

ORDINANCE NO. 088-032

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, CALLING AND ORDERING AN ELECTION TO BE HELD IN THE TOWN OF ADDISON, TEXAS, ON THE 13TH DAY OF AUGUST, 1988, FOR THE PURPOSE OF VOTING ON AMENDMENTS TO THE CITY CHARTER AS FOLLOWS:

AMENDMENT NO. 1. TO PROVIDE FOR CLARIFICATION OF THE FORM OF GOVERNMENT, CITY MANAGER AND OTHER NECESSARY CHANGES TO EFFECTUATE SUCH CLARIFICATIONS; AMENDMENT NO. 2. TO PROVIDE FOR CHANGES IN COMPOSITIN AND OTHER MATTERS PERTAINING TO THE CITY COUNCIL; AMENDMENT NO. 3. TO PROVIDE FOR GENERAL AUTHORITY OF THE CITY COUNCIL WITH RESPECT TO ESTABLISHMENT OF CITY DEPARTMENTS AND OF A PERSONNEL SYSTEM, AND TO DELETE SPECIFIC PROVISIONS WITH RESPECT TO CERTAIN CITY DEPARTMENTS; AMENDMENT NO. 4. TO PROVIDE FOR CERTAIN PROCEDURES WITH RESPECT TO ADOPTION OF THE ANNUAL CITY BUDGET; AMENDMENT NO. 5. TO PROVIDE FOR CLARIFICATION OF THE CHARTER WITH RESPECT TO ASSESSMENT AND COLLECTION OF PROPERTY TAXES; AMENDMENT NO. 6. TO PROVIDE FOR PROCEDURES FOR PURCHASES BY THE CITY; AMENDMENT NO. 7. TO PROVIDE FOR CHANGE IN THE DATE OF THE GENERAL CITY ELECTION AND TO PROVIDE FOR REQUIREMENTS AND LIMITATIONS OF MEMBERS OF CITY COUNCIL IN HOLDING OTHER OFFICES; AMENDMENT NO. 8. TO PROVIDE FOR CHANGE IN PETITION REQUIREMENTS FOR CITIZENS

UTILIZING INITIATIVE, REFERENDUM AND RECALL PROVISIONS OF THE CITY CHARTER; AMENDMENT NO. 9. TO PROVIDE FOR REQUIREMENTS OF CITY OFFICIALS WITH REGARD TO ACCEPTANCE OF GIFT AND OTHER ETHICAL CONDUCT; AMENDMENT NO. 10. TO PROVIDE FOR FILING CLAIMS AND PROCEDURES WHICH MUST BE FOLLOWED IN FILING NOTICES OF CLAIMS FOR DAMAGES OR INJURY; AMENDMENT NO. 11. TO PROVIDE FOR CERTAIN PROCEDURAL REQUIREMENTS FOR BONDS, PUBLIC RECORDS AND OTHER PROCEDURES; AMENDMENT NO. 12. TO PROVIDE FOR PROHIBITIONS CONCERNING SALE OF LEASE OF LAND FOR PARK PURPOSES; AMENDMENT NO. 13. TO PROVIDE FOR A CHARTER REVIEW COMMISSION AT LEAST EVERY TEN YEARS; AMENDMENT NO. 14. TO PROVIDE FOR PROCEDURES RESTRICTING CERTAIN FLIGHTS AT ADDISON AIRPORT; PROVIDING FOR APPOINTMENT OF ELECTION OFFICES; PROVIDING FOR ABSENTEE VOTING; PROVIDING FOR EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That in accordance with the Charter of the Town of Addison and in accordance with the constitution and laws of the State of Texas, the following amendments to the Charter of the Town of Addison, Texas, shall be submitted to the qualified voters of the City at the election previously called by Ordinance No. 088-026 to be held on Saturday, the thirteenth day of August, 1988.

Amendment No. 1, Form of Government, City Manager and Related Changes

Amending certain sections of Articles I, II and III to provide for clarification and change of the form of government to a Council-Manager, to provide other necessary changes to effectuate such clarification and to provide for the power, duties and term of office of the City Manager. (Revises Sections 1.03, 2.06, 2.09, 3.02 and 3.03.)

Amendment No. 2. City Council Composition and Procedures

Amending Article II, The Council, to provide for the composition of the City Council, qualifications for serving on the City Council, compensation of the City Council, filling of vacancies on the City Council, powers of the City Council, procedures concerning meetings of the City Council and rules of procedure for the City Council. (Revises Sections 2.01, 2.02, 2.04, 2.05, 2.08, 2.10 and 2.11.)

Amendment No. 3. Establishment of City Departments and Functions

Amending Article IV, Administrative Departments, to provide for general authority of the City Council to establish city departments, establishment of a personnel system and omitting specific provisions on certain departments and offices. (Revises Sections 4.01, 4.02, 4.03, 4.04, 4.05 and 4.09.)

Amendment No. 4. Adoption of Budget

Amending Article V, Municipal Finance, to provide for certain procedures with respect to adoption of the annual city budget. (Revises Sections 5.05 and 5.08.)

Amendment 5. Assessment and Collection of Taxes

Amending Article V, Municipal Finance, to provide for clarification of the Charter with respect to assessment and collection of property taxes. (Revises Sections 5.13, 5.14, 5.15, 5.16, 5.18, 5.19, 5.21, 5.22, 5.23, 5.24, 5.26, 5.27, 5.30 and 5.32.)

Amendment No. 6. Purchases by the City

Amending Article V, Municipal Finance, to provide for procedures for purchases by the City. (Adds Section 5.33 to the Charter.)

Amendment No. 7. Date of City Election and Holding of Office

Amending Article VIII, Nominations and Elections, to provide for change in the date of the City general election and to provide for requirements and limitations of members of the City Council in holding other offices. (Revises Sections 8.01 and 8.05.)

Amendment No. 8. Initiative, Referendum and Recall

Amending Articles IX, Initiative and Referendum, and Article X, Recall, to provide for change in petition requirements for citizens utilizing initiative, referendum, and recall provisions of the City Charter. (Revises Sections 9.02, 9.05 and 10.02.)

Amendment No. 9. Acceptance of Gifts and Other Ethical Conduct

Amending Article XI, Miscellaneous Provisions, to provide for requirements of City officials with regard to acceptance of gifts, financial interest in contracts, nepotism and conduct. (Revises Sections 11.01, 11.02, 11.14 and adds Section 11.32.)

Amendment No. 10. Filing Notices of Claims Against City

Amending Article XI, Miscellaneous Provisions, to provide for Notice of claims and procedures which must be followed in filing notices of claims for injury or damages. (Revises Section 11.05.)

Amendment No. 11. Bond, Public Records and Other Procedures

Amending Article XI, Miscellaneous Provisions, to provide for certain procedural requirements for bonds of contractors, publicity of records, arrangement and renumbering of the Charter and interpretation of gender. (Revises Sections 11.09, 11.15 and 11.23.)

Amendment No. 12. Sale and Lease of Park Land.

Amending Article XI, Miscellaneous Provisions, to provide for prohibitions concerning sale or lease of land for park purposes. (Revises Section 11.22.)

Amendment No. 13. Charter Review Commission.

Amending Article XI, Miscellaneous Provisions, to provide for the appointment of a Charter Review Commission at

least every ten years to review the Charter and make recommendations as to any suggested changes. (Revises Section 11.29.)

Amendment No. 14. Restricting Flights at Addison Airport

Amending Article XI, Miscellaneous Provisions, to provide for procedures to restrict certain flights at the Addison Airport. (Adds Section 11.33.)

The foregoing amendments are set forth in full in the Draft Revised Charter attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 2. The Charter Amendment propositions shall appear on the ballot as follows: Voters should place an "X" in the square beside the statement indicating the way they wish to vote:

AMENDMENT NO. 1

YES Shall the Addison City Charter be amended to provide for clarification and change of the form of government to a Council-Manager, to provide other necessary changes to effectuate such clarification and to provide for the power, duties and term of office of the City Manager?

AMENDMENT NO. 2

YES Shall the Addison City Charter be amended to provide for the composition of the City Council, qualifications for serving on the City Council, compensation of the City Council, filling of vacancies on the City Council, powers of the City Council, procedures concerning meetings of the City Council and rules of procedure for the City Council?

AMENDMENT NO. 3

YES Shall the Addison City Charter be amended to provide for general authority of the City Council to establish city departments, establishment of a personnel system and omitting specific provisions on certain departments and offices?

AMENDMENT NO. 4

YES Shall the Addison City Charter be amended to provide for certain procedures with respect to adoption of the annual city budget?
NO

AMENDMENT NO. 5

YES Shall the Addison City Charter be amended to provide for clarification of the Charter with respect to assessment and collection of property taxes?
NO

AMENDMENT NO. 6

YES Shall the Addison City Charter be amended to provide for procedures for purchases by the City?
NO

AMENDMENT NO. 7

YES Shall the Addison City Charter be amended to provide for change in the date of the City general election and to provide for requirements and limitations of members of the City Council in holding other offices?
NO

AMENDMENT NO. 8

YES Shall the Addison City Charter be amended to provide for change in petition requirements for citizens utilizing initiative, referendum, and recall provisions of the City Charter?
NO

AMENDMENT NO. 9

YES Shall the Addison City Charter be amended to provide for requirements of City officials with regard to acceptance of gifts, financial interest in contracts, nepotism and conduct?
NO

AMENDMENT NO. 10

YES Shall the Addison City Charter be amended to provide for Notice of claims and procedures which must be followed in filing notices of claims for injury or damages?
NO

AMENDMENT NO. 11

YES Shall the Addison City Charter be amended to provide for certain procedural requirements for bonds of contractors, publicity of records, arrangement and renumbering of the Charter and interpretation of gender?
NO

AMENDMENT NO. 12

YES Shall the Addison City Charter be amended to provide for prohibitions concerning sale or lease of land for park purposes?
NO

AMENDMENT NO. 13

YES Shall the Addison City Charter be amended to provide for the appointment of a Charter Review Commission at least every ten years to review the Charter and made recommendations as to any suggested changes?
NO

AMENDMENT NO. 14

YES Shall the Addison City Charter be amended to provide for procedures to restrict certain flights at the Addison Airport?
NO

SECTION 3. Said election shall be held in accordance with the constitution and laws of the United States and of the State of Texas and all duly qualified electors of the Town of Addison, Texas, shall be qualified to vote.

SECTION 4. The ballots of said Election shall conform to the requirements of the Election Code of the State of Texas and to Vernon's Texas Civil Statutes Annotated, Local Government Code, Chapter 9, as amended, so that each voter may vote "YES" or "NO" on each of the propositions.

SECTION 5. A Proposition approved by a majority of voters voting shall become effective upon adoption pursuant to law, unless otherwise provided herein.

SECTION 6. That said election shall be held in accordance with the Election Code of this State and only resident qualified voters of said City shall be eligible to vote at said Election.

SECTION 7. Notice of said election will be given in

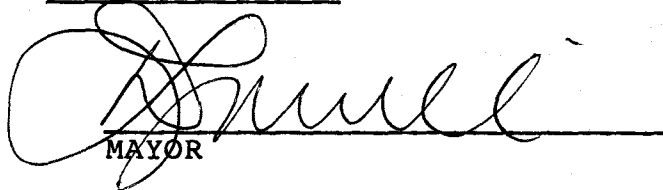
accordance with the terms and provisions of Article 4.003 of the Election Code and other applicable State law, and the City Secretary is hereby instructed to have said notice posted and/or published in accordance with law.

SECTION 8. That immediately after said Election is held, the officers holding the same shall make returns of the result thereof to the Mayor of this City as required by the Election Code of this State.

SECTION 9. A copy of this ordinance shall also serve as a writ of election which shall be delivered to the above appointed Presiding Judge for said election.

SECTION 10. This ordinance shall take effect immediately upon its adoption of the said caption, as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 12th day of July, 1988.


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


ATTORNEY FOR THE CITY

EFFECTIVE DATE: August 7, 1988

Published 7-28-88