



CITY OF LAKE DALLAS CHARTER AMENDMENTS

PROPOSITION A:

Shall Section 3.03b of the Lake Dallas City Charter be amended to provide that the canvassing of city council elections shall be conducted within the time required by state law.

Section 3.03b -

Council to be Judge of the Qualifications of its Own Members

The city council shall be the judge of the qualifications of its own members and of the mayor, and for such purpose shall have power to subpoena witnesses and require the production of records, but the decision of the council shall, as soon as practicable after a regular or special election, either at a called meeting of said council, called for that purpose, or at the next regular meeting, but in any event within five (5) calendar days after the closing of the polls **the time required by State law**, canvass the returns and declare the results of such election.

PROPOSITION B:

Shall paragraph 3 of Section 3.06.02 of the Lake Dallas City Charter be amended to clarify that the mayor or a city councilmember shall forfeit such office if convicted or placed on deferred adjudication for a crime involving moral turpitude.

Section 3.06.02 - Forfeiture

The mayor or a member of the city council shall forfeit the office if such person:
Is convicted or placed on deferred adjudication for a crime involving **moral** turpitude.

PROPOSITION C:

Shall paragraph 4 of Section 3.06.02 of the Lake Dallas City Charter be amended to provide that the mayor or a city councilmember shall forfeit such office if absent from three regular city council meetings during any period of twelve (12) consecutive months without such absences being excused by the city council.

Section 3.06.02 - Forfeiture

The mayor or a member of the city council shall forfeit the office if such person:
Fails to attend three (3) ~~consecutive~~ regular city council meetings **during any period of twelve (12) consecutive months** without **such absences** being excused by the city council.

PROPOSITION D:

Shall Section 3.11.01 of the Lake Dallas City Charter be amended to provide that neither the mayor, any city councilmember, nor any member of any board, commission or committee, or any other officer, whether elected, appointed, paid or unpaid shall participate in the deliberation or a vote or decision on a matter when such participation is otherwise prohibited by law.

Section 3.11.01 - Conflict of Interest

~~No member of the city council, Neither the mayor, any city councilmember, nor any member of any board, commission or committee, or any other officer, whether elected, appointed, paid or unpaid, or related to an officer within the first degree of affinity or consanguinity, shall participate in the deliberation or a vote or decision on a matter when such participation is otherwise prohibited by law involving a business entity in which such officer the person holding such elected or appointed office, or a person related within the first degree of affinity or consanguinity to such person, has a substantial interest in the matter if it is reasonably foreseeable that an action on the matter would confer an economic benefit on the business entity. Prior to the meeting, the officer, or person related to the officer, shall file an affidavit with the city secretary stating the nature and extent of the interest and abstain from further participation in the matter.~~

PROPOSITION E:

Shall the first paragraph of Section 3.12 of the Lake Dallas City Charter be amended to allow for the recording of city council meetings by means other than tape recording.

Section 3.12 - Rules of Procedure

The city council shall provide for ~~tape~~ recording of all meetings as well as written minutes to be taken of all meetings, except executive sessions authorized by law, and such minutes shall be a public record and shall be kept and maintained by the city secretary. Voting shall be recorded in the minutes. Except on procedural motions, voting shall be by roll call called by the city secretary or person serving as city secretary and shall be recorded in the minutes.

PROPOSITION F:

Shall the second paragraph of Section 3.12 of the Lake Dallas City Charter be amended to clarify that unless a different vote is required by this charter or state law, all issues coming before the city council or any boards, commissions or committees shall be decided by a vote of a simple majority of city council, board, commission or committee.

Section 3.12 - Rules of Procedure

~~Unless a different vote is required by this charter or state law,~~ All issues coming before the city council or any boards, commissions or committees shall be decided by a vote of a simple majority of city council, board, commission or committee.

PROPOSITION G:

Shall Section 3.13.02 of the Lake Dallas City Charter be amended to clarify that unless a different vote is required by this charter or state law, an ordinance shall be considered adopted when it receives an affirmative vote of a simple majority of the membership of the city council.

Section 3.13.02 - Procedure

Any member of the city council may offer any ordinance in writing that has been placed on the agenda at the city council meeting. Copies of proposed ordinances, in the form required for adoption, shall be furnished to members of the city council. The city council shall adopt a rule that shall provide that no action be taken on any ordinance that has not been made available to the council and to the public concurrently. **Unless a different vote is required by this charter or state law,** An ordinance shall be considered adopted when it receives an affirmative vote of a simple majority of the membership of the city council.

PROPOSITION H:

Shall the Lake Dallas City Charter be amended by repealing Section 3.13.03 regarding the vote required to approve ordinances which is duplicated in Section 3.13.02 of the Lake Dallas City Charter.

~~**Section 3.13.03. - Procedure**~~

~~An ordinance shall be considered adopted when it receives the appropriate affirmative votes as specified by conditions of this Charter.~~

PROPOSITION I:

Shall paragraphs 2 and 3 of Section 4.01.02 of the Lake Dallas City Charter be amended and Section 4.08 of the Lake Dallas City Charter be repealed to clarify and provide that the city manager shall have the power and duty to appoint, hire, suspend, and/or terminate any employee of the city, except as otherwise provided by this Charter, and to delegate such authority to department administrators with respect to employees within their respective departments.

Section 4.01.02 - Responsibilities and Powers

The city manager shall be responsible for the proper administration of the affairs of the city and shall have the power and duty to:

* * *

~~2) Appoint, hire, suspend, and/or terminate employees not under the supervision of a department administrator~~ any employee of the city, except as otherwise provided by this Charter, and may delegate such authority to department administrators with respect to employees within their respective departments;

~~3) Assist department administrators in the hiring, suspension, and termination of employees to ensure compliance with all applicable laws;~~

Section 4.08 - Personnel System

~~Department administrators are responsible to appoint, hire, suspend and/or terminate employees in their department. Department administrators will conduct annual performance evaluations of employees within their department. The city manager shall provide legal and regulatory guidance to department administrators.~~

PROPOSITION J:

Shall paragraph 10 of Section 4.01.02 of the Lake Dallas City Charter be amended to clarify that the City Manager shall ensure that all public records are accessible to the public and available upon request as required by state law.

Section 4.01.02 - Responsibilities and Powers

The city manager shall be responsible for the proper administration of the affairs of the city and shall have the power and duty to:

* * *

10) Ensure that all public records are accessible to the public and available upon request **as required by state law**; and

PROPOSITION K:

Shall Section 4.09 of the Lake Dallas City Charter be amended to revise and simplify the procedure for selection of the members of the Appeals Board by the City Council.

Section 4.09 - Appeals Board

~~The appeals board shall have five members and two alternate members who shall serve as regular members of the board in the absence of a regular member. Each city council member will nominate five different citizens to serve on the appeals board. Duplication of names by separate council members shall be permitted. Of the 25-member pool, five members and three alternates will be selected from a blind draw to serve for two years. The city secretary shall supervise the drawing to ensure that each council member has submitted five names. If a citizen's name is drawn a second time it shall be laid aside and another name selected. The five selected members will convene to vote on a chairperson.~~

PROPOSITION L:

Shall Section 4.09 of the Lake Dallas City Charter be amended to provide that the procedures of the Appeals Board be established by an ordinance adopted by the City Council consistent with the City Charter.



Section 4.09 - Appeals Board

The city council shall adopt an ordinance establishing the procedures of the appeals board consistent with this Charter. A quorum for all board meetings will be three members.

PROPOSITION M:

Shall Section 4.09 of the Lake Dallas City Charter be amended to clarify that the decision and action of the City Council regarding the recommendation received from the Appeals Board shall be final.

Section 4.09 - Appeals Board

In the event of an appeal initiated by a city employee or a citizen, the board will hear the case and make a recommendation to the city council to take no action or to take appropriate action. ~~Final~~ The decision and action of the city council regarding the recommendation received from the board shall be final on the appeal will be left to the city council. —

PROPOSITION N:

Shall Section 4.09.01 of the Lake Dallas City Charter be amended to provide that a terminated city employee may file an appeal of the employee's termination to the city secretary not later than ten (10) days after being notified of the employee's termination from employment.

Section 4.09.01 - Terminated Employee Appeal

Any terminated city employee, ~~within ten (10) days of termination~~, may submit an appeal of the employee's termination request to the city secretary not later than ten (10) days after being notified of the employee's termination from employment. The city secretary who must immediately forward the request to each member of the appeals board.

PROPOSITION O:

Shall Section 4.09.01 of the Lake Dallas City Charter be amended to provide that the appeals board shall conduct a hearing on an appeal of a terminated city employment not later than ten (10) working days after receipt of the request to appeal the termination.

Section 4.09.01 - Terminated Employee Appeal

Within ~~Not later than~~ ten (10) working days of receipt of the request, the appeals board chairperson ~~will~~ shall conduct a hearing of the matter after notifying all parties listed on the appeal request form of the date, time, and place of the hearing. Attendance by the city manager and department heads is required if identified on the appeal request form.

PROPOSITION P:

Shall Section 5.01.01 of the Lake Dallas City Charter be amended to provide that the regulation to elect the mayor and city council members will be held on the uniform election date in May established by the Texas Election Code.

Section 5.01.01 - Election Schedule

The regular city election ~~to elect the mayor and city council members~~ will be held annually on the second Saturday ~~uniform election date~~ in May ~~established by the Texas Election Code~~. The city council shall be responsible for selection of places for holding such elections.

PROPOSITION Q:

Shall Section 5.01.03 of the Lake Dallas City Charter be repealed to eliminate the requirement that the City Secretary maintain a certified copy of the Denton County voter registration list of city voters.

Section 5.01.03 - Voter Eligibility List

~~A certified list of voter registrants within the city, as prepared by the county, shall be held by the city secretary. Any organization, group or person may request a list of qualified voters of the city. Permission to copy the current list shall be granted by the city secretary.~~

PROPOSITION R:

Shall Section 6.04 of the Lake Dallas City Charter be amended to provide that petitions for recall, initiative, or referendum shall contain the signatures of qualified voters equal in number to no fewer than the greater of (i) fifteen (15%) percent of the qualified voters eligible to vote on the date of the last regular municipal election and (ii) 500.

Section 6.04 – Presentation of Petitions

A petition to the city council for recall, initiative or referendum containing the signatures of qualified voters equal in number to no fewer than ~~twenty-five (25%)~~ **the greater of (i) fifteen (15%)** percent of the qualified voters **eligible to vote on the date of** ~~who voted in~~ the last **regular** municipal election **and (ii) 500**, shall be presented to the city secretary no later than thirty (30) days following the filing of the affidavit by the petitioners' committee.

PROPOSITION S:

Shall Section 7.08 of the Lake Dallas City Charter be amended to provide City Council regulations regarding the purchase of goods and services adopted by resolution or ordinance shall not conflict with any applicable provisions of the Charter or state law governing municipal purchasing or contracting.

Section 7.08 - Purchasing

The city manager shall have ~~general authority to contract for expenditures up to one thousand (\$1,000.00) dollars without approval of the city council.~~ City council regulations **regarding the purchase of goods and services** ~~provided~~ **adopted** by **resolution or ordinance** shall not conflict with any applicable provisions of the Charter or state law governing municipal purchasing or contracting.

PROPOSITION T:

Shall Section 8.03.02 of the Lake Dallas City Charter be amended to delete the required number of members and alternate member to be appointed to the parks and recreation board and make conforming amendments relating to the dates for appointment of such members.

Section 8.03.02 - Parks and Recreation Board

The city council shall appoint a parks and recreation board of ~~seven (7) members and two (2) alternate members~~ to work in an advisory capacity to the city council in the planning and development of parks and recreation facilities and regulations governing their use. Members of the board shall be appointed for two-year terms with ~~three (3) the terms of the majority of the~~ members' terms expiring in even-numbered years and ~~two (2) the terms of the remaining members'~~ terms expiring in odd-numbered years. Members of the board shall elect a chairperson each October from their membership and shall meet at the call of the chairperson or at the request of the city council. The city manager shall appoint a staff representative to the board.

PROPOSITION U:

Shall Section 8.04.04 of the Lake Dallas City Charter be amended to allow for officers or others who hold compensated positions with the City to be appointed to a City board, commission, or committee when required by law.

Section 8.04.04 - Exclusion of City Officers and Employees

~~Except where otherwise required by law,~~ No officer of the city nor any person who holds a compensated position with the city shall be appointed to any board, commission or committee created or established by this Charter other than in an advisory capacity.

PROPOSITION V:

Shall Section 10.02 of the Lake Dallas City Charter regarding the selection of an official city newspaper and publication of official notices in the official newspaper be repealed.

~~Section 10.02 - Official Newspaper~~

~~The city council shall designate an official newspaper or newspapers of general circulation as defined by the laws of the State of Texas. All ordinances, captions of ordinances, notices and other matters required to be published by this Charter, by city ordinances or by the constitution and laws of the State of Texas, shall be published in the official newspaper.~~

PROPOSITION W:

Shall the Lake Dallas City Charter be amended to add Section 10.12.05 to authorize the City Council to adopt ordinances renumbering articles, sections, subsections, and paragraphs of the Lake Dallas City Charter or any amendment thereto.

Section 10.12.05 - Charter renumbering

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

PROPOSITION X:

Shall the Lake Dallas City Charter be amended to add a definition for the phrase “super-majority” to provide that when a super-majority vote to approve a matter is required by this Charter, approval of such matter shall require no fewer than 75% of city council members to vote in the affirmative.

Definitions and Terms

Super-Majority: When a super-majority vote to approve a matter is required by this Charter, approval of such matter shall require no fewer than 75% of city council members to vote in the affirmative.