



Charter Review Process

City of Richardson

Presentation Outline

- **Council Goals**
- **Rationale for Review**
- **Charter History**
- **Legal Requirements**
- **Eligible Election Dates**
- **Charter Amendments**
- **Recommendations**
- **Proposed Timeline**
- **Questions and Council Feedback**

2013-2015 City Council Goals

Enhance Governance – to evaluate and examine the tools that allow the government to be effective and efficient

- Develop a process for a Charter Review
- Conduct a Charter Review

Rationale for Review

- The City Charter should be reviewed and updated periodically
 - Due to changes in state law and the state constitution,
 - To clarify existing provisions as needed to avoid conflicting interpretations;
 - And to otherwise to make the Charter more user friendly.
- State law and the state constitution control when the City Charter is in conflict
- A general review for state law conflicts, inconsistencies, clarification, and grammatical errors has not been conducted with the previous Charter Amendment Elections

Charter History

- Home Rule Charter Adopted
 - June 23, 1956
- First Charter Study Commission Appointed
 - July 19, 1960
 - No Council Action
- Second Charter Study Commission Appointed
 - June 13, 1966
 - No Council Action
- Third Charter Study Commission Appointed
 - November 5, 1973
 - No Council Action

Charter Election History

First Charter Amendment Election - January 21, 1989

- Fourth Charter Commission Appointed September 28, 1987
- Amended Charter Approved

Second Charter Amendment Election – November 6, 2007

- 3 Proposed Amendments
 - Meeting Locations
 - Open Meetings
 - Term Limits
- Amended Charter Approved

Third Charter Amendment Election – November 6, 2012

- Citizen Petition for Amendments
 - Proposed Amendments all Related to the Direct Election of the Mayor
- Amended Charter Approved

Legal Requirements

- A Special Election is required to amend the Charter
- The City is only authorized to hold an election on a uniform election date
 - Second Saturday in May of an odd or even year
 - First Tuesday after the first Monday in November
- Charter may not be amended more often than every 2 years - *Ref. COR Charter, Sec. 22.03 and Tex. Cons. Art XI, Sec. 5 (b)*
- Interpreted as 2 calendar years; a calendar year defined as 365 days (or 366 days in a leap year) - *Ref. Tex. AG Opinion No. JM-466*
- The City's last Charter election was November 6, 2012
- Based on the legal references, the calculation to determine the two year requirement is $11/6/2012 + (365 \times 2 = 730 \text{ days}) = 11/6/2014$

Eligible Election Dates

- The two year requirement will be met on 11/6/2014
- However, the November 2014 uniform election date is 11/4/2014 (the 728th day); two days before the two year requirement is met (730 days)
- Based on these legal requirements, the first eligible uniform election date to hold a Charter Amendment Election would be **May 9, 2015**
- The first eligible uniform election date for November would be **November 3, 2015.**

Uniform Election Dates	
11/06/2012	Last Charter Election
11/05/2013	364 Days
5/10/2014	550 Days
11/04/2014	728 Days
5/09/2015	First Eligible May Election Date Mayor/Council Election
11/03/2015	First Eligible November Election Date

Charter Amendments

- Charter Sec. 22.03 allows Charter Amendments to be proposed to the voters by:
 - By Voter Petition consistent with State Law
 - By Action of the City Council
 - By Report of a Charter Commission created by Ordinance
- Charter Amendments must be done by Special Election:
 - In accordance with the Election Law
 - Specific Notice Requirements
 - Specific Ballot Format for Propositions (1 subject/1 question; “Yes or “No”)

Charter Review Recommendations

- **Appoint a Charter Review Commission**
 - **Composition**
 - Recommendation – 9 members including a Chair and Vice Chair
 - **Selection Process**
 - Selected by City Council Collaboratively
 - **Duration**
 - October – May
- **Conduct a Charter Amendment Election in November 2015 as directed by City Council**

Proposed Timeline for Nov 3, 2015

Timeframe	Action
June 2014	City Council Work Session - Initial Briefing Charter Review Process
Aug - Sept	Appointment Considerations – Charter Review Commission (CRC)
Aug - Sept	Appoint CRC/Determine Commission Charge
Oct - May	CRC Meetings
May 2015	CRC Submits Final Report to City Council
May - July	Council Review/Public Hearings
July	Council Final Recommendation
Jul - Aug	City Atty –Final Review and Draft Ballot Language
Aug	City Council Work Session – Final Review
Aug 24, 2015	Deadline to Call Election
Nov 3, 2015	Special Election for Charter Amendment

Proposed Review Process by CRC

By Categorical Order

1. Orientation/Attorney Review
2. Art. 1-2, 20-21 - Incorporation & Territory, Powers of the City, Prohibitions, General Provisions
3. Art. 3-4 - City Council, Nomination & Election of City Council
4. Art. 5 and 14 - Recall, Initiative and Referendum
5. Art. 6-8 - City Manager, City Atty/Court, Administrative Department
6. Art. 9-10 - Boards & Commissions, Civil Service
7. Art. 11, 16, 19 - Budget, Taxes, Bonds
8. Art. 12,13,15 - Franchises, Ordinances, Publications
9. Art. 17, 18, 22 - Street Improvements, Condemnation, Effective Dates/Adoption
10. Final Recommendation

Conclusion

- **Questions?**
- **Receive Council Feedback**