

MEMO

FOR: City Manager, Dan Johnson
FROM: City Attorney, Peter G. Smith
DATE: July 20, 2015
SUBJECT: Richardson City Charter Election Recommendations and Propositions

We have reviewed the Charter Commission Recommendations and have prepared a preliminary draft of proposed propositions for the November election.

Number of Propositions: Presently there are 84 possible propositions. While that is a large number of propositions for the voters to consider, the number of propositions is understandable since the Charter has been amended only a few times since its original adoption to address specific issues. According to the publication “Texas Home Rule Charters” by Terrell Blodgett, in 2006, one city had as many as 81 propositions and another city in 2007 had as many as 70 propositions. The number of propositions is necessary because each proposition must be limited to a single subject matter. What constitutes a signal subject has not been determined or construed by the courts or the Texas Attorney General. The City Council has the authority and discretion to accept, modify or reject any of the recommendations of the Charter Commission.

Dallas County Election Officials May Limit Number of Propositions: Based on communications she has received from the Dallas County Election Administrator, the City Secretary has advised there may be a limit of eight (8) ballot pages for the November election. Because the November ballot will contain several state constitutional amendment questions and the proposed bond election propositions, the space on the ballot for Charter propositions will be limited.

Recommendations Which Could be Omitted: We have reviewed the Charter Commission Recommendations with the City staff and have identified several recommendations the City Council could consider eliminating because the recommended changes are either (i) not necessary as a matter of law or (ii) were minor amendments constituting the change of a single word or phrase.

Council Directed Modification to the Charter Commission Recommendations Article IX, Section 9.07 (c): We have revised Article IX, Section 9.07 (c) to revise the description of the composition of the city plan commission as directed by the City Council to make the language consistent with the other Charter sections relating to members of the City boards residing in council districts to reflect “at least one (1) member shall reside in each of the council districts”.

Correction to the Charter Commission Recommendations to Article IX, Section 9.12 (e): In our review with City staff, it was discovered that the proposed amendment to Article IX to delete Section 9.12 (e) regarding the payroll certification by the civil service board and to add such provision to Article IX, Section 10.2 was in error. There is no need to relocate such provision. This was not a substantive change. We do not believe the Charter Commission would object to the City Council eliminating such recommendation.

Recommendation to Eliminate Charter Commission Recommendation to Change Article X, Section 10.05: The Charter Commission made the following recommendation:

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 apply to each employee classification in the classified service ~~be determined by the civil service board for each employee classification.~~

City staff has advised that the current Charter language is acceptable. The probationary period for employees in the classified service is set by rule adopted by the civil service board. Since it is not a substantive change the Charter Commission should have no objection.

Recommendation to Eliminate Charter Commission Recommendation to Change Article XI Section 11.04: The Charter Commission made the following recommendation:

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 public~~ city may be present and express their opinions concerning items of expenditures and revenue.

All that was changed other than capitalization was “At this hearing, ~~citizens of the public~~ city”. Since it is not a substantive change, the Charter Commission should have no objection.

Recommendation to Eliminate Charter Commission Recommendation to Change Article XI Section 11.05: The Charter Commission made the following recommendation:

Section 11.05. - Proceeding on adoption.

After ~~the~~ the 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.

All that was changed other than capitalization was “After ~~the~~ the public hearing”. Since it is not a substantive change, the Charter Commission should have no objection. Additionally, because there may be more than one public hearing on the budget, reference to “the” public hearing may cause confusion. Therefore, if the Council desires to proceed with amending this section, we recommend the phrase be changed to read: “After ~~the~~ the public hearings required by this Charter and state law, the ~~council~~ Council...”

Recommendation to Modify Charter Commission Recommendation to Change Article XI Section 11.07: The Charter Commission made the following recommendation:

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.**

This section has been a citizen topic of interpretation from time to time and needs clarification. We recommend that the following be added to the end of the last sentence “**to such operations**”. Since it is not a substantive change to the Charter Commission’s recommendation, the Charter Commission should have no objection.

Charter Commission Recommendation for Correction of Spelling and Capitalization: The Charter Commission has recommended the correction of capitalization and spelling of various words and phrases and the consistent reference to certain phrases as noted in the Commission recommendations provided to City Council. We recommend that this be accomplished by a global proposition to correct the spelling and capitalization in the Charter.

Additional Amendment Recommended: We recommend that Article XX be amended to add a provision that allows the City Council by ordinance to renumber articles, sections and paragraphs of the Charter. The proposed proposition and text change could read as follows:

Proposition

Shall Article XXII of the Richardson City Charter be amended to add Section 22.06 to provide that the city council shall have the power by ordinance, to renumber articles, sections, subsections and paragraphs of this Charter, or any amendments thereto?

Proposed Text Addition

Section 22.06. - **RENUMBERING.**

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

Draft Ballot Propositions: We have provided preliminary draft propositions for your convenience. After each proposition is an indication as to the priority of the need for the Charter amendment as determined by City staff based on prior discussion of City Council, the observations of the discussions of the Charter Commission, and past issues with the interpretation and application of

certain Charter provisions. We do not in any way presume to know the City Council priority of such matters. Therefore, the notations are added merely as a guide to the thinking of City staff on the proposed amendments.

Peter H. Smith

/PGS

Preliminary draft of proposed propositions as of 7-20-15:

Actual text and number of propositions will depend on council input and any county election ballot page limitations. There are approximately 84 propositions. After each proposition is a reference to priority for inclusion on the election ballot.

Key to categories

Required - needed as a matter of law, or because of citizen concerns, or election issue, operational issue, or clarification needed because of citizen interpretation or concern.

Second Priority- should be done because of need for clarification, simplification, or modern text.

Third Priority- should be done but not fatal if not done, needed for clarification, clean up, eliminates redundancy elsewhere in charter, outdated terms (words, phrases) redundancy (depends on council perspective)

Not Required- Commission recommendation but not necessary by law or after further review of Commission of recommendation and current charter language

PROPOSITION NO. 1

Shall Article I, Section 1.02 of the Richardson City Charter be amended to provide for maintaining the official map of the city's boundaries in accordance with state law. (Second Priority)

PROPOSITION NO. 2

Shall Article I, Section 1.03 of the Richardson City Charter be amended regarding the procedures for the annexation of territory into the corporate limits of the City. (Second Priority)

PROPOSITION NO. 3

Shall Article II, Section 2.03 of the Richardson City 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 Article XVIII, Sections 18.01 and 18.02 of the Richardson Charter be repealed to eliminate a redundancy with Article II, Section 2.03 as amended. (Second Priority)

PROPOSITION NO. 4

Shall Article II of the Richardson 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

Article XVIII, Sections 18.03, 18.04, 18.05, 18.06, and 18.07 be repealed to eliminate conflicting provisions with the new Section 2.04. (Second Priority)

PROPOSITION NO. 5

Shall Article III, Section 3.01(a) of the Richardson City Charter be amended to clarify that the city council consists of seven (7) members comprised of a mayor and six (6) council members. (Required)

PROPOSITION NO. 6

Shall Article III, Section 3.02 of the Richardson City Charter be amended to delete language referencing the mayor's term of office which is redundant with Article III, Section 3.01. (Required)

PROPOSITION NO. 7

Shall Article III, Section 3.07 of the Richardson City Charter be amended to provide that a vacancy in the office of mayor shall be filled by special election and that vacancies in the office of council members other than the office of mayor shall be filled by special election when there two or more vacancies of council members other than the mayor, and Article III, Section 3.03 of the Richardson City Charter be amended to delete the last sentence of Section 3.03 that the mayor pro tem assumes the office of mayor in the event of a vacancy in the office of the mayor which conflicts with the direct election of the mayor in the event of a vacancy as provided in Section 3.07. (Required)

PROPOSITION NO 8

Shall Article III, Section 3.04 of the Richardson City Charter be amended relating to the per diem compensation paid to the members of the city council. (Second Priority)

PROPOSITION NO. 9

Shall Article III, Section 3.08 of the Richardson City Charter be amended relating to the frequency of city council meetings. (Second Priority)

PROPOSITION NO. 10

Shall Article III, Section 3.09 of the Richardson City Charter relating to the procedure to call a special meeting of the city council be amended. (Third Priority)

PROPOSITION NO. 11

Shall Article III, Section 3.10 of the Richardson City Charter be amended to clarify that, except for emergency called meetings and authorized closed meetings, the meetings of the city council 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. (Required)

PROPOSITION NO. 12

Shall Article III, Section 3.11 of the Richardson City Charter be amended to clarify the definition of a quorum under the existing charter language and delete language not related to said definition. (Required)

PROPOSITION NO. 13

Shall Article III, Section 3.12 of the Richardson City Charter be amended to clarify that, the voting procedures for the city council include all members of the city council. (Required)

PROPOSITION NO. 14

Shall Article III, Section 3.14 of the Richardson Charter be amended to change the reference of “city judge” to “municipal judge” to be consistent with state law. (Third Priority)

PROPOSITION NO. 15

Shall Article IV, Section 4.01 of the Richardson City Charter be amended to provide that the boundaries of the council member districts shall be established by ordinance from time to time. (Second Priority)

PROPOSITION NO. 16

Shall Article IV, Section 4.04 of the Richardson City Charter be amended relating to the qualifications of a person to serve as mayor or council member. (Third Priority)

PROPOSITION NO. 17

Shall Article IV, Section 4.05 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 18

Shall Article IV, Section 4.06 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 19

Shall Article IV, Section 4.07 of the Richardson City Charter be amended regarding the method for the preparation of the election ballot for the offices of the mayor and council members. (Second Priority)

PROPOSITION NO. 20

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

PROPOSITION NO. 21

Shall Article V, Section 5.02 (a), (d), (e), (f), (g) and (h) of the Richardson City 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. (Second Priority)

PROPOSITION NO. 22

Shall Article V, Section 5.02 (b) of the Richardson City 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 number of qualified voters at the last regular city election. (Second Priority)

PROPOSITION NO. 23

Shall Article V of the Richardson City Charter be amended to add Section 5.04 to prohibit a petition for a recall election for the mayor or a council member within: (i) six (6) months after such person's election or appointment to the city council; (ii) within three (3) months after an election for such person's recall; and (iii) within three (3) months prior to the expiration of such person's current term of office. (Third Priority)

PROPOSITION NO. 24

Shall Article VI, Section 6.01 of the Richardson City Charter be amended to clarify the terms of appointment of the city manager by the city council.
(Required)

PROPOSITION NO. 25

Shall Article VI, Section 6.02 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 26

Shall Article VI, Section 6.05 of the Richardson City 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 Article VI, Section 6.06 of the Richardson City Charter be repealed to delete provisions redundant and conflicting with said Section 6.05, as amended. (Second Priority)

PROPOSITION NO. 27

Shall Article VII, Section 7.01 of the Richardson City 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 Article VII, Sections 7.05 and 7.06 of the Richardson City Charter to delete language redundant or in conflict with the provisions of Section 7.01, as amended. (Second Priority)

PROPOSITION NO. 28

Shall Article VII, Section 7.09 of the Richardson City Charter be repealed to eliminate a redundancy with state law regarding the jurisdiction of the municipal court. (Third Priority)

PROPOSITION NO. 29

Shall Article IX, Section 9.01 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 30

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

PROPOSITION NO. 31

Shall Article IX, Section 9.03 of the Richardson City Charter be amended to clarify that, under the existing charter provision the city removal of a person from a board or commission by the city council is subject to applicable state law and city ordinances. (Third Priority)

PROPOSITION NO. 32

Shall Article IX, Section 9.04 of the Richardson City Charter be amended to clarify that, under the existing charter provision 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. (Required)

PROPOSITION NO. 33

Shall Article IX, Section 9.05 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 34

Shall Article IX, Section 9.06 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 35

Shall Article IX, Section 9.07 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 36

Shall Article IX, Section 9.08 of the Richardson City Charter be amended to clarify and simplify the existing city charter provision regarding the composition of the city parks and recreation commission. (Second Priority)

PROPOSITION NO. 37

Shall Article IX, Section 9.09 of the Richardson City Charter be amended to clarify and simplify the existing city charter provision regarding the composition of the city library board. (Second Priority)

PROPOSITION NO. 38

Shall Article IX, Section 9.10 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 39

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

PROPOSITION NO. 40

Shall Article IX, Section 9.11 (d) of the Richardson City 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. (Second Priority)

PROPOSITION NO. 41

Shall Article IX, Section 9.11 (d) of the Richardson City Charter relating to the procedures of the city civil service board be amended to eliminate the required to provide an annual report. (Third Priority)

PROPOSITION NO. 42

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

DID NOT INCLUDE PROPOSITION TO AMEND SECTION 9.12 (e) AND SECTION 10.2 REALTING TO THE RELOCATION OF PAYROLL CERTIFICATION BY THE CIVIL SERVICE BOARD IN ANTICIPATION OF COUNCIL AGREEMENT THAT THE RECOMMENDED CHANGES WERE NOT NECESSARY BASED ON OUR MEMORANDUM.

PROPOSITION NO. 43

Shall Article IX, Section 9.12 (g) of the Richardson City Charter relating to the prohibition of employment discrimination practices be amended to include age and disabilities. (Third Priority)

PROPOSITION NO. 44

Shall Article X, Section 10.3 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 45

Shall Article X, Section 10.3 of the Richardson City 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. (Third Priority)

DID NOT INCLUDE PROPOSITION TO AMEND SECTION 10.05 REGARDING PROBATIONARY PERIOD OF EMPLOYMENT FOR CLASSIFIED SERVICE IN ANTICIPATION OF COUNCIL AGREEMENT THAT THE RECOMMENDED CHANGE WAS NOT NECESSARY BASED ON OUR MEMORANDUM.

PROPOSITION NO. 46

Shall Article X, Section 10.06 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 47

Shall Article XI, Section 11.02 of the Richardson City Charter relating to the preparation of the city budget by the city manager be amended to require the

budget to comply with, and contain such information, as required by state law.
(Required)

PROPOSITION NO. 48

Shall Article XI, Section 11.03 of the Richardson City Charter be amended to clarify that the proposed city budget and supporting schedules filed by city manager with city secretary shall be open to public inspection when submitted to the city council. (Required)

PROPOSITION NO. 49

Shall Article XI, Section 11.04 of the Richardson City Charter relating to the public hearing on the proposed city budget be amended to change the phrase “citizens of the city” to “the public”.(Not Needed)(Memorandum recommends deletion)

PROPOSITION NO. 50

Shall Article XI, Section 11.05 of the Richardson City Charter relating to the council procedure on the adoption of the budget be amended to add “the” in reference to “public hearing”. (Not Needed) (Memorandum recommends deletion)

PROPOSITION NO. 51

Shall Article XI, Section 11.06 of the Richardson City Charter relating to budget appropriation of funds be amended by changing the phrase “reserved fund balance” to read “unallocated fund balance.” (Required)

PROPOSITION NO. 52

Shall Article XI, Section 11.07 of the Richardson City Charter relating to the transfer of budgeted funds 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. (Required)(Memorandum recommends additional phrase to be added to Commission recommendation)

PROPOSITION NO. 53

Shall Article XI, Section 11.08 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 54

Shall Article XI, Section 11.09 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 55

Shall Article XI, Section 11.10 of the Richardson City Charter be amended to clarify the existing charter provision relating to making the adopted budget available to the public. (Third Priority)

PROPOSITION NO. 56

Shall Article XI, Section 11.11 of the Richardson City Charter be amended to clarify the existing charter provision relating to the requirement for conducting annual audits to provide that the city council shall have an independent audit conducted of the city funds and accounts each fiscal year by a certified public accountant or firm in accordance with applicable auditing standards. (Required)

PROPOSITION NO. 57

Shall Article XII, Section 12.02 of the Richardson City Charter be amended to clarify and simplify the existing charter prohibition of the city granting an exclusive franchise for any public or private utility. (Third Priority)

PROPOSITION NO. 58

Shall Article XII, Section 12.03 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 59

Shall Article XII, Section 12.07 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 60

Shall Article XII, Section 12.08 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 61

Shall Article XII, Section 12.12 of the Richardson City Charter be amended to provide that the authority of the city to regulate railway and transit operations is subject to state and federal law. (Third Priority)

PROPOSITION NO. 62

Shall Article XII, Section 12.14 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 63

Shall Article XII, Section 12.15 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 64

Shall Article XII, Section 12.16 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 65

Shall Article XIII, Section 13.02 of the Richardson City Charter relating to the requirement that certain actions by the city council not otherwise required by law or a specific provision of the charter be done by ordinance be repealed. (Required)

PROPOSITION NO. 66

Shall Article XIII, Section 13.03 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 67

Shall Article XIII, Section 13.06 of the Richardson City Charter relating to the enrollment of city ordinances by the city secretary be amended. (Third Priority)

PROPOSITION NO. 68

Shall Article XIV, Sections 14.01, 14.02, 14.03, 14.04, 14.05, 14.06 and 14.08 of the Richardson City Charter be amended to clarify and simplify the procedure for a citizen to initiate legislation by petition calling for an election on a proposed ordinance. (Second Priority)

PROPOSITION NO. 69

Shall Article XIV, Section 14.07 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 70

Shall Article XIV, Section 14.09 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 71

Shall Article XV of the Richardson City Charter relating 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. (Third Priority)

PROPOSITION NO. 72

Shall Article XVI, Section 16.03 of the Richardson City Charter relating to the payment of property taxes be amended to conform to state law. (Third Priority)

PROPOSITION NO. 73

Shall Article XVI, Section 16.05 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 74

Shall Article XIX, Section 19.04 of the Richardson City Charter be repealed and Sections 19.01 and 19.02 of the Richardson City Charter amended to simplify and clarify the authority of the city to issue and sell bonds in accordance with state law. (Required)

PROPOSITION NO. 75

Shall Article XX, Sections 20.01 and 20.03 of the Richardson City Charter be amended to simplify and clarify the authority of the city to exempt property from assessments. (Third Priority)

PROPOSITION NO. 76

Shall Article XX, Section 20.02 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 77

Shall Article XX, Sections 20.03 and 20.04 of the Richardson City Charter be amended to simplify and clarify the existing charter provisions relating to garnishments, execution of judgments and liens against city property to conform to state law. (Third Priority)

PROPOSITION NO. 78

Shall Article XX, Section 20.05 of the Richardson City Charter relating to the notice of claims by contractors for public work projects be repealed. (Second Priority)

PROPOSITION NO. 79

Shall Article XXI, Section 21.02 of the Richardson City Charter be amended to simplify and clarify the existing charter provision relating to the procedures and authority for execution of city contracts. (Required)

PROPOSITION NO. 80

Shall Article XXI, Section 21.03 of the Richardson City Charter be amended to provide that procedures relating to purchasing and contracting for public improvements shall comply with state law. (Required)

PROPOSITION NO. 81

Shall Article XXI, Section 21.04 of the Richardson City Charter be amended to clarify the existing charter provision relating to the acquisition of land for parks. (Third Priority)

PROPOSITION NO. 82

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

PROPOSITION NO. 83

Shall Article XXII of the Richardson City 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. (Third Priority)

PROPOSITION NO. 84

Shall the Richardson City Charter be amended to correct spelling and capitalization without making any substantive changes. (Third Priority)

Section 9.07 – current document

(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.~~

(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 **appointed by the city council**, ~~each of whom shall be qualified voters of the City of Richardson, and 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** ~~City Plan Commission~~ shall serve for **two (2) year terms** ~~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 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 who represent the three (3) at-large districts, plus two (2) one (1) alternate members, 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, ~~f,~~ 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.

IN CATEGORY ORDER

Preliminary draft of proposed propositions as of 7-20-15

Actual text and number of propositions will depend on council input and any county election ballot page limitations. There are approximately 84 propositions.

Key to categories

Required - needed as a matter of law, or because of citizen concerns, or election issue, operational issue, or clarification needed because of citizen interpretation or concern.

Second Priority- should be done because of need for clarification, simplification, or modern text.

Third Priority- should be done but not fatal if not done, needed for clarification, clean up, eliminates redundancy elsewhere in charter, outdated terms (words, phrases) redundancy (depends on council perspective)

Not Required- Commission recommendation but not necessary by law or after further review of Commission of recommendation and current charter language

Required - needed as a matter of law, or because of citizen concerns, or election issue, operational issue, or clarification needed because of citizen interpretation or concern.

PROPOSITION NO. 5

Shall Article III, Section 3.01(a) of the Richardson City Charter be amended to clarify that the city council consists of seven (7) members comprised of a mayor and six (6) council members. (Required)

PROPOSITION NO. 6

Shall Article III, Section 3.02 of the Richardson City Charter be amended to delete language referencing the mayor's term of office which is redundant with Article III, Section 3.01. (Required)

PROPOSITION NO. 7

Shall Article III, Section 3.07 of the Richardson City Charter be amended to provide that a vacancy in the office of mayor shall be filled by special election and that vacancies in the office of council members other than the office of mayor shall be filled by special election when there two or more vacancies of council members other than the mayor, and Article III, Section 3.03 of the Richardson City Charter be amended to delete the last sentence of Section 3.03 that the mayor pro tem assumes the office of mayor in the event of a vacancy in the office of the mayor which conflicts with the direct election of the mayor in the event of a vacancy as provided in Section 3.07. (Required)

PROPOSITION NO. 11

Shall Article III, Section 3.10 of the Richardson City Charter be amended to clarify that, except for emergency called meetings and authorized closed meetings, the meetings of the city council 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. (Required)

PROPOSITION NO. 12

Shall Article III, Section 3.11 of the Richardson City Charter be amended to clarify the definition of a quorum under the existing charter language and delete language not related to said definition. (Required)

PROPOSITION NO. 13

Shall Article III, Section 3.12 of the Richardson City Charter be amended to clarify that, the voting procedures for the city council include all members of the city council. (Required)

PROPOSITION NO. 24

Shall Article VI, Section 6.01 of the Richardson City Charter be amended to clarify the terms of appointment of the city manager by the city council. (Required)

PROPOSITION NO. 32

Shall Article IX, Section 9.04 of the Richardson City Charter be amended to clarify that, under the existing charter provision 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. (Required)

PROPOSITION NO. 47

Shall Article XI, Section 11.02 of the Richardson City Charter relating to the preparation of the city budget by the city manager be amended to require the budget to comply with, and contain such information, as required by state law. (Required)

PROPOSITION NO. 48

Shall Article XI, Section 11.03 of the Richardson City Charter be amended to clarify that the proposed city budget and supporting schedules filed by city manager with city secretary shall be open to public inspection when submitted to the city council. (Required)

PROPOSITION NO. 51

Shall Article XI, Section 11.06 of the Richardson City Charter relating to budget appropriation of funds be amended by changing the phrase “reserved fund balance” to read “unallocated fund balance.” (Required)

PROPOSITION NO. 52

Shall Article XI, Section 11.07 of the Richardson City Charter relating to the transfer of budgeted funds 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. (Required)(Memorandum recommends additional phrase to be added to Commission recommendation)

PROPOSITION NO. 56

Shall Article XI, Section 11.11 of the Richardson City Charter be amended to clarify the existing charter provision relating to the requirement for conducting annual audits to provide that the city council shall have an independent audit conducted of the city funds and accounts each fiscal year by a certified public accountant or firm in accordance with applicable auditing standards. (Required)

PROPOSITION NO. 65

Shall Article XIII, Section 13.02 of the Richardson City Charter relating to the requirement that certain actions by the city council not otherwise required by law or a specific provision of the charter be done by ordinance be repealed. (Required)

PROPOSITION NO. 74

Shall Article XIX, Section 19.04 of the Richardson City Charter be repealed and Sections 19.01 and 19.02 of the Richardson City Charter amended to simplify and clarify the authority of the city to issue and sell bonds in accordance with state law. (Required)

PROPOSITION NO. 79

Shall Article XXI, Section 21.02 of the Richardson City Charter be amended to simplify and clarify the existing charter provision relating to the procedures and authority for execution of city contracts. (Required)

PROPOSITION NO. 80

Shall Article XXI, Section 21.03 of the Richardson City Charter be amended to provide that procedures relating to purchasing and contracting for public improvements shall comply with state law. (Required)

PROPOSITION NO. 82

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

Second Priority- should be done because of need for clarification, simplification, or modern text.

PROPOSITION NO. 1

Shall Article I, Section 1.02 of the Richardson City Charter be amended to provide for maintaining the official map of the city's boundaries in accordance with state law. (Second Priority)

PROPOSITION NO. 2

Shall Article I, Section 1.03 of the Richardson City Charter be amended regarding the procedures for the annexation of territory into the corporate limits of the City. (Second Priority)

PROPOSITION NO. 3

Shall Article II, Section 2.03 of the Richardson City 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 Article XVIII, Sections 18.01 and 18.02 of the Richardson Charter be repealed to eliminate a redundancy with Article II, Section 2.03 as amended. (Second Priority)

PROPOSITION NO. 4

Shall Article II of the Richardson 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 Article XVIII, Sections 18.03, 18.04, 18.05, 18.06, and 18.07 be repealed to eliminate conflicting provisions with the new Section 2.04. (Second Priority)

PROPOSITION NO 8

Shall Article III, Section 3.04 of the Richardson City Charter be amended relating to the per diem compensation paid to the members of the city council. (Second Priority)

PROPOSITION NO. 9

Shall Article III, Section 3.08 of the Richardson City Charter be amended relating to the frequency of city council meetings. (Second Priority)

PROPOSITION NO. 15

Shall Article IV, Section 4.01 of the Richardson City Charter be amended to provide that the boundaries of the council member districts shall be established by ordinance from time to time. (Second Priority)

PROPOSITION NO. 18

Shall Article IV, Section 4.06 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 19

Shall Article IV, Section 4.07 of the Richardson City Charter be amended regarding the method for the preparation of the election ballot for the offices of the mayor and council members. (Second Priority)

PROPOSITION NO. 20

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

PROPOSITION NO. 21

Shall Article V, Section 5.02 (a), (d), (e), (f), (g) and (h) of the Richardson City 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. (Second Priority)

PROPOSITION NO. 22

Shall Article V, Section 5.02 (b) of the Richardson City 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 number of qualified voters at the last regular city election. (Second Priority)

PROPOSITION NO. 26

Shall Article VI, Section 6.05 of the Richardson City 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 Article VI, Section 6.06 of the Richardson City Charter be repealed to delete provisions redundant and conflicting with said Section 6.05, as amended. (Second Priority)

PROPOSITION NO. 27

Shall Article VII, Section 7.01 of the Richardson City 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 Article VII, Sections 7.05 and 7.06 of the Richardson City Charter to delete language redundant or in conflict with the provisions of Section 7.01, as amended. (Second Priority)

PROPOSITION NO. 35

Shall Article IX, Section 9.07 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 36

Shall Article IX, Section 9.08 of the Richardson City Charter be amended to clarify and simplify the existing city charter provision regarding the composition of the city parks and recreation commission. (Second Priority)

PROPOSITION NO. 37

Shall Article IX, Section 9.09 of the Richardson City Charter be amended to clarify and simplify the existing city charter provision regarding the composition of the city library board. (Second Priority)

PROPOSITION NO. 38

Shall Article IX, Section 9.10 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 39

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

PROPOSITION NO. 40

Shall Article IX, Section 9.11 (d) of the Richardson City 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. (Second Priority)

PROPOSITION NO. 42

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

PROPOSITION NO. 53

Shall Article XI, Section 11.08 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 54

Shall Article XI, Section 11.09 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 68

Shall Article XIV, Sections 14.01, 14.02, 14.03, 14.04, 14.05, 14.06 and 14.08 of the Richardson City Charter be amended to clarify and simplify the procedure for a citizen to initiate legislation by petition calling for an election on a proposed ordinance. (Second Priority)

PROPOSITION NO. 70

Shall Article XIV, Section 14.09 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 73

Shall Article XVI, Section 16.05 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 76

Shall Article XX, Section 20.02 of the Richardson City 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. (Second Priority)

PROPOSITION NO. 78

Shall Article XX, Section 20.05 of the Richardson City Charter relating to the notice of claims by contractors for public work projects be repealed. (Second Priority)

Third Priority- should be done but not fatal if not done, needed for clarification, clean up, eliminates redundancy elsewhere in charter, outdated terms (words, phrases) redundancy (depends on council perspective)

PROPOSITION NO. 10

Shall Article III, Section 3.09 of the Richardson City Charter relating to the procedure to call a special meeting of the city council be amended. (Third Priority)

PROPOSITION NO. 14

Shall Article III, Section 3.14 of the Richardson Charter be amended to change the reference of “city judge” to “municipal judge” to be consistent with state law. (Third Priority)

PROPOSITION NO. 16

Shall Article IV, Section 4.04 of the Richardson City Charter be amended relating to the qualifications of a person to serve as mayor or council member. (Third Priority)

PROPOSITION NO. 17

Shall Article IV, Section 4.05 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 23

Shall Article V of the Richardson City Charter be amended to add Section 5.04 to prohibit a petition for a recall election for the mayor or a council member within: (i) six (6) months after such person’s election or appointment to the city council; (ii) within three (3) months after an election for such person’s recall; and (iii) within three (3) months prior to the expiration of such person’s current term of office. (Third Priority)

PROPOSITION NO. 25

Shall Article VI, Section 6.02 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 28

Shall Article VII, Section 7.09 of the Richardson City Charter be repealed to eliminate a redundancy with state law regarding the jurisdiction of the municipal court. (Third Priority)

PROPOSITION NO. 29

Shall Article IX, Section 9.01 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 30

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

PROPOSITION NO. 31

Shall Article IX, Section 9.03 of the Richardson City Charter be amended to clarify that, under the existing charter provision the city removal of a person from a board or commission by the city council is subject to applicable state law and city ordinances. (Third Priority)

PROPOSITION NO. 33

Shall Article IX, Section 9.05 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 34

Shall Article IX, Section 9.06 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 41

Shall Article IX, Section 9.11 (d) of the Richardson City Charter relating to the procedures of the city civil service board be amended to eliminate the required to provide an annual report. (Third Priority)

PROPOSITION NO. 43

Shall Article IX, Section 9.12 (g) of the Richardson City Charter relating to the prohibition of employment discrimination practices be amended to include age and disabilities. (Third Priority)

PROPOSITION NO. 44

Shall Article X, Section 10.3 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 45

Shall Article X, Section 10.3 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 46

Shall Article X, Section 10.06 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 55

Shall Article XI, Section 11.10 of the Richardson City Charter be amended to clarify the existing charter provision relating to making the adopted budget available to the public. (Third Priority)

PROPOSITION NO. 57

Shall Article XII, Section 12.02 of the Richardson City Charter be amended to clarify and simplify the existing charter prohibition of the city granting an exclusive franchise for any public or private utility. (Third Priority)

PROPOSITION NO. 58

Shall Article XII, Section 12.03 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 59

Shall Article XII, Section 12.07 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 60

Shall Article XII, Section 12.08 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 61

Shall Article XII, Section 12.12 of the Richardson City Charter be amended to provide that the authority of the city to regulate railway and transit operations is subject to state and federal law. (Third Priority)

PROPOSITION NO. 62

Shall Article XII, Section 12.14 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 63

Shall Article XII, Section 12.15 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 64

Shall Article XII, Section 12.16 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 66

Shall Article XIII, Section 13.03 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 67

Shall Article XIII, Section 13.06 of the Richardson City Charter relating to the enrollment of city ordinances by the city secretary be amended. (Third Priority)

PROPOSITION NO. 69

Shall Article XIV, Section 14.07 of the Richardson City 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. (Third Priority)

PROPOSITION NO. 71

Shall Article XV of the Richardson City Charter relating 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. (Third Priority)

PROPOSITION NO. 72

Shall Article XVI, Section 16.03 of the Richardson City Charter relating to the payment of property taxes be amended to conform to state law. (Third Priority)

PROPOSITION NO. 75

Shall Article XX, Sections 20.01 and 20.03 of the Richardson City Charter be amended to simplify and clarify the authority of the city to exempt property from assessments. (Third Priority)

PROPOSITION NO. 77

Shall Article XX, Sections 20.03 and 20.04 of the Richardson City Charter be amended to simplify and clarify the existing charter provisions relating to garnishments, execution of judgments and liens against city property to conform to state law. (Third Priority)

PROPOSITION NO. 81

Shall Article XXI, Section 21.04 of the Richardson City Charter be amended to clarify the existing charter provision relating to the acquisition of land for parks. (Third Priority)

PROPOSITION NO. 83

Shall Article XXII of the Richardson City 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. (Third Priority)

PROPOSITION NO. 84

Shall the Richardson City Charter be amended to correct spelling and capitalization without making any substantive changes. (Third Priority)

Not Required- Commission recommendation but not necessary by law or after further review of Commission of recommendation and current charter language

PROPOSITION NO. 49

Shall Article XI, Section 11.04 of the Richardson City Charter relating to the public hearing on the proposed city budget be amended to change the phrase “citizens of the city” to “the public”.(Not Needed)(Memorandum recommends deletion)

PROPOSITION NO. 50

Shall Article XI, Section 11.05 of the Richardson City Charter relating to the council procedure on the adoption of the budget be amended to add “the” in reference to “public hearing”. (Not Needed) (Memorandum recommends deletion)



Discussion of Preliminary Charter Propositions

July 20, 2015

Tonight's Agenda Item

- Review preliminary ballot propositions as prepared by the City Attorney
- Review information from State of Texas, Dallas County and Collin County regarding election services and ballot considerations
- Provide feedback and input

Preliminary Charter Propositions

City Attorney developed preliminary propositions based on:

- City Council direction
- Charter Review Commission recommendations
- Election Code stipulations that state propositions amending a city's charter must:
 - Allow voters only two choices: approve or disapprove
 - Include only one subject
- Final proofreading/editing of proposed wording
- As of July 20th, 84 preliminary propositions have been identified for voter consideration

Charter Election Considerations

Election Services Contracts

- The City contracts with Dallas County to administer elections.
 - This provides cost-sharing with the county and other contracting entities, polling location sharing, uniform administration of all elections, and convenience to voters.
- Dallas County handles both Dallas and Collin County voters who live in Richardson for the General Election in May.
- For November elections, Dallas County will only handle Dallas County residents within Richardson

Charter Election Considerations

Election Services Contracts

- The City will need to contract with Collin County to handle the Collin County voters within Richardson
- The City will contract with both Collin and Dallas County to administer the November Bond and Charter election for all Richardson voters

Charter Election Considerations

Ballot Considerations & Equipment Limitations

- The November ballot will contain 7 constitutional amendments in addition to any other entity elections
- The ballot for both Collin County and Dallas County voters will list the constitutional amendments first, followed by the bond propositions, then the charter amendment propositions.

Charter Election Considerations

Ballot Considerations & Equipment Limitations

- Collin and Dallas County use voting systems and equipment that are compliant with the Election Code and approved by the Secretary of State through a certification process.
- Dallas County has explained that the voting systems/equipment have programming limitations with regard to the paper ballot
 - The limitation is a 4 page paper ballot per voter, which includes a total of 8 sides on 17 inch paper
 - This limitation includes the space for the constitutional amendments, therefore leaving potentially only 6-7 sides for both the bond propositions and the charter amendments in English and Spanish
 - Collin County has more capacity for the paper ballot, but has explained that the ballot could be up to 14 pages or more

Charter Election Considerations

Ballot Considerations & Equipment Limitations

- City staff is in the process of working with Dallas County to determine available space based on font size, page size, and margins
- During the next week, City staff will work to see how many propositions can “fit” within these configurations

Feedback/Input Requested

- City Council is requested to review preliminary propositions over the next week and be prepared to discuss at the July 27th City Council meeting
- City staff will provide a progress report at the July 27th City Council meeting on the ballot configuration

Next Steps

- **June – July:** City council review and discussion of recommendations
 - June 22nd – City council work session
 - July 20th – City council update
 - July 27th – City council update
- **July – August:** City attorney final review and preparation of ballot language
- **August:** City council action to call an election
 - August 24th – Last possible date to call an election
- **November:** Hold election
 - November 3rd – Election day (early voting begins October 19th)