



Thursday, July 7, 2022
Charter Review Commission 2022

Charter Review Commission 2022
Michael J. Felix Community Center
Reservation Room
3815 Sachse Road, Building E
6 p.m.

A. Regular Meeting

1. Call to Order: The Charter Review Commission 2022 of the City of Sachse will hold a Regular Meeting on Thursday, July 7, 2022, at 6 p.m. to consider the following items of business:
2. Invocation and Pledge of Allegiance to the U.S. and Texas Flags.
3. Public Comment: The public is invited at this time to address the Charter Review Commission. Please state your name and address for the record. The time limit is 3 minutes per speaker. Issues raised may be referred to City Staff for research and possible future action and comments will be reflected in the final report to the City Council.
4. Consider approval of the June 2, 2022, meeting minutes.
5. Review and discuss the recommendation and summary report of the changes to the City of Sachse's home rule Charter to be presented to Council.
6. Adjournment.

I, the undersigned authority, do hereby certify that this notice of meeting was posted in accordance with the regulations of the Texas Open Meetings Act and was posted on the bulletin board, an accessible location at Sachse City Hall.



Leah K Granger, City Secretary

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Amanda Chi, ADA Coordinator, via phone at 972.429.4770, via email at achi@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.



Agenda Item Details

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|--------------------|--|
| Meeting | Jul 07, 2022 - Charter Review Commission 2022 |
| Category | A. Regular Meeting |
| Subject | 4. Consider approval of the June 2, 2022, meeting minutes. |
| Access | Public |
| Type | Action, Minutes |
| Recommended Action | Approve the minutes as is. |

Public Content

[06.02.22 Charter Review Minutes.pdf \(88 KB\)](#)

[06.02.2022 Minutes Exhibit A.pdf \(115 KB\)](#)

**CHARTER REVIEW COMMISSION OF THE CITY OF SACHSE
JUNE 2, 2022, MEETING MINUTES**

The Charter Review Commission of the City of Sachse held a regular meeting on Thursday, June 2, 2022, at 6 p.m. at the Michael J. Felix Community Center, 3815-E Sachse Road. Members present were Chairperson Scott McMurdie; Vice-Chairperson Billy George; Commissioners Ed Brown, Charles Elk, Marcia Harris-Daniel, Matthew Holboke, Butch Kemper, Jeanie Marten, Jim Mathis, Paul Watkins, and Kirk Wood; Assistant City Manager Lauren Rose; City Attorney Pete Smith; City Secretary Leah Granger, and Assistant to the City Manager Amanda Chi.

Members absent: Eric Dominguez and Karlos McGee.

Chairperson McMurdie called the meeting to order at 6:01 p.m.

Invocation and Pledges of Allegiance to the US and Texas Flags.

Mr. Elk led the pledges and Mr. McMurdie led the invocation.

Citizen Input.

There was no citizen input.

Review, discuss, and make any recommended changes to the City of Sachse's home rule Charter.

The Commission discussed the summary of amendments so far. A few commissioners were concerned that the term limits changes did not specify that the action would be retroactive. Mr. Wood also wanted the item to read “no more than six consecutive terms” rather than 18 consecutive years. Ms. Marten made a motion to make the amended section 3.02 regarding term limits retroactive. Mr. Wood seconded the motion and it failed with a 5-6 vote. Mr. Wood, Mr. Holboke, Mr. Kemper, Ms. Marten, and Ms. Harris-Daniel voted in favor of the motion. Mr. McMurdie, Mr. Elk, Mr. Watkins, Mr. Brown, Mr. Mathis, and Mr. George voted against the action.

Mr. Wood made a motion to change 18 consecutive years in the amended section 3.02 to “six consecutive terms”. Mr. Watkins seconded the motion. Mr. George clarified that a full term was equal to anything more than 50% of the three-year term. The motion passed unanimously.

Mr. Ford arrived at the meeting at 6:16 p.m.

The Commissioners recognized that Mr. Alford resigned his commission and the Vice-Chair position was vacant. Mr. Watkins nominated Mr. George as the Vice-Chairperson. Mr. Ford seconded the motion, and it passed 11-1. Ms. Harris-Daniel abstained from the vote.

The Commission resumed where it left off at the conclusion of its last meeting by discussing section 6.04. Mr. McMurdie opened the floor for comments. Mr. Wood made a motion to change 6.04 (3) from twenty signatures to an equal number of signatures on each page. After discussion, Mr. Wood amended his motion to a minimum of ten signature and an even and equal number on

each page. Discussion continued and Mr. Wood's motion was amended to ten signatures per page. Mr. McMurdie seconded the motion and it carried unanimously.

Mr. Wood made a motion to amend 6.05 from 30 days to 90 days. Mr. Watkins seconded the motion, and it carried 10-2 with Mr. Elk and Mr. George voting against it. After a moment of discussion, Mr. George made a motion to change 6.05 to 60 days rather than the 90 previously voted on. Mr. Holboke seconded the motion, and it carried 9-3 with Mr. Wood, Mr. Elk, and Ms. Harris-Daniel dissenting.

The remaining sections of Article VI were unchanged.

The Commission turned its attention to Article VII. Mr. Holboke would like a State of the City address from the City Manager to the City Council defining the City Manager's goals and outline for the year in either section 7.02 or 7.03. Ms. Rose clarified that the City Manager publishes a draft budget, available to the public, as a working document and suggestions for City Council to set the goals and direction for the coming fiscal year. The document is part of the posted Council agenda and is available in the City Secretary's office. The City Council then sets the goals for the City, not the City Manager, and those goals are discussed at a Council workshop. The workshop is open to the public and is the forum at which the City Manager is directed to focus the budget on the goals set by the Council. Mr. Wood commented that projects budgeted in one fiscal year may not be completed in that year depending on the size of the project. Particularly large projects require design and planning, and the public may not see progress but progress is being made behind the scenes.

Mr. Holboke made a motion to add language stating that the City Manager must present to City Council the issues facing the city that they want to accomplish in the next year. There was no second to the motion. Mr. Kemper pointed out that it is not appropriate for the City Manager to set goals for the city as that is the responsibility of the elected City Council and the Mayor. Mr. George made a motion to leave 7.02 and 7.03 as is. Mr. Ford seconded the motion for discussion. He pointed out that this may highlight a need for more communication regarding the budget to the public. After further discussion, the motion to leave sections 7.02 and 7.03 in its current state carried unanimously.

Mr. Ford made a motion to repeal and reserve 7.10 as noted in Mr. Smith's memo to the Commission (Exhibit A). Ms. Marten seconded the motion and it carried unanimously.

The Commission discussed the merits and disadvantages of requiring a change of City auditors every five years. Mr. Ford made a motion to leave section 7.18 as is. Mr. Holboke seconded the motion and it carried 11-1 with Mr. McMurdie voting against it.

Mr. George made a motion to change section 7.20 as noted in Mr. Smith's memo (Exhibit A). Mr. Mathis seconded the motion and it carried unanimously.

Ms. Marten made a motion to approve all remaining sections in their current state. Mr. Wood seconded the motion and it carried unanimously.

Ms. Marten would like to change the Charter to treat the Economic Development Corporation (EDC) and the Municipal Development District (MDD) boards in the same manner as all of the

other City Boards. Mr. Kemper pointed out that even though the EDC and MDD are governed by state statutes, those board members still serve at the pleasure of the City Council and can be removed by the City Council. Ms. Marten would like the same due process followed for all boards. Mr. Smith explained that Home Rule Charters may not supersede state law. These boards are non-profit corporations and the Charter does not control their operations. The bylaws also help determine how the corporation acts and operates.

After continued discussion, Mr. Wood made a motion to amend section 8.01 (2) to include appointees of any city boards, commissions, and corporations in the section regarding removal of members. Ms. Marten seconded the motion. The motion was amended to apply the change throughout Article VIII and Ms. Marten seconded the amended motion. The vote was a tie and, therefore, failed. Mr. Wood, Mr. Holboke, Mr. Kemper, Ms. Marten, Ms. Harris-Daniel, and Mr. Watkins voted in favor of the change. Mr. George, Mr. Brown, Mr. Elk, Mr. McMurdie, Mr. Ford, and Mr. Mathis voted against the motion.

Mr. Mathis made a motion to enumerate all City boards, EDC, and MDD in the list under 8.02. Mr. Brown seconded the motion and it failed 3-8-1. Mr. Elk, Mr. Brown, and Mr. Mathis voted for the motion, and Ms. Marten abstained from the vote.

Ms. Harris-Daniel noted that there is nothing in the Charter discussing Council liaison and asked if that was possible for staff and counsel to propose language. After discussion, Mr. Smith will come back to the Commission with information and research of other cities regarding the definition and responsibilities of Council liaisons.

Mr. Wood made a motion to add a requirement for each board to make an annual recommendation on policy changes or reports informing the Council that they do not have any changes. The motion was postponed until after the information regarding the Council liaison is provided.

Ms. Marten made a motion to leave section 8.03 as is. Mr. Kemper seconded the motion and it carried unanimously.

Ms. Marten noted that the Planning and Zoning Commission does not always have items to review and would like to change the required number of meetings to “as needed.” Ms. Marten made a motion to change the number of required meetings to “as needed”. Mr. Ford seconded the motion and it carried unanimously.

Mr. Wood made a motion to approve all other sections of Article IX. Ms. Marten seconded the motion and it carried unanimously.

Mr. Wood made a motion to accept Article X as is. Mr. George seconded the motion and it carried unanimously.

The Commission discussed Article XI. Mr. Wood recommended section 11.07 (1) be changed from “at least 14 members” to “between seven and fourteen members.” Prior to the election in 2006, ten members were required on the Charter Review Commission. Mr. McMurdie made a motion to leave 11.07 (1) as is. Mr. George seconded the motion and it carried unanimously.

Ms. Rose pointed out that 11.07 (2) uses the wrong version of ensure. Mr. Wood made a motion to change “insure” to “ensure”. Mr. Watkins seconded the motion and the vote was unanimous.

Mr. McMurdie asked if publishing in a newspaper is a state requirement. Mr. Smith confirmed that state statute does require notice of a charter amendment election and comprehensive summary of the report be published in a newspaper. Ms. Marten made a motion to amend 11.07 (2) adding that the comprehensive summary be posted on the City website and may be removed after the election. Mr. Kemper seconded the motion and it carried unanimously.

Mr. Ford made a motion to leave the remaining sections of Article XI as is. Mr. Mathis seconded the motion and it passed unanimously.

Mr. McMurdie detailed the timeline for the remainder of the charter review process. Ideally, he would like to present the Commission’s report at the July 18 City Council meeting in order to give them enough time to discuss the recommendation on August 1 and order the election by August 22. Ms. Rose recommended the Commission finish their review tonight to give them the maximum flexibility to craft the report.

Mr. George made a motion to leave Article XII as is. Mr. Ford seconded the motion and it carried unanimously.

Commissioners suggested that Article XIII may no longer be needed. Ms. Marten made a motion to remove and reserve Article XIII. Mr. Wood seconded the motion and it carried unanimously.

Mr. Wood would like to see the nepotism rule apply to all boards, commissions, and corporations. It was pointed out that it is currently stated as such in the code of ethics; however, he would like to see that policy raised to the level of the Charter. Mr. Wood made a motion to extend section 14.01 to all boards, commissions, and corporations. There was no second to the motion. Mr. Kemper made a motion to leave Article XIV as is. Ms. Marten seconded the motion and it carried unanimously.

The commission will review redlines and minutes at the July 7 meeting with the intention of presenting the report to the City Council on July 18 with as many members of the Commission in attendance as possible.

Adjournment.

Chairperson McMurdie adjourned the meeting at 8:49 p.m.

APPROVE:

Scott McMurdie, Chairperson

ATTEST:

Billy George, Vice-Chairperson

EXHIBIT A

MEMO

FOR: Charter Review Commission 2022
FROM: City Attorney, Peter G. Smith
DATE: June 2, 2022
SUBJECT: Charter Review Articles VII-IX

We have reviewed Article VII-IX of the Sachse Charter.

There are no changes required by law except as noted below.

Sections 7.04 and 7.10, though worded slightly differently, provide for virtually the same thing. We suggest repealing Section 7.10 and retaining 7.04 to eliminate potential conflicts. Texas Local Government Code section 102.008 requires budget to be available on City website, so language in 7.04 regarding the city manager making copies of the budget available for reasonable charge has no impact on citizens being able to access and review the budget for free on the internet. City Manager could still charge for cost of hard copies of full budget provided on request.

Section 7.20 Office of Tax Collector. City does not have an "Office of Taxation." Recommend amending it to read as follows:

"The city manager shall appoint a tax assessor/collector for the city, or the city council may contract with a governmental entity or with the board of directors of an appraisal district for the other governmental entity or the appraisal district to perform duties relating to the assessment or collection of taxes. In the assessment and collection of taxes, all provisions of the constitution and general laws of the State of Texas, the ordinances of this city relating thereto, and the provisions of this charter shall be followed."

PGS: (129883)

Peter G. Smith



Agenda Item Details

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| Meeting | Jul 07, 2022 - Charter Review Commission 2022 |
| Category | A. Regular Meeting |
| Subject | 5. Review and discuss the recommendation and summary report of the changes to the City of Sachse's home rule Charter to be presented to Council. |
| Access | Public |
| Type | Discussion, Information, Action |
| Recommended Action | Review and discuss the recommendation and summary report of the changes to the City of Sachse's home rule Charter to be presented to Council. |

Public Content

BACKGROUND

The Charter Review Commission has been appointed by the City Council and asked to review the City's home rule Charter. This is the first review section under consideration by the Charter Review Commission. City staff and the City Attorney will take notes on the discussion and will compile a summary of comments. At the end of the discussion, the Commission can take a vote on the items to be recommended.

POLICY CONSIDERATIONS

The Charter requires that the Charter Review Commission prepare and provide a report to the City Council on its findings.

RECOMMENDATION

Review and discuss the recommendation and summary report of the changes to the City of Sachse's home rule Charter to be presented to Council.

[20220608-Sachse_2022 Charter Recommendations-129318.pdf \(252 KB\)](#)



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Peter G. Smith
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Web: www.njdhs.com

TO: Charter Commission
FROM: Peter G. Smith, City Attorney
DATE: June 8, 2022
RE: Proposed Amendments to City Charter.

As of the date of this memorandum the following Sections have been proposed for the following amendments. Deleted text appears in double underlined bold strike through text and added text appears in bold double underline. We also updated changes to section 3.02 “eighteen consecutive years to six consecutive terms” based on the June 2, 2022 meeting of the Commission.

2.02
3.01
3.02
3.04
3.06(4)
3.07 (i)
3.09 (1)
3.13
3.14 (3)
3.16 (4)
3.18
5.02 (c)
6.04
6.05
7.04
7.10
7.20
9.01 (2)
11.07 (b)
Article XIII

Sec. 2.02 - PUBLIC IMPROVEMENTS

The city shall have the power to construct and maintain, within or without its corporate limits, streets, flood control facilities, and sanitary, water and storm drainage facilities, in, over, under or upon all public property and easements granted for that purpose and to levy assessments for the costs of such improvements. The city shall have the power to collect attorney's fees for the collection of paving assessment in foreclosure cases as allowed under state law. It shall have the

power to cause liens to be established for the purpose of securing such levies and shall have the power to compel the use of such improvements by the inhabitants of the city.

Sec. 3.01 - COMPOSITION

The council shall be composed of a mayor and six (6) council members, that is a mayor and six (6) council members elected by numbered places 1, 2, 3, 4, 5 and 6 by the qualified voters of the entire city for staggered terms of three (3) years each or until their successor has been elected or appointed and qualified. ~~Each council position shall be designated as a Place, to be determined as set forth in Sec. 3.02 of this Article. The mayor and council members shall be elected at large, and shall serve for a term of three (3) years as prescribed by the Texas Election Code and until his or her successor has been elected and duly qualified. Elections for two places shall be held each year, and the election for mayor shall be held every three years.~~ If the candidate with the highest number of votes in an election receives less than a majority vote, then a runoff election shall be held between the two candidates receiving the highest number of votes. Such runoff election shall be held pursuant to the provisions of the Texas Election Code and applicable ordinances. To provide for staggered terms of office the mayor and council members in places 5 and 6 are elected for a three (3) year term commencing with the regular municipal election in May 2022, council members in places 3 and 4 are elected for a three (3) year term commencing with the regular municipal election in May 2023, and council members in places 1 and 2 are elected for a three (3) year term commencing with the regular municipal election in May 2024.

Sec. 3.02 - ~~PROCEDURES FOR DETERMINING COUNCIL PLACES AND INITIAL TERMS OF OFFICE LIMITS~~

Commencing with the May 2023 city officer election, no person shall serve as mayor for more than three (3) consecutive elected terms, and no person shall serve as councilmember for more than three (3) consecutive elected terms. No person shall serve as a councilmember and mayor (combined) for more than six (6) consecutive terms. For purposes of this Section and computing the limitations on terms:

- (1) A mayor or councilmember, who vacates, for any reason, city office before the end of the term for which such person was elected, shall be considered to have completed that term.
- (2) Election to fulfill an unexpired councilmember term, or unexpired mayor term if applicable, shall be computed as follows

(i) If 50 percent or more of the term is remaining, it shall be included in the computation of term limits; or

(ii) If less than 50 percent of the term is remaining, it shall not be included in the computation of term limits.

Any councilmember or mayor, who is ineligible to run for elected city office due to the limitations on terms as provided herein, shall remain ineligible to hold an elected city office for a period of two years following the expiration of the most recent term of city office for which such person was elected with the exception of a councilmember seeking the office of mayor or the mayor seeking the office of a councilmember. (1) ~~The city councilmember receiving the highest number of votes of the qualified voters of the city who vote in the May 7, 1994 election shall be designated as occupying Place 1, and shall [hold] office for three (3) years. The city councilmember receiving the second highest number of votes of the qualified voters of the city who vote in the May 7, 1994 election shall be designated as occupying Place 2 and hold office for three (3) years. The city councilmember receiving the third highest number of votes of the qualified voters of the city who vote in the May 7, 1994 election shall be designated as occupying Place 3 and shall hold office for two (2) years.~~

~~(2) At the first regularly scheduled council meeting held in February, 1995, the city secretary shall prepare three (3) identical paper ballots. One ballot shall be marked "Place 4", the second "Place 5", and the third "Place 6". Each councilmember who was not elected at the election held on May 7, [1]994, shall draw a ballot by lot. The councilmember drawing the [b]allot marked "Place 4" shall be the councilmember for Place 4, the councilmember drawing the ballot marked "Place 5" shall be the councilmember for Place 5, and councilmember drawing the ballot marked "Place 6" shall be the councilmember for Place 6. The councilmember designated as Place 4 shall hold office until the election for councilmembers held in May, 1996. The councilmembers designated as Place 5 and Place 6 shall hold office until the election for councilmembers held in May, 1995.~~

Sec. 3.04 - COMPENSATION

Compensation of the members of the city council shall be determined by the city council by ordinance, but no increase in such compensation shall take effect until commencement of the terms of mayor and/or council members elected at the next regular election. Members of the city council shall be entitled to reimbursement for actual expenses incurred in the performance of official duties.

Sec. 3.06 - VACANCIES, FORFEITURES AND FILLING OF VACANCIES

- (1) The office of a city council member or the mayor shall become vacant upon his death, resignation, forfeiture of, or removal from office by any manner authorized by law.
- (2) If any member of the city council is absent from four (4) of seven (7) consecutive regular meetings, without explanation acceptable to a majority of the remaining city council members, his office shall be declared vacant at the next regular meeting of the city council by resolution. In addition, any member of the city council who has been absent for six (6) consecutive regular meetings due to any reason shall have his seat declared vacant at the next regular meeting of the city council by resolution.
- (3) Any member of the city council who ceases to possess the required qualifications for office or who is convicted of a felony or of a misdemeanor involving moral turpitude or is convicted of violating state law concerning conflict of interest shall forfeit his office. Every forfeiture shall be declared and enforced by a majority of the city council.
- (4) A vacancy or vacancies in the position of mayor or council member shall be filled by majority vote of the qualified voters at a special election called for such purpose on the next ~~uniform~~ election date as provided by state law. If the candidate with the highest number of votes in such special election receives less than a majority vote, then a runoff election shall be held between the two candidates receiving the highest number of votes. Such special and runoff elections shall be held pursuant to the provisions of the Texas Election Code and applicable ordinances.

Sec. 3.07 - POWERS OF THE CITY COUNCIL

All powers of the City of Sachse and the determination of all matters of policy shall be vested in the city council. Except where in conflict with and otherwise expressly provided by this Charter, the city council shall have all powers authorized to be exercised by the city council by state law and the acts amendatory thereof and supplementary thereto, now or hereafter enacted. Without limitation of the foregoing and among the other powers that may be exercised by the city council, the following are hereby enumerated for greater certainty:

- (a) Appoint and remove the city manager;
- (b) Appoint and remove the municipal court judge(s); (Election of May 13, 2006)
- (c) Appoint and remove the city attorney;
- (d) Appoint and remove the city secretary; (Election of April 5, 1986)

- (e) Establish administrative departments including, but not limited to, police, fire, library, water, sewer, animal control, building inspection and fire marshal.
- (f) Adopt the budget of the city;
- (g) Collectively inquire into the conduct of any office, department or agency of the city and make investigations as to municipal affairs;
- (h) Provide a planning and zoning commission and a board of adjustment and other boards as deemed necessary, and appoint the members of all such boards and commission[s]. Such boards and commissions shall have all powers and duties now or hereafter conferred and created by this Charter, by city ordinance or by law;
- (i) ~~Adopt plans~~ **Reserved;**
- (j) Adopt and modify the official map of the city;
- (k) Adopt, modify and carry out plans in cooperation with the planning and zoning commission for the replanning, improvement and redevelopment of specific areas of the city;
- (l) Adopt, modify and carry out plans in cooperation with the planning and zoning commission for the replanning, reconstruction or redevelopment of any area or district which may have been destroyed in whole or part by disaster;
- (m) Regulate, license and fix the charges or fares made by any person owning, operating or controlling any vehicle of any character used for the carrying of passengers for hire on the public streets and alleys of the city;
- (n) Provide for the establishment and designation of fire limits and prescribe the kind and character of buildings or structures or improvements to be erected therein; provide for the erection of fireproof buildings within certain limits; and provide for the condemnation of dangerous structures of buildings or dilapidated buildings or buildings calculated to increase the fire hazard, and the manner of their removal or destruction;
- (o) Fix and regulate rates and charges of all utilities and public services.

Sec. 3.09 - MEETINGS OF THE CITY COUNCIL

- (1) The city council shall hold at least one (1) regular meeting each month and as many additional meetings as it deems necessary to transact the business of the city. The city council shall fix by ordinance the date and time of the regular meetings.

Special meetings of the city council shall be held at the call of the mayor or ~~three a majority~~ **three** of the city council members upon provision of Public notice in accordance with state law.

(2) Notice of regular, special and emergency meetings of the city council shall be given as required by the Texas Open Meetings Act.

Sec. 3.13 - RULES OF PROCEDURE

~~The city council shall conduct its meetings in accordance with Robert's Rules of Order.~~ The city council shall determine its own order of business. The city council shall provide that the citizens of the city shall have a reasonable opportunity to clearly hear and be heard at public hearings with regard to specific matters under consideration. The city council shall provide for minutes to be taken and recorded for all meetings as required by law. Such minutes shall be a public record and shall be kept and maintained by the city secretary.

Sec. 3.14 - PASSAGE OF ORDINANCES IN GENERAL

(1) The city council shall legislate by ordinance only, and the enacting clause of every ordinance shall be "Be it ordained by the City Council of the City of Sachse, Texas ..." Each proposed ordinance shall be introduced in the written or printed form required for adoption. No ordinance shall contain more than one (1) subject which shall be clearly expressed in its caption. General appropriation ordinances may contain various subjects and accounts for which monies are to be appropriated. After adoption, an ordinance shall not be amended or repealed except by the adoption of another ordinance amending or repealing the original ordinance. Except where an ordinance is repealed in its entirety, the amendatory or repealing ordinance shall set out in full the ordinance sections or subsections to be amended or repealed and shall indicate new language by enclosing it in quotation marks. Copies of proposed ordinances, in the form required for adoption, shall be furnished to members of the city council before the city council meeting at which such ordinance is to be considered. Copies of the proposed ordinance, in the form required for adoption, shall be available at the city offices and shall be furnished to citizens upon request to the city secretary from and after the date on which such proposed ordinance is posted as an agenda item for a city council meeting and, if amended, shall be available and furnished in amended form for as long as the proposed ordinance is before the city council.

(2) A proposed ordinance which has been amended in substance after its placement on the agenda for a city council meeting may not be voted on at such city council meeting, unless the mayor announces at such city council meeting the amendments to such ordinance. All persons interested in such ordinance shall have a reasonable opportunity to be heard.

(3) Every ordinance shall become effective upon adoption or at any later time(s) specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture shall become effective only after having been published once in its entirety or summary form after adoption, in a newspaper or as otherwise allowed ~~as required~~ by law.

(4) The reading aloud of a title and caption of the ordinance shall suffice as a reading provided printed copies of the ordinance in the form required for adoption are in front of all members of the city council. If a majority of the members' present request that the ordinance be read in its entirety, it must be read.

Sec. 3.16 - AUTHENTICATION, RECORDING, CODIFICATION PRINTING AND DISTRIBUTION

(1) All ordinances and resolutions adopted by the city council shall be authenticated by seal and signature of the city secretary and numbered consecutively as adopted. They shall be properly indexed and placed in a book kept open for public inspection.

(2) The city council shall maintain the codification of ordinances of the city. This codification shall be known and cited as "The Sachse City Code" and shall be in full force and effect without the necessity of such Code or any part thereof being published in any newspaper. The caption, descriptive clause and other formal parts of the ordinances of the city may be omitted without effecting the validity of such ordinances when codified. Every general ordinance enacted subsequent to such codification shall be enacted as an amendment to the Code. For the purpose of this section, general ordinances shall be deemed to be those ordinances of a permanent or continuing nature which affect the residents of the city at large.

(3) The city council shall cause all ordinances and amendments to this Charter to be printed promptly following their adoption. A copy of each ordinance and amendment shall be placed in appropriate city offices for public reference.

(4) The city shall cause the code of ordinances to be accessible on the city's website.

Sec. 3.18 - BOND

The city council ~~shall~~ may require bonds of all municipal officers and employees who receive or pay out any monies of the city. The amount of the bonds shall be determined by the city council and the cost shall be borne by the city.

Sec. 5.02 - FILING FOR OFFICE

(1) Candidates for city offices shall file for office in accordance with the Texas Election Code.

- (2) Candidates for elective city office shall meet the following qualifications:
- (a) Shall be at least twenty-one (21) years of age at the time of the election for which they are filing;
 - (b) Shall be a qualified voter;
 - (c) Shall have resided within the corporate limits of the city, or annexed territory, for at least ~~twelve six (6)~~ **(12)** months prior to the date of election ~~filing deadline~~;
 - (d) Shall not, after notice of any delinquency, be in arrears in payment of taxes or other liabilities due the city;
 - (e) No candidate may file in a single election for more than one (1) office or position as provided by this Charter;
 - (f) No employee, nor any member or volunteer with any board, commission, or department of the city, shall continue in such position upon election and acceptance of the elected position;
 - (g) No elected official of the city whose term is not expiring in that calendar year shall continue in such elective office after filing for any other elective office provided for in this Charter.

Sec. 6.04 - FORM OF PETITION

- (1) All pages of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signer of a petition must be a qualified voter of the City of Sachse and shall personally sign his own name thereto in ink or indelible pencil, and shall write after his name his place of residence within the boundaries of the city, giving name of street and number, if any, and shall also write thereon the date, including the month, day and year his signature was affixed. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or of the ordinance or resolution sought to be reconsidered, or in the case of a recall petition, the identity of the official whose recall is being sought.
- (2) Each page of a petition shall have attached to it, when filed, an affidavit executed by the circulator thereof stating that he personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his presence, that he believes them to be genuine signatures of the persons whose names they purport to be, and that each signer had an opportunity before signing to read the full text of the ordinance proposed, the ordinance or resolution sought to be reconsidered, or the identity of the official whose recall is being sought.
- (3) Locations for ten (10) ~~twenty (20)~~ signatures shall be provided on each blank petition.

VERSION 1

Sec. 6.05 - PRESENTATION OF PETITIONS

(1) A petition to the city council for initiative or referendum, containing the signatures of qualified voters equal in number to fifteen (15) percent of those who voted in the last general municipal election, or two hundred (200), whichever is greater, shall be filed with the city secretary not later than sixty (60) ~~thirty (30)~~ days following the filing of the affidavit by the petitioners committee. Once the petition is filed, no signature may be withdrawn.

(2) A petition to the city council for recall, containing the signatures of twenty (20) percent of the qualified voters registered to vote at the last regular city election, or three hundred (300), whichever is greater, shall be filed with the city secretary no later than sixty (60) ~~thirty (30)~~ days following the filing of the affidavit by the petitioners committee. Once the petition is filed, no signature may be withdrawn.

VERSION 2

Sec. 6.05 - PRESENTATION OF PETITIONS

(1) A petition to the city council for initiative or referendum, containing the signatures of qualified voters equal in number to fifteen (15) percent of those who voted in the last general municipal election, or two hundred (200), whichever is greater, shall be filed with the city secretary not later than ninety (90) ~~thirty (30)~~ days following the filing of the affidavit by the petitioners committee. Once the petition is filed, no signature may be withdrawn.

(2) A petition to the city council for recall, containing the signatures of twenty (20) percent of the qualified voters registered to vote at the last regular city election, or three hundred (300), whichever is greater, shall be filed with the city secretary no later than ninety (90) ~~thirty (30)~~ days following the filing of the affidavit by the petitioners committee. Once the petition is filed, no signature may be withdrawn.

Sec. 7.04 - BUDGET: A PUBLIC RECORD

The final budget, all supporting schedules and the budget message shall be filed with the city secretary when submitted to the city council and shall be opened to public inspection by anyone interested. The city manager shall provide copies of the final budget, at a reasonable charge, to all interested citizens.

Sec. 7.10 - ~~RESERVED CERTIFICATION: COPIES MADE AVAILABLE~~

~~A copy of the budget, as fully adopted, shall be filed with the city secretary and such other places required by state law and as the city council may designate. The final budget shall be printed, and copies shall be made available for the use of all offices, agencies, and for the use of interested persons and civic organizations.~~

Sec. 7.20 - OFFICE OF TAX COLLECTOR

~~There shall be established an office of taxation to collect taxes, the head of which shall be the city tax collector.~~ **The city manager shall appoint a tax assessor/collector for the city, or the city council may contract with a governmental entity or with the board of directors of an appraisal district for the other governmental entity or the appraisal district to perform duties relating to the assessment or collection of taxes. In the assessment and collection of taxes, all provisions of the constitution and general laws of the State of Texas, the ordinances of this city relating thereto, and the provisions of this charter shall be followed.**

Sec. 9.01 - ORGANIZATION

(1) The city council shall create and establish a Planning and Zoning Commission which shall consist of seven (7) members, and may include alternates, who shall be appointed by the city council to staggered, overlapping two (2) year terms. The commission members shall be qualified voters in the city. Any vacancy occurring during the unexpired term of a member shall be filled by the city council. A majority of the members shall constitute a quorum. Removal of members of the planning and zoning commission shall be in accordance with the provisions of Article VIII, Section 8.01(2) of this Charter.

(2) The commission shall meet ~~at least once a month~~ **as needed**. The commission shall keep minutes of its proceedings which minutes shall be maintained as a public record by the city secretary. The commission shall serve without compensation.

Sec. 11.07 - CHARTER REVIEW COMMISSION

(1) The city council may appoint a Charter Review Commission of at least fourteen (14) citizens of the city who shall:

(a) Inquire into the operation of the city government under the Charter and determine whether any provisions require revision. To this end, public hearings may be held. The commission may

compel the attendance of any officer or employee of the city and require submission of any city records;

(b) Propose any recommendations it deems desirable to ensure ~~insure~~ compliance with the Charter of the city government;

(c) Report its findings and present its recommendations to the city council.

(2) The city council shall consider ~~receive and have published in the official newspaper of the city a comprehensive summary of~~ the report presented by the commission, ~~shall consider~~ any recommendations made, and may order any amendments suggested to be submitted to the voters of the city in the manner provided by state law as now written or hereafter amended. The city council shall post a comprehensive summary of the report presented by the commission on the city website which may be removed after the date the city council has adopted any amendments approved by the voters at such election. If no election is called the report may be removed from the city website within ninety (90) days after such posting.

(3) The term of office of the commission shall be for not more than six (6) months, at the end of which time a report shall be presented to the city council and all records of proceedings of the commission shall be filed with the city secretary and become a public record.

ARTICLE XIII. - ~~TRANSITIONAL PROVISIONS~~ EFFECTIVE DATE AND EFFECTS OF ADOPTION

Sec. 13.01 - EFFECTIVE DATE

~~This Charter shall take effect immediately following adoption by the voters.~~ The provisions of this charter and any amendments thereto shall be in effect from and after their approval by the voters and the adoption of an ordinance by the city council declaring the same adopted.

Sec. 13.02 - ~~CONTINUATION OF ELECTIVE OFFICES~~ EFFECT ON PRESENT CITY COUNCIL

The duly elected city council serving at the time of the adoption of this charter or amendment thereto shall continue to be, serve as, and to constitute the city council of the city until the next regular election. ~~Upon adoption of this Charter, the present members of the city council filling elective offices will continue to fill those offices for the terms for which they~~

~~were elected. If this Charter is adopted, the city council shall, by majority vote, at its first regular meeting after the adoption of this Charter, appoint one (1) additional councilman to serve for a term to coincide with the terms of the councilmen who are elected in the odd numbered years, or until his successor is elected and qualified. Thereafter, the city council shall be elected as provided in this Charter. Persons who, on the date this Charter is adopted, are filling appointive positions with the city which are retained under this Charter, may continue to fill these positions for the term for which they were appointed, unless removed by the city council or by other means provided in this Charter.~~

~~Sec. 13.03 - CONTINUATION OF OPERATIONS SEPARABILITY~~

~~**If any provision of this charter is held invalid, the other provisions of the charter shall not be affected thereby. If the application of the charter or any of its provisions to any person or circumstances is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected thereby.** All city ordinances, bonds, resolutions, rules and regulations in force on the effective date of this Charter shall remain in force until altered, amended, or repealed by the city council, and all rights of the city under existing franchises and contracts are preserved in full force and effect.~~

~~Sec. 13.04 - OFFICERS AND EMPLOYEES~~

~~Except as specifically provided, nothing in this Charter shall affect or impair the rights or privileges of person who are city officers or employees at the time of its adoption.~~