

MINUTES
HOME RULE CHARTER COMMISSION (HRCC) MEETING
December 10, 2019

CALL TO ORDER – Roll Call and Determination of a Quorum

The Home Rule Charter Commission (HRCC) met on the above date. Chair Macduff called the meeting to order at 7 p.m. and noted there was a quorum.

HOME RULE CHARTER COMMISSION MEMBERS AND ALTERNATES

HRCC Members

- ✓ 1. Z Marshall
- ✓ 2. James A. “Andy” Redmond
- ✓ 3. Billy Barron (Secretary)
- ✓ 4. David Gilmore
- ✓ 5. Tom Macduff (Chair)
- ✓ 6. Randy Kercho
- ✓ 7. Homer Adams II
- ✓ 8. Todd Fecht
- ✓ 9. Scott Livesay

HRCC Alternates

- ✓ 1. Terry M. Lynch

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Scott Livesay led the pledge.

TEXAS PLEDGE: Terry Lynch led the pledge.

PUBLIC COMMENTS

None.

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND APPROVAL OF MEETING MINUTES FOR NOVEMBER 12, 2019. [BARRON]

MOTION: Secretary Barron moved to table the agenda. Z Marshall seconded. Motion carried unanimously.

2. DISCUSS FUTURE 2020 MEETING DATES/TIMES [MACDUFF]

MOTION: Andy Redmond made a motion that the commission only meet once a month in 2020 on the 2nd Tuesday of every month. Todd Fecht seconded. Motion carried unanimously.

3. WORK SESSION. [MACDUFF/SHELBY]

Mayor Pettle said that Scott Levine will no longer be legal council for the HRCC. City Attorney Shelby may not be available either because he is uncomfortable with potential conflicts of interest.

Chair Macduff reviewed the questions list for other cities again.

Chair Macduff brought up the Preamble. Commissioner Marshall asked if that was really the HRCC's job to write.

The commission reviewed and discussed the HRC Charter Provisions spreadsheet. The commission decided the following items should be in our eventual charter.

a. Duties of Mayor

- i. As Provided in Charter
- ii. For board appointments, Council & Mayor reviews the applicants; Council votes as to who is on Board.
- iii. For board removals, Mayor and/or any Council Member may seek to remove Board appointees with majority Council Approval.
- iv. Preside at all City Council Meetings
- v. Head of Ceremonial, Civil, Emergency & Military Purposes
- vi. Mayor and a two-person subcommittee to recommend to Council the Heads of Departments to be voted on by Council.
- vii. Mayor may suspend Department Heads subject to Council and Legal approval. Staff can be removed by Department Heads with Legal advice.
- viii. Mayor does not vote except on a tie.

Note: item ii and iii was originally approved by a motion by Secretary Barron and voted 8-1. Commissioner Gilmore against due to the process HRCC is following. Later in the meeting, it was decided the HRCC was not going to formally vote each line item.

Commissioner Marshall feels strongly we need legal counsel at future meetings, and he may resign if that is not available. Commissioner Fecht feels like we should not meet again without counsel. Commissioner Barron is fine with no counsel at every meeting as long as a legal review is done before HRCC turns its charter over to the City Council. Chair Macduff and Mayor Pettle are going to discuss the situation.

Next meeting will continue with Mayor responsibilities and then Council responsibilities.

ROUTINE ITEMS

4. FUTURE AGENDA ITEMS

Not discussed

5. ADJOURN

Chair Macduff adjourned the meeting at 8:44 p.m.

Minutes Approved on 15th day of January, 2020.




Chairperson Tom Macduff


Commission Secretary Billy Barron

Attest:


City Secretary Patti Scott Grey

Exhibit(s):

1- HRC Spreadsheet

Very similar among cities listed

Very similar among 2 or more cities (other than "powers by on form of government")

Was to be verified

NA as it relates to Parker currently

City	Katy	Lucas	Prosper	Parker
Form of Government	Mayor/Council/Administrator	Council / Manager	Council / Manager	Mayor/Council/Administrator
General / Home Rule Law	Adopted into the Charter	Adopted into the Charter	Adopted into the Charter	General Law
Enumerated Gov Powers	Right to acquire, own, lease real & personal property	Right to acquire, own, lease real & personal property Prior to City granting a lease of real property > 20 yrs - Council must hold a public hearing Power to buy, own, sell, construct, lease ... public services and utilities. City may not supply any utility services outside of city limits Power to build, construct, purchase, own ... inside or outside City limits light and power systems, water systems, wastewater disposal, natural gas, parks, drainage or other pubic service or utility post 2 public hearings and 5 affirmative Council votes Power to purchase electricity, gas, oil or other essential to protect health and well being Power to require placing all public utility wires, etc to placed below ground	Right to acquire, own, lease real & personal property Power to buy, own, sell, construct, lease ... public services and utilities.	Right to acquire, own, lease, sell real & personal property

Administrator is at discretion of Mayor, not required.

	Authority to license or register occupations or businesses as may be established by ordinance, unless unlawful	Authority to license or register occupations or businesses as may be established by ordinance, unless unlawful	
Annexation / Disannex	Provides abilities within laws of State of Texas	Provides abilities within laws of State of Texas	Provides abilities within laws of State of Texas
	Ability to direct the speed of engines, use of streets, excess noise, signal lights and safety devices		
	Citizen of the USA	Citizen of the USA	Citizen of the USA
	At least 21 years of age	At least 18 years of age	At least 18 years of age?
Regulation of Railroads	A qualified voter	A qualified voter	A qualified voter
	Having resided in the City for at least 12 mos prior to election	Having resided in the City for at least 12 mos prior to election	Having resided in the City for at least 12 mos prior to election
	Not hold any other public office	Not hold any other public office	Not hold any other public office
	Elected at Large	Elected at Large	Elected at Large
Mayor	Elected for 3 year term	Elected for 3 year term	Elected for 2 year term
	Limited to 2 consecutive 3 year terms		
	Not receive remuneration from more than one gov entity	Limited to 3 consecutive 3 year terms assume no other compensated position until 1 year post end of Term	NA
	Nominated by Mayor; subject to confirmation by Council		Nominated by Council at first regular meeting after each election of Council members and/or Mayor
Mayor Pro Tem		Nominated by Council and/or Mayor	Nominated by Council for a 1 year Term
	Takes place of Mayor if absent	Takes place of Mayor if absent	Takes place of Mayor if absent
	Assumes Mayor Slot if vacancy of Mayor Post occurs until the next available uniform election date	Assumes Mayor Slot if vacancy of Mayor Post occurs until the next available uniform election date	Assumes Mayor Slot if vacancy of Mayor Post occurs until the next available uniform election date

Acting Mayor	If Mayor & Pro Tem gone - Council selects one of themselves	If Mayor & Pro Tem gone - Council selects one of themselves	Council also nominates a Deputy Mayor Pro-Tem that falls in line after the Mayor Pro-Tem	If Mayor & Pro Tem gone - highest seniority on Council assumes position in practice
	to act as Mayor for the Meeting and beyond other than no ability to remove or suspend employees and does not have the veto power the Mayor would otherwise have	Has full rights of the Mayor; if acting in Mayor capacity	If Mayor and Pro-Tem gone than responsibilities fall to Deputy Mayor Pro-Tem	Has full rights of the Mayor; if acting in Mayor capacity
	Absent for 3 consecutive regular meetings w/o leave of absence under majority vote of (remaining) Council	Absent for 3 consecutive regular meetings w/o leave of absence under majority vote of (remaining) Council	Absent for 3 consecutive regular meetings or 25% of regularly scheduled meetings during a 12 mo period w/o leave of absense under majority vote of (remaining) Council	Absent for 3 consecutive regular meetings w/o leave of absence under majority vote of (remaining) Council
Forfeiture of Mayor or Council Post	Absent for 6 consecutive regular meetings	Absent for 6 consecutive regular meetings Subsequent to taking office convicted of a felony or a crime of moral turpitude Death; in addition in case of disaster highest ranking remaining City Official must within 24 hours only take action to ensure public health and well being until a Special Election can be held to fill all open City Council slots	Subsequent to taking office convicted of a felony or a crime of moral turpitude	Absent for 6 consecutive regular meetings ?
	No longer meets the qualifications Death, resignation, permanent disability Files to become a candidate for any other public office	No longer meets the qualifications Death, resignation, permanent disability Files to become a candidate for any other public office	No longer meets the qualifications Death, resignation, permanent disability Files to become a candidate for any other public office	No longer meets the qualifications Death, resignation, permanent disability
				Can run for another position while serving your Term
Powers / Duties of the Mayor	As conferred upon by Council As provided in Charter	As provided in Charter		

Serve as Chief Exec and Administrator of the City	Sign all ordinances, resolutions, capital improvements, contracts, bonds issued and such other documents authorized by Council	Sign all ordinances, resolutions, capital improvements, contracts, bonds issued and such other documents authorized by Council
Appoint individuals to all Boards created by the Charter		
Remove Board appointees w/o Council		
Have all laws & ordinances enforced		
Preside at all City Council Meetings Head for Ceremonial, Civil, Emergency & Military Purposes	Preside at all City Council Meetings Head for Ceremonial, Civil, Emergency & Military Purposes	Preside at all City Council Meetings Head for Ceremonial, Civil, Emergency & Military Purposes
Appoint Heads of Depts (plus Secretary, Treasurer, Election Officials plus those listed below) subject to confirmation by Council		Appoint Heads of Depts (plus Secretary, Treasurer, Election Officials plus those listed below). Current practice is to discuss w/ Council but not required
Remove or Suspend Heads of Depts and/or Employees w/o Council Approval		Remove or Suspend Heads of Depts and/or Employees w/o Council Approval
Appoint City Administrator subject to confirmation by Council (may not be terminated by Mayor unless due to agreement or cause)		
Appoint City Attorney subject to confirmation by Council		Appoint City Manager w/o Council Approval
Appoint Judge of Municipal Court subject to confirmation of Council		Appoint City Attorney; in practice involve Council but not required
Administrative control over all Depts		Appoint by majority vote of Council Administrative control over all Depts Set up the compensation of all Staff

?

Administrator
in practice
with Council

Includes
termination

Can move employees(not Heads) from one Dept to another			Can move employees(not Heads) from one Dept to another
Prepare and submit Annual Budget			any employee and propose tax rate with financial director
Keeps Council fully advised of financials and needs of City			with financial director
Power to settle all claims & lawsuits w/o Council if ≥ \$5k			with or without advice of Council
Delegate duties to City Administrator as deemed necessary			Appoints Committees
			Power to settle all claims & lawsuits w/o Council
Delegate duties to City Administrator as deemed necessary			Delegate duties to City Administrator as deemed necessary
Resposiblle for Personnel Policies			Resposiblle for Personnel Policies
Adopted no earlier than 30 days after presentment			Adopted once approved: Needs to pass by mid Sept to submit to Collin County
Adopted no later than last day of then current year			Adopted no later than last day of then current year
If Council fails to adopt than budget as proposed goes into effect			Can't spend money w/o approved budget
Surety bond, paid by City, on the Mayor			City covered by Insurance and TML
City is not required to give security or execute bond in any action, suit or proceeding in which the City is a party	City is not required to give security or execute bond in any action, suit or proceeding in which the City is a party		City is not required to give security or execute bond in any action, suit or proceeding in which the City is a party
Mayor or Council shall have ability to make investigations, subpoena witnesses, compel production of records, punish any contempt			Mayor or Council shall have ability to make investigations, subpoena witnesses, compel production of records, punish any contempt
	Council by majority vote may inquire into conduct of any office, dept and make investigations.		
	Council by ordinance shall establish a Code of Conduct governing Council and all employees		
	Council by majority vote may inquire into conduct of any office, dept and make investigations.		
	Council by ordinance shall establish a Code of Conduct governing Council and all employees		
	Dept heads of depts that handle money as well as employees who handle money shall have a surety bond in amount prescribed by Council		

Budget

General

			well as employees who handle money shall have a surety bond or covered under a Public Employee Dishonesty Property Crime Coverage Policy w/ a A rated Sale of Liquor shall be prohibited in any zoning district which allows in whole or part residential development Equality of Rights; Wrongful Influence; Wrongful Interference; Employee's Political Activities; Conflict of Interest; Acceptance of Gifts all Controls stated within Section 13	Those that handle money are covered under insurance policy
				Can't discuss politics on site or indicate pro or not on candidates w/in City or work for City re-election campaigns and acceptance of gifts prohibited. Currently State allows max of \$50 on gifts; Parker City Policy allows \$0. Gifts to the city must be accepted by Council if over \$500, Mayor if less
Vote & Veto	Mayor does not vote on matters brought before the Council, except in the event of a tie	Mayor has full voting rights at meetings		Mayor does not vote on matters brought before the Council, except in the event of a tie
	Mayor may choose not to register a Yes or No in the event of a tie vote by Council		Mayor has full voting rights at meetings	Mayor may choose not to register a Yes or No in the event of a tie vote by Council
	Mayor can veto any ordinance or resolution passed by Council unless it was part of an initiative or referendum process (see under "Meetings of Council") Council's ability to overturn			Mayor cannot veto. Mayor can refuse to sign and if so brings back to Council for revote. If still

		No person shall serve as Council & Mayor combined > 18 consecutive years cannot run for office sooner than 10 mos following most recent Term	
Vacancy of Council Post election Remaining Council selects replacement w/in 20 days who serves until next Council limited to once per 12 mos to fill vacancy - if more - special election unless within 90 days of next election If all Council seats vacated at same time than County Judge is empowered to issue notice of special election		Vacancy filled by election unless 12 mos or less remain of Term at which point Council may nominate	Mayor and /or Council can appoint individuals to fill a vacancy or decide to have a special election (however the Special Election is ~ \$12k in cost)
Meetings of Council Regular meetings at least twice / mo; if not reasons to be placed in minutes of meeting Mayor or two Council Members may call for a special meeting notice of which is sent by City Secretary Posted 72 hours in advance and notice delivered to Mayor & Council to their respective homes Majority of Council is needed for Quorum 4/5's of the Council is needed to for adoption on matters of a vote In event of a tie vote where one Council member absent; Mayor may vote	Regular meetings at least once/ mo Mayor or majority of Council may call for a Special Meeting Majority of Council is needed for Quorum Majority of vote of Council/Mayor needed for adoption on matters of a vote	Regular meetings at least once/ mo Mayor or majority of Council may call for a Special Meeting Majority of Council is needed for Quorum Majority of vote of Council/Mayor needed for adoption on matters of a vote	Regular meetings at least twice / mo; if not reasons to be placed in minutes of meeting Mayor or two Council Members may call for a special meeting notice of which is sent by City Secretary Posted 72 hours in advance and notice delivered to Mayor & Council to their respective homes Majority of Council is needed for Quorum 4/5's of the Council (super quorum) is needed to for adoption on matters concerning tax or bond issues

If a member of Council present does not vote on an issue it is registered as a negative vote	Public comment allowed prior to any vote at a regular meeting	If a member of Council present does not vote (exclusive of conflict of interest) it is recorded as an abstention Public comment allowed prior to any vote at a regular meeting	If a member of Council present does not vote on an issue it is registered as a abstention
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Ordinances

Passed by Council and then submitted to Attorney. Unless Attorney files written objection Ordinance takes effect	Shall be introduced in written or printed form May be passed at regular or special meetings Description & any penalty for violation thereof once passed to be published in official newspaper Shall be codified and revised at least annually	Shall be introduced in written or printed form	Passed by Council and then signed which usually viewed by Attorney before then takes effect, but submitted to Attorney prior to posting. Attorney then approves / or submits objections
		Shall be codified and available to public at a reasonable price set by Council	

Powers / Duties of the Council

Adopt Annual Budget Authorize issuance of bonds Adopt & modify zoning and building codes Adopt & modify Official Map of the City Determines the compensation of the Mayor	Adopt Annual Budget Authorize issuance of bonds Adopt & modify zoning and building codes Adopt & modify Official Map of the City May by ordinance establish reasonable compensation; such compensation to remain unchanged until next regular	Adopt Annual Budget	Council sets policy. Council establishes policy Authorize issuance of bonds Adopt & modify zoning and building codes Adopt & modify Official Map of the City
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Upon nomination/recommendation, appoints Municipal Judge, City Prosecutor, Municipal Court Clerk. Terms run concurrently with the Mayor.

	Establish by ordinance standards and policies regarding reimbursement of reasonable expenses	Establish by ordinance standards and policies regarding reimbursement of reasonable expenses
	Appoint or remove City Manager, Municipal Judge, City Secretary & City Attorney by super majority vote (5 affirmative votes)	Appoint or remove City Manager, Municipal Judge, (not Secretary - see City Manager) & City Attorney by majority of full Council
Set compensation for all City Officials appointed by Council	Set compensation for all City Officials appointed by Council	Set compensation for all City Officials appointed by Council
Create Boards and appoint people to the Boards upon recommendation of Mayor	Appoint individuals to all Boards created by the Charter	Create, establish such Boards, Commissions and Committees deemed desirable and by ordinance or resoulution prescribe the purpose, composition, function, duties, accountability and tenure of each
	After considering recommendation of City Manager, create, change, merge or abolish offices, departments or agencies of the City and contract for services	After considering recommendation of City Manager, create, change, merge or abolish offices, departments or agencies of the City and contract for services
	Authority to pass emergency ordinances and resolutions to protect health, safety and well being of City	Authority to pass emergency ordinances and resolutions to protect health, safety and well being of City, but cannot involve borrowing of money unless otherwise allowed in the Charter
	Retain Special Council as needed - inclusive of collecting delinquent taxes	Retain Special Council as needed - inclusive of collecting delinquent taxes
		Council establishes policies, Mayor causes the policies to be carried out in operations and
Prescribe by Ordinance and regulations and rules the operation for each Dept		Prescribe by Ordinance the policies for the city and its operations.

	Enact resolutions and ordinances Adpot a fiscal reporting policy which provides for not less than quarterly reporting	
Regulate, license & fix charges or fares any vehicles for transportation of freight or passengers within the City Establish fire limits (ex: building structure limits) and condemnation of dangerous structures	Regulate, license & fix charges or fares any vehicles for transportation of freight or passengers within the City Establish fire limits (ex: building structure limits) and condemnation of dangerous structures	Regulate, license & fix charges or fares any vehicles for transportation of freight or passengers within the City Establish fire limits (ex: building structure limits) and condemnation of dangerous structures
Provide sanitary sewer and water systems Provide for garbage disposal services, fees & penalties to pay such fees Exercise exclusive dominion, control and jurisdiction of streets and public grounds and improvement thereof	Provide sanitary sewer and water systems Exercise exclusive dominion, control and jurisdiction of streets and public grounds and improvement thereof	
Compromise & settle claims and lawsuits		Compromise & settle claims and lawsuits
and equipment and services. (if exceeding amount authorized by State based on size & population) after proper posting &	and equipment and services. (if exceeding amount authorized by State based on size & population) after proper posting &	
if Mayor vetos a measure passed by Council; at the next Meeting Council may override that veto by the affirmative vote of at least 3 Council Members present at which point Mayor cannot veto again If Officer or Employee is Suspended they may file a petition with Council; 3 Council members or more after hearing may remove the suspension with reinstatement being final Establish run off date for elections, if needed		
Designate voting system for casting and processing votes at Elections	Designate voting system for casting and processing votes at Elections	Designate voting system for casting and processing votes at Elections
Transfer any unencumbered appropriation balance from one office, dept or agency to another Power under provisions of State Law to levy, access and collect an annual tax on real & personal property within the City	Transfer any unencumbered appropriation balance from one office, dept or agency to another Power under provisions of State Law to levy, access and collect an annual tax on real & personal property within the City	transfer of funds is with Director of Finance Power under provisions of State Law to levy, access and collect an annual tax on real & personal property within the City
		Designate items to appear on future agenda

Sets fee schedule, as well as building codes and zoning codes

Provide sanitary sewer and water systems
Provide for garbage disposal services, fees & penalties to pay such fees
Exercise exclusive dominion, control and jurisdiction of streets and public grounds and improvement thereof

Designate voting system for casting and processing votes at Elections

Transfer any unencumbered appropriation balance from one office, dept or agency to another
Power under provisions of State Law to levy, access and collect an annual tax on real & personal property within the City

Board Members / Boards	Select Depository for City Funds in accordance w/ State Law	Select Depository for City Funds in accordance w/ State Law and rules over prompt deposits	
	Resident of the City for min of 6 mos prior to appointment	Resident of City Individual can be on one or more Boards, commissions or committees	Resident of City Individual cannot be on more than one Board / Commission unless the Board/Commission is considered temporary
		Board, Commission and Committee members serve w/ out compensation but may be reimbursed for reasonable expenses All Boards, Commissions, Committees to keep and maintain minutes of meetings No compensated Officer of the City may serve on a Board, Commission or Committee other than an advisory role Any member absent from 3 consecutive regular meetings or 25% of regular meetings over a 12 month period w/out explanation acceptable to other members in the majority will forfeit their position	Board, Commission and Committee members serve w/ out compensation but may be reimbursed for reasonable expenses All Boards, Commissions, Committees to keep and maintain minutes of meetings No compensated Officer of the City may serve on a Board, Commission or Committee other than an advisory role Any member absent from 3 consecutive regular meetings w/out pre approval from the other members of the Boards, Commission or Committee
Planning and Zoning Board		7 members	5 members; 3 alternates
		Staggered Terms of 2 years In October of each year P&Z will elect Chairman, Vice-Chair and Secretary to serve a one year term	Staggered Terms of 2 years Terms end on November 30th and begin on December 1.
		Meet at least once a month Majority of full membership is a quorum	In November Chairman, Vice-Chair and Secretary are identified by Council if that person Term is up all who terms expire that November are identified Parks and Recs, ZBA meet at the call of the Chair Majority of full membership is a quorum

			Acts as advisory role to Council Authority to (1) review current and proposed ordinances pertaining to P&Z (2) make recommendations to Council regarding amending, extending Comprehensive Plan (3) Review Plats and Zoning requests (4) adopt plans by Council request (5) Hear initial requests for Special Use Permits and make recommendations to Council	Acts as advisory role to Council Authority to (1) review current and proposed ordinances pertaining to P&Z (2) make recommendations to Council regarding amending, extending Comprehensive Plan (3) Review Plats and Zoning requests (4) adopt plans by Council request Charter also outlines the Comprehensive Plan (Section 9.04)	
No Mayor or Council member eligible for 24 mos following leaving their post If City Administrator leaves this position can be held by a qualified person for up to 90 days unless extended by Council Note: No stated "qualifications" denoted in Charter Term & Compensation set by Council by written contract Term not to extend beyond the end of the fiscal year of the first odd numbered calendar year after year appointed (meant to coincide w/ next Mayoral election) Authority (w/ Mayor approval) to appoint, transfer and remove Administrative employees except Police, Fire, Ambulance Assist Mayor in preparing Annual budget Assist Mayor in preparing & submitting report on finances and admin activities of the City			In absence of City Manager Council may designate a qualified administrative officer to perform Manager duties May be appointed for an indefinite Term Appointment of all employees under the City Manager Unless otherwise stated in Charter all departments, offices and agencies shall be under the direction and supervision of the City Manager		

Appointment of finance director Suspend, remove at will employees Council (inclusive of Mayor) must deal "solely" with the City Manager in regards to his/her staff Council (inclusive of Mayor) cannot direct or request appointment or removal any person under control of City Manager	With consent of Council, City Manager may serve as head of one or more of City's departments, offices or agencies or appoint one person as head of two or more of them. Suspend, remove at will employees Council (inclusive of Mayor) must deal "solely" with the City Manager in regards to his/her staff Council (inclusive of Mayor) cannot direct or request appointment or removal any person under control of City Manager but can at a meeting called for that purpose Council (inclusive of Mayor) shall not give orders to any subordinate of City Manager either publicly or privately; violation of this can lead to removal from office under a majority vote by Council after a public hearing Provide all laws and ordinances of the City are enforced Prepare and recommend an annual budget and capital improvement projects by the 15th of August Administer and execute the annual budget Attend all Council meetings w/ right to take part in the discussion Provide in Council meeting at least quarterly the financial conditions and future needs of the City	Attend all Council meetings w/ right to take part in the discussion
Oversee maintenance of and public information requests for records Prepare and recommend an annual budget and capital improvement projects Administer and execute the annual budget Attend all Council meetings w/ right to take part in the discussion Provide in Council meeting at least quarterly the financial conditions and future needs of the City May identify in his/her absense a qualified city employee to exercise his/her duties in the event of temporary absense	Oversee maintenance of and public information requests for records Prepare and recommend an annual budget and capital improvement projects Administer and execute the annual budget Attend all Council meetings w/ right to take part in the discussion Provide in Council meeting at least quarterly the financial conditions and future needs of the City May identify in his/her absense a qualified city employee to exercise his/her duties in the event of temporary absense	Attend all Council meetings w/ right to take part in the discussion

		Prepare Personnel Rules and present to Council for approval or amendment and should include establishing town as Equal Opportunity Employer as well as pay & benefit plan for all City's employment positions, working hours, attendance policy, sick and vacation leave, hearing and adjudication of grievances, evaluation procedures and giving and receiving of gifts by City employees Authority to contract for expenditures w/out further approval by Council for all budgeted items not exceeding limits set by Council Present monthly a financial report to Council		
		Capital Improvement budget shall cover 5 years denoting all proposed projects to be undertaken in that time frame along with support of need, cost estimates, method of financing, estimated cost of annual operation and maintenance, and recommended time schedule Insert into the Budget a contingency fund balance in an amount not less than 20% of the total general fund expenditures, to be used in case of unforeseen items of expenditure or revenue shortfall City Manager has control over above contingency fund and may be appropriated in emergency situation or after supplemental appropriation by Council No payment or obligation can be incurred unless certified that there is sufficient unencumbered balance in that fund that will be available to meet the obligation Any authoization of payment or incurrence of an obligation in conflict with above shall be void	Capital Improvements are discussed in Planning on a 10 year horizon but what shows up in Budget is only for that following year. Investment Committee appointed by Council and required to report quarterly to Council Takes Super Majority (4/5's vote) of Council to adopt	City has a Director of Finance to oversee budget There is a line item in budget Headed by Director of Finance,
City Attorney	Practiced law in TX for minimum of 5 years (does not state municipal law?)			Practiced law in TX for minimum of 5 years of which 2 years should be municipal law

Duly qualified and practicing attorney in Texas	Duly qualified and practicing attorney in Texas	Duly qualified and practicing attorney in Texas	Reports to the Mayor
Legal advisor for officers, departments of City and represent it in legal proceedings	Legal advisor for officers, departments of City and represent it in legal proceedings	Legal advisor for officers, departments of City and represent it in legal proceedings	Legal advisor for officers, departments of City and represent it in legal proceedings
Review and pass on all documents, contracts & legal instrumnts in which City is required to perform or pay money		Review and pass on all documents, contracts & legal instrumnts in which City is required to perform or pay money	Review and pass on all documents, contracts & legal instrumnts in which City is required to perform or pay money
	Review documents as directed by Council or Manager	Review documents as directed by Council or Manager	
	Select w/ approval of Council other Attorneys to act in his place	Select w/ approval of Council other Attorneys to act in his place	
Two year term	Two year term	Two year term	Two year term
Resided in City for min of 5 years prior to appointment	Licensed attorney, practiced min 2 yrs TX law		concurrent with Mayor
Can be removed only for cause or disability			
If unable to perform Mayor may appoint qualified replacement with approval by Council			
Contains a Municipal Clerk, appointed by Mayor with approval by Council			
Clerk: administers oaths & affidavits, make certificates, affixs seal	Clerk: administers oaths & affidavits, make certificates, affixs seal	Clerk: administers oaths & affidavits, make certificates, affixs seal	
	All fines collected placed in General Fund Appeals to the county criminal court		
Chief qualified unders the laws of the State of Texas			Chief qualified unders the laws of the State of Texas
Chief and staff responsible for carrying out directions of Mayor & Council w/ authority of powers given by State of Texas			5 Years of experience in Police Work

Municipal Court(s) - Judge

Police Department

					All individuals allowed to wear a gun, badge, uniform in representation of the City must be "full-time" paid employees of the City
					Have Reserve Officers who utilize the City Resources and are allowed to wear a gun, badge and uniform but meet qualifications of a Police Officer
City Secretary	Gives Notice of Council Meetings Keeps minutes of Council Meetings Maintain book of all ordinances and resolutions	Gives Notice of Council Meetings Keeps minutes of Council Meetings Maintain book of all ordinances and resolutions	Gives Notice of Council Meetings Keeps minutes of Council Meetings Maintain book of all ordinances and resolutions Holds and maintains seal of City and affixs to appropriate documents Publish in official newspaper proposed or referred ordinances Submit for public hearing the City Budget and all supporting schedules	Gives Notice of Council Meetings Keeps minutes of Council Meetings Maintain book of all ordinances and resolutions Handles all Open Records requests	Perform duties as delegated by Mayor and imposed by State of Texas Director of Finance in Parker
	Perform duties as delegated by Mayor and imposed by State of Texas Duties of City Secretary, Treasurer & Tax Assessor / Collector may be performed by same individual				
Finance Director		Assessing and collecting tax			
Fire Department	Provides firefighting, fire protection and rescue services for the City Staffed by paid or volunteer firefighters and emergency medical technicians			Provides firefighting, fire protection and rescue services for the City Staffed by paid or volunteer firefighters and emergency medical technicians	
Parks and Recreation Dept	Regulates the City Parks and promotes and organizes recreational programs for the City			Maintains parks and trails, establishes beautification and recreational activities.	
Social Services Dept	Promote, offer, arrange for various services to serve older Americans and other requiring special services which will ameliorate their lives				

	Regulate, license and inspect private persons, firms, institutions, corporations, ... operating any activity such as hotels, eateries, stores where food or drink is served as well as any sanitary wastewater disposal system Power to define all nuisances and prohibit; police Parks & streets and prohibit pollution and fix penalties for failure to comply w/ regulations prescribed by Council		
Called by Council by ordinance as authorized by the State of TX & Charter Held on a Saturday unless otherwise provided by law or Charter			Called by Council by ordinance as authorized by the State of TX.
Held annually on 1st Saturday in May Odd #’d years: Mayor & 1 Council Member from each District Even #’d years: 1 Council Member from each District and 1 At Large Council Member Conducted in accordance w/ Texas Election Code	Order of candidates on ballot determined by lot at a public hearing under supervision of City Secretary	Order of candidates on ballot determined by lot at a public hearing under supervision of City Secretary	Held annually on 1st Saturday in May Even years: Mayor and 2 Council Members Odd years: 3 Council Members. All at large Order of candidates on ballot determined by lot (hat draw) at a public hearing under supervision of City Secretary
If the candidate does not receive a majority of votes cast for such place at such election	If the candidate does not receive a majority of votes cast for such place at such election	If the candidate does not receive a majority of votes cast for such place at such election	City follows # of votes received - no runoff unless # of votes cast in favor was an exact tie
Run off held between 20th and 30th day following tabulation of results	If one of runoff candidates no longer qualify by runoff election than next person highest in line is added; if two candidates no longer exist remaining individual declared winner; if no one left by runoff election than Special Election to be held	Run off held withing 30 days following tabulation of results	
Candidates must fill out an application, provide proof meets requirements, as applicable and present to City Secretary		Candidates must fill out an application, provide proof meets requirements, as applicable and present to City Secretary	Candidates must fill out an application, provide proof meets requirements, as applicable and present to City Secretary

Health Regulations

Special Elections

Regular Elections

Run Off

Candidates

Initiative, Referendum & Recall	Candidates must fill out an application, provide proof meets requirements, as applicable and present to Council	All positions must meet (1) 18 yrs of age (2) qualified voter registered in the City (3) resided in city for at least 12 mos (4) To filing for no more than one office or position	Elected Mayor & Council to take Oath
	Elected Mayor & Council to take Oath	Elected Mayor & Council to take Oath	Elected Mayor & Council to take Oath
	Citizens may propose or seek to reject by referendum any ordinance not in conflict with State Constitution, State Laws & the Charter unless it appropriates money, levies taxes. Initiative: Qualified voters can submit a requested ordinance during at least 2 regular meetings within a 60 day period (except an ordinance seeking appropriation of money, levy of a tax, issuing bonds or zoning). If ordinance is not enacted by Council then may go to a Petition Referendum: Qualified voters can ask for an ordinance passed by Council (no sooner than 30 days after passage thereof or within 30 days after its publication) to be submitted for approval/non-approval by submitting a Petition Council by affirmative majority vote of full Council may submit an ordinance for approval or repeal and have the same effect as filing of a Petition by qualified voters If 2 or more ordinances are approved at the same election that are inconsistent, the ordinance with the highest # of votes shall prevail	Citizens may propose or seek to reject by referendum any ordinance not in conflict with State Constitution, State Laws & the Charter unless it appropriates money, levies taxes. Prior to any Initiative it must be reviewed by City Attorney for enforceability and legality Referendum: Qualified voters can ask for an ordinance passed by Council (no sooner than 30 days after passage thereof or within 30 days after its publication) to be submitted for approval/non-approval by submitting a Petition Unless otherwise provided by law, any referendum election shall be held on the 1st uniform election date that occurs after the 65th day after the petition was presented to Council If 2 or more ordinances are approved at the same election that are inconsistent, the ordinance with the highest # of votes shall prevail	NA

Referendum cannot be regarding ordinance authorizing issuance of tax or revenue bonds Citizens may also seek to recall any member of Council or the Mayor, after the individual has served for a minimum of 6 months; and an individual cannot be subject to more than one recall during their Term. Recall must be in form of petition in the 30% / 300 form denoted below	Individual can be subject to multiple recall attempts as long as 6 mos seperates each recall attempt Any qualified voter of the City may file w/ City Secretary and affidavit containing name of any member of Council stating grounds for recall/ removal from office after 3 mos in office. City Attorney reviews affidavit for legal sufficiency and determines validity of allegation(s) City Secretary delivers affidavit to Council; places matter on next regular meeting providing individual opportunity to answer allegations; this can also be done in Executive Session unless person charged requests public hearing If post above meeting, person did not resign or person filing charge did not withdraw it than next step is a petition needed signed by greater of 51% of # of voters who voted for such office in last election or 250 qualified voters	Citizens may also seek to recall any member of Council or the Mayor. Recall must be in form of petition in the 30% / 150 form denoted below Individual can be subject to multiple recall attempts as long as it is after 3 mos of filling position and 3 mos seperates each recall attempt	
Petition	Recall: Petition signed by at least 30% of qualified voters of the City, but in no event less than 300 (if requirements met; see timing of follow up under "Petition")		NA

Petition signed by at least 10% of qualified voters of the City, but less than the 30% threshold than such Initiative / Referendum (if not adopted by Council) shall be submitted to the voters at next general election	On paper (can be multiple pages)		least 30% of qualified voters of the City which voted in last election, but in no event less than 150 (if requirements met; see timing of follow up under "Petition")
	Signed by each petitioner in ink, showing name, and place of residence		
	One signer to make affidavit that they personally circulated petition, each signature made in their presence and is genuine signature	One signer to make affidavit that they personally circulated petition, each signature made in their presence and is genuine signature	
City Secretary has 30 days to determine if meets requirements; if it does it is presented at next regular Council meeting			
On Recall City Secretary has 20 days to determine if petition meets requirements and recall election to be held between 30 to 60 days after certification			
Petition signed by qualified voters of the City of the greater of at least 20% of # of votes cast at last regular election or 250 voters.	On paper (can be multiple pages)		
	Signed by each petitioner in ink, showing name, and place of residence		
	One signer to make affidavit that they personally circulated petition, each signature made in their presence and is genuine signature	One signer to make affidavit that they personally circulated petition, each signature made in their presence and is genuine signature	
City Secretary has 20 business days after filing of Petition to determine if petition meets requirements; Council then has 20 days to pass the ordinance or order an election to vote on the ordinance (Initiative or Referendum)			
On Recall City Secretary has 20 days to determine if petition meets requirements and recall election to be held at next election or not less than 40 days after any public hearing requested by person being recalled			

Borrowings

	CPA cannot have any personal direct or indirect interest in financial affairs of the City	CPA cannot have any personal direct or indirect interest in financial affairs of the City	CPA cannot have any personal direct or indirect interest in financial affairs of the City
City has ability to borrow monies and execute forms of obligation available to it via General Law Cities or Home Rule Cities under the laws of Texas City has power to issue General Obligation (permanent public improvements) & Revenue Bonds (constructing, purchasing, extending or repairing public utilities, recreational facilities or other self-liquidating municipal function	City has ability to borrow monies and execute forms of obligation available to it via General Law Cities or Home Rule Cities under the laws of Texas City has power to issue General Obligation (permanent public improvements) & Revenue Bonds (constructing, purchasing, extending or repairing public utilities, recreational facilities or other self-liquidating municipal function	City has ability to borrow monies and execute forms of obligation available to it via General Law Cities or Home Rule Cities under the laws of Texas City has power to issue General Obligation (permanent public improvements) & Revenue Bonds (constructing, purchasing, extending or repairing public utilities, recreational facilities or other self-liquidating municipal function	City has ability to borrow monies and execute forms of obligation available to it via General Law Cities or Home Rule Cities under the laws of Texas City has power to issue General Obligation (permanent public improvements) & Revenue Bonds (constructing, purchasing, extending or repairing public utilities, recreational facilities or other self-liquidating municipal function
City may not borrow (other than under emergency or anticipation of property taxes - see below) unless first submitted to qualified voters of the City	City has right to borrow money for public purposes by whatever method it may deem to be in public interest	City has right to borrow money for public purposes by whatever method it may deem to be in public interest	City has right to borrow money for public purposes by whatever method it may deem to be in public interest
If no Emergency appropriation has been made, City may borrow in emergency situations payable by end of the current fiscal year Council may borrow up to 10% of that year's budget in anticipation of collection of property taxes (tax anticipation note) payable by end of applicable fiscal year			For GO & Revenue - but can issue a Certificate of Obligation (but would / should listen to Bond Counsel which is their Legal Advisor)
Any revenues from water/sewer collected shall be used exclusively for such systems and approved water/sewer bonded indebtedness No bonds other than refunding bonds shall be sold at less than par value Council shall levy an annual tax to pay interest on and provide necessary sinking fund required by law on all outstanding general obligation bonds			Any revenues from water/sewer collected shall be used exclusively for such systems and approved water/sewer bonded indebtedness Council shall levy an annual tax to pay interest on and provide necessary sinking fund required by law on all outstanding general obligation bonds

Tax

Council cannot adopt a tax rate that exceeds the maximum effective tax rate provided by Texas Property Tax Code			
All monies received from City Sales Tax shall be delegated to the City's General Fund without designation as to their usage			All monies received from City Sales Tax shall be delegated to the City's General Fund without designation as to their usage
Taxes levied by the City is declared a lien or encumbrance upon the property which city can enforce inclusive of through foreclosure	Taxes levied by the City is declared a lien or encumbrance upon the property which city can enforce inclusive of through foreclosure. Can include power to sue	Taxes levied by the City is declared a lien or encumbrance upon the property which city can enforce inclusive of through foreclosure. Can include power to sue	Taxes levied by the City is declared a lien or encumbrance upon the property which city can enforce inclusive of through foreclosure
No official may extend time for collection of tax, discount the tax or waive penalty and interest (unless in case of error)			No official may extend time for collection of tax, discount the tax or waive penalty and interest (unless in case of error)

Franchise

City retains rights reserved by it as a General Law City to regulate utilities as authorized by the State	City retains rights reserved by it as a General Law City to regulate utilities as authorized by the State	City retains rights reserved by it as a General Law City to regulate utilities as authorized by the State	City retains rights reserved by it as a General Law City to regulate utilities as authorized by the State
No franchise provided for an indeterminate term or a term exceeding 40 years	No franchise shall be granted for a term exceeding 20 years unless approved by the Citizens. If an election takes place to seek > 20 year term the costs of the election to be borne by prospective franchisee	No franchise shall be granted for a term exceeding 20 years from date of grant, renewal or extension	Grant of Franchise requires majority Council Approval
			No years specified

Every franchise agreement must provide the city with the ability w/in 5 years of experation of the Term to purchase the property of the franchise holder at a price determined according to the franchise agreement Any granting, renewing, extending or amending a public utility franchise shall be read at 3 regular meetings of Council and cannot be acted upon until 30 days after the first reading	City has to (1) repeal a franchise for failure to follow terms of franchise (2) Require expansion of facilities & maintenance thereto to provide adequate service (3) Ensure reasonable quality, service and safety (4) ability to examine and audit records and require annual reports on operations	City has to (1) repeal a franchise for failure to follow terms of franchise (2) Require expansion of facilities & maintenance thereto to provide adequate service (3) Ensure reasonable quality, service and safety (4) ability to examine and audit records and require annual reports on operations
	Require franchise holder to furnish City (w/o cost) full information regarding status (inclusive of infrastructure) of the facilities within the City	Require franchise holder to furnish City (w/o cost) full information regarding status (inclusive of infrastructure) of the facilities within the City
	City has responsibility to collect from Franchise holder its fair and just proportion of expenses incurred on a continuing basis as it relates to its facilities it occupies in whole or part	City has responsibility to collect from Franchise holder its fair and just proportion of expenses incurred on a continuing basis as it relates to its facilities it occupies in whole or part
No public utility franchise or 10% interest iin such shall be transferred by the except w/ approval of Council expressed by Ordinance	Require franchise holder to furnish City (w/o cost) full information regarding status (inclusive of infrastructure) of the facilities within the City	Require franchise holder to furnish City (w/o cost) full information regarding status (inclusive of infrastructure) of the facilities within the City
	City has responsibility to collect from Franchise holder its fair and just proportion of expenses incurred on a continuing basis as it relates to its facilities it occupies in whole or part	City has responsibility to collect from Franchise holder its fair and just proportion of expenses incurred on a continuing basis as it relates to its facilities it occupies in whole or part
	Require every Franchise holder to allow other public utilities to use its infrastructure if in public interest (with reasonable rent fixed by Council to be paid to that utility for its use)	Require every Franchise holder to allow other public utilities to use its infrastructure if in public interest (with reasonable rent fixed by Council to be paid to that utility for its use)
	Require Franchise holder who request rate increases or changes to reimburse City for reasonable expenses incurred in employing rate consultants to review and present to Council	Require Franchise holder who request rate increases or changes to reimburse City for reasonable expenses incurred in employing rate consultants to review and present to Council

Claims Personal Interest in City Contract	Before City shall potentially be liable for damages due to property destruction, death, personal injuries Mayor or Council must be provided with notice in writing w/in 45 days providing all details City is not liable for damages, injuries, defects, etc in connection with any sidewalk in the City City is not liable for anything in connection with a public place, street or alley until it can be shown a person in employ of the City who oversees those areas received notice of item causing the issue was received a sufficient length of time prior to the instance.	Prior to hiring rate consultants the Franchisee can submit to City documents supporting rate change not limited to (1) cost of investment (2)applicable expenses and revenues (3) Copies of reports or returns filed (4) proof ROI is within State & Federal limitations Franchisee is non-transferable without approval of Council, but Franchisee may pledge real or personal property for valid debt or mortgage Before City shall potentially be liable for damages due to property destruction, death, personal injuries Mayor or Council must be provided with notice in writing w/in 90 days providing all details All legal process against City shall be served upon City Secretary	Prior to hiring rate consultants the Franchisee can submit to City documents supporting rate change not limited to (1) cost of investment (2)applicable expenses and revenues (3) Copies of reports or returns filed (4) proof ROI is within State & Federal limitations Franchisee is non-transferable without approval of Council, but Franchisee may pledge real or personal property for valid debt or mortgage Before City shall potentially be liable for damages due to property destruction, death, personal injuries Mayor or Council must be provided with notice in writing w/in 90 days providing all details All legal process against City shall be served upon City Secretary	City pays (minimal fee ~ \$200 - \$300 annually) to be part a Steering Committee which reviews potential rate increases
	No officer or employee (without disclosure of such interest to City Council or Procuring Officer) shall have a financial interest (direct or indirect) in any contract or agreement with the City. Violation is cause for removal from office			No officer or employee (without disclosure of such interest to City Council or Procuring Officer) shall have a financial interest (direct or indirect) in any contract or agreement with the City.

No person who is related to a member of Council, Mayor or City Administrator within the first degree shall be appointed to any office, clerkship or other paid position w/in the City Exception to the above, are officers or employees who have been employed by the City continuously for > 2 yrs prior to the election or appointment of such city official	No person who is related to a member of Council, Mayor or City Administrator within the second degree by affinity or third degree by consanguinity shall be appointed to any office, clerkship or other paid position w/in the City or contracted therewith	No person who is related to a member of Council, Mayor or City Administrator within the second degree by affinity or third degree by consanguinity shall be appointed to any office, clerkship or other paid position w/in the City or contracted therewith unless person is a seasonal or intern of the City	NA
Individuals filling elective or appointed positions at time of Adoption, that are retained under the Charter, may continue to fill those positions for their Term		As relates to Term Limits; no service prior to the adoption of the Charter shall count against Term limits	NA
Charter to be reviewed every 4 years Commission to consist of 5 citizens	Charter to be reviewed every 5 years Charter can be amended but not more often than once every 2 years	Charter Review Commission at least every 10 years Consist of 10 citizens	NA

Nepotism

Transition period post Charter Adoption

Charter Review Commission

Charter Submission to Voters	Commission to determine if any amendments desirable to improve compliance and / or effective application to current conditions Commission may hold public hearings, compel attendance by any officer or employee of the City and may require submission of any records which it deems necessary for that meeting Term of the Commission is 6 months; if no report presented to Mayor & Council w/in Term than all records of proceedings shall be made of public record Report from Commission shall be published in Official Newspaper Mayor & Council to review any report submitted and determine what if anything should be put in front of the voters	Commission to determine if any amendments desirable to improve compliance and / or effective application to current conditions Commission may hold public hearings, compel attendance by any officer or employee of the City and may require submission of any records which it deems necessary for that meeting Term of the Commission is 6 months; if no report presented to Mayor & Council w/in Term than all records of proceedings shall be made of public record Report from Commission shall be published in Official Newspaper Citizens like Initiative, Referendum, Recall can also Petition to amend the Charter. The Petition must be signed by the lesser of 5% of registered voters or 20k registered voters	NA
	Charter must be presented in its entirety Presented at an election between 40 & 90 days after completion of the work of the Charter Commission At least 30 days prior to a vote by the Citizens, City Secretary to mail a copy of the proposed Charter to each qualified voter (per the tax collector's role)	Charter must be presented in its entirety	