

ORDINANCE NO. 4075

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, CREATING A CHARTER COMMISSION; ESTABLISHING CHARTER COMMISSION GUIDELINES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 22.03 of the Home Rule Charter provides that the Charter may be amended by action of the City Council submitting proposed amendments to the voters for approval or by report of a Charter Commission created by ordinance; and

WHEREAS, the City Council desires to establish 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 conform to federal and state law where conflict or inconsistency exist to be approved by the voters at an election called for such purpose on November 3, 2015; and

WHEREAS, the City Council desires to establish guidelines to assist the Charter Commission in making appropriate recommendations to the City Council for consideration by the City Council to be submitted to the voters at an election called for such purpose to be held on November 3, 2015.

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

SECTION 1. That the City Council of the City of Richardson does hereby establish a Charter Commission to review the City Charter for the purpose of making recommendations to the City Council for appropriate amendments to the City Charter to be approved by the voters at an election called for such purpose to be held on November 3, 2015. The Charter Commission shall consist of eleven (11) members to be appointed by the Mayor and City Council. The City Manager, or designee, and the City Attorney, or designee, shall be ex-officio, non-voting members of the Charter Commission. The Mayor and City Council shall select a chairperson and vice chairperson from among the Charter Commission members. The Mayor and City Council may remove any member from the Charter Commission for absenteeism or other cause. A quorum of the Charter Commission shall consist of six (6) members; and a majority of the entire membership of the Charter Commission is required for the approval of any recommendation to the City Council for the City Council to consider any amendment to the

Charter. The Charter Commission shall complete its review and submit a written report to the City Council containing any recommendations for amendments to the City Charter on or before June 1, 2015.

SECTION 2. That the City Council of the City of Richardson does hereby establish the following charge, guidelines, and schedule for the Charter Commission.

1. Charge:

- (a) to review the Charter for purposes of recommending amendments as necessary to cause the Charter to conform to federal and state law where conflict or inconsistencies exist;
- (b) to review the Charter for purposes of recommending amendments as necessary to clarify and condense existing Charter sections to improve the effective application of the Charter;
- (c) to review the Charter for any other provisions of the Charter as the Charter Review Commission determines necessary.

2. Guidelines:

- (a) Chairperson, and the vice chairperson in an absence of the chairperson, shall preside over the Charter Commission meetings;
- (b) The meetings of the Charter Commission shall be conducted in compliance with the Texas Open Meetings Act, and shall be open to the public, except for authorized closed meetings to consult with the City Attorney;
- (c) The Charter Commission shall prepare and submit a report to the City Council no later than June 1, 2015, consisting of recommendations in the form of proposed amendments to the Charter for review and consideration by the City Council of possible amendments to the Charter to be submitted to the voters at an election called for that purpose to be held on November 3, 2015.
- (d) The Charter Commission shall conduct its initial meeting for an orientation on October 15, 2014, at which time the Charter Commission shall: (i) receive comments from the Mayor, City Manager and City Attorney, (ii) review the Charter Commission charge, guidelines, and schedule, (iii) establish a meeting calendar that allows for the appropriate review, adheres to the June 1, 2015, reporting deadline, and informs the public of the review schedule; and (iv) discuss how to proceed with the review of the Charter;
- (e) The Charter Commission shall, prior to conducting its review of the Charter, conduct a public hearing following the initial orientation meeting of the Charter Commission to receive public comments concerning amendments to the Charter.
- (f) The Charter Commission shall, following the initial orientation meeting, meet in the City Manager's Conference Room, second floor of the City Hall/Civic Center (or other designated locations from time to time) in accordance with the Charter Commission schedule; and at the call of the Chair Person on such other dates and times, as may be necessary;

- (g) At the end of each meeting the Chair Person will ask for a vote and approval of recommended changes to the Charter, if any, and/or to move the review to the next portion or subject matter of the Charter, as appropriate;
- (h) City staff shall provide clerical support to the Charter Commission and shall keep the minutes of each meeting, including any Charter Commission approved recommendations to the City Council;
- (i) At the conclusion of the review of the Charter, the Charter Commission should review all prior approved Charter Commission recommendations with the City Attorney to ensure that such recommendations are in proper form and legal. Following such review the Charter Commission shall prepare and submit a report to the City Council.

SECTION 3. That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. That this Ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 6th day of October, 2014.

APPROVED:

Laura Mann
MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

Peter G. Smith
CITY ATTORNEY
(PGS:9-16-14:TM 68231)

Aimee Neme
CITY SECRETARY

