

# **DRAFT**

## **OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL SPECIAL MEETING**

**January 30, 2020**

**Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254  
5:00 p.m. Special Meeting**

**Present:** Mayor Joe Chow; Mayor Pro Tempore Tom Braun; Deputy Mayor Pro Tempore Lori Ward; Council Member Ivan Hughes; Council Member Paul Walden; Council Member Marlin Willesen.

**Absent:** Council Member Guillermo Quintanilla

**1. Call Meeting to Order:** Mayor Chow called the meeting to order.

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### **Pledge of Allegiance**

**Public Comment:** *The City Council invites citizens to address the City Council on any matter, including items on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing starts. Citizen comments are limited to **three (3) minutes**, unless otherwise required by law. To address the Council, please fill out a **City Council Appearance Card** and submit it to a staff member prior to the Public Comment item on the agenda. The Council is not permitted to take any action or discuss any item not listed on the agenda. The Council may choose to place the item on a future agenda.*

No residents or audience members requested to speak.

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**2. Present and Discus the 2020 Charter Review Commission Final Report.**

Deputy City Manager Ashley Mitchell advised that on September 10, 2019 the City Council appointed 14 residents to a Charter Review Commission in accordance with Section 11.29 of the Town's Charter. The Commission was tasked to work with Town staff to advise the Mayor and City Council as to whether the Town's Charter should be amended.

The Commission met six times over a three-month period to review all sections of the Charter. As a result of their review, the Commission is recommending 26 propositions be put forth to the voters

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for their consideration. The Commission's final report details these propositions with a summary of the Commission's discussions regarding the Charter amendments.

A summary of the final report was presented to the Council by the Charter Review Commission Chair Bruce Arfsten and Vice-Chair Sue Halpern. Proposed amendments to the Charter were discussed and are as follows:

**Proposition Number 1**

Shall the Charter of the Town of Addison, Texas, be amended to provide clarification by changing “qualified voter” to “registered voter” because “qualified voter” is defined as a “registered voter” in the Texas Election Code?

**Proposition Number 2**

Shall the Charter of the Town of Addison, Texas, be amended in various sections to remove specific state law references and instead require that the City Council shall act in accordance with state law?

**Proposition Number 3**

Shall Section 2.04 “Compensation” of the Charter of the Town of Addison, Texas, be amended to remove the requirement that the City Council approve at a public meeting, any reimbursements to councilmembers for actual expenses incurred in the performance of official duties? Expenditures would still be approved by the City Council during the budgeting process and records would be available in accordance with open records requirements.

**Proposition Number 4**

Shall Section 2.08(f) “Powers of the City Council” of the Charter of the Town of Addison, Texas, be amended to require members of the Planning and Zoning Commission and Board of Zoning Adjustment to be residents and registered voters of the Town?

**Proposition Number 5**

Shall Section 2.08(f) “Powers of the City Council” of the Charter of the Town of Addison, Texas, be amended to state that no one may serve concurrently on the Planning and Zoning Commission and the Board of Zoning Adjustment?

**Proposition Number 6**

Shall Section 2.10 “Meetings of the City Council” of the Charter of the Town of Addison, Texas, be amended to allow special meetings of the City Council to be called by three (3) councilmembers instead of four (4) as currently stated?

**Proposition Number 7**

Shall Section 2.10 “Meetings of the City Council” of the Charter of the Town of Addison, Texas, be amended to allow special meetings of the City Council to be called by the City Manager?

Proposition Number 8

Shall Section 2.17 “Induction of Council into office” of the Charter of the Town of Addison, Texas, be amended to clarify that the first meeting of the City Council following an election of members of the City Council shall be the meeting to canvass the election as provided by state law and the first order of business shall be to canvass the election, declare the results and seat the newly elected members?

Proposition Number 9

Shall Section 5.11(1) “Bonds, warrants and other evidences of indebtedness” of the Charter of the Town of Addison, Texas, be renamed to “Bonds, warrants and other debt matters”?

Proposition Number 10

Shall the Charter of the Town of Addison, Texas, be amended to clarify that the Town is authorized to issue debt for economic development purposes?

Proposition Number 11

Shall Section 5.19 “Power to correct errors” of the Charter of the Town of Addison, Texas, be renamed to “Power to cancel taxes” to clarify what that section actually addresses?

Proposition Number 12

Shall Section 5.31 “General powers” of the Charter of the Town of Addison, Texas, be renamed to “General powers of taxation” to avoid confusion regarding the Town’s ability to levy taxes as authorized by state law and make clear it is not intended as a general grant of powers to the City Council?

Proposition Number 13

Shall Section 7.03 “Master plan” of the Charter of the Town of Addison, Texas, be amended to change the wording “official master plan” to the “Comprehensive Plan” since that is the name of the Town’s long-range planning document and to state that the City Council may amend the Comprehensive Plan by majority vote of the City Council members present at a Council meeting?

Proposition Number 14

Shall Section 7.04 “Planning and Zoning Commission” of the charter of the Town of Addison, Texas, be amended to change references to “City Zoning Commission” and “City Planning Commission” to the “Planning and Zoning Commission?”

Proposition Number 15

Shall the Charter of the Town of Addison, Texas, be amended to remove outdated forms of petitions and simply require that all petitions conform with the requirements of state law?

Proposition Number 16

Shall the Charter of the Town of Addison, Texas, be amended to require that persons who sign a petition for candidacy for office or a ballot measure must include either their date of birth or voter registration number as required by the Texas Election Code?

Proposition Number 17

Shall Section 8.03 “Nominations” of the Charter of the Town of Addison, Texas, be amended to provide that an individual may become a candidate for Mayor or City Council by petition only and remove the option for self-nomination?

Proposition Number 18

Shall Section 8.03 “Nominations” of the Charter of the Town of Addison, Texas, be amended to increase to 25, the minimum number of signatures for a petition to place a candidate in nomination for a City Council office in accordance with state law?

Proposition Number 19

Shall Section 8.03 “Nominations” of the Charter of the Town of Addison, Texas, be amended to increase to 50, the maximum number of signatures for a petition to place a candidate in nomination for a City Council office?

Proposition Number 20

Shall Section 8.06 “Conducting and canvassing elections” of the Charter of the Town of Addison, Texas, be amended to clarify that the first meeting of the City Council following a municipal election shall be the meeting to canvass the election and declare the results as provided by state law?

Proposition Number 21

Shall Section 11.15 “Publicity of records” of the Charter of the Town of Addison, Texas, be deleted because the availability of records to the public is already governed by the Texas Public Information Act?

Proposition Number 22

Shall Section 11.23 “Rearrangement and numbering” of the Charter of the Town of Addison, Texas, be renamed to “Non-substantive changes” and amended to provide ongoing authority for the city council, by ordinance, to make nonsubstantive changes for clarity, change terms of gender to gender-neutral terms and remove Section 11.18 “Gender clause?”

Proposition Number 23

Shall Section 11.24 “Town depository” of the Charter of the Town of Addison, Texas, be deleted because the selection and designation of a depository for the Town is exclusively governed by state law?

Proposition Number 24

Shall Section 11.26 “Disaster clause” of the Charter of the Town of Addison, Texas, be amended to remove the references to the “local Chamber of Commerce” and “Board of Trustees of the local school district” and instead direct that the Dallas County Judge appoint a commission, which shall include all surviving members of the City Council, in the event of a disaster when a quorum of the City Council cannot be assembled because of death or injury?

Proposition Number 25

Shall Section 11.27 “When provisions take effect” on the Charter of the Town of Addison, Texas, be deleted because it only applied to the initial Home Rule Charter election in 1979 and is now unnecessary?

Proposition Number 26

Shall Section 11.30 “Ordinance, rules and regulations validated” of the Charter of the Town of Addison, Texas, be deleted because it only applied to the initial Home Rule Charter election in 1979 and is now unnecessary?

Ms. Halpern advised the Council that the Commission took two matters under advisement that the Council had requested. First was the length of terms for Council members to extend terms to three years. Ms. Halpern advised the Commission did not recommend it and provided an overview of the discussion. The second matter was whether or not the City Secretary should report to the City Manager rather than the Council. Ms. Halpern advised they surveyed other cities and found that there were several different reporting structures. The Commission did not recommend the Charter be changed regarding this question.

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3. **Hold a Public Hearing, Present, Discuss and Consider Action to Accept the Charter Review Commission’s Final Report.**

Mayor Chow opened and closed the Public Hearing with no one wishing to speak.

City Manager Wes Pierson advised the Council that final adoption of the Charter amendments will be by an ordinance calling a special election at the February 13<sup>th</sup> meeting. There was a brief discussion regarding how to order the propositions on the ballot.

**MOTION:** Mayor Pro Tempore Braun moved to accept the 2020 Charter Review Commission Final Report. Deputy Mayor Pro Tempore Ward Motion seconded the motion. Motion carried unanimously.

**MOTION:** Council Member Walden moved to ask the Chair and Vice-Chair to make a recommendation on the ballot order of the propositions. Deputy Mayor Pro Tempore Ward Motion seconded the motion. Motion carried unanimously.

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**Adjourn Meeting**

There being no further business to come before the Council, Mayor Chow adjourned the meeting.

**TOWN OF ADDISON, TEXAS**

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Joe Chow, Mayor

**ATTEST:**

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Irma G. Parker, City Secretary