

**RICHLAND HILLS CHARTER REVIEW COMMITTEE
THURSDAY, JANUARY 12, 2023
MINUTES**

Roll Call:

Committee Members Present

Theresa Bledsoe
Bill Garretson
Athena Campbell
Stacey Morse
Roland Goveas
Sheleen Jaymes, Chair

Committee Members Absent

Staff Present

Candice Edmondson, City Manager
Lindsay Rawlinson, City Secretary
Alicia Kreh, City Attorney

1. CALL TO ORDER

Chair Sheleen Jaymes called the meeting to order at 6:03 p.m.

2. CHARTER REVIEW COMMITTEE TOWN HALL

The Charter Review Committee presented the proposed changes to the Charter including substantive, changes to comply with State Law, and grammatical changes. The following chart was presented to the Town Hall attendees:

Current Charter Language	Recommended Charter Language
ARTICLE IV. – ENUMERATED POWERS	
<p>Sec. 4.01. – Enumerated powers.</p> <p>The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive, but, in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such powers, it is intended that the City shall have, and may exercise, all powers of local self-government, and all powers enumerated in Chapter 13, Title 28, Article 1175 of the Revised Civil Statutes of the State of Texas of 1925, and any amendments thereof, or any other powers which, under the Constitution and laws of the State of Texas, it would be competent for this Charter specifically to enumerate. All powers of the City, whether expressed or implied, shall be exercised in the</p>	<p>Sec. 4.01. – Enumerated powers.</p> <p>The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive, but, in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such powers, it is intended that the City shall have, and may exercise, all powers of local self-government, and all powers enumerated in the Constitution and laws of the State of Texas. All powers of the City, whether expressed or implied, shall be exercised in the manner prescribed herein, or when not prescribed herein, then in the manner provided by the laws of Texas relating to cities and towns. The City shall have the power to cooperate with the Federal Government and its</p>

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<p>manner prescribed herein, or when not prescribed herein, then in the manner provided by the laws of Texas relating to cities and towns. The City shall have the power to cooperate with the Federal Government and its agencies and with the State Government and its agencies, and with any political subdivision, or agency thereof.</p>	<p>agencies, with the State Government and its agencies, and with any political subdivision, or agency thereof.</p>
ARTICLE V. – CITY COUNCIL	
<p>Sec. 5.01. – City Council.</p> <p>The governing body of the City shall consist of a City Council composed of a Mayor and five (5) Councilmembers. The Mayor and Council shall be elected from the City at large.</p>	<p>Sec. 5.01. – City Council.</p> <p>A. The governing body of the City shall consist of a City Council composed of a Mayor and six (6) Councilmembers.</p> <p>B. The Mayor and Councilmembers shall be elected from the City at large. The other members of Council shall be elected to the office at large, but by specific place, which shall be designated as Places One, Two, Three, Four, Five and Six.</p>
<p>Sec. 5.02. - Qualifications.</p> <p>Each of the six Councilmembers and Mayor shall, on the date of the election, be at least twenty-one (21) years of age, a citizen of the United States of America and a registered, qualified voter of the State of Texas; shall reside and shall have resided for at least one year preceding the election at which they are a candidate, within the corporate limits of Richland Hills; y, and shall not be disqualified by reason of any provision of any other section of this Charter. A person who does not possess each of the above qualifications at the time of his/her filing as a candidate shall not be eligible to be elected to the Council. A member of the Council ceasing to possess any of the qualifications specified in this section, or any other sections of this Charter, or convicted of a felony while in office, shall immediately forfeit his/her office. No Councilmember shall hold any other public office except that of Notary Public, member of the National Guard or any Military Reserve, or a retired member of the Armed Services.</p>	<p>Sec. 5.02 – Qualifications.</p> <p>Each of the six Councilmembers and Mayor shall, on the date of the election, be at least twenty-one (21) years of age, a citizen of the United States of America and a registered, qualified voter of the State of Texas; shall reside and shall have resided for at least one year preceding the election for which they are a candidate, within the corporate limits of Richland Hills; and shall not be disqualified by reason of any provision of any other section of this Charter. A person who does not possess each of the above qualifications at the time of his/her filing as a candidate shall not be eligible to be elected to the Council. A member of the Council ceasing to possess any of the qualifications specified in this section or any other section of this Charter, or convicted of a felony while in office, shall immediately vacate his/her office. No Councilmember shall hold any other public office except that of Notary Public, a member of the National Guard or any Military Reserve, or a retired member of the Armed Services.</p>
<p>Sec. 5.03. - Election.</p> <p>The regular municipal elections of the City of Richland Hills shall be held on the May uniform election day of each year or as otherwise</p>	<p>Sec. 5.03. - Election.</p> <p>The regular municipal elections of the City of Richland Hills shall be held on the May uniform election day of each year or as otherwise</p>

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<p>provided by state law and shall be conducted in accordance with state law.</p>	<p>provided by state law and shall be conducted in accordance with State law.</p> <p>Elections shall be governed in compliance with the Texas Election Code, as amended.</p>
<p>Sec. 5.04. – Hours of Election.</p> <p>The polls shall open at each election from seven o'clock a.m. until seven o'clock p.m.</p>	<p>Delete</p>
<p>Sec. 5.05. – Official Ballot.</p> <p>The official ballot shall be drawn up by the City Secretary and approved by the City Attorney and will contain the names of all qualified candidates for office, except those who may have been withdrawn, deceased or become ineligible. Names will be placed on the ballot without party designation and position on the ballot will be determined by a drawing held by the City Secretary. Filing within time limits shall be as prescribed by State law.</p>	<p>Delete</p>
<p>Sec. 5.06. – Qualified Voters.</p> <p>A registered voter must live within the city limits for thirty (30) days in order to be eligible to vote (according to State Law).</p>	<p>Delete</p>
<p>Sec. 5.07. – Election Judges and Other Election Officials.</p> <p>The election judges, and other election officials for conducting all city elections, shall be appointed by the City Council. The election judges shall conduct the elections, determine, record and report the results as provided by the election laws of Texas.</p>	<p>Sec. 5.04. – Election Judges and Other Election Officials.</p> <p>The election judges, and other election officials for conducting all City elections, shall be appointed by the City Council or as provided by the Texas Election Code. The election judges shall conduct the elections, determine, record and report the results as provided by the election laws of Texas.</p>
<p>Sec. 5.08. – Judge of Election.</p> <p>The City Council shall be the judge of the election and qualification of its own members and of the Mayor, subject to the courts in the case of contest. The City Council shall, as soon as practical after the election, not to exceed fifteen (15) days, after each regular or special election, canvass the returns and declare the results of</p>	<p>Sec. 5.05. – Judge of Election.</p> <p>The City Council shall be the judge of the election and qualification of its own members and of the Mayor, subject to the courts in the case of contest. The City Council shall, as soon as practical after the election, in compliance with the Texas Election Code, as amended, canvass the returns and declare the results of such</p>

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<p>such election. The Council candidate receiving the greatest number of votes for an office shall be declared elected. If such election results in a Mayoral candidate not receiving a majority of votes cast for that office, it shall be the duty of the Mayor to order a runoff election for that office. Said election to be held not later than thirty (30) days from the date on which the City Council canvassed the returns and declared the result. In the second election, only the two Mayoral candidates receiving the most votes in the first election shall be eligible to run. In the event one of the candidates of the first election withdraws or dies, a second election shall not be held for that office, and the other candidate for such office shall be declared elected, and shall be seated.</p>	<p>election. If such election results in a candidate not receiving a majority of votes cast for that office, the City shall order a runoff election to be held in compliance with the Texas Election Code, as amended. In the event one of the candidates of the first election withdraws or dies, a second election shall not be held for that office, and the other candidate for such office shall be declared elected, and shall be seated.</p>
<p>Sec. 5.09. - Vacancies.</p> <p>In case of a vacancy from any cause in the office of Mayor or Councilmember, the City Council shall order a special election to fill such vacancy, on the next election date, as authorized by the Texas Election Code, provided, however, in the case of only one (1) vacancy occurring nine (9) months or less but more than one hundred eighty (180) days before the expiration of the term of the office vacated, the Mayor, with the approval of a majority of the Council, shall appoint a person to fill such vacancy, and when there remains one hundred eighty (180) days or less until the expiration of the office to be filled, the Mayor, with the approval of a majority of the Council, may appoint a person to fill such vacancy.</p>	<p>Sec. 5.06. - Vacancies.</p> <p>In the event of a vacancy from any cause in the office of Mayor or Councilmember with three-year terms, and an unexpired term greater than 12 months, the City Council shall order a special election called for the purpose of filling the vacancy within one hundred and twenty (120) days after such vacancy or vacancies. However, if a vacancy occurs in the office of Mayor or Councilmember with an unexpired term of 12 months or less, the City Council may call a special election to fill the vacancy or may, by majority vote of the Council present, appoint a person to fill such vacancy until the expiration of the office to be filled, if permitted by the Texas Constitution.</p> <p>In the event of a vacancy from any cause in the office of Mayor or Councilmember with two-year terms, the City Council may call a special election to fill the vacancy or may, by majority vote of Council present, appoint a person to fill such vacancy until the expiration of the office to be filled, if permitted by the Texas Constitution.</p>
<p>Sec. 5.10. – City Council Meetings.</p> <p>The City Council shall meet a minimum of one (1) time per month and more as needed.</p>	<p>Sec. 5.07. – City Council Meetings.</p> <p>The City Council shall meet a minimum of one (1) time per month and more, as needed.</p>
<p>Sec. 5.11. – Absence of Mayor and Councilmembers.</p> <p>If any member of the City Council is absent from four (4) consecutive regular meetings, said member may be removed from office under the</p>	<p>Sec. 5.08. – Absence of Mayor and Councilmembers.</p> <p>A. If the Mayor or a Councilmember has four (4) unexcused absences from a regular city council meeting in a term, the Mayor</p>

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<p>following procedure. Written charges stating the specific ground or grounds for such removal must be presented to the member whose removal is sought to initiate removal proceedings, and a copy thereof shall be filed with the City Secretary. A public hearing shall thereafter be set not less than ten (10) nor more than thirty (30) days from the date on which the written charges were presented, at which the accused shall have the right to present evidence in his defense, however, such member shall be disqualified from voting upon the removal. At the conclusion of the evidence, a vote shall be taken, and upon the affirmative vote of three (3) Councilmembers (excluding the Mayor), the accused member shall be removed from office and the member's seat forthwith declared vacant. The Council shall have the power to subpoena witnesses and require the production of records in connection with such proceedings.</p>	<p>or Councilmember may be removed from office by a vote of majority of the City Council. If removed, the City Council shall declare the office vacant and proceed to fill the office as in the case of other vacancies.</p> <p>B. At each regular meeting from which the Mayor or a Councilmember is absent, the City Council shall determine whether the absence is excused.</p>
<p>Sec. 5.12. – Limitations on Successive Terms.</p> <p>No person shall serve as Mayor or Councilmember, or Mayor and Councilmember, as the case may be, in the same or different numbered places for more than three (3) consecutive terms. A term of office, for the purposes of this section, shall only be for a period of three (3) full years. For the purpose of this limitation, only terms of office beginning in or after May 1996 will be counted.</p>	<p>Sec. 5.09. – Limitations on Successive Terms</p> <p>A. No person shall serve as Mayor or Councilmember, or Mayor and Councilmember, as the case may be, in the same or different numbered Places for more than three (3) consecutive terms</p> <p>B. The Mayor and members of the City Council shall be elected for terms of three (3) years and shall hold office until their respective successors have been elected and qualified. Two (2) members shall be elected at the regular election held annually on the first Saturday in May, except every third year where the Mayor and two councilmembers shall be elected, unless the Council designates an alternative date allowed by State law at least six (6) months prior to the regular election. In order to affect a transition to three (3) year terms upon the adoption of the Charter, elections shall be held as follows:</p> <ol style="list-style-type: none"> 1. The Mayor and Place 2 and Place 4 shall fulfill their two-year terms and be elected to three (3) year terms upon expiration of the current term in 2024. 2. Place 1 shall be elected to three (3) year terms upon the expiration of the current two-year term in 2025.

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	<p>3. The current terms of Place 3 and Place 5 shall be extended one (1) year to expire in 2026, at which time Place 3 and Place 5 shall be elected to a three (3) year term.</p> <p>4. If approved, Place 6 shall be appointed to serve for a two-year term to expire in 2025, at which time Place 6 shall be elected to a three (3) year term.</p>
<p>Sec. 5.13. – Compensation.</p> <p>The City Councilmembers and Mayor each shall be allowed, for incidental expenses, the sum of Ten Dollars (\$10.00) per month and such designated actual expenses supported in writing which shall have been presented to the City Council and received approval.</p>	<p>Sec. 5.10. – Compensation.</p> <p>The City Councilmembers and Mayor each shall be allowed, for incidental expenses, the sum of Ten Dollars (\$10.00) per meeting and such designated actual expenses supported in writing which shall have been presented to the City Council and received approval.</p>
<p>ARTICLE VI. – POWERS AND DUTIES OF OFFICERS</p>	
<p>Sec. 6.02. – Duties of Mayor-Mayor Pro Tem.</p> <p>(a) The Mayor of the City of Richland Hills:</p> <p>(1) Shall preside over the meetings of the City Council and perform such other duties consistent with the office as may be imposed upon him by this Charter and the ordinances and resolutions passed pursuant thereto.</p> <p>(2) May participate in the discussion of all matters coming before the Council and shall be entitled to vote in the case of a tie, but shall have no veto power.</p> <p>(3) Shall sign all contracts and conveyances made or entered into by the City and all bonds issued under the provisions of this Charter.</p> <p>(4) Shall be the chief executive officer of the City.</p> <p>(5) Shall be recognized as the official head of the City by the court for the purpose of serving civil process, by the Governor for the purpose of enforcing military law, and for all ceremonial purposes.</p> <p>(6) May, in time of danger or emergency, in accordance with the Texas Disaster Act of 1975, V.T.C.A., Government Code ch. 418. take command of the police and other departments and govern the City by proclamation and maintain order and enforce all laws. The Mayor's actions may not be continued or renewed for a period in excess of seven days except by or with the consent of the City Council.</p>	<p>Sec. 6.02. – Duties of Mayor-Mayor Pro Tem.</p> <p>(a) The Mayor of the City of Richland Hills:</p> <p>(1) Shall preside over the meetings of the City Council and perform such other duties consistent with the office as may be imposed upon him by this Charter and the ordinances and resolutions passed pursuant thereto.</p> <p>(2) May participate in the discussion of all matters coming before the Council and shall be entitled to vote on all matters, but shall have no veto power.</p> <p>(3) Shall sign all contracts and conveyances made or entered into by the City that require Council approval and all bonds issued under the provisions of this Charter.</p> <p>(4) Shall be the chief executive officer of the City.</p> <p>(5) May, in time of danger or emergency, in accordance with the Texas Disaster Act of 1975, V.T.C.A., Government Code Ch. 418, take command of the police and other departments and govern the City by proclamation and maintain order and enforce all laws. The Mayor's actions may not be continued or renewed for a period in excess of seven (7) days</p>

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<p>(b) The Mayor Pro Tem shall be elected from among the members of the five (5) Councilmembers; shall be elected at the first regular meeting following the general City election, and shall, in the absence or disability of the Mayor, perform all the Mayor's duties.</p>	<p>except by or with the consent of the City Council.</p> <p>(b) The Mayor Pro Tem shall be elected from among the members of the six (6) Councilmembers; shall be elected at the first regular meeting following the general City election, and shall, in the absence or disability of the Mayor, perform all the Mayor's duties.</p>
<p>Sec. 6.03. – Powers and Duties of City Council.</p> <p>The powers and duties herein conferred upon the City Council shall include but shall not be limited to the following:</p> <p>(1) To appoint and remove the City Manager, City Attorney, Municipal Judge and relief Municipal Judges, and other such employees required by state law to be appointed by the City Council.</p> <p>—(2) To establish other administrative departments and distribute the work of divisions and to abolish or consolidate said departments and divisions.</p> <p>(3) To adopt the budget of the City.</p> <p>(4) To authorize the issuance of:</p> <p style="padding-left: 40px;">A. Bonds by a bond ordinance;</p> <p style="padding-left: 40px;">B. Certificates of obligation subject to the notice, petition and election provisions as provided within V.T.C.A., Local Government Code § 271.041, the Certificate of Obligation Act.</p> <p>(5) To inquire into the conduct of any office, department, or agency of the City and make investigation as to municipal affairs.</p> <p>(6) To appoint all commissions, boards, committees, task forces and/or appointed groups to assist the Council in the performance of its duties and responsibilities, such powers subject to the restrictions of the Charter and the laws of the State of Texas.</p> <p>(7) To adopt plats.</p>	<p>Sec. 6.03. – Powers and Duties of City Council.</p> <p>The powers and duties herein conferred upon the City Council shall include but shall not be limited to the following:</p> <p>(1) To appoint and remove the City Manager, City Secretary, City Attorney, Municipal Judge and relief Municipal Judges, and other such employees required by State law to be appointed by the City Council.</p> <p>(2) To adopt the budget of the City.</p> <p>(3) To authorize the issuance of:</p> <p style="padding-left: 40px;">A. Bonds by a bond ordinance;</p> <p style="padding-left: 40px;">B. Certificates of obligation subject to notice, petition, and election provisions provided within V.T.C.A., Local Government Code § 271.041, the Certificate of Obligation Act.</p> <p>(4) To inquire into the conduct of any office, department, or agency of the City and direct the City Manager to make investigation as to municipal affairs.</p> <p>(5) To appoint commissions, boards, committees, task forces, and/or appointed groups to assist the Council in performance of its duties and responsibilities, such powers subject to the restrictions of the Charter and the laws of the State of Texas.</p> <p>(6) To adopt plats.</p> <p>(7) To adopt and modify the official map of the City.</p> <p>(8) To provide for the establishment and designations of fire limits and to prescribe the kind and character of buildings or structures or improvements to be erected therein,</p>

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<p>(8) To adopt and modify the official map of the City.</p> <p>— (9) To regulate, license, and fix the charges or fares made by any person owning, obtaining or controlling any vehicle of any character used for carrying of passengers for hire on the public streets and alleys of the City.</p> <p>(10) To provide for the establishment and designations of fire limits and to prescribe the kind and character of buildings or structures or improvements to be erected therein, and provide for the condemnation of dangerous structures or buildings or dilapidated buildings calculated to increase the fire hazard, and the manner of their removal or destruction.</p> <p>(11) To fix the salaries and compensation for the non-elective City officers and employees.</p> <p>(12) To provide for sanitary sewer and water system.</p>	<p>and provide for the condemnation of dangerous structures or buildings or dilapidated buildings, calculated to increase the fire hazard, and the manner of their removal or destruction.</p> <p>(9) To fix the salaries and compensation for the appointed City officers.</p> <p>(10) To provide for sanitary sewer and water system.</p> <p>(11) All other powers and authority, including determination of all matters of policy, which are expressly or by implication conferred on or possessed by the City, shall be vested in and exercised by the Council; provided, however, that the Council shall have no authority to exercise those powers that are expressly conferred upon other City officers by this Charter.</p>
<p>Sec. 6.04. – Appointment or Removal by City Council.</p> <p>Neither the Council nor any of its members shall direct or request the appointment of any person to, or his removal from, office by the City Manager or by any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative service of the City. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately. Any Councilmember violating the provisions of this Section shall be guilty of a Class C misdemeanor and fined not in excess of \$200.00, and, if so convicted, shall cease to be a Councilmember.</p>	<p>Sec. 6.04. – Appointment or Removal by City Council.</p> <p>Neither the Council nor any of its members shall direct or request the appointment of any person to, or their removal from, office by the City Manager or by any of their subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative service of the City. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately. Any Councilmember violating the provisions of this Section shall be guilty of a Class C misdemeanor and fined not in excess of \$200.00, and, if so convicted, shall cease to be a Councilmember.</p>
<p>ARTICLE VII. - ADMINISTRATION</p>	
<p>Sec. 7.01. – City Manager.</p> <p>(a) <i>Appointments and qualifications.</i> The Council shall appoint a City Manager who shall be the chief administrative officer of the City, and shall be responsible to the Council for the</p>	<p>Sec. 7.01. – City Manager.</p> <p>(a) <i>Appointments and qualifications.</i> The Council shall appoint a City Manager who shall be the chief administrative officer of the City, and shall be responsible to the Council for the</p>

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<p>administration of all the affairs of the City. The City Manager shall be chosen by the Council solely on the basis of their executive and administrative training, education, experience, ability, and character, and need not, when appointed, be a resident of the City. No member of the City Council shall, during the time for which they are elected and for two (2) years thereafter, be appointed City Manager.</p> <p>(b) <i>Term and salary.</i> The City Manager shall be appointed by the affirmative vote of four (4) members of the City Council, and may be removed at the will and pleasure of the Council by the affirmative vote of four (4) members of the Council. The action of the Council in suspending or removing the City Manager shall be final; it being the intention of this Charter to vest all authority and fix all responsibility of such suspension or removal in the Council. In case of absence or disability to the City Manager, the Council may designate some qualified person other than an elected officer of the City to perform the duties of the office during such absence or disability. The City Manager shall receive such compensation as may be fixed by the Council.</p> <p>(c) <i>Powers and duties of the City Manager.</i> The powers herein conferred upon the City Manager shall include but shall not be limited to the following:</p> <ol style="list-style-type: none"> (1) Appoint and remove any officer or employee of the City except those officers and employees whose appointment or election is otherwise provided for by law or this Charter. (2) Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by law or this Charter. (3) See that all State laws and City ordinances are effectively enforced. (4) Prepare and submit the annual budget and a five (5) year capital improvement program to the Council as prescribed in Article XII of the Charter. (5) Submit to the Council monthly a report thereof on the finances and administrative activities of the City and a complete report at the end of each fiscal year. 	<p>administration of all the affairs of the City. The City Manager shall be chosen by the Council solely on the basis of their executive and administrative training, education, experience, ability, and character, and need not, when appointed, be a resident of the City. No member of the City Council shall, during the time for which they are elected and for two (2) years thereafter, be appointed City Manager.</p> <p>(b) <i>Term and salary.</i> The City Manager shall be appointed by the affirmative vote of five (5) members of the City Council, and may be removed at the will and pleasure of the Council by the affirmative vote of five (5) members of the Council. The action of the Council in suspending or removing the City Manager shall be final; it being the intention of this Charter to vest all authority and fix all responsibility of such suspension or removal in the Council. In case of absence or disability to the City Manager, the Council may designate some qualified person, other than an elected officer of the City, to perform the duties of the office during such absence or disability. The City Manager shall receive such compensation as may be fixed by the Council.</p> <p>(c) <i>Powers and duties of the City Manager.</i> The powers herein conferred upon the City Manager shall include but shall not be limited to the following:</p> <ol style="list-style-type: none"> (1) Appoint and remove any officer or employee of the City except those officers and employees whose appointment or election is otherwise provided for by law or this Charter. (2) Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by law or this Charter. (3) See that all State laws and City ordinances are effectively enforced. (4) Prepare and submit the annual budget and a five (5) year capital improvement program to the Council as prescribed in Article XII of the Charter. (5) Submit to the Council monthly a report thereof on the finances and administrative activities of the City and a complete report at the end of each fiscal year.

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<p>(7) Attend all meetings of the Council except when excused by the Council.</p> <p>(8) Provide for employee grievance system as approved by the Council.</p> <p>(9) Perform such other duties as may be prescribed by this Charter or required of him by the Council, not inconsistent with provisions of this Charter.</p>	<p>(6) Attend all meetings of the Council, except when excused by the Council.</p> <p>(7) Provide for an employee grievance system as approved by the Council.</p> <p>(8) Perform such other duties as may be prescribed by this Charter or required of him by the Council, not inconsistent with provisions of this Charter.</p>
<p>Sec. 7.02. – Appointment and Removal of City Secretary.</p> <p>The City Council shall appoint the City Secretary with approval of a majority of the Council. The Mayor may remove such employees with approval of four-fifths (4/5) of the Council. The City Secretary shall give notice of Council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by his/her signature and record in full, in a book kept and indexed for the purpose, all ordinances and resolutions, and shall perform such other duties as the City Council shall assign to him/her and those elsewhere provided for in this Charter, and shall keep and affix the City seal to all official documents.</p>	<p>Sec. 7.02. – Appointment and Removal of City Secretary.</p> <p>The City Council shall appoint the City Secretary with approval of a majority of the Council. The Mayor may remove such employees with approval of a majority of the Council. The City Secretary shall give notice of Council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by his/her signature and record in full, in a book kept and indexed for that purpose, all ordinances and resolutions, and shall perform such other duties as the City Council shall assign to him/her and those elsewhere provided for in this Charter, and shall keep and affix the City seal to all official documents.</p>
<p>Sec. 7.03. - Appointment and Removal of City Attorney.</p> <p>The City Attorney shall be appointed by a majority vote of the City Council. The City Council may remove the City Attorney at any time upon the affirmative vote of four-fifths (4/5) of all its members. The City Attorney shall be a competent attorney, duly licensed and admitted to the practice of law by the State of Texas. The City Attorney shall be legal advisor of and attorney for all officers of the City and shall represent the City in all litigation and legal proceedings.</p>	<p>Sec. 7.03. - Appointment and Removal of City Attorney.</p> <p>(a) The City Attorney shall be appointed by a majority vote of the City Council. The City Council may remove the City Attorney at any time upon the affirmative vote of a majority of all its members.</p> <p>(b) The City Attorney shall:</p> <ol style="list-style-type: none"> 1. Serve as the legal advisor to the Council and City Manager; 2. Represent the City in litigation and legal proceedings as directed by the Council and City Manager; 3. Review and provide opinions as requested by Council or the City Manager on contracts, legal instruments, and ordinances of the City; and 4. Perform other duties prescribed by this Charter, by ordinance, or as directed by the Council or City Manager. <p>(c) The Council may contract with an attorney</p>

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	<p>or with a firm of attorneys who may designate one (1) member of said firm, with Council approval, to serve as City Attorney.</p> <p>(d) Compensation shall be fixed by contract with the approval of Council or by appointment subject to the approval of Council.</p> <p>(e) Council shall have the right to retain separate counsel at any time that it may deem necessary and appropriate.</p>
ARTICLE VII(A). – MUNICIPAL COURT	
<p>Sec. 7(A).01. – Municipal Court of Record.</p> <p>There shall be a court known as the Richland Hills Municipal Court of Record, with such jurisdiction, powers and duties as are given and prescribed by the laws of the State of Texas for municipal courts of record. The City Council shall be empowered to create by ordinance additional municipal courts of record if it finds that such additional courts are necessary to dispose properly of the cases arising in the city.</p> <p>(1) <i>Judge of the Municipal Court of Record.</i> The Municipal Court of Record shall be presided over by a Magistrate who shall be known as the Municipal Judge. The Municipal Judge shall be a competent and duly licensed attorney in good standing who practices law in Tarrant County, Texas. The Municipal Judge may not serve as such while holding any other office or employment with the City of Richland Hills, Texas. The Municipal Judge shall be appointed by the City Council for a two-year term.</p> <p>(2) <i>Vacancies: Temporary replacement; removal.</i></p> <p>A. If a vacancy occurs in the office of Municipal Judge of the Richland Hills Municipal Court of Record, the City Council shall appoint a qualified person to fill the office for the remainder of the unexpired term.</p> <p>B. The City Council may appoint persons as Associate Judges. An Associate Judge must meet the qualifications prescribed for the Municipal Judge. The Municipal Judge may assign a relief judge to act for the Municipal</p>	<p>Sec. 7(A).01. – Municipal Court of Record.</p> <p>There shall be a court known as the Richland Hills Municipal Court of Record, with such jurisdiction, powers and duties as are given and prescribed by the laws of the State of Texas for municipal courts of record. The City Council shall be empowered to create by ordinance additional municipal courts of record if it finds that such additional courts are necessary to dispose properly of the cases arising in the City.</p> <p>(1) <i>Judge of the Municipal Court of Record.</i> The Municipal Court of Record shall be presided over by a Magistrate who shall be known as the Municipal Judge. The Municipal Judge shall be a competent and duly licensed attorney in good standing who practices law in Tarrant County, Texas. The Municipal Judge may not serve as such while holding any other office or employment with the City of Richland Hills, Texas. The Municipal Judge shall be appointed by the City Council for a two-year term.</p> <p>(2) <i>Vacancies: Temporary replacement; removal.</i></p> <p>A. If a vacancy occurs in the office of Municipal Judge of the Richland Hills Municipal Court of Record, the City Council shall appoint a qualified person to fill the office for the remainder of the unexpired term.</p> <p>B. The City Council may appoint persons as Associate Judges. An Associate Judge must meet the qualifications prescribed for the Municipal Judge. The Municipal Judge may</p>

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<p>Judge if they are temporarily unable to act for any reason. An Associate Judge has all the powers and duties of the office while so acting.</p> <p>C. The Municipal Judge may be removed after written notice and an opportunity to be heard before the Council.</p> <p>(3) <i>Clerk of the Municipal Court of Record.</i> There shall be a Clerk of the Municipal Court of Record who shall be appointed by the City Manager, and who shall be known as the municipal clerk. The clerk shall have the power to administer oaths and affidavits, make certificates, affix the seal of the court thereto, and otherwise perform any and all acts necessary in issuing process of the Richland Hills Municipal Court of Record and conducting business thereof. The municipal clerk shall also perform such duties as are specified to be performed by the municipal clerk under the general laws of the State of Texas governing municipal courts or, more specifically, municipal courts of record. The municipal clerk shall perform any other duties as specified by the City Manager. With the consent of the City Manager, the clerk may appoint one or more deputy clerks to act for the clerk. The City Manager shall provide the courts with other municipal court personnel that the City Manager determines necessary for the proper operation of the court. Those persons shall perform their duties under the direction and control of the clerk or the Municipal Judge to whom assigned.</p> <p>(4) <i>Procedure in the Municipal Court of Record.</i> All complaints, prosecutions, the service of process, commitment of those convicted of offenses, the collection and payment of fines, the attendance and service of witnesses and juries, punishment for contempt, bail, and taking of bonds shall be governed by the Code of Criminal Procedure and the general laws of the State of Texas applicable to municipal courts or, more specifically, to municipal courts of record.</p> <p>State Law reference— Municipal court of record, V.T.C.A., Government Code § 30.481 et seq.</p>	<p>assign a relief judge to act for the Municipal Judge if they are temporarily unable to act for any reason. An Associate Judge has all the powers and duties of the office while so acting.</p> <p>C. The Municipal Judge may be removed after written notice and an opportunity to be heard before the Council.</p> <p>(3) <i>Clerk of the Municipal Court of Record.</i> There shall be a Clerk of the Municipal Court of Record who shall be appointed by the City Manager, and who shall be known as the municipal clerk. The clerk shall have the power to administer oaths and affidavits, make certificates, affix the seal of the court thereto, and otherwise perform any and all acts necessary in issuing process of the Richland Hills Municipal Court of Record and conducting business thereof. The municipal clerk shall also perform such duties as are specified to be performed by the municipal clerk under the general laws of the State of Texas governing municipal courts or, more specifically, municipal courts of record. The municipal clerk shall perform any other duties as specified by the City Manager. With the consent of the City Manager, the clerk may appoint one or more deputy clerks to act for the clerk. The City Manager shall provide the courts with other municipal court personnel that the City Manager determines necessary for the proper operation of the court. Those persons shall perform their duties under the direction and control of the clerk or the Municipal Judge to whom assigned.</p> <p>(4) <i>Procedure in the Municipal Court of Record.</i> All complaints, prosecutions, the service of process, commitment of those convicted of offenses, the collection and payment of fines, the attendance and service of witnesses and juries, punishment for contempt, bail, and taking of bonds shall be governed by the Code of Criminal Procedure and the general laws of the State of Texas applicable to municipal courts or, more specifically, to municipal courts of record.</p> <p>State Law reference— Municipal court of record, V.T.C.A., Government Code § 30.481, et seq.</p>

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ARTICLE VIII. – PUBLIC UTILITIES	
<p>Sec. 8.01. – City Ownership and Operation Thereof.</p> <p>(a) <i>General.</i> The City shall have power to build, construct, purchase, own, lease, maintain, and operate, within or without the City limits, light and power systems, water systems, sewer systems or sanitary disposal equipment and appliances, natural gas systems, park and swimming pools, fertilizer plants, and any other public service or utility; power to mortgage and encumber such system or systems in the manner provided in Article 1111 to 1118, inclusive, of the 1925 Revised Civil Statutes of Texas, as amended, and any other laws of the State of Texas applicable thereto; and all the powers which the City might exercise in connection with such public utilities and public services under Article 1175 of the 1925 Revised Civil Statutes of Texas, and any amendment thereto, now or hereafter in effect, as well as under any other general laws of the State of Texas pertinent or applicable thereto, including the power to demand and receive compensation for service furnished for private purposes, or otherwise, and with full and complete power and right of eminent domain proper and necessary to efficiently carry out said objects.</p> <p>(b) <i>Power to contract for public utilities.</i> The City is authorized to enter into contracts or leases with individuals, corporations, partnerships, or other municipal corporations, for furnishing in whole or in part any public utility or portions of public utility systems that might be needed by the City or the citizens of the City. The consideration for such contracts or leases may in the discretion of the City Council be paid by the City or prorated to the individual users of the utility covered by such contract or lease; or to permit individuals, corporations, partnerships, or other municipal corporations to furnish in whole or in part any public utility or portion of any public utility direct to the citizens of the City on such terms as the City may direct.</p> <p>(c) <i>Right to purchase commodities or services essential to the city or its citizens.</i> The City shall have the power to purchase electricity, gas, oil, or any other article, commodity, or service essential to a proper conduct of all the</p>	<p>Sec. 8.01. – City Ownership and Operation Thereof.</p> <p>(a) <i>General.</i> The City shall have power to build, construct, purchase, own, lease, maintain, and operate, within or without the City limits, light and power systems, water systems, sewer systems or sanitary disposal equipment and appliances, natural gas systems, park and swimming pools, fertilizer plants, and any other public service or utility; power to mortgage and encumber such system or systems in the manner provided in Article Chapter 552 of the Texas Local Government Code, as amended, and any other laws of the State of Texas applicable thereto; and all the powers which the City might exercise in connection with such public utilities and public services under Chapter 552 of the Texas Local Government Code, and any amendment thereto, now or hereafter in effect, as well as under any other general laws of the State of Texas pertinent or applicable thereto, including the power to demand and receive compensation for service furnished for private purposes, or otherwise, and with full and complete power and right of eminent domain proper and necessary to efficiently carry out said objects.</p> <p>[no substantive changes to (b) or (c)]</p> <p>State Law reference— Power to franchise, Texas Local Government Code, Chapter 51.</p>

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<p>affairs of the City, and of its inhabitants on such terms as the City Council may deem proper, for sale and distribution to the inhabitants of the City or adjacent territory.</p> <p>State Law reference— Power to franchise, Vernon's Ann. Civ. St. art. 1175.</p>	
<p>Sec. 8.02. – Regulation of Public Utilities.</p> <p>(a) The City Council shall have the power by ordinance, after notice to the utility and hearing before the Council, to fix and regulate charges, fares, or rates of compensation to be charged by any person, firm, or corporation enjoying a franchise in the City, or engaged in furnishing a public utility service in the City, including cable television and shall in determining, finding, and regulating such charges, fares, or rates of compensation, base the same upon the fair value of the property of such person, firm, or corporation devoted to furnishing service to such City or the inhabitants thereof. The City Council may prescribe the character, quality, and efficiency of service to be rendered, and shall have the power to regulate and require the extension of adequate lines or service of such public utility within such City by such person, firm, or corporation, taking into consideration the cost to the utility, and from time to time may alter or change such rules, regulations, and compensation, provided that, in adopting such regulations and in fixing or changing such compensation, or determining the reasonableness thereof, no stock or bonds authorized or issued by any corporation enjoying such franchise shall be considered unless on proof that the same have been actually issued by the corporation for money paid and used for the development of the corporate property, labor done or property actually received in accordance with the laws and Constitution of this State applicable thereto. In order to ascertain all facts necessary for a proper understanding of what is or should be a reasonable rate of regulation, the City Council shall have full power to inspect the books of any such utility serving the inhabitants of the City and compel production of records and the attendance of witnesses for such purpose.</p> <p>(b) Any company, corporation, or person engaged in furnishing to the inhabitants of the City any light, power, gas, telephone, transit, cable television, or other public utility services,</p>	<p>Sec. 8.02. – Regulation of Public Utilities.</p> <p>[no changes to (a) or (b)]</p> <p>In addition to the foregoing powers, the City shall have all the powers and privileges provided for by Chapter 51 of the Texas Local Government Code, as amended, in regulating public utilities.</p> <p>State Law reference— Authority to regulate electric utilities, V.T.C.A., Utilities Code § 33.001, <i>et seq.</i></p>

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<p>may be required at any time by ordinance or resolution of the City Council to file with the City Council written reports pertaining to operations and business within the City, and such report shall contain such data, facts, and information as may be required by such ordinance or resolution, under the same standards and rules of the State Public Utility Commission and other rules not inconsistent therewith.</p> <p>In addition to the foregoing powers the City shall have all the powers and privileges provided for by Chapter 51 of the Texas Local Government Code, as amended, in regulating public utilities.</p> <p>State Law reference— Authority to regulate electric utilities, V.T.C.A., Utilities Code § 33.001 et seq.</p>	
ARTICLE IX. – CONTRACTS	
<p>Sec. 9.02. – Personal Services.</p> <p>No contract shall ever be made which binds the City for personal services, except for professional or City Manager services to be rendered for any stated period of time, but all appointive employees shall be subject to discharge after a hearing, and when discharged shall only be entitled to compensation up to and, including the date of their discharge, any provision to the contrary in this Charter notwithstanding. Contracts for professional or City Manager services shall be of a term of no longer than five (5) years, and shall contain express language providing for termination without compensation beyond the date of occurrence of any of the following: conviction of a felony or other crime involving moral turpitude; violations of the provisions of the Charter or of any ordinance, rule, or of special orders applicable to such person.</p>	<p>Delete</p>
<p>Sec. 9.03. – Goods, Materials, Services or Supplies.</p> <p>(a) The City Council may, by ordinance, give the City Manager general authority to contract for expenditures without further approval of the City Council for all budgeted items not exceeding limits set by the City Council within the ordinance.</p>	<p>Sec. 9.02. – Goods, Materials, Services or Supplies.</p> <p>(a) The City Council may, by ordinance, give the City Manager general authority to contract for expenditures without further approval of the City Council for all budgeted items not exceeding limits set by the City Council within the ordinance.</p>

Current Charter Language	Recommended Charter Language
<p>(b) All contracts for expenditures or purchases involving more than the set limits must be expressly approved in advance by the City Council.</p> <p>(c) All contracts or purchases involving more than the limits set by Council shall be awarded by the City Council in accordance with state law.</p> <p>State Law reference— Purchases and contracts, V.T.C.A., Local Government Code § 252.001 et seq.</p>	<p>(b) All contracts for expenditures or purchases involving more than the set limits must be expressly approved in advance by the City Council.</p> <p>(c) All contracts or purchases involving more than the limits set by Council shall be awarded by the City Council in accordance with state law.</p> <p>State Law reference— Purchases and contracts, V.T.C.A., Local Government Code § 252.001, <i>et seq.</i></p>
<p>Sec. 9.04. – Franchises and Special Privileges.</p> <p>(a) The right to control, easement, use, and ownership and title to the streets, highways, public thoroughfares, and property of the City, its avenues, parks, bridges, and all other public places and property, are hereby declared to be inalienable except by ordinance duly passed by four-fifths (4/5) affirmative votes of the entire City Council, and no grant of any franchise or lease, or right to use the same, either on, through, along, across, under, or over the same, by any private corporation, association, or individual shall be granted by the City Council for a longer period than twenty-five (25) years unless submitted to the vote of the legally qualified voters of the City in the manner provided for in Articles 1181 and 1182 of the Revised Civil Statutes of Texas, the expense of such election to be borne by the applicant.</p> <p>(b) The City Council may, of its own motion, submit all of such applications, to an election at which the people shall vote upon the proposition therein submitted, the expense of such election in all cases to be borne by the applicant.</p> <p>(c) No franchise shall ever be granted until it has been approved by four-fifths (4/5) of the entire City Council, nor shall any such franchise, grant, or privilege ever be made unless it provides for adequate compensation or consideration therefor to be paid to the City.</p> <p>(d) Every such franchise or grant shall make adequate provision, by way of forfeiture of the grant or otherwise, to secure efficiency of public service at reasonable rate and to maintain the property devoted to the public service in good</p>	<p>Sec. 9.03. – Franchises and Special Privileges.</p> <p>(a) The right to control, easement, use, and ownership and title to the streets, highways, public thoroughfares, and property of the City, its avenues, parks, bridges, and all other public places and property, are hereby declared to be inalienable except by ordinance duly passed by five-sevenths (5/7) affirmative votes of the entire City Council, and no grant of any franchise or lease, or right to use the same, either on, through, along, across, under, or over the same, by any private corporation, association, or individual shall be granted by the City Council for a longer period than twenty-five (25) years, unless submitted to the vote of the legally qualified voters of the City in the manner provided for in Section 282.003 of the Texas Local Government Code in conjunction with Chapter 311, Subchapter D of the Texas Transportation Code, the expense of such election to be borne by the applicant.</p> <p>(b) The City Council may, of its own motion, submit all of such applications, to an election at which the people shall vote upon the proposition therein submitted, the expense of such election in all cases to be borne by the applicant.</p> <p>(c) No franchise shall ever be granted until it has been approved by majority of the City Council, nor shall any such franchise, grant, or privilege ever be made unless it provides for adequate compensation or consideration therefor to be paid to the City.</p> <p>(d) Every such franchise or grant shall make adequate provision, by way of forfeiture of the grant or otherwise, to secure efficiency of public service at reasonable rate and to maintain the</p>

Current Charter Language	Recommended Charter Language
<p>repair throughout the term of grant of said franchise.</p> <p>(e) No franchise grant shall ever be exclusive.</p> <p>(f) The City Council may prescribe the forms and methods of the keeping of accounts of any grantees under franchise, provided that the forms and methods of keeping such accounts have not already been prescribed by a State or Federal law or agency.</p>	<p>property devoted to the public service in good repair throughout the term of grant of said franchise.</p> <p>(e) No franchise grant shall ever be exclusive.</p> <p>(f) The City Council may prescribe the forms and methods of the keeping of accounts of any grantees under franchise, provided that the forms and methods of keeping such accounts have not already been prescribed by a State or Federal law or agency.</p>
<p>ARTICLE X. – OWNERSHIP OF REAL OR PERSONAL PROPERTY</p>	
<p>Sec. 10.01. – Acquisition of Property.</p> <p>(a) The City shall have the power and authority to acquire by purchase, gift, devise, deed, condemnation, or otherwise, any character or property, within or without its municipal boundaries, including any charitable or trust funds.</p> <p>(b) Specifically, but without limitation of the foregoing, the City shall have full power and authority to acquire through the exercise of eminent domain, or by purchase, or otherwise, and maintain and operate, any part or all of any water works system, sewerage system, or other public utility used in serving citizens of the City. Such power and authority shall include that specified in Vernon's Ann. Civ. St. art. 1175, Subdivisions 11, 13, 15, and any other Subdivisions thereof, as now existing or as hereafter amended, and any common law or other statutory law applicable thereto, and such power and authority shall not be limited by any such specific statutory provisions. Such power and authority shall include the right to acquire by eminent domain or purchase from any person, firm, or corporation any part or all of the physical properties, easements, franchises, and other tangible and intangible properties and rights that may be in use as an operating utility business. Such power and authority shall include the right to acquire by eminent domain or purchase an undivided interest in any easements or facilities that may be in use to serve any other community and shall also include the right to acquire by</p>	<p>Sec. 10.01. – Acquisition of Property.</p> <p>(a) The City shall have the power and authority to acquire by purchase, gift, devise, deed, condemnation, or otherwise, any character or property, within or without its municipal boundaries, including any charitable or trust funds.</p> <p>(b) Specifically, but without limitation of the foregoing, the City shall have full power and authority to acquire through the exercise of eminent domain, or by purchase, or otherwise, and maintain and operate, any part or all of any water works system, sewerage system, or other public utility used in serving citizens of the City. Such power and authority shall include that specified in Chapter 51 of the Texas Local Government Code as now existing or as hereafter amended, and any common law or other statutory law applicable thereto, and such power and authority shall not be limited by any such specific statutory provisions. Such power and authority shall include the right to acquire by eminent domain or purchase from any person, firm, or corporation any part or all of the physical properties, easements, franchises, and other tangible and intangible properties and rights that may be in use as an operating utility business. Such power and authority shall include the right to acquire by eminent domain or purchase an undivided interest in any easements or facilities that may be in use to serve any other community and shall also include the right to acquire by eminent domain or purchase any properties</p>

Current Charter Language	Recommended Charter Language
<p>eminent domain or purchase any properties located outside of the corporate boundaries of the City if needed by the City in operation of such utility system.</p>	<p>located outside of the corporate boundaries of the City if needed by the City in operation of such utility system.</p>
ARTICLE XI. – STREETS AND ALLEYS	
<p>Sec. 11.01. – Street Powers.</p> <p>The City shall have exclusive control of all alleys, streets, gutters, and sidewalks situated within the City, and the power to lay out, establish, open, alter, extend, widen, straighten, abandon, close, lower, grade, narrow, care for, supervise, maintain, and improve any public street, alley, avenue, boulevard, or public thoroughfare and for any such purposes to acquire the necessary lands and to appropriate the same under the power of eminent domain. The City shall also have the power to name or rename, vacate and abandon and sell and convey in fee that portion of any street, alley, avenue, boulevard, or other public thoroughfare or public grounds, and to convey in fee the same in exchange for other lands, over which any street, alley, avenue, boulevard, or public thoroughfare may be laid out, established, and opened; and the City's right to sell and dispose of in fee any part of a street, alley, avenue, boulevard or public thoroughfare so vacated and abandoned, or the City's right to convey same in exchange for other lands to be used in laying out, opening, widening, and straightening any street, shall never be questioned in any of the Courts of this State. The procedure for closing streets and alleys shall be in conformity with due process of law and shall be particularly prescribed and provided for by ordinance passed in the usual manner by the City Council.</p>	<p>Sec. 11.01. – Street Powers.</p> <p>The City shall have exclusive control of all alleys, streets, gutters, and sidewalks situated within the City, and the power to lay out, establish, open, alter, extend, widen, straighten, abandon, close, lower, grade, narrow, care for, supervise, maintain, and improve any public street, alley, avenue, boulevard, or public thoroughfare and for any such purposes to acquire the necessary lands and to appropriate the same under the power of eminent domain. The City shall also have the power to name or rename, vacate and abandon and sell and convey in fee that portion of any street, alley, avenue, boulevard, or other public thoroughfare or public grounds, and to convey in fee the same in exchange for other lands, over which any street, alley, avenue, boulevard, or public thoroughfare may be laid out, established, and opened; and the City's right to sell and dispose of in fee any part of a street, alley, avenue, boulevard or public thoroughfare so vacated and abandoned, or the City's right to convey same in exchange for other lands to be used in laying out, opening, widening, and straightening any street, shall never be questioned in any of the Courts of this State. The procedure for closing streets and alleys shall be in conformity with due process of law and shall be particularly prescribed and provided for by ordinance passed in the usual manner by the City Council.</p>
ARTICLE XII. – FINANCE: BUDGET	
<p>Sec. 12.01. – Preparation and Submission.</p> <p>In January, the City Council will hold a Public Forum for the express purpose of obtaining citizen comments on items they would like to see included or considered in the budget for the upcoming year. At least 60, but not more than <u>90</u>, days prior to the beginning of the budget year, October 1, the City Manager will submit his proposed city budget for the ensuing year to the</p>	<p>Sec. 12.01. – Preparation and Submission.</p> <p>The City Manager, or their designee, shall submit a proposed City budget for the ensuing fiscal year to the City Council in compliance with the timelines outlined in Chapter 102 of the Texas Local Government Code, as amended. From its date of submission, the proposed budget shall be a public record.</p>

Current Charter Language	Recommended Charter Language
<p>City Council. From its date of submission, the proposed budget shall be a public record.</p>	
<p>Sec. 12.02. – Hearing.</p> <p>The City Council will hold a Town Hall Meeting on the Budget a minimum of 15 days prior to the State mandated Public Hearing on the budget to allow for consideration of any changes. The City Council shall hold a public hearing on the proposed budget at least 14 days before the beginning of the budget year. At least 10 days notice of such public hearing will be given by notice in the official newspaper.</p>	<p>Sec. 12.02. – Hearing.</p> <p>The City Council shall hold a public hearing on the budget as required by Chapter 102 of the Texas Local Government Code, as amended.</p>
<p>Sec. 12.03. – Adoption.</p> <p>After hearing, the City Council may make such changes as it deems proper in the proposed budget and adopt a final budget prior to the beginning of the budget year. All budget hearings and action on the budget shall be open to the public.</p>	<p>Sec. 12.03. – Adoption.</p> <p>After hearing, the City Council may make such changes as it deems proper in the proposed budget and adopt a final budget prior to the beginning of the budget year. All budget hearings and action on the budget shall be open to the public.</p>
<p>Sec. 12.04. - Effective Date.</p> <p>The budget shall go into effect on the first day of the budget year.</p>	<p>Sec. 12.04. - Effective Date.</p> <p>The budget shall go into effect on the first day of the budget year. Budget amendments must comply with Chapter 102 of the Texas Local Government Code.</p>
<p>Sec. 12.05. – Capital Improvement Plan.</p> <p>The City Manager shall include in their original budget message a general five-year plan for capital improvement expenditures. Such plan, upon approval by the Council, shall serve as a guide for capital improvements of the City</p>	<p>Sec. 12.05. – Capital Improvement Plan.</p> <p>The City Manager shall include with the proposed budget a five (5) year capital improvement plan. Such plan, upon approval by the Council, shall serve as a guide for capital improvements of the City.</p>
<p>ARTICLE XIV. – PLANNING AND BUILDING REGULATIONS</p>	
<p>Sec. 14.01. – The Planning and Zoning Commission.</p> <p>There shall be established a Planning and Zoning Commission which shall consist of five (5) citizens from the City of Richland Hills who own real property within said City. The members of said Commission shall be appointed by the City Council for a term of two (2) years. Three (3) members of the Planning and Zoning</p>	<p>ARTICLE XIV – BOARD AND COMMISSIONS</p> <p>14.01 Authority, composition and procedures</p> <p>The City Council shall create, establish, or appoint, as may be required by the laws of the State of Texas or this Charter, or deemed desirable by Council, such boards, commissions, and committees as it deems necessary to carry out the functions and obligations of the City.</p>

Current Charter Language	Recommended Charter Language
<p>Commission shall be so appointed each odd-numbered year and two (2) members shall be so appointed each even-numbered year. The Commission shall elect a Chairman from its membership and shall meet not less than once each month. Vacancies and unexpired terms shall be filled by the Council for the remainder of the term. A majority of all the members shall constitute a quorum. Members of the Commission may be removed by Council after a public hearing and for cause set forth in writing. The Commission shall keep minutes of its proceedings which shall be of public record. The Commission shall serve without compensation.</p>	<p>Council shall, by ordinance or resolution, prescribe the purpose, composition, function, duties, accountability, and tenure of each board, commission, and committee where such are not prescribed by law or this Charter.</p>
<p>Sec. 14.02. – Planning and Zoning Commission Powers and Duties.</p> <p>The Planning and Zoning Commission shall:</p> <p>— (1) Recommend a City plan for the physical development of the City;</p> <p>— (2) Recommend to the City Council approval or disapproval of proposed changes in the Zoning Plan; and</p> <p>— (3) Recommend to the City Council approval or disapproval of proposed platting or subdividing land within the corporate limits of the City to the extent authorized by law. The Commission shall be responsible to and act as an advisory body to the Council and shall have and perform such additional duties as may be prescribed by ordinance.</p>	<p>Delete</p>
<p>Sec. 14.03. – Master Plan.</p> <p>The Master Plan for the City shall contain the Planning and Zoning Commission's recommendations for the growth, development and beautification of the City. Amendments thereto will be approved by the said Commission. The Master Plan shall serve as a general guide for the development of the City.</p>	
<p>Sec. 14.04. – Legal Effect of the Master Plan.</p> <p>Upon the adoption of a Master Plan by the City Council, no subdivision, street, park or any public way, ground or space, public building or structure, or public utility whether publicly or privately owned, which is in conflict with the Master Plan shall be constructed or authorized by the City</p>	

Current Charter Language	Recommended Charter Language
<p>Council until and unless the location and extent thereof shall have been submitted to and approved by the Commission. In case of disapproval, the Commission shall communicate its reasons to the Council, which shall have the power to overrule such disapproval, and upon such overruling, the Council shall have the power to proceed. The widening, narrowing, relocating, vacating or change in the use of any street, alley or public way, or ground or the sale of any public building, if real property, shall be subject to similar submission and approval by the Planning and Zoning Commission, and failure to approve may be similarly overruled by the City Council.</p>	
<p>Sec. 14.05. – General Building Regulations.</p> <p>The City may regulate the erection, building, placing, moving or repairing of buildings or other structures, within such limits of the City as it may designate and prescribe, in order to guard against the calamities of fire, flood, or windstorm and may within said limits prohibit the moving or putting up of any building or other structure without said limits, and may also prohibit the removal of any building or other structure from one place to another within said limits, and may direct that all buildings or other structures within the limit so designated as aforesaid shall be made or constructed of fire resistant materials, and may declare any dilapidated building or structure to be a nuisance and direct the same to be repaired, removed or abated in such manner as they shall direct; to declare all buildings and other structures in the fire limits which they deem dangerous to contiguous buildings, or in causing or promoting fires, to be nuisances, and require and cause the same to be removed in such manner as they shall prescribe.</p>	<p>Delete</p>
<p>Sec. 14.06. – Building Lines.</p> <p>The City shall have the power, for the purpose of promoting the public health, safety, order, convenience, prosperity and general welfare, acting through its governing body, under the public power, to provide by suitable ordinance building lines on any street or streets, or any block of any street or streets, and to require their observance by suitable penalties.</p>	<p>Delete</p>
<p>ARTICLE XV. – RECALL OF OFFICERS</p>	

Current Charter Language	Recommended Charter Language
<p>Sec. 15.02. – Petition for Recall.</p> <p>Before the question of recall of such officer shall be submitted to the qualified voters of the City, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of City Secretary; which said petition shall be signed by qualified voters of the City equal in number to at least twenty-five percent (25%) of the number of votes cast at the last regular municipal election of the City, but in no event, less than 250 such petitioners. Each signer of such recall petition shall personally sign his name thereto in ink or indelible pencil, shall give voter registration number, shall print his name, and shall write after his name his place of residence, giving name of street and number, and shall also write thereon the day, the month and year his signature was affixed and give any other information required by law, including V.T.C.A., Election Code ch. 277, as same may hereafter be amended.</p>	<p>Sec. 15.02. – Petition for Recall.</p> <p>Before the question of recall of such officer shall be submitted to the qualified voters of the City, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of City Secretary; which said petition shall be signed by qualified voters of the City equal in number to at least twenty-five percent (25%) of the number of votes cast at the last regular municipal election of the City, but in no event, less than 300 such petitioners. Petitions must comply with Texas Election Code, Chapter 277, as amended.</p>
<p>ARTICLE XVI. INITIATIVE AND REFERENDUM</p>	
<p>Sec. 16.02. – [Procedure]</p> <p>(a) <i>Initiative.</i> Initiative power may be used to enact a new ordinance or to repeal or amend sections of an existing ordinance. Qualified voters of the City of Richland Hills may initiate legislation, (except levying taxes, setting rates for services, adoption of a budget or capital improvement program, any ordinance related to zoning, issuance of bonds or notes, borrowing of money, salaries or duties of City officers or employees, matters related to administration of municipal employees, annexation, municipal boundary adjustments, any instance where a court of proper jurisdiction determines that the initiated ordinances has been removed from the field of initiative, or any subject where State Law requires a public hearing) by submitting a petition addressed to the City Council which requests the submission of a proposed ordinance or resolution to a vote of the qualified voters of the City. Said petition must be signed by qualified voters of the City equal in number to 25% of the number of votes cast at the last regular municipal election of the City, or 250, whichever is greater, and each copy of the petition shall have attached to it a copy of the proposed legislation. The petition shall be signed in the same manner as recall petitions are signed in this Charter, and shall be</p>	<p>Sec. 16.02. – [Procedure]</p> <p>(a) <i>Initiative.</i> Initiative power may be used to enact a new ordinance or to repeal or amend sections of an existing ordinance. Qualified voters of the City of Richland Hills may initiate legislation (except levying taxes, setting rates for services, adoption of a budget or capital improvement program, any ordinance related to zoning, issuance of bonds or notes, borrowing of money, salaries or duties of City officers or employees, matters related to administration of municipal employees, annexation, municipal boundary adjustments, any instance where a court of proper jurisdiction determines that the initiated ordinance has been removed from the field of initiative, or any subject where State law requires a public hearing) by submitting a petition addressed to the City Council which requests the submission of a proposed ordinance or resolution to a vote of the qualified voters of the City. Said petition must be signed by qualified voters of the City equal in number to 25% of the number of votes cast at the last regular municipal election of the City, or 300, whichever is greater, and each copy of the petition shall have attached to it a copy of the proposed legislation. The petition shall be signed in the same manner as recall petitions</p>

Current Charter Language	Recommended Charter Language
<p>verified by oath in the manner and form provided for recall petitions in this Charter. The petition may consist of one or more copies as permitted for recall petitions in this Charter. Such petitions shall be filed with the persons performing the duties of City Secretary, who, within five (5) days, shall present said petition and proposed ordinance or resolution to the City Council. Upon presentation to it of the petition, and draft of the proposed ordinance or resolution, it shall become the duty of the City Council, within the ten (10) days after the receipt thereof, to pass and adopt such ordinance or resolution without alteration as to meaning or effect in the opinion of the persons filing the petition or to call a special election as soon as possible, subject to the Texas Election Code, which the qualified voters of the City of Richland Hills shall vote on the question of adopting or rejecting the proposed legislation. However, if any other municipal election is to be held within sixty (60) days after the filing of the petition, the question may be voted on at such election.</p> <p>(b) <i>Referendum</i>. Registered, qualified voters of the City of Richland Hills may require that any ordinance or resolution passed by the City Council be submitted to the voters of the City for approval or disapproval, (except levying taxes, setting rates for services, adoption of a budget or capital improvement program, any ordinance related to zoning, issuance of bonds or notes, borrowing of money, salaries or duties of City officers or employees, matters related to administration of municipal employees, annexation, municipal boundary adjustments, any instance where a court of proper jurisdiction determines that the initiated ordinances has been removed from the field of initiative, or any subject where State Law requires a public hearing) by submitting a petition for this purpose within forty-five (45) days after final passage of said resolution or within thirty (30) days after publication of such ordinance. Said petition shall be addressed, prepared, signed and verified by oath in the manner and form provided for recall petitions as provided in Sections 15.02 and 15.03, Article XV of this Charter, provided, however, the names on such petition shall also be of registered voters and shall be submitted to the person performing the duties of City Secretary. Within five (5) days upon the filing of such petition, the person performing the duties of City Secretary shall present said</p>	<p>are signed in this Charter, and shall be verified by oath in the manner and form provided for recall petitions in this Charter. The petition may consist of one or more copies as permitted for recall petitions in this Charter. Such petitions shall be filed with the persons performing the duties of City Secretary, who, within five (5) days, shall present said petition and proposed ordinance or resolution to the City Council. Upon presentation of the petition and draft of the proposed ordinance or resolution to Council, it shall become the duty of the City Council, within the ten (10) days after the receipt thereof, to pass and adopt such ordinance or resolution without alteration as to meaning or effect in the opinion of the persons filing the petition, or to call a special election as soon as possible, subject to the Texas Election Code, which the qualified voters of the City of Richland Hills shall vote on the question of adopting or rejecting the proposed legislation. However, if any other municipal election is to be held within sixty (60) days after the filing of the petition, the question may be voted on at such election.</p> <p>(b) <i>Referendum</i>. Registered, qualified voters of the City of Richland Hills may require that any ordinance or resolution passed by the City Council be submitted to the voters of the City for approval or disapproval, (except levying taxes, setting rates for services, adoption of a budget or capital improvement program, any ordinance related to zoning, issuance of bonds or notes, borrowing of money, salaries or duties of City officers or employees, matters related to administration of municipal employees, annexation, municipal boundary adjustments, any instance where a court of proper jurisdiction determines that the initiated ordinances has been removed from the field of initiative, or any subject where State law requires a public hearing) by submitting a petition for this purpose within forty-five (45) days after final passage of said resolution or within thirty (30) days after publication of such ordinance. Said petition must be signed by qualified voters of the City equal in number to 25% of the number of votes cast at the last regular municipal election of the City, or 300, whichever is greater. Said petition shall be addressed, prepared, signed and verified by oath in the manner and form provided for recall petitions as provided in Sections 15.02 and 15.03, Article XV of this Charter, provided, however, the names on such</p>

Current Charter Language	Recommended Charter Language
<p>petition to the City Council. Thereupon the City Council shall, within ten (10) days, reconsider such ordinance or resolution and, if it does not entirely repeal the same, shall submit it to popular vote at a special election as soon as possible, subject to the Texas Election Code, at which time the registered, qualified voters of the City of Richland Hills shall vote on the question of adopting or rejecting the proposed question. However, if any other municipal election is to be held within sixty (60) days of the filing of the petition, the question may be voted on at such election. Pending the holding of such election, such ordinance or resolution shall be suspended from taking effect and shall not later take effect unless a majority of the registered, qualified voters voting thereon at such election shall vote in favor thereof.</p> <p>(c) Any qualified voter of the City may seek judicial relief in the district court of Tarrant County in the event the Council fails to act on an initiative or referendum petition meeting the requirements of this Article.</p>	<p>petition shall also be of registered voters and shall be submitted to the person performing the duties of City Secretary. Within five (5) days upon the filing of such petition, the person performing the duties of City Secretary shall present said petition to the City Council. Thereupon the City Council shall, within ten (10) days, reconsider such ordinance or resolution and, if it does not entirely repeal the same, shall submit it to popular vote at a special election as soon as possible, subject to the Texas Election Code, at which time the registered, qualified voters of the City of Richland Hills shall vote on the question of adopting or rejecting the proposed question. However, if any other municipal election is to be held within sixty (60) days of the filing of the petition, the question may be voted on at such election. Pending the holding of such election, such ordinance or resolution shall be suspended from taking effect and shall not later take effect unless a majority of the registered, qualified voters voting thereon at such election shall vote in favor thereof.</p> <p>(c) Any qualified voter of the City may seek judicial relief in the District Court of Tarrant County in the event the Council fails to act on an initiative or referendum petition meeting the requirements of this Article.</p>
<p>ARTICLE XVII. – GENERAL PROVISIONS</p>	
<p>Sec. 17.03. – Official Oath.</p> <p>All officers of the City shall, before entering upon the duties of their respective offices, take and subscribe to the official oath prescribed in the Constitution of the State of Texas. Oath of office shall be administered by the Mayor, Mayor Pro Tem, or any other person authorized by law to administer oaths.</p>	<p>Sec. 17.03. – Official Oath.</p> <p>All officers of the City shall, before entering upon the duties of their respective offices, take and subscribe to the official oath prescribed in the Constitution of the State of Texas. Oath of office shall be administered by any person authorized by law to administer oaths.</p>

Current Charter Language	Recommended Charter Language
<p>State Law reference— Oath, Tex. Const. art. XVI, § 1</p>	<p>State Law reference— Oath, Tex. Const. art. XVI, § 1</p>
<p>Sec. 17.05. - Public Records.</p> <p>All public records of every office, department or agency of the City shall be open to inspection by any citizen at all reasonable times, provided that such police records, vital statistics records, or any other records which are closed to the public by law shall not be considered public records for the purpose of this section.</p> <p>State Law reference— Public records law, V.T.C.A., Government Code § 552.001 et seq.</p>	<p>Sec. 17.05. - Public Records.</p> <p>The City shall comply with State law with regard to releasing records to the public.</p> <p>State Law reference— Public records law, V.T.C.A., Government Code § 552.001, <i>et seq.</i></p>
<p>Sec. 17.12. – Nepotism.</p> <p>No person related within the second degree by affinity or within the third degree by consanguinity to the Mayor, or member of the Council or the City Manager shall be appointed to any paid office, position, clerkship or other service of the City. This prohibition shall not apply, however, to any person who shall have been employed by the City at least one year prior to the time of the election of the Mayor or Councilmember, or the appointment of the City Manager.</p>	<p>Sec. 17.12. – Nepotism.</p> <p>No person related within the second degree by affinity, or the third degree by consanguinity, to a member of the Council or the City Manager shall be appointed to any paid office or board, commission, or committee of the City. This prohibition shall not apply, however, to any person who shall have been continuously employed by the City for at least six months prior to the election of the Council member or 30 days prior to the appointment of the City Manager so related to the employee.</p>
<p>Sec. 17.13. – Ethics.</p> <p>(a) No elected or appointed officer or employee of the City shall benefit unduly by reason of his/her holding public office.</p> <p>(b) No officer or employee having a direct or indirect interest in any proposed or existing contract, purchase, work, sale or service to or by the City shall vote or render a decision, or use his/her position, authority or influence in a manner that would result in his/her financial betterment to any degree. Further, any elected officer shall publicly disclose any such interest upon assumption of office or prior to consideration of any such matters. This provision is cumulative to all other applicable laws in regard to elected officers.</p> <p>(c) Failure to comply with any provisions of the foregoing Sections 17.13(a) or 17.13(b) shall constitute malfeasance in office and any officer</p>	<p>Sec. 17.13. – Ethics.</p> <p>(a) No elected or appointed officer or employee of the City shall benefit unduly by reason of his/her holding public office.</p> <p>(b) No officer or employee of the City shall have a substantial interest in the sale of any land, materials, supplies or service to the City. Any elected officer shall publicly disclose any such interest upon assumption of office or prior to consideration of any such matters. “Substantial interest” as used in this section shall have the same meaning as given in the Texas Local Government Code, as amended.</p> <p>(c) Failure to comply with any provisions of the foregoing Sections 17.13(a) or 17.13(b) shall constitute malfeasance in office and any officer failing to so comply shall immediately be suspended pending an outcome of an investigation of the charges. Within five (5) days</p>

Current Charter Language	Recommended Charter Language
<p>failing to so comply shall immediately be suspended pending an outcome of an investigation of the charges. Within five (5) days of said suspension the officer shall receive written notice detailing the specific charges brought against him. A Public Hearing will be held within fifteen (15) days after the written notice to determine whether the charges are well founded and whether said officer shall be reinstated or shall be terminated and the position declared vacant.</p> <p>(d) Any violation of the foregoing Sections 17.13(a) or 17.13(b) with the knowledge, express or implied, or persons or corporations contracting with the City shall render the contract voidable by the Council.</p>	<p>of said suspension the officer shall receive written notice detailing the specific charges brought against him. A Public Hearing will be held within fifteen (15) days after the written notice to determine whether the charges are well founded and whether said officer shall be reinstated or shall be terminated and the position declared vacant.</p> <p>(d) Any violation of the foregoing Sections 17.13(a) or 17.13(b) with the knowledge, express or implied, or persons or corporations contracting with the City shall render the contract voidable by the Council.</p>
<p>Sec. 17.14. – Political and Religious Discrimination.</p> <p>No person in the service of the City or seeking admission thereto shall be employed, promoted, demoted, discharged, or in any way favored or discriminated against because of political opinions or affiliations or because of race, color, religious beliefs, sex, or national origin, provided that such opinions, affiliations or beliefs do not advocate the overthrow of the government of the United States of America by force or violence.</p>	<p>Sec. 17.14. – Political and Religious Discrimination.</p> <p>No person in the service of the City, or seeking admission thereto, shall be employed, promoted, demoted, discharged, or in any way favored or discriminated against because of political opinions or affiliations or because of race, color, religious beliefs, sex, or national origin, provided that such opinions, affiliations or beliefs do not advocate the overthrow of the government of the United States of America by force or violence.</p>
<p>Sec. 17.15. – Political Activity.</p> <p>— (a) No appointed or hired employee on the payroll of the City shall make a contribution to the campaign fund of any person seeking election to a City office or to any political party supporting a candidate for election to a City office, nor shall he/she be solicited for this purpose; nor shall he/she take active part in any political campaign relating to an election to a City office.</p> <p>(b) No person seeking appointment to or promotion in the administrative service of the City shall either directly or indirectly give, render or pay any money, service or other valuable thing to any person for or on account of or in connection with his/her appointment or promotion or any examination conducted therefor.</p> <p>(c) Any person who either by himself/herself, or with others, willfully violates any provision of the foregoing Section 17.15(a) shall be ineligible for appointment or election to a position in the City for a period of four (4) years, and if he/she is</p>	<p>Sec. 17.15. – Political Activity.</p> <p>(a) No person seeking appointment to or promotion in the administrative service of the City shall either directly or indirectly give, render, or pay any money, service, or other valuable thing to any person for, or on account of, or in connection with his/her appointment or promotion or any examination conducted therefor.</p> <p>(b) Any person who either by himself/herself, or with others, willfully violates any provision of the foregoing Section 17.15(a) shall be ineligible for appointment or election to a position in the City for a period of four (4) years, and if he/she is an officer or employee of the City at the time of such violation, he/she shall immediately forfeit the office or position he/she holds.</p>

Current Charter Language	Recommended Charter Language
an officer or employee of the City at the time of such violation he/she shall immediately forfeit the office or position he/she holds.	
	Delete and renumber remaining sections in Article 17.

Discussion ensued regarding the proposal to add a sixth councilmember. The committee advised that, currently, the mayor does not vote except in the case of a tie and adding a sixth councilmember would allow the mayor to have an official voice in City decisions.

Next, term limits were discussed and several differing opinions were heard regarding requiring strict term limits as well as expanding terms to allow continuity on the City Council.

Chair Jaymes recessed the meeting for a short break at 7:50 p.m. and reconvened the meeting at 7:58 p.m.

REGULAR AGENDA

3. Approve the minutes of the January 5, 2023 Charter Review Committee Meeting.

Motion: Motion was made by Member Morse and seconded by Member Bledsoe to approve the minutes of the January 5, 2023 Charter Review Committee meeting.

Motion carried by a vote of 5-0.

4. Finalize proposed Charter amendments following citizen input.

The Committee discussed the feedback and opinions heard during the Town Hall portion of the meeting. They debated the use of “supermajority” in some sections of the Charter and the use of 5/7 of the Council during other portions and agreed to leave 5/7 in place. Additionally, they agreed to keep the proposed change to add a sixth councilmember.

The Committee discussed term limits in greater detail and agreed that the City Council has the ultimate decision on what will be included on the ballot and agreed to bring the term limit issue forward to the full Council.

The Committee discussed and agreed that each member will present a portion of the changes at the Town Hall meeting.

Ms. Edmondson stated that the meeting would be promoted by the City via social media postings, the electronic marquee sign at The Link, and other methods to encourage citizen participation. She advised that once the Town Hall portion of the meeting

concluded, the Committee would convene to discuss any feedback received by the public and finalize plans to present the findings to the City Council.

Motion: Motion was made by Member Bledsoe and seconded by Member Morse to keep the recommended proposal of 3-year terms and an 18 year cap on service.

Motion carried by a vote of 5-0.

Motion: Motion was made by Member Goveas and seconded by Member Campbell to approve the entire proposal as discussed and direct the City Attorney to prepare the final presentation for the January 23, 2023 City Council meeting.

Motion carried by a vote of 5-0.

5. ADJOURNMENT

Motion: Motion was made by Member Goveas and seconded by Member Campbell to adjourn the meeting.

Motion carried by a vote of 5-0

There being no further business to come before the Committee, Chair Jaymes declared the meeting adjourned at 8:19 p.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Sheleen Jaymes, Chair