovejoy ISD Administration Bldg.	259 Country Club	Allen	Precinct 3
Lavon City Hall	120 School Road	Lavon	Precinct 2
McKinney Fire Station #7	861 S. Independence	McKinney	Precinct 1
Methodist Richardson Medical Center	2831 E. President George Bush Highway	Richardson	Precinct 2
Murphy Community Center	205 North Murphy Road	Murphy	Precinct 2
Old Settlers Recreation Center	1201 E. Louisiana	McKinney	Precinct 3
Parker City Hall	5700 E. Parker Road	Parker	Precinct 2
Parr Library	6200 Windhaven Pkwy.	Plano	Precinct 4
Plano ISD Administration Center	2700 W. 15 th Street	Plano	Precinct 4
Princeton City Hall	123 W. Princeton Drive	Princeton	Precinct 3
Prosper Municipal Chambers	108 W. Broadway	Prosper	Precinct 1
Renner-Frankford Library	6400 Frankford	Dallas	Precinct 4
Smith Library	300 Country Club	Wylie	Precinct 2

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Oct 18	Oct 19 Early Voting 8am – 5pm	Oct 20 Early Voting 8am – 5pm	Oct 21 Early Voting 8am – 5pm	Oct 22 Early Voting 8am – 5pm	Oct 23 Early Voting 8am – 5pm	Oct 24 Early Voting 7am – 7pm
Oct 25 Early Voting 1pm – 6pm	Oct 26 Early Voting 7am – 7pm	Oct 27 Early Voting 7am – 7pm	Oct 28 Early Voting 7am – 7pm	Oct 29 Early Voting 7am – 7pm	Oct 30 Early Voting 7am – 7pm	Oct 31

Temporary Early Voting Locations:

Farmersville City Hall	205 South Main	Farmersville	Precinct 3
McKinney Performing Arts Center	111 North Tennessee	McKinney	Precinct 3

Oct 18	Oct 19	Oct 20	Oct 21	Oct 22	Oct 23	Oct 24
	Early Voting 8am – 5pm	Early Voting 8am – 5pm	Early Voting 8am – 5pm	Early Voting 8am – 5pm	Early Voting 8am – 5pm	

Lucas City Hall	665 Country Club Road	Lucas	Precinct 3
Texas Star Bank	402 W. White	Anna	Precinct 3

Oct 25	Oct 26	Oct 27	Oct 28	Oct 29	Oct 30	Oct 31
	Early Voting 7am – 7pm	Early Voting 7am – 7pm	Early Voting 7am – 7pm	Early Voting 7am – 7pm	Early Voting 7am – 7pm	

Important Note: *Eligible* Collin County registered voters (with an effective date of registration on or before November 3, 2015) may vote at any of the above early voting locations.

ORDINANCE NO. 4127

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, ORDERING A SPECIAL ELECTION ON PROPOSED AMENDMENTS TO THE HOME RULE CITY CHARTER OF THE CITY OF RICHARDSON TO BE HELD ON NOVEMBER 3, 2015; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROPOSING AMENDMENTS TO THE HOME RULE CITY CHARTER OF THE CITY OF RICHARDSON; AUTHORIZING THE CITY MANAGER TO EXECUTE ELECTION SERVICES CONTRACTS WITH THE DALLAS COUNTY AND COLLIN COUNTY ELECTIONS DEPARTMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council appointed a Charter Commission to review the City Charter for the purpose of making recommendations to the City Council for appropriate amendments to cause the Charter to be approved by the voters at an election called for such purpose on November 3, 2015; and

WHEREAS, the Charter Commission completed its review and provided a report of recommendations to the City Council for appropriate amendments to the City Charter; and

WHEREAS, the City Council after due consideration desires to conduct an election on proposed amendments to the Charter on the uniform election date of November 3, 2007;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:

SECTION 1. That a special election is hereby ordered for November 3, 2015, for the purpose of submitting to the voters of the City for their approval or disapproval the proposed amendments to the Home Rule Charter of the City of Richardson, Texas contained in Exhibit "A" attached hereto and made a part of this Ordinance for all purposes.

SECTION 2. That notice of the election on the proposed Charter amendments shall be posted on the bulletin board used to post notice of the City Council meetings, be published in a newspaper of general circulation in the City, and must include a substantial copy of the proposed Charter amendments and include an estimate of the anticipated fiscal impact to the City if the proposed amendments are approved at the election. Said notice must be published on the same day in each of two successive weeks, with the first publication occurring no earlier than the thirtieth day and no later than the fourteenth day before the date of the election. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and such person posting the notice shall make a record of the time of posting, starting date and the place of posting.

SECTION 3. That the election on the proposed Charter amendments shall be conducted in accordance with election contracts between the City of Richardson and Dallas County, and between the City of Richardson and Collin County for the City Charter election on November 3, 2015. The City Manager or designee is hereby authorized to execute election contracts with the Counties of Dallas and Collin for the conduct of the election, and to approve any amendments thereto.

SECTION 4. That the City Secretary shall present the Charter amendment election returns to the City of Richardson City Council at a City Council meeting for the canvassing of said election in accordance with the Texas Election Code.

SECTION 5. That early voting by personal appearance may be conducted at either the Richardson Civic Center/City Hall, 411 W. Arapaho Road, or at any of the other branch locations established by the election contracts. Early voting by personal appearance will be conducted beginning October 19, 2015, and continue through October 30, 2015, at the times and locations specified in the election contracts.

SECTION 6. That polling locations for the election will be determined in the election contracts. The polling locations shall be open between the hours of 7:00 a.m. and 7:00 p.m. the date of election.

SECTION 7. That applications for early voting ballot by mail by Dallas County residents shall be mailed to: Toni Pippins Poole, Early Voting Clerk, Dallas County Elections Department; Health & Human Services Building, 2377 N. Stemmons Freeway, Suite 820, Dallas, Texas 75207. Applications for early voting ballot by mail by Collin County residents shall be mailed to: Sharon Rowe, Early Voting Clerk, Collin County Elections Administration Office, 2010 Redbud Blvd., Suite 102, McKinney, Texas 75069. Applications for early voting ballot by mail, if mailed, must be received no later than noon on October 23, 2015. Applications for early voting delivered by personal delivery shall be submitted to the Clerk's office no later than the close of business on October 16, 2015.

SECTION 8. That in accordance with Section 123.001 of the Texas Election Code, the Direct Record and Optical Scan Voting Systems approved by the Secretary of State are hereby adopted for the election on November 3, 2015.

SECTION 9. That pursuant to the election contracts, the Dallas and Collin County Elections Administrators shall serve as Election Administrators for the part of the election conducted in their respective counties. Presiding Election Judges and Alternate Presiding Election Judges appointed to serve at said polling places shall be those election officials furnished by the respective Elections Administrator from the list of proposed elections judges listed in the election contracts.

SECTION 10. That in compliance with Section 271.006 of the Texas Election Code, the Dallas and Collin County Elections Administrators are appointed as Early Voting Clerks. Other deputy early voting clerks will be appointed as needed to process early voting mail and to conduct early voting by personal appearance at the branch locations.

SECTION 11. That an Early Voting Ballot Board shall be created to process early voting results in accordance with Section 87.007 of the Texas Election Code. The Early Voting Ballot Boards shall be made up of members appointed in the manner stated in the election contracts and the Presiding Judge and Alternate Presiding Judge of the Early Voting Boards shall be the election officials listed in the election contracts.

SECTION 12. Each Charter amendment submitted must contain only one subject, and the ballot shall be prepared in a manner that the voters may vote “FOR” or “Against” any amendment or amendments without voting “FOR” or “AGAINST” all of said amendments. Each such proposed amendment, if approved by the majority of the qualified voters voting at said election, shall become a part of the Charter of the City of Richardson, Texas.

SECTION 13. The ballot propositions for the proposed amendments to the Home Rule Charter are as follows:

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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”.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.”

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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 Charter be repealed to eliminate a redundancy with Section 2.03 as amended.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 47

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

PROPOSITION NO. 48

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

PROPOSITION NO. 49

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

PROPOSITION NO. 50

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

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 54

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

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 61

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

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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."

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 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 franchisee is subject to state and federal law.

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 75

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

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 78

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

PROPOSITION NO. 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.

PROPOSITION NO. 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.

PROPOSITION NO. 81

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

PROPOSITION NO. 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.

PROPOSITION NO. 83

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

SECTION 14. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 15. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 17th day of August, 2015.

APPROVED:

MAYOR

CORRECTLY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

(PGS:8-12-15:TM 72819)

Exhibit "A"

Shown below are the proposed amendments to the City Charter of the City of Richardson, Texas. Deletions are indicated by a strikethrough (e.g. ~~aaa~~) and additions are indicated by a double underline (e.g.: aaa). The proposition stated in the accompanying ordinance to which the amendment relates is indicated in the right margin of this document.

RICHARDSON CHARTER

ARTICLE 1. - INCORPORATION AND TERRITORY

Section 1.01. - Corporate name.

All inhabitants of the City of Richardson, Dallas and Collin counties, Texas, as the boundaries and limits of said city are herein established or may hereafter be established, shall be a body politic, incorporated under, and to be known by, the name and style of the "City of Richardson," with such powers, rights and duties as herein provided.

Section 1.02. - Boundaries.

The ~~bounds and limits~~ boundaries of the City of Richardson shall be those as established and described in ordinances duly passed by the city council ~~City Council~~ of the City of Richardson in accordance with state law. The city secretary ~~City Secretary~~ shall maintain an official map of the city's boundaries ~~at all times keep a correct and complete description as required by state law with recent annexations or disannexations.~~

Propositions
20 and 83

Section 1.03. - Additional territory.

The city ~~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 ~~State~~ law. In addition ~~thereto~~, the city ~~City~~ may annex additional territory lying adjacent to the city ~~City~~ with or without the consent of the territory and the inhabitants of the territory annexed where the same is not inconsistent with ~~the State~~ 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. ~~and shall be published one (1) time in a local newspaper. Amendments reducing the area may be incorporated into the proposed ordinance without the necessity of publishing said amendments and without the necessity of republication of said ordinance as amended. The proposed ordinance shall not thereafter be finally acted upon until at least thirty (30) days have elapsed after the publication thereof; and upon the final passage of any such ordinance, the boundaries of the city shall thereafter be as~~

Propositions
21 and 83

~~fixed in such ordinance. The additional territory annexed shall be a part of the city and the property situated therein shall bear its pro rata part of the taxes levied by the city as provided by state law. The inhabitants thereof shall be entitled to all rights and privileges of all the citizens and shall be bound by the acts, ordinances and resolutions of the city.~~ **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.**

ARTICLE 2. - POWERS OF THE CITY

Section 2.01. - Specific powers.

The ~~city~~ **City** shall have all powers that now are or hereafter may be granted to municipalities by the Constitution or laws of the State of Texas, and all such powers, whether expressed or implied, shall be exercised and enforced in the manner prescribed by this ~~charter~~ **Charter**, and when not prescribed therein, in such manner as may be provided by ordinance or resolution of the ~~city council~~ **City Council** of the City of Richardson.

Proposition 83

Section 2.02. - General powers adopted.

The enumeration of particular powers in the ~~charter~~ **Charter** shall not be held or deemed to be exclusive, but in addition to the powers enumerated herein, implied thereby or appropriate to the exercise thereof, the city shall have and may exercise all other powers which, under the Constitution and laws of the State of Texas, it would be competent for the ~~charter~~ **Charter** specifically to enumerate. The City of Richardson shall have and exercise all powers conferred upon cities by what is known as the Home Rule Amendment to the Constitution of the State of Texas and the enabling Act relative thereto, and all other laws passed by the Legislature of the State of Texas relating thereto or which may hereafter be passed by said Legislature in relation to such matters.

Proposition 83

Section 2.03. – ~~Eminent Domain~~ **Power to acquire property for public purposes.**

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

Proposition 22

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. ~~The City of Richardson shall have the power to acquire by condemnation either private or public property located inside or outside of the corporate limits for the extension, improvement and enlargement of its water system, including riparian rights, water supply reservoirs, standpipes, water sheds, dams, the laying, building, maintenance and construction of water mains and the laying, erection, establishment or maintenance of any necessary appurtenances or facilities which will furnish to the inhabitants of the city an abundant supply of wholesome water; for sewerage plants and systems; rights-of-way for water and sewer lines; parks, playgrounds and schools, hospitals, fire stations, police stations, burial grounds and cemeteries, incinerators or other garbage disposal plants, streets, boulevards and alleys or other public ways, city jails, city halls and other municipal buildings or any right-of-way needed in connection with any property used for any purpose hereinabove named; for the straightening or improving of the channel of any stream, branch or drain and for any other municipal purpose. The procedure to be followed in any condemnation proceeding hereunder and authorized herein shall be in accordance with the provisions of the state law with reference to eminent domain. The provisions of the Texas Property Code shall apply to such proceedings, or such proceedings may be under any other state law now in existence or that hereafter may be passed governing and relating to the condemnation of land for public purposes by a city.~~

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.

Proposition 23

ARTICLE 3. - CITY COUNCIL

Section 3.01. - Number, election, terms.

- (a) Except as otherwise provided by this ~~charter~~ ~~Charter of the City of Richardson~~, all powers conferred on the ~~City~~ city shall be exercised by a ~~City Council~~ city council consisting of seven (7) members comprised of a mavor and six (6) council~~to be composed of six (6) members and a Mayor, nominated and elected in the manner hereafter provided.~~ The members of the ~~city council~~ ~~City Council and the Mayor~~ shall each be elected by the qualified voters of the entire City to numbered places in the manner provided in this charter,~~and they shall each be elected~~ 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 mavor 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 mavor, unless the context clearly indicates otherwise.
- (b) No person elected or appointed to the city council at the May 2009 city officer election or thereafter, shall serve as a member of the city council in any place for more than six (6) consecutive terms until at least one full term shall have elapsed from the expiration of such person's last term of office.
- (c) For purposes of this section and in computing term limits:
- (i) A member of the council, who resigns or vacates office prior to the expiration of the term for which such person was elected or appointed, shall be deemed to have served a full term.
 - (ii) A person appointed or elected to fill a vacancy on the council for an unexpired term shall be deemed to have served a full term if fifty percent (50%) or more of such term is remaining at the time of such appointment or election.

Propositions 1 and 83

Section 3.02. - Mayor.

The ~~Mayor~~ 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}~~ shall be known as the official head of the government. ~~The mayor serve for a period of two (2) years.~~

Propositions
2 and 83

Section 3.03. - Mayor pro tem.

The city council shall elect one (1) of its members as mayor pro tem, who shall temporarily perform the duties of mayor in case of the absence or inability of the mayor to perform the duties of office, and who shall for such time be vested with all the powers belonging to the mayor. In such event, the mayor pro tem does not assume the office of the mayor and no vacancy is created in the office of the mayor or mayor pro tem. In case of the absence of both the mayor and the mayor pro tem, the remaining ~~councilmembers~~ council members shall select one (1) of their members to act in the place of the mayor. The mayor pro tem shall be selected after each ~~biennial~~ election and shall serve for a period of two (2) years, subject to removal as mayor pro tem at any time by a vote of two-thirds of the total membership of the council. ~~Upon a vacancy in the Mayor's position, the Mayor Pro Tem shall fill the unexpired term. The Mayor Pro Tem's council position then becomes vacant.~~

Propositions
3 and 83

Section 3.04. - Compensation.

Each member of the ~~City Council~~ city council shall receive as compensation the sum of ~~fifty one hundred~~ dollars ~~(\$50.00)~~ (\$100.00) per diem for each ~~regular City Council~~ city council meeting attended by such member, said compensation in no event to exceed the sum of ~~two five~~ thousand ~~six two~~ hundred dollars ~~(\$2,600.00)~~ (\$5,200.00) per annum. In addition to the above, all necessary expenses incurred by members of the city council ~~City Council~~ in the performance of their official duties shall be paid by the city ~~City~~.

Propositions
24 and 83

Section 3.05. - No council interference.

Neither the council ~~Council~~ nor any of its committees or members shall dictate or attempt to dictate the appointment of any person to, or removal from, office or employment by the ~~City Manager~~ city manager or any of the ~~Manager's~~ manager's subordinates, or in any manner interfere in the appointment of officers and employees in the departments of administrative service vested in the city manager ~~City Manager~~ by this ~~C~~harter. Except for the purpose of inquiry, the ~~Council~~ council and its members shall deal with that part of the administrative service for which the ~~City Manager~~ city manager is responsible solely through such city

Proposition 83

~~manager~~ **Manager**, and neither the ~~Council~~ **council** nor any member thereof shall give orders to any of the subordinates of the ~~City Manager~~ **city manager** in said departments, either publicly or privately.

Section 3.06. - Council misconduct.

Willful violation of any provision of this ~~Charter~~ **charter** by any member of the ~~Council~~ **council** shall constitute official misconduct, and shall authorize the ~~Council~~ **council**, by a vote of two-thirds of the total membership, to expel such offending member from the ~~Council~~ **council**, if found guilty after a public hearing, and thereby create a vacancy in the place held by such member.

Proposition 83

Section 3.07. - Councilmember 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.

Proposition 3

(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.

Proposition 4

~~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. Where more than two (2) vacancies on the shall develop at any one time, then a special election shall be called to elect their successors to fill their unexpired terms; provided, that if such vacancies shall occur within sixty (60) days before a general city council election, then no special election to fill such vacancies shall be called;[,] but in that event,[,] the remaining members of the Council shall, by a majority vote, fill such vacancies; and the persons~~

~~so selected shall serve only until the next general city council election, when such vacancies shall be filled, as in the case of an original election.~~

Section 3.08. – Meetings ~~Regular meetings.~~

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

Propositions
25 and 83

Section 3.09. - Special meetings.

Special meetings of the city council shall be called by the ~~City Secretary~~ city secretary or city manager upon the written request of the ~~Mayor~~ mayor, the ~~City Manager~~ city manager or three (3) council members ~~of the Council~~. Any such notice shall state the subject to be considered at the special meeting ~~and no other subject shall be considered.~~

Propositions
48 and 83

Section 3.10. - Open meetings.

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

Propositions
5 and 83

Section 3.11. - Quorum.

A quorum shall consist of five (5) members of the council, except where the number of members of the council ~~councilmembers~~, 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 ~~councilmembers~~; ~~but a less number than a quorum may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.~~

Proposition 6

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 ~~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

Propositions
7 and 83

involving the consideration of ~~the~~such member's own official conduct, or where such member's financial interests are involved, unless otherwise required by law. The ~~council~~ Council shall determine its own rules of procedure, may punish ~~its~~ members of the council for misconduct, and may compel the attendance of absent members of the council.

Section 3.13. - Summoning witnesses.

The ~~city council~~ City Council shall have power to summon and compel the attendance of witnesses and the production of books and papers before it whenever it may be necessary for the more effective discharge of its duties, and shall have the power to punish for contempt before it with the same fines and penalties as the County Judge may punish for contempt before the County Court. All processes shall be signed by the ~~mavor~~ Mayor, attested by the ~~city secretary~~ City Secretary and shall be served by the ~~chief of police~~ Chief of Police or any police officer of the said ~~city~~ City.

Proposition 83

Section 3.14. - Administering oaths.

The ~~mavor~~ Mayor, ~~city secretary~~ City Secretary, ~~municipal judge~~ City Judge, ~~city attorney~~ City Attorney, or any member of the ~~city council~~ City Council shall have authority to administer oaths in any matter pertaining to the municipal affairs.

Propositions 49 and 83

Section 3.15. - City Secretary.

The ~~council~~ Council shall appoint a ~~city secretary~~ City Secretary and prescribe the duties and compensation of said officer. The ~~city secretary~~ City Secretary shall hold office at the pleasure of the ~~council~~ Council.

Proposition 83

ARTICLE 4. - NOMINATION AND ELECTION OF CITY COUNCIL MEMBERS

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. ~~All boundaries described below are the centerlines of designated streets:~~

Proposition 26

- ~~• District No. 1 lies east of US-75. The southern boundary is the southern city limit; the eastern boundary is the eastern city limit; the northern boundary starting at the eastern limit of the city is Belt Line Road, west to Plano Road, north on Plano Road to the extension of Lookout Drive, and west on the extension of~~

~~Lookout Drive to US 75, and includes all of the city lying within the described boundaries.~~

- ~~• District No. 2 lies east of US 75. The southern boundary is the northern boundary of District No. 1, the eastern boundary is the eastern city limit, and the northern boundary is the northern city limit.~~
- ~~• District No. 3 lies west of US 75. The southern boundary is the southern city limit. The western boundary is the western city limit, and the northern boundary starting at US 75 is Arapaho Road, west to the west fork of Cottonwood Creek, north on Cottonwood Creek to Campbell Road, and west on Campbell Road to the western city limit.~~
- ~~• District No. 4 lies west of US 75. The southern boundary is the northern boundary of District No. 3, and the western boundary is the western city limit, and the northern boundary is the northern city limit.~~

Section 4.02. - Designated places.

The places of the several council members shall be designated as Places No. 1, 2, 3, 4, 5 and 6. ~~Councilmembers~~ **Council members** in Places 1, 2, 3 and 4, shall reside in their correspondingly numbered districts and remain in that district for the period of time that they serve in that place. The ~~mavor~~ **Mayor** ~~(Place 7)~~ and **council members** ~~Councilmembers~~ in Places 5 and 6, may reside in any district. The council place for the ~~Mayor~~ **mavor** shall be designated as Place 7. All six (6) council members and the ~~mavor~~ **Mayor** shall be elected by all of the qualified voters of the city.

Proposition 83

Section 4.03. - District revisions.

The city council shall appoint a commission, starting in January 1992 and every ten (10) years thereafter, to review the district boundaries in order to maintain a substantial equality of population in each district. They shall advise the city council, who shall within six (6) months of appointment fix the boundaries by ordinance, if necessary. The commission shall be made up of voters from all the districts of the city.

Section 4.04. - Qualifications.

Each member of the city council shall, in addition to the other qualifications prescribed by law, ~~beat on~~ the date of the ~~member's~~ election a **qualified** ~~registered~~ voter, a resident of the city for one (1) year ~~previous~~ **prior** to the date of election, **and at least** twenty-one (21) years of age, ~~and shall not be in arrears in the payment of any taxes or other liabilities due the city.~~

Proposition 50

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** ~~the second quarter on a date~~ prescribed by state law. There shall be elected at that election six (6) city ~~councilmembers~~ **council members** and the ~~mayor~~ **Mayor**.

Propositions
51 and 83

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 position of Mayor and members of~~ 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 position of councilmember, and~~ **The petition must comply in all respects with the requirements of this charter and state law.** ~~must be signed by the number of qualified voters as required by state law and filed with the city secretary not less than the number of days prescribed by state law prior to the election. Signers of such petitions shall write their residence address, county of registration, date signed, printed name and otherwise as prescribed by 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.

Proposition 27

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 ~~The city secretary shall make up the official ballot by place numbers from the names presented. The order in which the names of the candidates for each place shall appear on the ballot shall be~~ 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.

Proposition 28

Section 4.08. - Election by majority.

The candidate for ~~mayor~~ ~~Mayor~~ and council member receiving a majority of all votes cast as provided in the ~~Charter~~ charter hereof for the position of mayor place 7 ~~Mayor~~ and council member places 1-6 under the place number which that person's name appears shall be declared the duly elected ~~mayor~~ ~~Mayor~~ and ~~councilmember~~ council member to hold such position. If no candidate for ~~mayor~~ ~~Mayor~~ or a council member a place 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.

Propositions
29 and 83

Section 4.09. -~~Runoff election.~~

- a. ~~Candidates. If no candidate for Mayor or a place on the city council receives a majority of votes cast for that place, the mayor of the city shall, according to state law, issue a call for a second election to be held on the day as authorized by state law. The two (2) candidates receiving the highest number of votes for a given place shall gain a place on the runoff election. Tie candidates in the general election shall be treated as specified by state law.~~
- b. ~~Ballot. The official ballot to be used at the runoff election shall be prepared by the city secretary. The order on the ballot shall be determined by a drawing.~~
- c. ~~Withdrawal. If either candidate in a runoff shall withdraw, that candidate shall make a request to the city secretary as specified by state law. If a runoff candidate withdraws, the remaining candidate is considered to be elected and the runoff election for that place is not held.~~

Proposition 29

Section 4.10. -~~Tie election.~~

~~In the event of a tie in the vote for the two (2) leading candidates for a place on the city council at the first election, a runoff election shall be held as provided for in the Charter. If a tie occurs between the two (2)~~

Proposition 29

~~candidates for a place on the city council in the runoff election, they shall cast lots to determine who shall be elected to office.~~

ARTICLE 5. - RECALL OF MAYOR AND CITY COUNCIL MEMBERS

Section 5.01. - Recall of mavor ~~Mayor~~ and city council members ~~councilmembers~~.

Proposition 83

The mavor ~~Mayor~~ and any ~~councilmember~~ council member of this city may be recalled and removed from office by the electors qualified to vote.

Proposition 83

Section 5.02. - Procedure.

a. Before the question of recall of the mavor or a council member shall be submitted to the qualified voters of the city, a ~~A~~ petition addressed to the city council of the City of Richardson demanding the recall of the mavor ~~Mayor~~ or a council member shall first be filed with the city secretary, ~~provided that such~~ which petition shall name the mavor ~~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 mavor ~~Mayor~~ and each council member whose removal is sought.

Propositions 30 and 83

b. The petition shall be signed by qualified voters equal in number to at least ten (10) percent of the total ~~entire~~ number of qualified voters on the date of the last regular municipal election of ~~persons entitled to vote in~~ the city, ~~as appears on the county clerk's rolls.~~

Proposition 31

c. 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.

d. 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. ~~The signatures to the petition need not all be appended to one (1) paper.~~ 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 ~~must~~ comply with any other applicable requirements prescribed by state law. One (1) of the signers to

Proposition 30

each of such papers shall make oath before an ~~official-officer~~ 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.

e. Within ten (10) days ~~from~~ **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.

Proposition 30

f. 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 ~~be returned to the person filing the same, without prejudice to filing of a completely new petition based upon new and different grounds, but not upon the same grounds~~ **not be further amended.**

Proposition 30

g. 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,** ~~without delay~~ 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~~ ~~Mayor~~ or **council member** ~~councilmember~~ fails to resign, shall order and set an election to be held **on the earliest date allowed by law** ~~within forty five (45) to sixty (60) days from following the submission of the certified petition~~ to the city council. ~~If an election is to be held within the city for any other purpose within forty five (45) to sixty (60) days of submission to the city council, the election shall be held on the same day. If state law authorizes a fixed date which falls within the forty five (45) to sixty (60) days of submission to the city council, the election shall be held on that day.~~

Propositions 30 and 83

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

Propositions 30 and 83

Section 5.03. - Appeal.

Should the city council fail or refuse to order an election as herein provided for the recall of the ~~mayor~~ ~~Mayor~~ or a **council member** ~~councilmember~~, when all the requirements for such election have been

Proposition 83

complied with by the petitioning citizens, in conformity with this article of the ~~charter~~ **Charter**, then it shall be the duty of any one of the district judges of Dallas County, Texas, upon proper application being made therefore, to order such election and to enforce the carrying into effect of the provisions of this article of the ~~charter~~ **Charter**.

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.

Proposition 52

ARTICLE 6. CITY MANAGER

Section 6.01. Appointment.

The ~~council~~ **Council** shall appoint a ~~city manager~~ **City Manager**, who shall be the chief administrative and executive officer of the ~~city~~ **City**. The city manager shall be accountable to the council for the proper administration of the city. The ~~city manager~~ **City Manager** may be appointed without a definite fixed time ~~or the city council may choose to enter into a contract with the city manager for a period not to exceed two (2) years. In any event, the~~ **The city manager** ~~Manager~~ shall be removable at the will and pleasure of the ~~council~~ **Council** by a vote of the majority of the entire ~~council~~ **Council**. The ~~city manager~~ **City Manager** shall receive such compensation as may be fixed by the ~~council~~ **Council**.

Propositions 8 and 83

Section 6.02. Qualifications.

The ~~city manager~~ **Manager** shall be chosen by the ~~council~~ **Council** solely on the basis of executive and administrative training, experience and ability, and without regard to political consideration. The ~~city manager~~ **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** ~~during the tenure of office shall reside in the City of Richardson~~. No member of the ~~council~~ **Council** shall, during the time for which elected, and one (1) year thereafter, be chosen as ~~city manager~~ **City Manager**.

Propositions 53 and 83

Section 6.03. Absence or disability.

In case of the absence or disability of the city manager ~~City Manager~~, the council ~~Council~~ may designate some qualified person to perform the duties of the office during such absence or disability.

Proposition 83

Section 6.04. Removal.

If the city manager ~~City Manager~~ is removed by a vote of the majority of the entire council ~~Council~~ after serving three (3) months, unless otherwise set out in any contract, the city manager ~~Manager~~ may demand written charges and the right to be heard thereon at a public meeting of the council ~~Council~~ prior to the date on which the city manager's ~~Manager's~~ final removal shall take effect, but pending such hearing the council ~~Council~~ may suspend the city manager ~~Manager~~ from office. The action of the council ~~Council~~ in suspending or removing the city manager ~~City Manager~~ shall be final, it being the intention of this charter ~~Charter~~ to vest all authority and fix all responsibility for such suspension or removal in the council ~~Council~~.

Proposition 83

Section 6.05. Powers and duties.

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

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32 and 83

- (a) To make certain that all laws and ordinances are enforced.
- (b) To appoint and remove all ~~heads~~ directors of departments and all subordinate officers and employees of the city ~~City~~ except as otherwise provided in this charter ~~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 ~~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.**
- (c) To exercise control over all departments and subdivisions thereof created by the charter ~~Charter~~, or that may hereafter be created by the council ~~Council~~.
- (d) To make certain that all terms and conditions imposed in favor of the city ~~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 ~~City Attorney~~, whose duty it shall be to take such steps as may be necessary to enforce the same.

- (e) To attend all meetings of the council ~~Council~~, with the right to take part in the discussion, but having no vote. The city manager ~~Manager~~ shall be entitled to notice of all special meetings.
- (f) To recommend to the council ~~Council~~ for adoption such measures as the city manager ~~Manager~~ may deem necessary or expedient.
- (g) To keep the council ~~Council~~ at all times fully advised as to the financial condition and needs of the city ~~City~~.
- (h) To prepare or cause to be prepared and submitted to the council ~~Council~~ the annual budget.
- (i) To make certain that the city ~~City~~ operates within its budget.
- (j) To execute deeds and to make and execute all contracts on behalf of the city ~~City~~ when authorized by ordinance, resolution or motion of the city council ~~City Council~~.
- (k) To perform such other duties as may be prescribed by this charter ~~Charter~~, or by ordinance or resolution of the city council ~~City Council~~.

Section 6.06. ~~Responsible to the council.~~

~~The city manager shall be responsible to the council for the proper administration of all the city affairs placed in the manager's hands, and shall to that end appoint and employ all directors of departments and other employees not otherwise provided for in this Charter or by ordinance. Appointments made by the manager shall be on the basis of executive and administrative experience and ability and of training, qualifications and efficiency of such appointees in the work which they are to administer.~~

Proposition 32

Section 6.07. Bond of city manager ~~City Manager~~.

The city council ~~City Council~~ shall require the city manager ~~City Manager~~, before entering upon the duties of the office, to execute a good and sufficient bond with a surety company doing business in the State of Texas, and approved by the city council ~~City Council~~, as surety thereon, said bond to be in such amount as the council ~~Council~~ may demand, payable to the City of Richardson, and conditioned for the faithful performance of the duties of office; premium of such bond to be paid by the city ~~City~~.

Proposition 83

Section 6.08. Investigations.

The council ~~Council~~, the city manager ~~City Manager~~ or any person or committee authorized by either or both of them shall have power to inquire into the conduct of any department or office of the city ~~City~~, to make investigations as to city ~~City~~ affairs, and for that purpose may

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subpoena witnesses, administer oaths and compel the production of books, papers and other evidence material to said inquiry. The ~~council~~ ~~Council~~ shall establish by ordinance penalties for contempt in refusing to obey any such subpoenas or failure to produce books, papers and other evidence, and shall have the power to punish any such contempt in the manner provided by ordinance.

ARTICLE 7. CITY ATTORNEY—MUNICIPAL COURT

Section 7.01. City ~~attorney~~ ~~Attorney~~.

The ~~city council~~ ~~City Council~~ shall appoint a competent attorney licensed and practicing law in the State of Texas who shall be the ~~city attorney~~ ~~City Attorney~~. The ~~city attorney~~ ~~City Attorney~~ shall receive for services such compensation as may be fixed and approved by the ~~city council~~ ~~City Council~~, and shall hold office at the pleasure of the ~~city council~~ ~~City Council~~. The ~~city attorney~~ ~~City Attorney~~, or other duly licensed practicing attorneys in the United States selected by the ~~city council~~ ~~City Council~~, shall represent the ~~city~~ ~~City~~ in all litigation and shall serve as the legal advisor of and attorney and counsel for the ~~city~~ ~~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.

Propositions
33 and 83

Section 7.02. Municipal court.

There shall be established and maintained by the ~~city council~~ ~~City Council~~ a court designated as a municipal court, with all the powers and duties as are now or hereafter may be prescribed by the laws of the State of Texas relating to municipal courts.

Proposition 83

Section 7.03. Municipal court judge.

The judge of the municipal court, while in office, shall be a bona fide resident of the City of Richardson, a duly licensed, practicing attorney in the State of Texas, and shall be appointed by the ~~city council~~ ~~City Council~~ for a term of two (2) years, subject to removal by the ~~city council~~ ~~City Council~~ by a vote of two-thirds of the total membership of the ~~city council~~ ~~City Council~~.

Proposition 83

Section 7.04. Alternate municipal court judge.

The city council ~~City Council~~ may appoint an alternate judge or judges of the municipal court, who need not be a resident of the City of Richardson, but must be a duly licensed, practicing attorney in the State of Texas, who shall be appointed by the city council ~~City Council~~ for a term of two (2) years, subject to removal by the city council ~~City Council~~ by a vote of two-thirds of the total membership of the city council ~~City Council~~.

Proposition 83

Section 7.05. ~~Municipal court prosecutor.~~

~~The prosecutor of the municipal court, while in office, shall be a bona fide resident of the City of Richardson, a duly licensed, practicing attorney in the State of Texas, and shall be appointed by the city council, subject to removal by the city council by a vote of two-thirds of the total membership of the city council.~~

Proposition 33

Section 7.06. ~~Alternate municipal court prosecutor.~~

~~The city council may appoint an alternate prosecutor of the municipal court, who need not be a resident of the City of Richardson, but must be a duly licensed, practicing attorney in the State of Texas, subject to removal by the city council by a vote of two-thirds of the total membership of the city council.~~

Proposition 33

Section 7.07. Compensation.

The judge, alternate judge, prosecutor and alternate prosecutor shall receive compensation as is approved by the city council ~~City Council~~.

Proposition 83

Section 7.08. Municipal court clerks.

The city manager ~~City Manager~~ shall appoint the clerk ~~Clerk~~ of the municipal court ~~Municipal Court~~ and the deputy clerks ~~Deputy Clerks~~, and said clerks shall each qualify as a notary public ~~Notary Public~~ and shall have the power to administer oaths and affidavits, make certificates, affix the seal of the court thereto, and generally do and perform any and all acts usually necessary by the clerk of courts in issuing process of said courts and conducting the business thereof.

Proposition 83

Section 7.09. ~~General laws—Act cumulative of.~~

~~The foregoing sections are hereby declared to be cumulative of any laws that may now or thereafter be passed by the Legislature regulating or increasing the jurisdiction of municipal courts in cities of the grade and size of the City of Richardson.~~

Proposition 54

ARTICLE 8. ADMINISTRATIVE DEPARTMENTS

Section 8.01. Creation and control.

The ~~council Council~~ shall have power by ordinance to establish departments and offices. The ~~council Council~~ may discontinue any department or office established by ordinance and may prescribe, combine, distribute or abolish the functions and duties of such departments and offices. No administrative department or office created by ordinance shall be established, discontinued or combined until the recommendation of the ~~city manager City Manager~~ thereon shall have first been heard by the ~~council Council~~. Such departments and offices as may be hereby created shall be placed under the control of the ~~city manager City Manager~~.

Proposition 83

Section 8.02. Administrative ~~code Code~~.

The ~~city manager City Manager~~ shall prepare and submit to the ~~Council~~ for its approval and adoption an ~~administrative code Administrative Code~~ and such amendments, from time to time, as are necessary to maintain the ~~administrative code Administrative Code~~ current with regard to the organization, functional operation and such other definitions and delineations of the organization of the ~~city City~~ as are required. The ~~administrative code Administrative Code~~ shall include and provide for departments and offices as required by this ~~charter Charter~~ and other departments and offices created by ordinance. The ~~administrative code Administrative Code~~ shall provide for a director, or other designated officer for each department, the duties and responsibilities of such director or officer and such other matters as shall be necessary for the proper control and management of each department or office of the ~~city City~~. Each director or officer so designated shall be appointed by the ~~city manager City Manager~~ and shall serve until removed by the ~~city manager City Manager~~. The ~~administrative code Administrative Code~~ shall define the organization structure and reporting responsibility of each department or office, ~~and~~ whether to the ~~city manager City Manager~~, ~~deputy Deputy~~ or ~~assistant Assistant~~ ~~city manager City Manager~~ or other director or officer of the ~~city City~~ as set out in said ~~administrative code Administrative Code~~.

Proposition 83

Section 8.03. Responsibility of department directors.

The directors of departments appointed by the ~~city manager City Manager~~ shall be immediately responsible to the ~~city manager City Manager~~ for the administration of their departments, and their advice in writing may be required by the ~~city manager City Manager~~ on all matters affecting their departments. They shall prepare departmental estimates,

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which shall be open to public inspection, and they shall make all their reports and recommendations concerning their departments at stated intervals, or when requested by the city manager ~~City Manager~~.

ARTICLE 9. - BOARDS AND COMMISSIONS

Section 9.01. - Creation.

There are hereby created and placed under the control and direction of the city council ~~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.

Proposition 83

The council ~~Council~~ shall have power by ordinance to create, establish and abolish such other boards and commissions as the council ~~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.

Proposition 55

Section 9.02. - Appointments.

The council ~~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 ~~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 ~~City~~.

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Section 9.03. - Removal and vacancies.

Except as otherwise provided by state law or ordinance, the ~~The~~ council ~~Council~~ may, upon the affirmative vote of the majority of the full membership of the council ~~Council~~, remove members of any board or

Propositions 57 and 83

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 ~~Council~~ appointment for the unexpired term.

Section 9.04. - Meetings.

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

Proposition 9

Section 9.05. - Quorum.

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

Proposition 58

Section 9.06. - Voting.

No member of a board or commission shall be excused from voting ~~except on matters involving the consideration of the member's own official conduct or where such member's financial interests are involved,~~ unless otherwise required by law.

Proposition 59

Section 9.07. – City plan commission ~~Plan Commission~~.

(a) *Purpose.* The city plan commission ~~City Plan Commission~~ shall exercise all powers granted and shall make recommendations to the city council ~~City Council~~, and exercise the powers granted thereto~~[,]~~ on ~~all~~ matters affecting the ~~physical development of the city, and including a~~ comprehensive plan or plans ~~and implementation,~~ zoning, zoning regulations ~~and modifications~~ and changes thereto. ~~on all matters of public improvements, civic improvements, city planning, opening, widening and changing of streets, routing of public utilities, controlling and regulating traffic upon the public streets and ways of the City of Richardson, and such other matters relating to city improvements as the city plan commission and the city council may deem beneficial to the City of Richardson.~~

Propositions 34 and 83

(b) *Powers.* The city plan commission ~~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 ~~Charter~~ and by ordinance and resolution of the city council ~~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.

~~(1) Planning. The city plan commission shall have the power to pass upon all plans which may be considered by the city council relating to public improvements, and it shall be the duty of the city council, as far as practicable, to submit plans governing public improvements involved under the terms of this Charter to the city plan commission to obtain its advice with reference thereto. The city council may thereafter adopt the methods which may be deemed most advisable by the city council; provided, however, that any public improvement undertaken hereunder, or otherwise, by the city council shall never be deemed invalid because the city plan commission has not been consulted or because the city council has failed to submit its plans thereon for consideration by said city plan commission.~~

~~(2) Zoning. For the purpose of promoting the public health, safety, order, convenience, prosperity and general welfare, the city council of Richardson, acting through the city plan commission and the city council, or the city plan commission acting under its direction, shall have the power to divide the City of Richardson into zones or districts for the purpose of regulating and controlling the size, type, height, bulk and use of buildings within such zones or districts and may exercise any other powers necessary fully to effectuate and accomplish the purpose of the powers herein conferred. The further power is conferred upon the city council to establish building lines within such zones or districts or to establish building lines in residence districts or in other portions of the city, as may be deemed advisable by the said council, and to make different regulations for different districts, as may be deemed advisable.~~

~~(c) Membership and Terms. The commission shall consist of City Council shall appoint seven (7) members and two (2) alternate members who shall be appointed by the city council for two (2) year terms; each of whom shall be qualified voters of the City of Richardson, and~~

Propositions 34 and 83

shall have been a resident of the State of Texas for one (1) year and a resident of the City of Richardson for six (6) months, to constitute the City Plan Commission.

The members of the City Plan Commission shall serve for two (2) years and until their respective successors shall have been appointed and qualified. **At least one (1) member shall reside in each of** ~~The city council shall appoint four (4) members who represent Districts 1 [through] 4 of the city City, plus one (1) alternate member, in August of odd-numbered years, and shall appoint three (3) members who shall represent the three (3) at-large districts, plus one (1) alternate member, in August of even-numbered years.~~ An alternate member shall, at the request of the **chairperson** ~~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** ~~Chairperson~~ and **vice-chairperson** ~~Vice-Chairperson~~ shall be appointed by the **city council** ~~City Council~~. Said commissioners shall serve without pay and shall adopt such rules and regulations as shall best govern their proceedings, deliberations and actions.

Section 9.08. - Parks and recreation commission ~~R~~recreation.

(a) *Purpose.* The **city parks and recreation commission** ~~City Parks and Recreation Commission~~ shall act in an advisory capacity to the **city council** ~~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** ~~Commission~~ shall consist of nine (9) members who shall be appointed for two (2) year terms, ~~with five (5) members appointed to serve beginning December 1 in odd-numbered years, and four (4) members appointed to serve beginning December 1 in even-numbered years.~~ At least one (1) member shall **reside** ~~live~~ in each of Districts 1 [through] 4 of the ~~C~~city.

(c) *Procedures.* A **chairperson** ~~Chairperson~~ and **vice-chairperson** ~~Vice-Chairperson~~ shall be appointed by the **city council** ~~City Council~~. Meetings shall be held monthly or as required. Guidelines, regulations and responsibilities shall be prescribed by ordinance.

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Section 9.09. – Library board ~~B~~oard.

(a) *Purpose.* The **city library board** ~~City Library Board~~ shall act in an advisory capacity to the **city council** ~~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.

Propositions
36 and 83

(b) *Membership and terms.* The ~~board~~ **Board** shall consist of seven (7) members who shall be appointed for two (2) year terms, ~~with four (4) members appointed to serve beginning January 1 in even-numbered years, and three (3) members appointed to serve beginning January 1 in odd-numbered years.~~ At least one (1) member shall **reside** ~~live~~ in each of Districts 1 ~~[through]~~ 4 of the ~~C~~city.

(c) *Procedures.* A ~~chairperson~~ **Chairperson** and ~~vice-chairperson~~ **Vice Chairperson** shall be appointed by the ~~city council~~ **City Council**. Meetings shall be held monthly or as required. Guidelines, regulations and responsibilities shall be prescribed by ordinance.

Section 9.10. - Zoning ~~board of adjustment~~ **Board of Adjustment.**

(a) *Purpose.* The ~~zoning board of adjustment~~ **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~~ **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 this section or~~ of any **zoning** ordinance ~~adopted pursuant thereto.~~

(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** ~~upon which such board is required to do so pass~~ under such ordinance.

(3) To authorize upon appeal in specific cases such variance from the terms of **a zoning** ~~the~~ ordinance **if the variance is not as will not be** 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~~ **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~~ **officer** from whom the appeal is taken.

The concurring vote of **seventy-five percent (75%) of the** ~~four (4)~~ members of the ~~board~~ **Board** shall be necessary to reverse any order,

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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~~ ~~Board of Adjustment~~, or any taxpayer, or any officer, department, board or bureau of the municipality, may present to the District Court ~~of Dallas County~~ a petition, ~~and~~ 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~~ ~~Board~~.

(c) *Membership and terms.* The ~~board~~ ~~Board~~ shall consist of at least five (5) regular members and two (2) alternate members, who shall be appointed for two (2) year terms, ~~with three (3) members plus one (1) alternate appointed to serve beginning April 1 in even numbered years, and two (2) members plus one (1) alternate appointed to serve beginning April 1 in odd numbered years.~~ At least one (1) member shall reside live in each of Districts 1 ~~through~~ 4 of the ~~city~~ ~~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.

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(d) *Procedures.* A ~~chairperson~~ ~~Chairperson~~ and ~~vice-chairperson~~ ~~Vice-Chairperson~~ shall be appointed by the ~~city council~~ ~~City Council~~. Meetings shall be held monthly or as required. All matters heard by the ~~board of adjustment~~ ~~Board of Adjustment~~ shall be heard by the minimum of seventy-five percent (75%) of the ~~four (4)~~ members of the board.

The ~~board~~ ~~Board~~ shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this section. Meetings of the ~~board~~ ~~Board~~ shall be held at the call of the ~~chairperson~~ ~~Chairperson~~ and at such other times as the ~~board~~ ~~Board~~ may determine. Such ~~chairperson~~ ~~Chairperson~~, or in ~~his~~ ~~the~~ absence of the ~~acting chairperson~~ ~~Acting Chairperson~~, may administer oaths and compel the attendance of witnesses. ~~All meetings of the board shall be open to the public.~~ The ~~board~~ ~~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~~ ~~Board~~ and shall be a public record.

Appeals to the **board of adjustment** ~~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** ~~officer~~. Such appeal shall be taken within a reasonable time, as provided by the rules of the **board** ~~Board~~, by filing with the **administrative official** ~~officer~~ from whom the appeal is taken and with the **board of adjustment** ~~Board of Adjustment~~ a notice of appeal specifying the grounds thereof. The **administrative official** ~~officer~~ from whom the appeal is taken shall forthwith transmit to the **board** ~~Board~~ all the papers constituting the record upon which the action appealed from was taken.

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Except as otherwise provided by state law, an ~~An~~ appeal stays all proceedings in furtherance of the action appealed from, unless the **administrative official** ~~officer~~ from whom the appeal is taken certifies to the **board of adjustment** ~~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. ~~In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by the District Court of Dallas County on application on notice to the officer from whom the appeal is taken and on due cause shown.~~

The **board of adjustment** ~~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.

Section 9.11. – Civil service board ~~Service Board~~.

(a) *Purpose.* The primary purpose of the **civil service board** ~~Civil Service Board~~ is to oversee the **civil service system** ~~Civil Service System~~ of the City of Richardson.

Propositions
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(b) *Powers.* The **civil service board** ~~Civil Service Board~~, subject to the approval of the **city council** ~~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** ~~make investigation concerning~~ the enforcement ~~and effect~~ of the civil service sections of this **charter** ~~Charter~~ and of the rules adopted under the powers herein granted.

Propositions
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(c) *Membership and terms.* The civil service board ~~City council~~ shall ~~appoint a Civil Service Board, composed~~ consist of five (5) citizens members who shall be appointed ~~reside in the City of Richardson,~~ for two (2) year terms. ~~and until their successors have been appointed and qualified. Three (3) members shall be appointed in August of odd-numbered years, and two (2) members shall be appointed in August of even-numbered years. At least one (1) member shall live in each of Districts 1 [through] 4 of the city.~~

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(d) *Procedures.* The city council ~~City Council~~ shall appoint a chairperson ~~Chairperson~~ and a vice-chairperson ~~Vice-Chairperson~~. The board ~~Board~~ may appoint such other officers ~~and subordinates~~ 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 ~~Board~~ for the conduct of business. The board ~~Board~~ shall meet monthly, or as needed. ~~The civil service board shall make an annual report to the city council at the end of each fiscal year, giving a complete itemized statement of all expenditures paid or incurred by it, and containing such recommendations for improving the efficiency of the civil service as it may deem advisable. Reference is made to the following article for further discussion regarding civil service.~~

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Section 9.12. - Civil service appeals board ~~Civil Service Appeals Board.~~

(a) *Purpose.* The civil service appeals board ~~Civil Service Appeals Board~~ is hereby created for the purpose of hearing and determining any charges made against any ~~officer or~~ employee of the city ~~City~~ in the classified service.

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(b) *Powers.* The civil service appeals board ~~Civil Service Appeals Board~~ shall have final jurisdiction to hear and decide all appeals made to it by any suspended, reduced, demoted or discharged employee in the classified service, and the judgment or decision of a majority of the members of the appeals board ~~Appeals Board~~ at a hearing shall be final. Any aggrieved employee who desires to appeal to the appeals board ~~Appeals Board~~ must do so promptly and within ten (10) days from the date that the aggrieved employee received notification of the suspension, demotion, reduction or dismissal action by giving written notice to the civil service appeals board of appeals ~~Civil Service Appeals Board of Appeals~~. The civil service board ~~Civil Service Board~~ shall set a hearing date within twenty (20) days after receipt of the notice of appeal, and an appeals board ~~Appeals Board~~ shall be convened to hear the appeal. The aggrieved employee may be represented by counsel and shall have the right to an open hearing and to compel the attendance of witnesses to testify ~~on~~ in behalf of the aggrieved employee. The appeal to the appeals board ~~Appeals Board~~

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shall not suspend the execution of the order of suspension, reduction, demotion or discharge pending final decision of the **appeals board** ~~Appeals Board~~. The **appeals board** ~~Appeals Board~~ may either sustain or reverse the action taken against the ~~officer or~~ employee, or may modify or amend the action as it may deem justified, appropriate and equitable in light of all the facts and circumstances of the particular case.

(c) *Membership.* The **civil service appeals board** ~~Civil Service Appeals Board~~ shall **consist of at least three (3)** ~~be constituted by members of the civil service board Civil Service Board or any three (3) of its members.~~

Propositions
40 and 83

(d) *Minimum standard.* The **civil service board** ~~Civil Service Board~~ shall fix a minimum standard of conduct and efficiency for each grade in the service, and whenever it shall appear from the reports of efficiency made to the said **board** ~~Board~~ that the conduct and efficiency of any employee has fallen below this minimum, that employee may be called before the **board** ~~Board~~ to show cause why such employee should not be removed, suspended or reduced in grade, as the **board** ~~Board~~ shall determine.

Proposition 83

(e) *Payroll certified by the board.* The city shall not make payment of any salary or compensation for service to any persons holding a position in the classified service unless the payroll or account of such salary or compensation shall show that the persons named therein have been appointed or employed and are performing service in accordance with the provisions of the **charter** ~~Charter~~ and of the rules established thereunder.

Proposition 83

(f) *Appeals proceedings.* In any appeals proceeding conducted by the **board** ~~Board~~, it shall have the power to subpoena and require the attendance of witnesses and the production thereby of books and papers pertinent to the proceeding and to administer oaths to such witnesses.

Proposition 83

(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.

Proposition 61

ARTICLE 10. - CIVIL SERVICE

Section 10.01. - Organization of civil service board ~~Civil Service Board~~.

Proposition 83

The civil service board ~~Civil Service Board~~ shall be established as provided in Article 9 of this charter ~~Charter~~.

Section 10.02. - Unclassified and classified service.

The civil service ~~Civil Service~~ of this city ~~City~~ is hereby divided into the unclassified and classified service, to-wit:

Proposition 83

- (a) The unclassified service shall include:
 - (1) The city manager ~~City Manager~~ and persons assigned to the office of the city manager ~~City Manager~~.
 - (2) The directors and heads of departments, assistant directors and assistant heads of departments, and the city secretary ~~City Secretary~~.
 - (3) The labor class, which shall include all ordinary, unskilled labor.

- (b) The classified service shall comprise all positions not specifically included in the unclassified service. There shall be in the classified service two (2) classes to be known as the competitive class and the noncompetitive class, to-wit:
 - (1) The competitive class shall include all positions and employment for which it is practicable to determine the merit and fitness of the applicants by competitive examination.
 - (2) The noncompetitive class shall consist of all positions requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character, as may be determined by the rules of the board ~~Board~~.

Section 10.03. - List of eligibles.

The ~~board~~ **Board** shall provide for examination in accordance with the regulations of the ~~board~~ **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~~ **City Manager, or designee**. ~~As positions are filled, the board shall certify the fact to the city manager.~~

Propositions
63 and 83

Proposition 62

Section 10.04. - Promotions in the classified.

The ~~board~~ **Board** shall provide for promotion to all positions in the classified service competitive class.

Proposition 83

Section 10.05. - Probation period.

Appointment or promotion in the classified service shall not be deemed complete until a probationary period has been completed. A probationary period not to exceed six (6) months shall be determined by the civil service board for each employee classification..

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~~ **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 ~~officer~~ **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~~ **Civil Service Appeals Board** as hereinafter defined.

Propositions
64 and 83

Section 10.07. - Appeals board.

The ~~civil service appeals board~~ **Civil Service Appeals Board** shall be established as provided in the preceding article of this ~~charter~~ **Charter** for the purpose of hearing and determining any charges made against any ~~officer or~~ employee of the ~~city~~ **City** in the classified service.

Proposition 83

ARTICLE 11. - BUDGET AND FINANCIAL PROCEDURE

Section 11.01. - Fiscal year.

The fiscal year of the City of Richardson shall begin on October 1 of each calendar year and will end on September 30 of the following calendar year. The fiscal year will also be established as the accounting and budget year.

Section 11.02. - Preparation and submission of budget.

The ~~city manager~~ City Manager, on or before August 15 of each year, shall prepare and submit ~~to the council a~~ the budget ~~for the ensuing fiscal year, covering the next fiscal year, to the Council.~~ for the ensuing fiscal year. In preparing this budget, each employee, officer, board and department shall assist the ~~city manager~~ 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.

Propositions 10 and 83

~~The City Manager's budget message shall include:~~

- ~~(a) An outline of the proposed financial policies for the next fiscal year with explanations of any changes from previous years in expenditures and any major changes of policy and a complete statement regarding the financial condition of the city;~~
- ~~(b) An estimate of all revenue from taxes and other sources, including the present tax structure rates and property evaluations for the ensuing year;~~
- ~~(c) A carefully itemized list of proposed expenditures by fund, service type, and object of expenditure for the budget year, as compared to actual expenditures of the last ended fiscal year, and an estimate of final expenditures for the current fiscal year;~~
- ~~(d) A description of all outstanding bond indebtedness, showing amount, date of issue, rate of interest and maturity date, as well as any other indebtedness referred to in Article 19 which the city has incurred and which has not been paid;~~
- ~~(e) A statement proposing any capital expenditures deemed necessary for undertaking during the next budget year and recommended provision for financing; and~~
- ~~(f) A projection of revenues and expenditures together with a list of capital projects which should be considered within the five (5) next succeeding years.~~

Section 11.03. – Proposed budget ~~Budget~~ a public record.

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

Propositions
11 and 83

Section 11.04. - Public hearing.

At the council ~~Council~~ meeting when the budget is submitted, the council ~~Council~~ shall name the date and place of a public hearing. The hearing shall be no less than fifteen (15) days after the budget is filed. Public notice of the hour, date and place of such hearing shall be published in a newspaper of the city ~~City~~ not less than ten (10) nor more than thirty (30) days before the hearing. At this hearing, citizens of the city may be present and express their opinions concerning items of expenditures and revenue.

Proposition 83

Section 11.05. - Proceeding on adoption.

After public hearing, the council ~~Council~~ shall analyze the budget, making any additions or deletions which they feel appropriate, and shall, by ordinance, adopt the budget by a majority vote of all members of the council ~~Council~~.

Proposition 83

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 ~~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 ~~reserved~~ fund balance, and other financing sources. Unused appropriations may be transferred to any item required for the same general purpose.

Propositions
12 and 83

Section 11.07. - Transfer of appropriations.

The council ~~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.**

Propositions
13 and 83

Section 11.08. - Unallocated ~~reserve~~ fund balance.

Propositions
41 and 83

When recommended by the city manager ~~City Manager~~ and at the discretion of the council ~~Council~~, the budget may contain a reasonable sum set aside as an unallocated ~~unreserved~~ fund balance to meet unexpected and unforeseen contingencies in current operating costs of ~~any~~ each fund ~~budget service type or project~~.

Section 11.09. - Amending the budget.

Proposition 42

~~In case of grave public necessity, emergency expenditures~~ Expenditures to meet unusual and unforeseen conditions, which ~~could~~ were not, ~~by reasonable diligent thought and attention, have been~~ included in the original budget, may from time to time be authorized ~~by the council~~ 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 ~~unreserved~~ the unallocated fund balance as a supplement. These amendments shall be ratified by ordinance at the end of the fiscal year, ~~and shall become an attachment to the original budget~~.

Section 11.10. - ~~Certification; copies~~ Adopted budget made available.

Propositions
65 and 83

A copy of the budget, as finally adopted, shall be filed with the city secretary ~~City Secretary~~, and the Richardson Public Library, and such other places as may be required by state law. The final adopted budget shall be printed, ~~mimeographed~~ 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.

Section 11.11. - Independent audit.

Propositions
14 and 83

At the close of each fiscal year, and at such other times as it may deem necessary, ~~The Council~~ the council shall cause ~~provide for~~ an independent annual audit to be made of ~~all City~~ accounts of the city in accordance with applicable auditing standards ~~and other evidences of the financial transactions of the City. The Council may provide for more frequent audits as it deems necessary. Such audits shall be made~~ by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the ~~fiscal~~ financial affairs of the city ~~City~~ or of any of its officers. The council ~~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 ~~Council~~. A copy of the annual audit, after

acceptance by the ~~council-Council~~, will be filed with the city secretary ~~City-Secretary~~ and shall be available for public inspection.

Section 11.12. - Defect shall not invalidate tax levy.

Errors or defects in the form or preparation of the budget or the failure to perform any procedural requirements shall not nullify the tax levy or the tax rate.

ARTICLE 12. - FRANCHISES

Section 12.01. - Ownership, control and use of real and public property by the city ~~City~~.

Proposition 83

The ownership, right of control and use of the streets, highways, alleys, parks, public places and all other real property of the City of Richardson is hereby declared to be inalienable to said city ~~City~~, except by ordinances passed by vote of the majority of the city council ~~City-Council~~ of the ~~city-City~~, as hereinafter provided. No franchise or easement involving the right to use same, either along, across, over or under the same, shall ever be valid unless expressly granted and exercised in compliance with the terms hereof, and of the ordinances granting the same. No act or omission of the ~~city-City~~, its city council ~~City-Council~~, officers or agents shall be construed to confer or extend by estoppel or indirection any right, franchise or easement not expressly granted by ordinance.

Section 12.02. - Exclusive franchises prohibited.

Proposition 66

No ~~exclusive~~-franchise to construct, maintain or operate a public or private utility, or a renewal or extension thereof, shall be exclusive. ~~or privilege shall ever be granted, nor a franchise, nor a privilege to commence at any time after six (6) months subsequent to the taking effect of the ordinance granting the same. No franchise shall be directly or indirectly extended beyond the term originally fixed by the ordinance granting the same, unless by specific ordinance granting an extension for the purpose of renegotiating such franchise.~~

Section 12.03. - Power to grant a franchise ~~Franchise by ordinance~~.

Proposition 67

Except as otherwise provided by state or federal law, the ~~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 ~~any franchise or right mentioned in the preceding sections hereof, which ordinance shall not be passed finally until its third and final reading, which reading shall be at three (3) separate regular meetings of the city council of the City of Richardson, the last of which shall take place not less than thirty (30) days from the first.~~

Section 12.04. - Ordinances granting.

Ordinances granting franchises shall be subject to the terms hereof, and shall contain such terms and conditions as the city council ~~City Council~~ shall see fit to impose. All franchises shall be exercised in accordance with the terms of the ordinance granting the same and of the charter ~~Charter~~. If such franchises shall not be exercised in substantial accordance with the terms hereof, and of the ordinance granting the same, then[,] after notice and reasonable hearing to the holders thereof, such franchise may be cancelled or annulled and the city council ~~City Council~~ shall, by ordinance, adopt reasonable rules and regulations for such notice and hearing.

Proposition 83

Section 12.05. - Term of franchises.

No determinate or fixed term franchise shall ever be granted for a longer term than twenty (20) years; nor shall any right, privilege or franchise now in existence be extended beyond the period now fixed for its termination, directly or indirectly, unless by specific ordinance granting an extension for the purpose of renegotiating such franchise. No holder of a franchise heretofore or hereafter granted shall have a right (unless such right is granted in the franchise) to transfer or assign its properties and franchise to any other person, firm or corporation without the consent of the city ~~City~~, and such consent when given shall not operate as the granting of a franchise or as a new franchise.

Proposition 83

Section 12.06. - Indeterminate franchises.

In addition to the powers conferred to grant privileges and franchises for a fixed term not to exceed twenty (20) years, the City of Richardson shall have power to grant indeterminate franchises. The term "indeterminate franchise," as used in this charter ~~Charter~~, shall mean and embrace every privilege, franchise or easement granted directly or indirectly by the City of Richardson which shall have no fixed or determinate duration. An indeterminate franchise shall continue in force only until such time as the city ~~City~~ shall exercise an option, to be provided for in the ordinance granting any such franchise. Such ordinance shall give the city ~~City~~ in express terms the right to purchase the property

Proposition 83

of the franchise holder or cause a purchaser to buy such property. Such ordinance shall also fix the time or times when such right may be exercised or terminated.

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 ~~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.

Propositions
68 and 83

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 ~~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.

Section 12.08. - Right to fix rates.

The right is hereby delegated where applicable to the City of Richardson, acting through its city council ~~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 ~~City~~ has the right to alter or change such rules, regulations, and compensation, from time to time.

Propositions
69 and 83

Section 12.09. - Changes and extensions.

The city council ~~City Council~~ shall have the power, by ordinance or resolution and without reference to the other franchise provisions of this charter ~~Charter~~, to grant the right and to require utility companies and all other companies or individuals enjoying a franchise from the city ~~City~~ now or hereafter to make and furnish necessary changes in or reasonable extensions of facilities and service in or to any portion of the city ~~City~~ as in the judgment of the city council ~~City Council~~ may be necessary. Said changes or extensions are under and subject to the terms and conditions of the franchise then enjoyed by such franchise holder in connection with which the change or extension is to be made, and under such further terms

Proposition 83

and conditions as the city council ~~City Council~~ may deem proper. The city council ~~City Council~~ shall have the power to prevent the making of unnecessary or unprofitable extensions.

Section 12.10. - Discrimination forbidden.

Every public service corporation shall furnish and provide equal and uniform service alike to all persons, firms and corporations in the City of Richardson. It shall be unlawful and a sufficient ground for the forfeiture of any franchise for any such corporation to grant free service or furnish better service or to furnish service for a lower price or rate, conditions or quantity of service considered to any person, firm or corporation than to any other person, firm or corporation or to otherwise discriminate in the matter of rates or service. Any such public service corporation may, however, from time to time, with the consent and approval of the city council ~~City Council~~, adopt schedules governing rates, conditions or quantities of service considered, and allow applicants to choose between alternative schedules. But no such schedule shall be operative nor shall service be furnished in accordance therewith until filed and approved by the city council ~~City Council~~ of the City of Richardson.

Proposition 83

Section 12.11. - Authorization of railway companies and transit systems.

The city council ~~City Council~~ shall have power to authorize railway companies and transit systems operating within the City of Richardson and operating their lines from the City of Richardson to other towns and cities beyond its limits to lay their tracks and establish their switches on and over the streets and other property of the City of Richardson or such parts thereof as the city council ~~City Council~~ may see fit, subject to the terms of the charter charter ~~Charter~~ and to such other conditions as may be imposed by the city council ~~City Council~~

Proposition 83

Section 12.12. - Railway and transit operations.

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

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- (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 ~~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 ~~Charter~~, it shall become liable for such portion of the cost of such improvement as the city council ~~City Council~~ may direct, or as is fixed by this charter ~~Charter~~.

Section 12.13. - Abutting property.

The city council ~~City Council~~ shall have the power, by ordinance, or resolution, to grant to any owner of property abutting upon the streets or other property of the city ~~City~~ the use thereof or to go over or under the same in any manner which may be necessary or proper to the enjoyment of said abutting property by the owner; provided, that such use be not

Proposition 83

inconsistent with or does not unreasonably impair the public use to which said street or other public property may be dedicated. The city council ~~City Council~~ shall fix the terms and conditions of any such grant and the time for which the same shall exist. The right is expressly reserved to the city ~~City~~, acting through said city council ~~City Council~~, to terminate such grant when deemed inconsistent with the public use of the property of the city ~~City~~ or when the same may become a nuisance.

Section 12.14. - Compensation for grant.

~~For the rights granted under the preceding section[,] the city shall receive annual compensation to be fixed by the city council, not less than five dollars (\$5.00) per annum. Such compensation shall be paid each year in advance on the second day of January. The failure to pay same when due shall operate as an absolute forfeiture of the rights granted.~~

Proposition 71

Section 12.15. - Shared use.

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

Propositions
72 and 83

Section 12.16. - Revocable permits.

Permits or licenses unconditionally revocable at the will of the city council ~~City Council~~ for minor or temporary privileges in the streets, public ways and public places of the city ~~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 ~~Charter~~.

Propositions
73 and 83

Section 12.17. - Public services; condemnation.

The City of Richardson shall have power to buy or construct, own, maintain and operate a system or systems of waterworks, gas or electric lighting plants, telephones, transit systems and sewers, or any other public service or enterprise that may be approved by a majority of the qualified voters of the City of Richardson voting therefore ~~therefor~~ at any regular election for city ~~City~~ officers in accordance with the provisions of this charter ~~Charter~~; and may demand and receive compensation for such services furnished for private purposes, and shall have power to condemn the property of any person, firm or corporation for the purpose of operating and maintaining any such utility, and for distributing such service throughout the city ~~City~~ or any portion thereof, but in such condemnation proceedings no allowance shall be made for the value of

Proposition 83

any franchise and only the actual physical assets shall be purchased by the City of Richardson.

ARTICLE 13. - ORDINANCES

Section 13.01. - Rules and regulations validated.

All ordinances, resolutions, rules and regulations of the City of Richardson heretofore ordained, passed or enacted that are in force at the time this ~~charter~~ ~~Charter~~ or any amendment thereto becomes effective, and which are not in conflict with such ~~charter~~ ~~Charter~~, shall remain in full force and effect until altered, amended or repealed by the city council ~~City Council~~ after such ~~charter~~ ~~Charter~~ or any amendment thereto takes effect.

Proposition 83

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. ~~In addition to other acts required by law or by specific provision of this Charter to be done by ordinance, those acts of the city council shall be by ordinance which:~~

Proposition 15

- ~~(a) — Adopt or amend an administrative code or establish, alter or abolish any city department, office or agency;~~
- ~~(b) — Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;~~
- ~~(c) — Levy taxes, except as otherwise provided in Article 11 with respect to the property tax levied by adoption of the budget;~~
- ~~(d) — Grant, renew or extend a franchise;~~
- ~~(e) — Authorize the borrowing of money;~~
- ~~(f) — Convey or lease or authorize the conveyance or lease of any lands of the city.~~

Section 13.03. - Ordinance authentication, recordation and publication ~~Publication.~~

Proposition 74

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; ~~in lieu of publishing the full text of the ordinance, a descriptive~~

~~caption or title stating in summary the purpose of the ordinance and the penalty for violation thereof may be published. All ordinances, except as herein otherwise provided, shall be published once by publishing the caption or title of the ordinance in a newspaper of the city, if the city council so directs in passing said ordinance.~~

Section 13.04. - Style.

The style of ordinances shall be "Be It Ordained by the City Council of the City of Richardson," but such caption may be omitted when said ordinances are published in book form or are revised and digested under the order of the council ~~City Council~~.

Proposition 83

Section 13.05. - Codification.

The city council ~~City Council~~ shall have power to cause the ordinances of the city ~~City~~ to be printed in code form, and shall have the same arranged and digested as often as the council ~~City Council~~ may deem advisable.

Proposition 83

Section 13.06. - Valid and effective.

The final passage of an ordinance by the city council ~~City Council~~ and the publication of the same when so required shall be all that is necessary to make such ordinances valid and effective. The signature of the mayor ~~Mayor~~ and city secretary ~~City Secretary~~ shall be affixed to each ordinance.

Proposition 83

Section 13.07. - Enrollment.

Each ordinance passed by the city council ~~City Council~~ shall be enrolled by the city secretary ~~City Secretary~~ within five (5) days after its passage, or as soon thereafter as is practicable. ~~The enrolled ordinance shall be carefully compared with the original ordinance and all amendments, if any, by the city secretary. If errors exist therein, they shall be corrected. If found correct, or after the correction of errors, if any exist, the city secretary shall endorse on the margin thereof the words "Correctly Enrolled" and give the date thereof and subscribe the city secretary's name thereto.~~

Propositions
75 and 83

ARTICLE 14. - INITIATIVE AND REFERENDUM

Section 14.01. – Power of initiative **Petition.**

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 ~~Any proposed~~ ordinance, except those not legally authorized to be considered by initiative by the state constitution or state law, or referendum, may be submitted to the qualified voters of the city council ~~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 ~~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 percentages hereinafter required~~. The signatures to the petition need not all be appended to one (1) paper, but all signers shall in addition ~~add~~ to their signature provide their ~~place of~~ residence address, ~~giving the street and number,~~ county of residence, printed name, date of signing ~~and their precinct number~~ and comply with any other applicable requirements prescribed ~~otherwise as required~~ 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.

Propositions
43 and 83

Section 14.02. - Examination of initiative petition.

Within ten (10) days from the date of filing ~~such~~ an initiative petition, the city secretary ~~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 ~~electors~~, and shall attach to said petition a certificate showing the result of such examination. If by the ~~secretary's~~ ~~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 ~~Secretary~~ shall within ten (10) days after receipt of such amendment make like examinations of the amended petition. If the ~~secretary's~~ ~~Secretary's~~ certificate shall show the same to be insufficient, the petition may not be further amended ~~it shall be returned to the person filing the same, without prejudice,~~ however, ~~to the filing of~~ a new petition may be filed to the same effect. The city attorney ~~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 ~~Secretary~~ shall submit the same to the city council ~~City Council~~ without delay.

Propositions
43 and 83

Section 14.03. - City ~~council~~Council** action.**

When the city council receives an initiative petition certified by the city secretary to be sufficient, ~~If the petition accompanying the proposed ordinance be signed by electors equal in number to ten (10) percent of the qualified voters of the City of Richardson, and contains a request that said ordinance be submitted forthwith to a vote of the people at a special election,~~ the city council ~~City Council~~ shall either:

Propositions
43 and 83

- (a) Pass said **proposed** ordinance without alteration within twenty (20) days after the attachment of the city secretary's ~~Secretary's~~ **certificate of sufficiency** ~~Certificate of Sufficiency~~ to the accompanying petition ~~(subject to referendary vote under the provisions of the Charter);~~ or
- (b) ~~Forthwith the secretary shall attach to the petition accompanying such ordinance the city secretary's certificate of sufficiency[;]~~ the city council shall proceed ~~to~~ call a special election **to be held on the next allowable election date as authorized** ~~provided for~~ by state law at which said ordinance, without alteration, shall be submitted to a vote of the people.

Section 14.04. - Ballots—Proposed initiative ordinance.

The ballots used when voting upon an ~~said~~ 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~~.

Propositions
43 and 83

Section 14.05. - Valid and effective date of initiated ordinance.

If a majority of the qualified ~~voters~~ ~~electors~~ voting upon an ~~en said~~ ~~proposed~~ ordinance **proposed by initiative petition** shall vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city ~~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.

Propositions
43 and 83

Section 14.06. - Repeal or amendment of initiated ordinance provision.

The city council ~~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

Propositions
43 and 83

for amendments thereto, to be voted upon at any succeeding ~~city general~~ ~~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.

Section 14.07. - Publication of ordinance proposed by petition initiative.

Whenever any ordinance proposed by initiative petition ~~or proposition~~ is required by the ~~charter~~ ~~Charter~~ to be submitted to the qualified voters of the ~~city~~ ~~City~~ at any election, the city secretary ~~City Secretary~~ shall cause the proposed ordinance ~~or proposition~~ to be printed published at least thirty (30) ~~forty-five (45)~~ days before any such election in a local newspaper ~~and any~~ ~~or~~ other official publication of the ~~city~~ ~~City~~, or by such other means as may be allowed by state law.

Propositions
76 and 83

Section 14.08. - When initiative ordinance is effective.

No ordinance proposed by initiative petition passed by the city council ~~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, ~~or by the provisions of the Charter regarding street improvements. An exception may be made for an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency and is passed by a two-thirds vote of the city council. No grant of any franchise shall be construed to be an emergency measure, but all franchises shall be subject to the referendary vote herein provided.~~

Propositions
43 and 83

Section 14.09. - Power of referendum ~~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 ~~If during said thirty~~ forty-five (45) ~~(30)~~ days after passage of said ordinance or within forty-five (45) days after its publication, whichever is later. Said ~~a~~ petition shall be signed by qualified voters ~~electors~~ of the ~~city~~ ~~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 ~~of the City of Richardson~~ shall be presented to the city council ~~City Council~~, the ordinance ~~same~~ shall thereupon be suspended from taking effect ~~going~~

Propositions
44 and 83

~~into operation~~, and it shall be the duty of the city council ~~City Council~~ to reconsider such ordinance, and if the same is not entirely repealed[,] the city council ~~City Council~~ shall submit the ordinance ~~as is provided in this Charter~~ to the vote of the qualified voters ~~electors~~ of the city ~~City~~, either at the next uniform general ~~election~~ date or other date allowed by state law, ~~at a special municipal election to be called for that purpose, and~~ Such ordinance shall be suspended from taking effect and shall not later take go into effect or become operative unless a majority of the qualified voters ~~electors~~ voting on the same shall vote in favor of the ordinance thereof. ~~Said petition shall be in all respects in accordance with the provisions of the Charter, except as to the percentage of signers, and be examined and certified by the secretary, and in all respects as therein provided.~~ 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.

~~ARTICLE 15--PUBLICATIONS~~

Proposition 77

~~All measures of the council shall be authenticated, recorded, and published or not published as established by this Charter or as the council may from time to time by ordinance provide.~~

ARTICLE 16. - COLLECTION OF TAXES

Section 16.01. - Property taxes.

All property, real, personal or mixed, lying and being within the corporate limits of the City of Richardson on the first day of January of each year, excepting such property as may be exempt from taxation under the Constitution and laws of the State of Texas, shall be subject to taxation.

Section 16.02. - Power to levy and collect taxes.

The city council ~~City Council~~ shall have such power and authority as is granted by this charter ~~Charter~~ and the Constitution and laws of the State of Texas to provide by ordinance such rules, regulations and procedures as are necessary for the assessment, levy and prompt collection of all taxes assessed and imposed pursuant to and consistent with this charter ~~Charter~~ and the Constitution and laws of the State of Texas.

Proposition 83

Section 16.03. – Tax ~~payments~~ ~~es~~ – ~~Method of payment~~ – ~~Penalties.~~

~~Except as otherwise provided by state law, The taxes herein and hereby authorized to be levied shall become~~ **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.** ~~and payable October 1 of the year assessed, and shall be payable at such locations in cash as designated by the city council. The City Council may by ordinance provide for split payment of taxes, and may authorize the payment of taxes in two (2) or more equal installments. Taxes shall be deemed and become delinquent if not paid prior to February 1 the year following assessment, unless the city council shall by ordinance provide for split payments, in such event such taxes shall become due and payable as provided in said ordinance. The~~ **city council** ~~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.

Propositions
78 and 83

Section 16.04. - Tax lien.

A lien is hereby created on all property, personal and real, in favor of the City of Richardson, to secure the payment of all taxes, ad valorem or otherwise. Said lien shall exist from January first in each year until such taxes are fully paid. Such lien shall be prior to all other claims, and no gift, sale, assignment or transfer of any kind, or judicial writ shall defeat such lien. The City of Richardson may pursue, or cause to be pursued, such property, and whenever found, may seize and sell enough thereof to satisfy such taxes as are owed to the City of Richardson.

Section 16.05. – ~~Power and authority by state law.~~

~~In addition to the powers herein conferred with reference to the assessment and collection of taxes, the City of Richardson shall have and may exercise all powers and authority now conferred or that may hereafter be conferred upon cities having a population of more than five thousand (5,000) inhabitants by the general laws of the State of Texas.~~

Proposition 45

ARTICLE 17. – ~~STREET AND SIDEWALK IMPROVEMENTS~~

Section 17.01. – ~~Adoption of Texas Civil Statutes.~~

~~All the terms, powers and provisions of Articles 1056 to 1096, both inclusive, and Articles 1104, 1105, and 1105b of the Revised Civil Statutes of the State of Texas, Revision of 1925, relating to street improvements and assessments therefor, and other matters, together with all amendments to said articles, are hereby adopted as a part of this article as an alternative and cumulative method of improving streets, alleys, and public places and levying assessments therefor.~~

Proposition 23

Section 17.02. --Improvement ordered by resolution.

~~The city council shall have power, by resolution, to order the making of the public improvements mentioned in this article, or any of them, by majority vote, and the passage of such resolution shall be conclusive of the public necessity and benefits thereof, and no notice of such action by the city council shall be requisite to its validity. Such resolution shall, in general terms, set forth the nature and extent of the improvements or improvement to be made, the section or sections of any highway, street or other property to be improved, the material or materials with which the improvements are to be constructed and the method or methods under which the cost of such improvements are to be paid. It shall be the duty of the city secretary immediately upon the passage of such resolution to furnish a copy of the same to the officer of the city designated therein who shall indicate upon any tax statement thereafter issued covering property abutting upon that part of the highway, street or other property to be improved that said proceeding is pending. Any failure upon the part of the city secretary to furnish a copy of such resolution to the officer of the city designated in the resolution, or any failure upon the part of the designated officer of the city to indicate the pendency of such proceeding upon tax statements issued shall, however, not affect the validity of the proceeding hereunder, nor of any assessment thereafter levied in pursuance to the provisions of this article. The city council by resolution may specify that said improvement may be constructed from different materials, and may specify different or alternative methods of making such improvements, and provide for the payment of the cost thereof.~~

Proposition 23

Section 17.03. --Lien liability.

~~The lien of such assessments shall revert back and take effect as of the date of the original resolution ordering the improvement, and the passage of such resolution shall operate as notice of such lien to all persons. Any error or mistake in such ordinance in the name of the owner of property assessed shall not invalidate the lien or personal liability thereby created, but the same shall nevertheless exist against the real and true owner of such property as if correctly described.~~

Proposition 23

Section 17.04. --Property exemptions.

~~When the city council shall have reason to believe that the owner or owners of any property may successfully claim the same as exempted from special assessment, the city council may order that the improvement shall not be made in front of or abutting on said property unless the owner or owners shall first make satisfactory provision for or satisfactorily secure the payment of the amount of the costs which would be assessed against said property except for such exemption. In any case where the cost, or any part thereof, is to be paid by such property owners or assessed against their property and the contractor to whom their work is let is required to~~

Proposition 23

~~look primarily or wholly to such property or owners thereof for payment of the proportion of the cost for such improvement assessed against them, and the city is relieved from the payment of such proportion of the cost, such contractor shall not be obliged to make such improvement in front of any property which is exempt from the enforcement of a lien for such improvement, but may omit the construction thereof.~~

~~Section 17.05. -- City liability.~~

~~The City of Richardson shall never be liable to any contractor or other person, firm or corporation doing work in connection with any street paving, or the opening and widening of streets, or the building of any drains or storm sewers, or the laying of sanitary sewers or any other character of public improvement, whereby a part or the whole of the cost thereof is to be paid for by special assessment, on account of the failure of any officer of the government or the members of the council to pass suitable ordinances or resolutions to take necessary steps to fix liens, or to make said assessments, or to issue certificates therefor, or to provide for reassessments on account of the invalidity of any lien attempted to be fixed, or any failure or omission with respect thereto.~~

Proposition 23

~~ARTICLE 18. -- CONDEMNATION AND SPECIAL ASSESSMENTS~~

~~Section 18.01. -- Purpose.~~

~~The City of Richardson shall have the power, whenever deemed necessary by the city council for public purposes, to appropriate private property, including rights-of-way of railways and transit systems, in order to open, widen, narrow, straighten, change or extend any public street, avenue or alley within the city limits.~~

Proposition 22

~~Section 18.02. -- Proceedings by ordinance or resolution.~~

~~When the city council shall determine to proceed hereunder, it shall so declare by resolution or ordinance, in which it shall state the nature and the extent of the improvement to be made and the limits thereof and describe the parcel or parcels of land proposed to be taken or condemned by any description substantially identifying the same or by lot and block number or number of front feet, or by the name of the owner, or, if owned by an estate[,] the name thereof. No mistake or omission of said resolution or ordinance shall invalidate it, and its passage shall be conclusive of the public use and necessity of the proposed improvement.~~

Proposition 22

Section 18.03. -- State law on assessments.

~~The provisions of Chapter 17 of Title 28 of the Revised Civil Statutes of 1925 relative to condemnation for highways and the levying of special assessments to defray the cost thereof are hereby adopted, and the method therein prescribed may be followed by the city in any proceeding.~~

Proposition 23

Section 18.04. -- Building lines.

~~The city shall have the power, for the purpose of promoting the public health, safety, order, convenience, prosperity and general welfare, acting through its city council, under the police power, to provide by suitable ordinances building lines on any street or any block of any street, and to require their observance by suitable penalties.~~

Proposition 23

Section 18.05. -- Improvement districts.

~~All of powers conferred by Section 372.041 of the Local Government Code of the State of Texas and by any other general law of the state relating to improvement districts are hereby adopted and made a part of this Charter, and the power is conferred upon the city in connection therewith to issue assignable certificates and to appoint special commissioners for the making or levying of special assessments and the city council may make such rules and regulations concerning the same as may be deemed advisable. Power is further conferred upon the city for the condemnation of lands to effectuate the law hereby adopted, which condemnation proceedings, as well as the assessment proceedings, shall be held as nearly as is practicable in accordance with the foregoing provisions of this article governing the opening, widening, narrowing, straightening, changing or extending of public streets, avenues or alleys and the issuance of certificates therefor, or in accordance with any other law applicable thereto.~~

Proposition 23

Section 18.06. -- Assessment period.

~~In all proceedings providing for assessments against property and the owners thereof for special benefits received under the provisions of this article, the city council is hereby authorized to provide, wherever the same is practicable, or wherever the same may be done under the law, for the payment of said assessments in annual installments extending over a period not to exceed fifteen (15) years.~~

Proposition 23

Section 18.07. -- Alternate method.

~~As an alternate method of paving and improving streets, alleys and sidewalks, the City of Richardson shall have the power and authority to adopt plans and specifications for such improvements in accordance with the procedure prescribed in Chapter 106, Acts of the Fortieth Legislature, First Called Session and also known as Article 1105b, Vernon's Texas Civil Statutes, and shall have the power to pay to the contractor, the successful bidder, that part of the cost that may be assessed against the~~

Proposition 23

~~owners and their property abutting on such improvements in cash and the city may reimburse itself for the amount by levying an assessment against the abutting owners and their property, after a hearing and notice, as provided in the above statutes, up to the amount of the enhancement in value represented by the benefits and permitted by said statutes, and issue assignable certificates in favor of the City of Richardson for the assessment. The certificates shall be enforceable in the same manner as provided by the above mentioned statutes. The city shall likewise have the power to do the improvement by its own forces if, in the opinion of the city council, the work can be done more expeditiously or economically.~~

ARTICLE 19. - ISSUANCE AND SALE OF BONDS

Section 19.01. - Authority to borrow ~~Bond limit.~~

Propositions 16 and 83

The ~~city~~ City of Richardson shall have the ~~right and~~ power to borrow money on the credit of the ~~city~~ City, in accordance with the Constitution and ~~laws~~ Statutes of the State of Texas, for permanent public improvements or for any other ~~legitimate municipal purpose, as may be determined by the city council and to issue bonds of the city therefor, to bear interest, payable semi-annually at such places as may be designated; provided that the total indebtedness of the city, payable from the ad valorem taxes, shall never exceed the sum equal to fifteen (15) percent of the assessed value of taxable property according to the tax roll of the city, and to be determined by the assessed value of such taxable property as shown by the tax rolls as of January first for the preceding year.~~ 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.

~~The City of Richardson shall have authority to issue bonds, payable from the ad valorem taxes, when authorized by the qualified voters of the city, for any purpose for which a city may issue bonds under the Constitution and the laws of this state.~~

~~No bonds shall be issued to fund any overdraft or indebtedness incurred for current expenditures of the city government or any subdivision thereof.~~

~~The~~ In accordance with the Constitution and laws of the State of Texas, the ~~C~~city shall have the right to refund any outstanding bonds

~~or obligations~~ by the issuance of refunding bonds, ~~in lieu thereof~~, at the same, higher or a lower rate of interest, and may apply thereto the sinking fund belonging to any series of bonds ~~or obligations~~ so refunded and may pay and retire any bond or obligation by using the sinking fund therefor.

Section 19.02. - Bond election.

Any proposition to issue ~~new or additional~~ 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 ~~City of Richardson~~ at an election to be held for that purpose. ~~The time, place and manner of such election and the making of returns and declaring the results thereof shall be prescribed by ordinance or resolution as nearly in accord with the laws regulating city elections as may be practical, and unless a majority of the qualified voters voting thereon in such election vote in favor of the issuance of such bonds, the same shall not be issued; provided that the purpose of the issuance of bonds as submitted at such an election may include more than one (1) object.~~

Propositions
16 and 83

~~After an issue of bonds has been ordered, the city council shall have power to issue serial bonds or otherwise as in its opinion may seem best. All bonds shall specify on their face for what purpose they are issued, and shall not be valid if sold for less than their par value. When any bonds are issued by the city a fund shall be provided to pay the interest and create any required sinking fund.~~

Any ~~required sinking fund~~ such election shall be invested held and conducted in accordance with the Constitution and laws statutes of the State of Texas, as the same may be amended from time to time; ~~provided that[,] in the event it shall be deemed expedient to issue serial bonds payable in installments[,] it shall be sufficient to provide for the payment of interest thereon and payment of installments as required.~~

Section 19.03. - Authorized bonds.

All bonds, the issuance of which have been authorized at any election heretofore held, are hereby validated.

Section 19.04.- Ordinance authorizing bonds.

~~The ordinance authorizing the issuance of bonds shall fix the maximum amount of bonds to be issued or, if applicable, the maximum principal amount which may be outstanding at any time, the maximum term bonds issued and delivered pursuant to such authorization shall be outstanding, the maximum interest rate to be borne by the bonds, the manner of sale (which may be by either public or private sale), price, form, terms, conditions and the~~

Proposition 16

~~covenants thereof. The ordinance authorizing the issuance of bonds may provide for the designation of a paying agent and registrar for the bonds and may authorize one (1) or more designated officers of the city to act on behalf of the city from time to time in the selling and delivering of bonds authorized and fixing the dates, price, interest rates, interest payment periods and other procedures as may be specified in the ordinance. Bonds may be issued in such form or such denomination, payable at such time or times, in such amount or amounts or installments, at such place or places, in such form, under such terms, conditions and details, in such manner, redeemable prior to maturity at any time or times, bearing no interest or bearing interest at any rate or rates (either fixed, variable, floating, adjustable or otherwise, all as determined in accordance with the ordinance providing for the issuance of the bonds, which ordinance may provide a formula, index, contract or any other arrangement for the periodic determination of interest rates), not to exceed the maximum net effective interest rate allowed by law and may be signed or otherwise executed in such manner, with manual or facsimile signatures, and with or without a seal, all as shall be specified by the city council in the ordinance authorizing the issuance of the bonds. The proceeds received from the sale of bonds may be used for the establishment and maintenance of a reserve fund for the payment and security of such bonds, and such other funds as may be deemed necessary with respect to the issuance and sale of such bonds, or for maintenance and operation of one (1) or more projects, and pending the expenditure thereof for authorized purposes, such proceeds or other revenues of a project or projects may be invested in any manner and in such bonds as may be specified in the ordinance, or other proceedings authorizing the bonds.~~

~~The city council may enter into credit agreements in conjunction with the issuance, payment, sale, resale or exchange of bonds to enhance the security for or provide for the payment, redemption or remarketing of the bonds or interest on the bonds or to reduce the interest payable with respect to the bonds. A credit agreement is an agreement for professional services and shall contain the terms and conditions and be for the period that the city council approves. The cost to the city of the credit agreement may be paid from the proceeds of the sale of the bonds to which the credit agreement relates or from any other source, including revenues of one (1) or more projects of the city that are available for the purpose of paying the bonds and the interest on the bonds or that may otherwise be legally available to make those payments. Furthermore, the obligations of the city arising under or by reason of the city entering into such credit agreements may be secured by and payable from the same source or sources securing the payment of the bonds to which such credit agreements relate. The bonds authorized pursuant to the~~

~~ordinance may be executed and delivered, exchanged or refunded from time to time in accordance with such authorizing proceedings.~~

Section 19.05. - Misapplication of public funds.

Any officer of the City of Richardson who shall willfully or knowingly divert or use any funds arising from the issuance of any bonds or any sinking fund for any other purpose except that for which the fund is created or are herein otherwise authorized shall be deemed guilty of a misapplication of public funds and subject to prosecution as provided under the laws of the state for the diversion and conversion of funds belonging to any of the municipalities of the state.

ARTICLE 20. - PROHIBITIONS

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~~ Charter or state law; except as provided by state law ~~for local improvements.~~

Propositions
79 and 83

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 ~~City Manager~~ or city secretary ~~City Secretary~~ within six (6) months after the day that the incident giving rise to the claim for damage or injury occurred ~~the same has been received~~, 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. ~~The City of Richardson shall never be liable for any claim for damage or injury to personal property unless the person whose personal property has been injured or damaged, or someone in such person's behalf, shall file a claim in writing with the city manager or the city secretary within six (6) months after said damage or injury has occurred, stating specifically when, where and how the injury or damage occurred and the full extent thereof, and the amount of damage sustained. The City of Richardson shall never be liable for any claim for damage or injury to real property caused by the negligent act or omission of its officers, servants, agents, or employees, unless the person whose real~~

Propositions
46 and 83

~~property has been injured or damaged, or someone in such person's behalf, shall file a claim in writing with the city manager or city secretary within six (6) months after said damage or injury has occurred, stating specifically when, where and how the injury or damage occurred, and the amount of damage claimed. The City of Richardson shall never be liable on account of any damage or injury to person or to personal property arising from or occasioned by any defect in any public street, highway, alley, grounds or public work of the City of Richardson unless the specific defect causing the damage or injury shall have been actually known to the city manager, or to the designated officer of the city at least twenty-four (24) hours prior to the occurrence of the injury or damage, or unless the attention of the city manager or the designated officer of the city shall have been called thereto by a notice thereof in writing at least twenty-four (24) hours prior to the occurrence of the injury or damage and proper diligence has not been exercised to rectify the defect. The notice herein required to be given to the city manager or designated officer of the city of the specific defect causing the damage or injury shall apply where the defect arose from any omission of the city itself, through its agents, servants or employees, or acts of third parties. **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.**~~

Section 20.03. - Execution, garnishment and assignment.

~~**Except as provided by state or federal law,** The property, real and personal, belonging to ~~said the city~~ **City** shall not be liable to be sold or appropriated under any writ of execution or cost bill, nor shall the funds belonging to ~~said the city~~ **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~~ **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~~ ~~said~~ **City** be liable to the assignee of any wages of any officer, agent or employee of ~~the city~~ ~~said~~ **City**, whether earned or unearned, upon any claim or account whatsoever, and as to the ~~city~~ **City** and such assignment shall be ~~absolutely~~ void.~~

Propositions
79, 80, and 83

Section 20.04. - Liens on public property.

No lien of any kind can ever exist against ~~the property, real and personal, public halls, parks or public works~~ **the property, real and personal,** of the City of Richardson.

Propositions
80 and 81

~~**Section 20.05. -- Notice of claims.**~~

~~All contractors or subcontractors engaged in any public works of the City of Richardson are hereby required to notify the city of all claims~~

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~~they may have on account of such work against the city, and when such notice has been given, the city shall retain an amount from any funds due the contractors sufficient to satisfy all claims; provided that such notice may be given at any time after such indebtedness becomes due and before final settlement; and provided, further, that no contractor or subcontractor shall issue checks on or on account of any public works of said city.~~

ARTICLE 21. - GENERAL PROVISIONS

Section 21.01. - Personal financial interest.

No officer or employee of the city ~~City~~ shall have a financial interest, direct or indirect, in any contract with the city ~~City~~, or be financially interested, directly or indirectly, in the sale to the city ~~City~~ of any land, materials, supplies or services, except on behalf of the city ~~City~~ and any officer or employee guilty thereof shall thereby forfeit such person's office or position. Any violation of this section, with the knowledge, expressed or implied, of the person or corporation contracting with the city council ~~City Council~~ shall render the contract involved voidable by the city manager ~~City Manager~~ or the city council ~~City Council~~.

Proposition 83

Section 21.02. - City contracts—Appropriations and Execution specifications.

No contract shall be entered into by the city council ~~City Council~~ until after an appropriation has been made therefore, ~~nor in excess of the amount appropriated, and all contracts shall be made upon specifications,~~ and no contract shall be binding upon the city ~~City~~ unless it has been signed by the mavor or city manager ~~City Manger, or city manager designee,~~ and attested by the city secretary, and the expense thereof charged to the proper appropriation; and whenever the contract charged to any appropriation equals the amount of said appropriation, no further contracts shall be executed. All contracts, of whatever character, pertaining to public improvements, or the maintenance of public property of said city, involving an outlay of as much as ten thousand dollars (\$10,000.00) shall be based upon plans and specifications to be prepared and submitted to and approved by the city council, and said plans and specifications shall disclose clearly each item constituting a material element entering into the cost of the subject matter of the contract; and after approval by the city council, advertisements for the proposed work or matters embraced in said proposed contract shall be made, inviting competitive bids for the work proposed to be done, which said advertisement shall be published in a local newspaper at least once.

Propositions
17 and 83

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. ~~All bids submitted shall be sealed, shall be opened as provided for by ordinance of the city, and shall remain on file in the office of the city secretary and [shall] be open to public inspection for at least forty eight (48) hours before any award of said work is made to any competitive bidder. The city council shall determine the most advantageous bid for the city, and shall enter into contract with the party submitting the lowest secure bid; and if in the opinion of the city council none of said bids is satisfactory, then the city council may have said work done by day labor, and a detailed statement of all such work done by day labor, showing the cost of same, shall be filed with the city council. Pending the advertisement of the work or contract proposed, specifications therefor shall be on file in the office of the city secretary, subject to the inspection of all parties desiring to bid.~~

Proposition 18

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 ~~parkways or pleasure grounds.~~

Proposition 81

Section 21.05. - Public library.

The city ~~City~~ shall establish and maintain a public library or libraries within the city ~~City~~ free to the residents of the City of Richardson and to cooperate with any person, firm or corporation under such terms the city council ~~City Council~~ may prescribe for the establishment of such public library or libraries, and to that end the city council ~~City Council~~ shall appropriate annually out of the general revenue of the city ~~City~~ a fund for the support and maintenance of the public library.

Proposition 83

Section 21.06. - Building permits.

The City of Richardson shall have power to prohibit the erection or construction of any building or structure of any kind within the City of Richardson without a permit first having been issued by the city ~~City~~ for the construction or erection of such building or structure, and may authorize a fee to be charged for such permit, and in pursuance of said authority may authorize the inspection by the city ~~City~~ of all buildings or structures during the progress of their construction and may require that all

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buildings shall be constructed in conformity with the building regulations which exist in said city ~~City~~ or which shall hereafter be passed.

Section 21.07. - Condemnation of dangerous structures.

Whenever, in the opinion of the city council ~~City Council~~, any buildings, fence, shed, awning or structure of any kind or part thereof is liable to fall down and injure persons or property, the city council ~~City Council~~ may order the owner or agent of the same or occupant of the premises to take down and remove the same within such time as it may direct, and may punish by fine all persons failing so to do. The city council ~~City Council~~ shall have the additional power to remove the same at the expense of the city ~~City~~ on account of the owner of the property and assess the expenses thereof, including condemnation proceedings, as a special tax against the land, and the same may be collected as other special taxes provided for in this charter ~~Charter~~, or by suit in any court of competent jurisdiction. The city council ~~City Council~~ shall have full power to condemn all dangerous buildings or obstructions of any kind and may provide regulations therefore ~~therefor~~ by ordinance.

Proposition 83

Section 21.08. - Bonds of city official, employee or department director.

In addition to any bonding provision herein provided, the city council ~~City Council~~ may require any city ~~City~~ official, department director or city ~~City~~ employee, before entering upon such person's duties, to execute a good and sufficient bond with a surety company doing business in the State of Texas, and approved by the city council ~~City Council~~, as surety thereon, said bond to be in such amount as the council ~~Council~~ may demand, payable to the City of Richardson, and conditioned for the faithful performance of the duties of the office; premium of such bond to be paid by the city ~~City~~.

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ARTICLE 22. - EFFECTIVE DATE AND EFFECTS OF ADOPTION

Section 22.01. - Effective date.

The provisions of this charter ~~Charter~~ and any amendments thereto shall be in effect from and after their approval by the electors of the city ~~City~~ and the entering of an official order upon the records of the city ~~City~~ by the city council ~~City Council~~ declaring the same adopted.

Proposition 83

Section 22.02. - Effect on present city council.

The duly elected city council ~~City Council~~ serving at the time of the adoption of this charter ~~Charter~~ or amendment thereto shall continue to be, serve as, and to constitute the city council ~~City Council~~ of the city ~~City~~ until the next regular election.

Proposition 83

Section 22.03. - Charter amendment.

This charter ~~Charter~~ may be amended no more than once every two (2) years. Amendments to this charter ~~Charter~~ may be proposed:

Proposition 83

- (a) By action of the city council ~~City Council~~ submitting a proposed amendment to the voters for approval; or
- (b) By report of a charter commission ~~Charter Commission~~ created by ordinance; or
- (c) By the voters, consistent with state law. Proposal of an amendment by the voters of the city ~~City~~ shall be by petition containing the full text of the proposed amendment and shall be governed by state ~~State~~ law. There shall be no limitation as to the subject matter.

Section 22.04. - Separability.

If any provision of this charter ~~Charter~~ is held invalid, the other provisions of the charter ~~Charter~~ shall not be affected thereby. If the application of the charter ~~Charter~~ or any of its provisions to any person or circumstances is held invalid, the application of the charter ~~Charter~~ and its provisions to other persons or circumstances shall not be affected thereby.

Proposition 83

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.

Proposition 19

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.

Proposition 82



City of Richardson
City Council Worksession
Agenda Item Summary



Worksession Meeting Date: Monday, August 17, 2015

Agenda Item: Public Hearing for Proposed Tax Rate of \$0.63516 per \$100 Valuation for Fiscal Year 2015-2016.

Staff Resource: Dan Johnson, City Manager

Summary: State law requires that the City Council hold two public hearings on the Proposed Tax Rate for Fiscal Year 2015-2016. This is the first scheduled public hearing. The second public hearing will take place on Monday, August 24, 2015.

Board/Commission Action: N/A

Action Proposed: Conduct a Public Hearing on the Proposed Tax Rate of \$0.63516 per \$100 Valuation for Fiscal Year 2015-2016.
