

MINUTES
RICHARDSON CITY COUNCIL/CHARTER REVIEW COMMISSION
JOINT WORK SESSION MEETING
JUNE 1, 2015

WORK SESSION – 6:00 P.M.:

• **Call to Order**

Mayor Voelker called the meeting to order at 6:00 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
Vacant	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
Cliff Miller	Assistant City Manager Development Services
Don Magner	Assistant City Manager Community Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Aimee Nemer	City Secretary
Taylor Paton	Management Analyst
Pete Smith	City Attorney

Bob Dubey, Charter Review Commission Chair, called the Charter Review Commission meeting to order with the following Commissioners present:

Bob Dubey, Chair	Commissioners Absent:
Ron Taylor, Vice Chair	Helene Lee, Commissioner
Gerald Bright, Commissioner	
Marta Frey, Commissioner	
Jason Lemons, Commissioner	
Bill McCalpin, Commissioner	
John Murphy, Commissioner	
Kim Quirk, Commissioner	
Nancy Wilson, Commissioner	
Erica Yaeger, Commissioner	

A. VISITORS

Mr. Bill Mcalpin, Friends of the Library President, presented two Dorthy ‘Dot’ McCalpin Memorial Scholarships to Grace Hseu and Shraddha Bista.

Mr. Rick Wilder addressed Council regarding the City Council Place 5 vacancy and submitted his name for consideration.

B. CHARTER REVIEW COMMISSION APPROVAL OF THE MAY 13, 2015 CHARTER REVIEW COMMISSION MEETING MINUTES

Commission Action

Commissioner Frey moved to approve the Minutes with the correction of the spelling of Ross Robertson's name. Commissioner Murphy seconded the motion. A vote was taken and passed, 10-0 with Commissioner Lee absent.

C. REVIEW AND DISCUSS RECOMMENDATIONS FROM THE CHARTER REVIEW COMMISSION

Bob Dubey, Chair of the Charter Review Commission, introduced the Commission and gave a background on the Commission's charge, number of meetings, opportunity for public input, and the focus of the Commission.

Ron Taylor, Vice Chair of the Charter Review Commission, discussed the recommendations from the Commission under the governance category explaining that these items received the most discussion.

Shanna Sims-Bradish, Assistant City Manager, reviewed the process and key recommendations from the Commission categorized by City Powers, Governance, Administration, and Charter Review:

Governance

Article 2 - Powers of the City

- *Article 2.04 Street and public improvements:*
 - Added text stating the city has the full power, authority and rights in regards to streets and public improvements (sidewalks, alleys, drainage facilities, sanitary sewer facilities, water and storm drainage) that was previously listed in Articles 17 and 18. Articles 17 and 18 are recommended for deletion

Article 3 – City Council

- *Article 3.03 – Mayor pro tem:*
 - Removed wording added in 2012 that states that upon a vacancy in the mayor's position, the mayor pro tem shall fill the unexpired term and assume the office of mayor
 - Added wording that states the mayor pro tem shall temporarily perform the duties of the mayor in the case of absence or inability of the mayor to perform the duties, but does not assume the office of mayor
- *Article 3.04 – Compensation:*
 - Recommended increasing the compensation for the city council from \$50 to \$100 per meeting
- *Article 3.07 – Council vacancies (Mayoral vacancy):*
 - Added a provision that upon a vacancy in the mayor's position, the city council shall call a special election to be held at the earliest date allowed by state law 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
- *Article 3.07 – Council vacancies:* Revised wording regarding a vacancy in the city council other than the office of the mayor to state:

- 1.) for one vacancy, it shall be filled by appointment by the majority vote of the remaining members of the city council to fill the unexpired term;
- 2.) when there are two or more vacancies at one time, the vacancies shall be filled by special election to be held at the earliest date allowed by state law 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

- *Article 3.10 – Open meetings:*
 - Clarified that visitors may speak at all city council meetings that are not emergency meetings, authorized closed meetings or council committee meetings

Article 5 - Recall

- *Article 5.04 – Recall limitations:*
 - Added a provision that “no recall petition shall be filed within six months after such person’s election or within three months after a recall election, and in no case within three months prior to the expiration of their current term of office.”

Article 14 – Initiative and Referendum

- *Article 14.07 – Publication of ordinance proposed by petition initiative:*
 - Reduced the number of days from 45 to 30 prior to the election that a proposed ordinance (either by initiative petition or as required by charter) shall be published in the local newspaper
- *Article 14.09 – Power of referendum:*
 - Increased the number of days from 30 days to 45 days in which citizens can file a petition for referendum after passage of an ordinance/publication of the ordinance

Administration

Article 6 – City Manager

- *Article 6.01 – Appointment of a city manager:*
 - Removed a provision that the city council may enter into a contract with a city manager for a period not to exceed two years

Article 7 – City Attorney

- *Article 7.01 – City attorney:*
 - Added a provision to Article 7.01 that the city attorney may serve as municipal court prosecutor, may provide a prosecutor or may contract for prosecutor services

Article 11 - Budget

- *Article 11.02 - Preparation and submission of the budget:*
 - Simplified the language for the required content of the proposed budget to comply with state law

Article 11 - Budget

- *Article 11.07 – Transfer of appropriations:*
 - Added information that there is no prohibition regarding the transfer of budgeted funds of any nontax supported public utility or other enterprise fund for the purpose of reimbursing the general fund for providing administrative services

Charter Review

Article 19 – Effective Date and Adoption

- Article 19.05 – Charter review:
 - Added *Article 19.05 Charter review* which states “The city council shall appoint a commission at least every ten years to review the charter. The commission shall be made up of qualified voters from all districts of the city.”
- Consistent capitalization and spelling of words such as “city”, “charter”, “city council”, “mayor”, “council”, “council member”, “city manager”, “city secretary”
- Consistency in references to federal and state law and the constitution
- Use of modern spelling of words such as “therefore”

Ms. Sims-Bradish also reviewed the recommended global edits and election procedures.

Council Discussion

Regarding Article 2.04, Mayor Voelker inquired about Homeowners Association responsibilities for streets. Pete Smith, City Attorney, stated that their responsibilities are addressed in the Subdivision Regulations.

Mayor Voelker also wanted to make sure the propositions would be presented to the voters in such a way that they wouldn't impact each other if some were approved and others not.

Councilmember Simpson asked for clarification of a quorum versus a unanimous vote regarding Section 3.11. Mr. Smith stated it would be three of five attendance not unanimous vote.

Councilmember Mitchell inquired if various publication methods that may be approved in the future would be covered in Section 14.07. Mr. Smith stated it would.

Councilmember Mitchell also inquired why the recommendation for a special election in 3.07 would not also apply to a council member.

Mayor Voelker clarified that a meeting night when there is a work session and council meeting is one meeting.

Councilmember Simpson asked for an example of the transfers regarding Section 11.07. City Manager Johnson explained the cost allocation for administrative services in the revenue funds. Ms. Simpson asked if the transfers were mirrored on both sides of the accounting. Mr. Johnson stated they were.

Regarding Section 11.02, Councilmember Mitchell inquired if state law was specific in the requirements for the budget. Mr. Johnson explained that state law is very specific and constantly changing in the requirements. He explained that the City of Richardson exceeds the requirements.

Mayor Pro Tem Solomon asked when the provision to review the Charter every ten years would begin. Mr. Smith stated it would be calculated as ten years after the election; 2025.

Commission Comments

Commissioner Quirk commented that the Commission debated the length of terms passionately and determined to recommend as they are.

Commissioner Wilson stated that all public comments were reviewed. She said that the direct election of the Mayor and the previous method of council election were also discussed but determined that the method decided by the voters in 2012 should be given a chance. She also stated she would like to see a format for more public input during the next Charter review process.

Commissioner Lemons stated he felt one of the most important changes was the addition of the requirement to review the Charter at least every ten years.

Commissioner Murphy stated that single member districts, staggered terms, and length of terms were discussed thoroughly.

Vice Chair Taylor explained that the Commission received a lot of information on methods in other cities on various subjects to help make decisions and comparisons.

Commissioner McCalpin stated that most of the changes are non-substantive changes and mostly related to archaic language or clarity.

Council Comments

Councilmember Mitchell stated he was amazed with the amount of work of the Commission and the intense effort. He expressed his appreciation.

Councilmember Townsend expressed his appreciation and commented that the Commission was a very diverse group and did an excellent job. He stated that the Council should make minimal changes if any to the recommendations.

Councilmember Dunn thanked the Commission and commented on the diversity of the group and their effort to seek public input.

Mayor Voelker stated that the Commission was an independent group that tackled tough issues and benchmarked against other cities in their deliberations and recommendations.

D. ADJOURNMENT OF CHARTER REVIEW COMMISSION PORTION OF THE JOINT MEETING

Commission Action

With no further business, the Charter Review Commission adjourned at 7:15 p.m. with a motion by Commissioner Lemons, second by Commissioner McCalpin, and approved unanimously.

RECESS

Council took a recess at 7:15 and reconvened at 7:27 p.m.

E. REVIEW AND DISCUSS TIMELINE FOR APPOINTMENT TO CITY COUNCIL PLACE 5

Assistant City Manager, Don Magner, reviewed Charter Section 3.07, guidelines for filling a vacancy; and Section 4.04, minimum qualifications for a member of city council.

Council determined to hold a special meeting on June 10th at 6:30 p.m. to discuss the appointment. Mayor Voelker requested Council to be prepared with a list of names for discussion.

F. REPORT ON ITEMS OF COMMUNITY INTEREST

Mayor Voelker acknowledged Officer Adam Lewin for his years of service and attendance at the City Council meetings. Mayor Voelker also commented on the unveiling of the fountain at Duck Creek. Mayor Pro Tem Solomon commented on the ribbon cutting of the Dr. Pepper StarCenter that took place Saturday in Richardson. Councilmember Mitchell commented on the end of the legislative session and recognized the work of Richardson representatives; Senator Van Taylor, Representative Jeff Leach, Representative Linda Koop, and Representative Angie Chen Button.

ADJOURNMENT

With no further business, the City Council meeting was adjourned at 7:52 p.m.

MAYOR

ATTEST:

CITY SECRETARY