

RESOLUTION NO. 2025-03(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, COLLIN, DALLAS AND ROCKWALL COUNTIES, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 3, 2025, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF WYLIE CERTAIN PROPOSED AMENDMENTS TO THE EXISTING HOME RULE CHARTER OF THE CITY OF WYLIE, IN CONJUNCTION WITH THE CITY OF WYLIE GENERAL ELECTION; DIRECTING THAT THE ELECTION BE ADMINISTERED BY THE COLLIN, ROCKWALL AND DALLAS COUNTY ELECTIONS ADMINISTRATORS; DESIGNATING EARLY VOTING POLLING PLACES AND HOURS; DESIGNATING ELECTION DAY POLLING PLACES AND HOURS; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH THE ELECTION; PROVIDING FOR THE APPOINTMENT OF ELECTION JUDGES AND CLERKS; AUTHORIZING THE MAYOR AND CITY SECRETARY TO TAKE ALL ACTIONS NECESSARY TO COMPLY WITH APPLICABLE ELECTION LAWS; AND PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Wylie, Texas (“City Council”), on its own motion, duly authorizes and hereby orders a special election to be held within the City of Wylie, Texas (“Wylie” or “City”), on May 3, 2025, for the purpose of submitting to the qualified voters of Wylie certain proposed amendments to the existing Home Rule Charter of Wylie (“City Charter”), pursuant to and in accordance with Section 9.004 of the Texas Local Government Code and Article XI, Section 26 of the City Charter; and

WHEREAS, the City Council finds that Wylie has complied with all legal requirements for ordering the special election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2: Special Election Ordered. A special election (“Election”) is hereby ordered to be held on Saturday, May 3, 2025 (“Election Day”), for the purpose of submitting to the qualified voters of Wylie certain proposed amendments to the existing City Charter, as set forth in Section 3 and Exhibit A of this Resolution. The Election shall be held in conjunction with the previously ordered Wylie General Election. The proposed amendments to the City Charter shall be submitted to the qualified voters in the form of ballot propositions as set forth in Section 4 and Exhibit B of this Resolution. The Election shall be administered by the Collin County, Rockwall County, and Dallas County Elections Administrators. The Collin County Elections Administrator shall administer the Election for the Collin County portion of Wylie, the Rockwall County Elections Administrator shall administer the Election for the Rockwall County portion of Wylie, and the Dallas County Elections Administrator shall administer the Election for the Dallas County portion of Wylie. Wylie voters shall vote in the county in which they are registered.

SECTION 3: Proposed Charter Amendments. At the Election, the proposed amendments to the City Charter, attached hereto as Exhibit A and incorporated as if fully set forth herein, shall be submitted to the qualified voters of Wylie in the form of ballot propositions as set forth in Section 4 and Exhibit B of this Resolution.

SECTION 4: Official Ballot Propositions. The proposed amendments to the City Charter shall be submitted

to the qualified voters of Wylie at the Election on ballots in the form of propositions set forth in Exhibit B, attached hereto and incorporated as if fully set forth herein, in conformance with the requirements of the Texas Election Code.

SECTION 5: Early Voting. The election shall be administered by the elections administrators of Collin, Dallas and Rockwall Counties. The election officers and maximum number of clerks for said polling place shall be determined and appointed in accordance with the provisions of the contracts for election administration services. The designated Early Voting polling places, dates, and hours, and information for applications for ballot by mail are as follows:

Wylie early voting locations for Collin County voters are Collin College Wylie Campus (Lobby), 391 Country Club Road, Wylie, Texas 75098, or Wylie Community Park Center (Meeting Room East), 800 Thomas Street #100, Wylie, Texas 75098. The main Early Voting location for Collin County voters is Collin County Elections (Voting Room), 2010 Redbud Boulevard, Ste. 102, McKinney, Texas 75069. For more information regarding the City early voting locations within Collin County, please contact the Collin County Elections Department at (800) 687-8546 or www.collincountytx.gov/elections.

The main Early Voting location for Dallas County voters is the Dallas County Elections Training/Warehouse (Vote Center), 1460 Round Table Drive, Dallas, Texas 75247. For more information regarding the City early voting locations within Dallas County, please contact the Dallas County Elections Department at (469) 627-8683 or www.dallascountyvotes.org.

The main Early Voting location for Rockwall County voters is the Rockwall County Library (Community Room), 1215 E. Yellowjacket Lane, Rockwall, Texas 75087; however, if both the City of Rockwall and Rockwall ISD are able to cancel their elections, the primary Early Voting location will be held at the city with the largest population within Rockwall County that is holding an election. For more information regarding the City early voting locations within Rockwall County, please contact the Rockwall County Elections Department at (972) 204-6200 or www.rockwallvotes.com.

Collin, Dallas, and Rockwall County voters may vote at any of the additional early voting locations open under full contract services with the County Elections Administration for each respective county. Early voting times and locations are subject to change.

Early voting for Collin County voters will begin on April 22, 2025 and continue through April 26, 2025 during the normal working hours of 8:00 a.m. to 5:00 p.m. with extended voting hours on April 28, 2025 and April 29, 2025 from 7:00 a.m. to 7:00 p.m.

Early voting for Dallas County voters will begin on April 22, 2025 and continue through April 25, 2025 during the normal working hours of 8:00 a.m. to 5:00 p.m. with extended voting hours on April 27, 2025 from 12:00 p.m. to 6:00 p.m.; and April 26, 2025, April 28, 2025, and April 29, 2025 from 7:00 a.m. to 7:00 p.m.

Early voting for Rockwall County voters will begin on April 22, 2025 and continue through April 25, 2025 during the normal working hours of 8:00 a.m. to 5:00 p.m. with extended voting hours on April 26, 2025 from 10:00 a.m. to 3:00 p.m.; and April 28, 2025 and April 29, 2025 from 7:00 a.m. to 7:00 p.m.

For Collin County voters, applications for ballot by mail shall be requested from and mailed to Collin County Elections, Attn: Kaleb Breaux, Early Voting Clerk, 2010 Redbud Boulevard Suite 102, McKinney, Texas 75069, faxed to 972-547-1996, or emailed to absenteemailballoting@collincountytx.gov.

For Dallas County voters, applications for ballot by mail shall be requested from and mailed to Dallas County Elections, Attn: Heider Garcia, 1520 Round Table Drive, Dallas, Texas 75247, faxed to 214-819-6303, or

emailed to evapplications@dallascounty.org.

For Rockwall County voters, applications for ballot by mail shall be requested from and mailed to Rockwall County Elections, Attn: Christopher Lynch, 915 Whitmore Drive, Suite D, Rockwall, Texas, faxed to 972-204-6209, or emailed to elections@rockwallcountytexas.com.

Applications for ballots by mail must be received no later than the close of business on April 22, 2025. For an application for ballot by mail submitted by telephonic facsimile machine or electronic transmission to be effective, the hard copy of the application must also be submitted by mail and be received by the early voting clerk not later than the fourth business day after the transmission by telephonic facsimile machine or electronic transmission is received (Texas Election Code Section 84.007).

SECTION 6: Election Day Voting. The election shall be administered by the elections administrators of Collin, Dallas and Rockwall Counties. The election officers and maximum number of clerks for said polling place shall be determined and appointed in accordance with the provisions of the contracts for election administration services. The designated Election Day polling places are as follows:

The closest Election Day locations for Collin County voters are Collin College Wylie Campus (Lobby), 391 Country Club Road, Wylie, Texas 75098 and Wylie Community Park Center (Meeting Room East), 800 Thomas Street #100, Wylie, Texas 75098.

The closest Election Day locations for Dallas County voters are Sachse City Hall (Courtroom), 3815-B Sachse Road, Sachse, Texas 75048; B G Hudson Middle School (Practice Gym), 4405 Hudson Drive, Sachse, Texas 75048; or Liberty Grove Elementary School (Computer Lab 401), 10201 Liberty Grove Road, Rowlett, Texas 75089.

The closest Election Day location for Rockwall County voters is Rockwall County Library (Community Room), 1215 E. Yellowjacket Lane, Rockwall, Texas 75087.

Collin, Dallas, and Rockwall County voters may vote at any of the additional election day voting locations open under full contract services with the County Elections Administration for each respective county.

Election polls shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

SECTION 7: Voting Equipment and Materials. For early voting in person, early voting by mail, election day voting and provisional voting, the following voting equipment will be used in Collin County: ES&S ExpressVote Universal voting machines (EVS 6.1.1.0), ES&S ExpressTouch curbside voting machines (EVS 6.1.1.0), ES&S DS200 ballot counters (EVS 6.1.1.0), ES&S Model DS450 and DS850 High-Speed Scanners/Tabulators (EVS 6.1.1.0), along with the required ancillary parts and services required for such voting tabulation system.

For early voting in person, early voting by mail, election day voting and provisional voting, the following voting equipment will be used in Dallas County: ExpressVote Universal Voting System (EVS 6.0.2.0) consisting of Firmware 2.4.0.0; the ES&S DS200 Digital Precinct Scanner (EVS 6.0.2.0) consisting of Firmware 2.17.0.0; and ES&S Model DS850 High-Speed Scanner/Tabulator, Version 1 (EVS 6.0.2.0), along with the required ancillary parts and services required for this voting tabulation system.

For early voting in person, early voting by mail, election day voting and provisional voting, the following voting equipment will be used in Rockwall County: ES&S ExpressVote Universal voting machines (EVS 6.0.2.0), ES&S DS200 ballot counters (EVS 6.0.2.0), ES&S Model DS450 High-Speed Scanner/Tabulator (EVS 6.0.2.0), along with the required ancillary parts and services required for such voting tabulation system.

SECTION 8: Election to Comply with Applicable Laws. The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this Election. The Election and notice of the Election shall be conducted in accordance with the Texas Election Code and other applicable law, and all qualified and registered voters of Wylie shall be eligible to vote at the Election.

SECTION 9: Appointment of Election Judges and Clerks. The appointment of the Presiding Election Judges, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board and other election officials for the Election shall be made by the Elections Administrators in accordance with the contracts for election administration services and the Texas Election Code. The Elections Administrators may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary to prepare for the Election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station.

SECTION 10: Authority of Mayor and City Secretary. The Mayor and the City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and any other state or federal law in carrying out and conducting the Election, whether or not expressly authorized herein.

SECTION 11: Severability. Should any section, subsection, sentence, clause or phrase of this Resolution be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. The City Council hereby declares that it would have passed this Resolution, and each section, subsection, clause and phrase thereof regardless of whether any one or more sections, subsections, sentences, clauses or phrases may be declared unconstitutional and/or invalid.

SECTION 12: Savings/Repealing. All provisions of any resolution in conflict with this Resolution are hereby repealed to the extent they are in conflict. Any remaining portion of such resolutions shall remain in full force and effect.

SECTION 13: Effective Date. This order for an election becomes effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS
on this 11th day of February, 2025.

Matthew Porter, Mayor

**ATTESTED AND
CORRECTLY RECORDED:**

Stephanie Storm, City Secretary

Exhibit A
Proposed Charter Amendments

Below are the proposed amendments to the City Charter. Words and punctuation proposed to be added are underlined; words and punctuation proposed to be deleted are marked with ~~strike through~~. The proposed amendments to the City Charter are designated below in order of their appearance on the ballot along with the ballot proposition associated with each such proposed amendment.

CITY OF WYLIE PROPOSITION A

Shall Article I, Section 1; Article III, Sections 1, 2, 5, 6, 8, 11, and 13; Article IV, Sections 1, 2, 3, 4, 5, and 7; Article V, Section 2; Article VI, Sections 3, 4, 8, 12, 13, and 14; Article VII, Sections 4, 9, and 10; Article VIII, Sections 2 and 3; Article IX, Section 2; Article XI, Sections 5, 8, 21, 25, and 29; and Article XII, Section 1 of the Wylie Home Rule Charter be amended to replace gender-specific language with gender-neutral terms?

ARTICLE I. – FORM OF GOVERNMENT AND BOUNDARIES

Section 1. – Form of Government.

The municipal government provided in this Charter shall be known as the Council-Manager form of government. Under its provisions, the City Council, consisting of the Mayor and Council ~~Members~~men elected by and responsible to the people, shall appoint a City Manager (who shall be responsible to the City Council for the administration of the government of the City). All powers of the City shall be vested in the City Council and shall be exercised in the manner prescribed by this Charter, or if the manner not be prescribed, then in such manner as may be prescribed by ordinance, the state Constitution or the statutes of this state.

ARTICLE III. – THE CITY COUNCIL

Section 1. – Number, Selection and Term.

The legislative and governing body of the City shall consist of a Mayor and six Council ~~Members~~men and shall be known as the "City Council of the City of Wylie."

- A. The Mayor and Council ~~Members~~men shall be elected by the qualified voters of the City at large, each of whom, unless sooner removed by the provisions of this Charter, shall serve for a term of three years. Each Council ~~Members~~men shall occupy a position on the City Council, such positions being numbered 1 through 6, consecutively.
- B. All members of the City Council, other than the Mayor, shall be elected under the place system.
- C. The method of election and transition to three year terms under the place system will be as follows:

| Terms | 2 yr. | 3 yr. | 2 yr. | 3 yr. | 3 yr. | 2 yr. | 2 yr. |
|--------|-------|-------|-------|-------|-------|-------|-------|
| Places | 1 | 2 | 3 | 4 | 5 | 6 | Mayor |
| 1999 | 1 | | 3 | | 5 | | |
| 2000 | | 2 | | 4 | | 6 | Mayor |
| 2001 | 1 | | 3 | | | | |
| 2002 | | | | | 5 | 6 | Mayor |
| 2003 | | 2 | | 4 | | | |
| 2004 | 1 | | 3 | | | | |
| 2005 | | | | | 5 | 6 | Mayor |

| | | | | | | | |
|------|---|---|---|---|---|---|-------|
| 2006 | | 2 | | 4 | | | |
| 2007 | 1 | | 3 | | | | |
| 2008 | | | | | 5 | 6 | Mayor |

Places 1, 3, and 5 will be up for re-election in 1999. Places 1 and 3 will have a two-year term, and Place 5 will have a three-year term.

Places 2, 4, 6 and the Mayor will be up for re-election in 2000. Place 6 and the Mayor will have a two-year term and Places 2 and 4 will have a three-year term.

Beginning in 2001, each Place, including the Mayor, will be re-elected with three-year terms.

Section 2. – Qualification of Members.

In addition to any other qualifications prescribed by law, the Mayor and each Council ~~Memberman~~ shall meet the conditions of Article V, while in office, and shall reside within the City limits while in office. Any member of the City Council ceasing to possess any of the qualifications specified in this section, or convicted of a felony while in office, shall immediately forfeit his or her office.

Section 5. – Mayor and Mayor Pro-Tem.

The Mayor shall be recognized as the official head of the City government for all ceremonial purposes and by the Governor for purposes of military law but shall have no administrative duties. He or she shall be the chair~~personman~~ and shall preside at all meetings of the City Council. The Mayor shall vote on all propositions before the City Council, but shall have no power to veto. He or she shall, when authorized by the City Council, sign all official documents, such as ordinances, resolutions, conveyances, grant agreements, official plats, contracts, and bonds.

The Mayor Pro-Tem shall be a Council ~~Memberman~~ elected by the City Council at the first regular City Council meeting following each regular City election. The Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor, and in this capacity shall have the rights conferred upon the Mayor.

Section 6. – Vacancies, Forfeiture, Filling of Vacancies.

- A. The office of a Council ~~Memberman~~ or office of the Mayor shall become vacant upon his or her death, resignation, removal from office in any manner authorized by law, or forfeiture of his or her office.
- B. A Council ~~Memberman~~ or the Mayor shall forfeit his or her office if he or she:
 - (1) Lacks at any time during his or her term of office any qualifications for the office prescribed by this Charter or by law;
 - (2) Violates any express prohibition of this Article (see Section 8); or any other provision of this Charter;
 - (3) Is convicted of a crime involving moral turpitude, or
 - (4) Fails to attend three consecutive regular City Council meetings without being excused by the City Council.
 - (5) The City Council shall be the final judge in matters involving forfeiture of office.
- C. *Filling of Vacancies.* Any vacancy or vacancies occurring on the City Council shall be filled for the remainder of the unexpired term by majority vote of the qualified voters at a special election called for such purpose within 120 days after such vacancy or vacancies occur.

Section 8. – Prohibitions.

- A. *Holding Other Office.* Except where authorized by law, no Mayor or Council ~~Memberman~~ shall hold any other City office or City employment during his or her term as Mayor or Council ~~Memberman~~, and no former Mayor or Council ~~Memberman~~ shall hold any compensated appointive City office or City employment until one year after the expiration of his or her term as Mayor or Council ~~Memberman~~.
- B. *Appointments and Removals.* Neither the City Council nor any of its members shall in any manner dictate the appointment or removal of any City administrative officers or employees whom the City Manager or any of his or her subordinates are empowered to appoint, but the City Council, at a meeting called for that purpose, may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.
- C. *Interference With Administration.* Except for the purpose of inquiries and investigations as provided by this Charter, the City Council or its members shall deal with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the City Council nor its members shall give orders to any such officer or employee, either publicly or privately, except as otherwise provided in this Charter.

Section 11. – Conflict of Interest and Abstention.

- A. *Conflict of Interest.* Should any member of the Council feel he or she has a conflict of interest with an agenda item then before the Council, he or she should openly declare same before discussion proceeds and he or she is thereby prohibited from discussing the item or voting on the question.
- B. *Abstention.* Should any member of the City Council choose to abstain from voting on any question before the City Council, where no declared conflict of interest exists, his or her vote shall be recorded as an affirmative vote in the official minutes of the City of Wylie.

Section 13. – Passage of Ordinances in General.

- A. *Form.* The City Council shall legislate by ordinance only, and the enacting clause of every ordinance shall be "Be it ordained by the City Council of the City of Wylie, Texas." Each proposed ordinance shall be introduced in the written or printed form required for adoption. An ordinance shall not be amended or repealed except by the adoption of another ordinance.
- B. *Procedure.* Any member of the City Council may offer any ordinance in writing that has been placed on the agenda at a regular City Council meeting. Copies of proposed ordinances, in the form required for adoption, may be furnished to members of the City Council before the meeting at which it shall be considered. Copies of the proposed ordinance, in the form required for adoption, may be made available at the City offices and furnished to citizens, upon request.
- C. *Effective Date.* Every ordinance shall become effective upon adoption, or at any later time specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture shall become effective after publication of its caption once in a newspaper having general circulation in the City.
- D. *Reading.* The reading aloud of a title and caption of the ordinance shall suffice as a reading. If two Council ~~Membersmen~~ request that the ordinance be read in its entirety, it must be so read.

ARTICLE IV. – CITY ADMINISTRATION

Section 1. – City Manager.

- A. *Qualifications and Appointment Procedures.* The City Council shall appoint a City Manager who shall serve as chief administrative officer of the City, and shall be responsible to the City Council for administration of all the affairs of the City, with only those exceptions that are named in this Charter. The City Manager shall be appointed solely upon his or her executive and administrative qualifications. He or she need not be a resident of the City when appointed, but within a reasonable time after such appointment shall become a resident of the City and thereafter shall reside within the City during the tenure of his or her appointment. He or she shall be bonded, at City expense, in an amount deemed adequate by the City Council.

- B. *Compensation.* The City Council shall fix the compensation to be received by the City Manager, and the compensation may be amended from time to time in accordance with the City Manager's experience and qualifications.
- C. *Term and Removal.* The City Manager shall serve at the pleasure of the City Council and shall have no fixed term of office. The City Council shall have the sole authority to remove the City Manager from office.
- (1) If within five days after being notified of his or her termination and removal, the City Manager files a written request to the City Council requesting that his or her termination be reconsidered, the City Council shall, as soon as practical, meet with the City Manager in executive session to review its decision to terminate.
 - (2) After such review, after affording the City Manager an opportunity to respond to such initial decision to terminate, a new vote shall be taken with regard to termination of the City Manager.
 - (3) At the request of the City Manager, the review meeting shall be held open to the public.
 - (4) The City Manager shall continue to receive his or her salary pending this final decision of the Council.
 - (5) This procedure for a review meeting with the City Manager shall not alter the fact that the City Manager serves at the pleasure of the City Council and the City Manager shall not have, nor should this procedure be construed to grant to the City Manager a property interest or right to continued employment.
- D. *Acting City Manager.* The City Manager shall, within 30 days of taking office, and at appropriate subsequent times, designate by letter, filed with the City Secretary, an alternate to perform the duties of the City Manager in the case of his or her absence or disability. The City Council shall ratify the City Manager's designated alternate. During the absence or disability of the City Manager, the City Council may revoke such designation and appoint another person to serve as acting City Manager until the City Manager shall return or his or her disability shall cease. The acting City Manager shall be a qualified administrative officer of the City at the time of his or her designation. No member of the City Council shall serve as acting City Manager.
- E. *Duties.* The City Manager shall be empowered to:
- (1) Appoint, and when he or she deems necessary for the welfare of the City, suspend or remove any or all City employees and appointive administrative personnel provided for by this Charter. He or she shall promulgate such rules and regulations as he or she may deem appropriate and necessary for the exercise of this authority. (See Section 7)
 - (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) Attend all City Council meetings and have the right to take part in discussions, but he or she shall not vote.
 - (5) Prepare and accept items for inclusion in the official agenda of all City Council meetings and meetings of boards and commissions as established by this Charter.
 - (6) Prepare and submit to the City Council the annual budget and capital program, and administer the budget as adopted by the City Council.
 - (7) Keep the City Council fully advised as to the financial condition and future needs of the City, and make such recommendations concerning the affairs of the City as he or she or the City Council deems desirable or necessary, but not less than every three months.
 - (8) Make reports as he or she or the City Council may require concerning the operations of the City departments, offices, or agencies subject to his or her direction or supervision.
 - (9) Perform such other duties as are specified in this Charter or may be required by the City Council, and are not inconsistent with this Charter.

Section 2. – City Secretary.

- A. *Appointment and Removal.* The City Manager shall appoint a City Secretary. The City Manager shall have authority to remove the City Secretary, should he or she find such action necessary for the welfare of the City.
- B. *Duties.* The City Secretary shall be required to:
 - (1) Give notice of all official public meetings of the City Council in a manner consistent with this Charter and state laws.
 - (2) Attend all official public meetings of the City Council.
 - (3) Keep the minutes of the proceedings of all official public meetings and hearings of the City Council. Be responsible for the electronic taping or recording of the entire proceedings of all the official public meetings and hearings of the City Council. Be responsible for the care, maintenance and filing of such tapes or recordings for a period of not less than two (2) years following each meeting or hearing so taped or recorded.
 - (4) Act as custodian of all official records of the City Council.
 - (5) Hold and maintain the seal of the City of Wylie, and affix this seal to all appropriate documents.
 - (6) Authenticate by signature and seal, and record, index and codify all ordinances, resolutions and proclamations of the City.
 - (7) Perform such other duties as may be required by the City Manager, this Charter, the laws of the State of Texas and not inconsistent with provisions of this Charter.
 - (8) Be bonded, at City expense, in an amount deemed adequate by the City Council.

Section 3. – Municipal Court.

- A. The City Council shall establish and cause to be maintained a Municipal Court, for the trial of misdemeanor offenses. The Court shall have all the powers and duties as are now, or may be prescribed by the laws of the State of Texas.
- B. *Municipal Court Judge.* The City Council shall appoint a judge of the Municipal Court, who shall be a competent, duly qualified, licensed attorney in the State of Texas. The judge of the Municipal Court shall be appointed to a term of two years, and may be appointed to additional and consecutive terms, upon completion of his or her term of office. The appointment of the judge may be terminated by a majority vote of the City Council. The judge shall receive compensation as may be determined by the City Council. This compensation shall be fixed, and commensurate with the duties performed by the judge.
- C. *Acting Judge of the Municipal Court.* The City Council shall, in the absence or disability of the appointed judge of the Municipal Court, appoint an acting judge to serve during such absence or disability. The acting judge may be compensated by the City Council for his or her performance of required duties.
- D. *Appointment of Additional Judges.* Additional judges of the Municipal Court may be appointed by the City Council consistent with state law.
- E. *Clerk of the Court.* The City Manager shall appoint a clerk, and may appoint deputies of the Municipal Court. The clerk and deputies shall be bonded at City expense, in an amount deemed adequate by the City Council, and shall receive compensation as may be determined by the City Council.
- F. *Powers of the Clerk.* The clerk and deputies of the Municipal Court shall have the power to administer oaths and affidavits, make certificates, affix the seal of the Court, and perform all acts usual and necessary by the clerks of said Courts, in conducting the business thereof, including but not limited to the keeping of records and accounts of the Municipal Court.
- G. *Costs, Fines and Penalties.* All costs, fines and penalties imposed by the Municipal Court shall be paid into the City treasury for the use and benefit of the City, as may be consistent with present and future state laws.

Section 4. – City Attorney.

- A. *Appointment and Qualifications.* The City Council, in consultation with the City Manager, shall appoint a competent, duly qualified, licensed and practicing attorney in the State of Texas who shall serve as the City Attorney.
- B. *Removal.* The City Attorney shall serve at the pleasure of the City Council and as such shall have no property right to continued employment.
- C. *Duties.* The City Attorney shall be required to:
 - (1) Serve as a legal advisor to the City Council and City Manager.
 - (2) Represent the City in litigation and legal proceedings as directed by the City Council and City Manager.
 - (3) Review and provide opinions as requested by the City Council or City Manager on contracts, legal instruments, and ordinances of the City.
- D. *Limitation.* The City Council shall have the right to retain special counsel at any time that it may deem necessary and appropriate.
- E. *Compensation.* The City Attorney shall receive compensation as may be determined by the City Council.
- F. *Additional Attorneys.* The City Attorney, with approval of the City Council, may select additional attorneys to act for him or her and the City in its representation and litigation.
- G. *Firm May Designate Individual to Serve as City Attorney.* The City Council may contract with an attorney or with a firm of attorneys who may designate one member of said firm to serve as City Attorney.

Section 5. – City Engineer.

- A. *Appointment and Qualifications.* The City Council, in consultation with the City Manager, shall appoint a competent, duly qualified, registered and practicing professional engineer in the State of Texas who shall serve as City Engineer.
- B. *Removal.* The City Engineer shall serve at the pleasure of the City Council and shall not have a property right to continued employment and may be removed by a vote of the City Council.
- C. *Duties.* The City Engineer shall be required to serve as engineering advisor to the City Council and City Manager, and perform such other duties as may be required by the City Council or City Manager.
- D. *Limitation.* The City Council shall have the right to retain special engineering service at any time that it may deem necessary and appropriate.
- E. *Compensation.* The City Engineer shall receive compensation as may be determined by the City Council.
- F. *Additional Engineers.* The City Engineer, with approval of the City Council, may select additional engineers to act for him or her and the City in serving its engineering needs.
- G. *Term City Engineer.* The term "City Engineer" may refer to an individual or firm.

Section 7. – Personnel System.

- A. Neither the City Council nor any of its members shall request or direct the appointment of any person to, or his or her removal from office or employment, by the City Manager or any of his or her subordinates. Except for the purposes of inquiry, the City Council and its members shall deal with the City's administrative service solely through the City Manager. And, neither the City Council nor its members shall give orders to any subordinates of the City Manager, either publicly or privately, except as may be provided in this Charter.
- B. Personnel rules shall be prepared by the City Manager and presented to the City Council for their information; provided, however, that any rule or regulation which involves the expenditure or commitment of public funds must have the approval of the City Council. The adopted rules shall establish the City as an equal opportunity employer and shall govern the equitable administration of the personnel system of the City. Provided; however, that no such rule shall cause to be created

for any employee of the City, a property right to continued employment and shall provide that all employees of the City, including police officers, shall serve at the pleasure of the City Manager.

C. The adopted rules shall provide for the following requirements, among others:

- (1) A pay and benefit plan for all City employment positions.
- (2) A plan for working hours, attendance policy and regulation, and provision for sick and vacation leave.
- (3) Procedures for the hearing and adjudication of grievances.
- (4) Additional practices and procedures necessary to the beneficial and equitable administration of the City's personnel system.
- (5) A plan for oral and written evaluation on an annual basis for all City employees by their immediate supervisor, including evaluation of the City Manager by the City Council.

ARTICLE V. – NOMINATIONS AND ELECTIONS

Section 2. – Filing for Office; Eligibility to File.

A. *Candidate Qualifications.* Each candidate for an elective office shall meet the following qualifications:

Shall be a qualified voter of the City.

Shall have resided for at least 12 months preceding the election within the corporate limits of the City, including territory annexed prior to the filing deadline.

Shall not, after notice of any delinquency, be in arrears in the payment of any taxes or other liabilities due the City. "In arrears" is defined herein to mean that payment has not been received within 90 days from the due date.

An incumbent City Council ~~Memberman~~ seeking reelection must file for the same place position number currently being served.

No candidate may file in a single election for more than one office or place position as provided by this Charter.

B. *Petition Required.* Every person desiring to file for elective office with the City shall first present to the City Secretary a sufficient petition signed by a minimum of the greater of the following:

- a) 25 persons; or
- b) a number of persons equal to one-half of one percent of the total vote received by all candidates for Mayor in the most recent Mayoral general election who are qualified voters in the City.

ARTICLE VI. – INITIATIVE, REFERENDUM AND RECALL

Section 3. – Petition circulation.

All petition blanks used for circulation by the members of the petitioners' committee or their designees shall be numbered, dated, and bear the signature of the City Secretary. The City Secretary shall enter in a record to be kept in his or her office the name of the qualified voters to whom the numbered petitions were assigned. Petition circulators must be qualified voters in the City of Wylie.

Section 4. – Form of Petition.

All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signer of a petition shall personally sign his or her own name thereto in ink or indelible pencil, and shall write after his or her name his or her place of residence within the boundaries of the City of Wylie, giving name of street and number, or place of residence, and shall also write thereon the day, the month and the year his or her signature was affixed. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered, or in the case of a recall petition, a statement which distinctly and specifically states each ground with such certainty as to give the officer(s) sought to be removed notice of such matters and things with which he or she is charged.

Each paper of a petition shall have attached to it when filed, an affidavit executed by the circulator thereof stating that he or she personally circulated the paper, the number of signatures of the persons whose names they purport to be, and that each signer had an opportunity before signing, to read the full text of the ordinance proposed or sought to be reconsidered.

Locations for 20 and no more than 20 signatures shall be provided on each blank petition.

Section 8. – Public Hearing on Recall of Officers.

An elected official whose removal is sought by recall may, within five days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him or her to present facts pertinent to the charges specified in the petition. Should such a request be made, the City Council shall order that a public hearing be held not less than five days nor more than 15 days after receiving such request for a public hearing.

Section 12. – Form of Ballots.

Ordinances shall be submitted by ballot title, which shall be prepared in all cases by the City Attorney. The ballot title may be different from the legal title of any such initiated or referred ordinance and it shall be a clear, concise statement, without argument or prejudice, descriptive of the substance of such ordinance. Immediately below the ballot title shall be printed the following two statements, one above the other, in the order indicated:

"For adoption of the ordinance," and

"Against adoption of the ordinance."

Immediately below or to the left of such statement shall appear a square in which the voter may cast his or her vote by making a mark. Ballots used at recall elections shall, with respect to each person whose removal is sought, submit the question:

"Shall (name of person) be removed from the office (name of office) by recall?"

Immediately below each such question there shall be printed the two following statements, one above the other, in the order indicated:

"For the removal of _____ by recall."

"Against the removal of _____ by recall."

Immediately below or to the left of such statement shall appear a square in which the voter may cast his or her vote by making a mark.

Section 13. – Results of Election.

If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the City Council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail.

An ordinance adopted by initiative may be repealed or amended at any time after the expiration of two years by a vote of not less than five members of the City Council, or at any time after the expiration of five years by a simple majority vote of the City Council Members.

If a majority of the qualified electors voting on a referred ordinance vote against the ordinance, it shall be considered repealed upon certification of the election results. If a majority of the qualified electors voting on a referred ordinance vote for the ordinance, the ordinance shall be considered in effect.

An ordinance repealed by referendum may be reenacted at any time after the expiration of two years by a vote of not less than five members of the City Council or at any time after the expiration of five years by a simple majority vote of the City Council Members.

If a majority of the votes cast on the question of recall at a recall election shall be against the removal of the elected official named on the ballot, he or she shall continue in office for the remainder of his or her unexpired term, subject to recall as before within the limitations of Section 14 below. If a majority of the votes cast on the question of recall at a recall election shall be for the removal of the elected official named on the ballot, he or she shall, regardless of any technical defects in the recall petition, be deemed

removed from office and the vacancy shall be filled in accordance with the provisions of this Charter for the filling of vacancies.

Section 14. – Limitations and Restrictions.

No recall petition shall be filed against any officer of the City of Wylie within six months after his or her election or appointment, nor within six months of such a petition being filed and found insufficient nor within one year after an election for such officer's recall.

In no instance shall an officer removed from office by recall election succeed himself or herself, nor shall his or her name appear on a ballot for elective office of the City of Wylie within a period of five years following the date of the election at which he or she was removed from office.

Unless successfully withdrawn, no petition shall again be filed on a proposed or referred ordinance of substantially the same content within a period of six months of such a petition being filed and found insufficient or within a period of two years of the failure of the petition at a City election.

ARTICLE VII. – MUNICIPAL FINANCE

Section 4. – Amendments After Adoption.

- A. *Supplemental Appropriations.* If, during the fiscal year, the City Manager certifies that there are revenues available for appropriation in excess of those estimated in the budget, the City Council may make supplemental appropriations to fund other appropriations as desired.
- B. *Emergency Appropriations.* At any time in any fiscal year, the City Council may, pursuant to this section, make emergency appropriations to meet a pressing need for public expenditure, for other than regular or recurring requirements, affecting life, health, property, or the public peace.
- C. *Reduction of Appropriations.* If, at any time during the fiscal year, it appears probable to the City Manager that the revenues available will be insufficient to meet the amount appropriated, he or she shall report to the City Council indicating the estimated amount of deficit, any remedial action taken by him or her and his or her recommendations as to any other steps to be taken. The City Council shall then take such further action that it deems necessary to prevent or minimize any deficit.
- D. *Transfer of Appropriations.* At any time during the fiscal year, the City Manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency. Upon written request by the City Manager, the City Council may, by budget amendments, transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.
- E. *Limitations.* No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance.
- F. *Effective Date.* The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section shall be made effective immediately upon adoption of the appropriate ordinance or budget amendment.

Section 9. – Purchasing.

The City Council may, by ordinance, confer upon 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. All contracts for expenditures involving more than the set limits must be expressly approved in advance by the Council. All contracts or purchases involving more than the limits set by the City Council shall be let to the lowest bidder whose submittal is among those most responsive to the needs of the City after there has been opportunity for competitive bidding as provided by law or ordinance; provided that the City Council, or City Manager in such cases as he or she is authorized to contract for the City, shall have the right to reject any and all bids.

Emergency contracts as authorized by law and this Charter, may be negotiated by the City Council, or City Manager, if given authority by the City Council, without competitive bidding. Such emergency shall be declared by the City Manager and approved by the City Council or may be declared by the City Council.

Section 10. – Administration of Budget.

No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the City Manager or his or her designee first certifies that there is a sufficient unencumbered balance in such allotment or appropriations and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter will be void and any payment so made illegal. Such action shall be the cause for removal of any officer who knowingly authorized or made such payment or incurred such obligations, and he or she shall also be liable to the City for any amount so paid. However, this prohibition shall not be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds, time warrants, certificates of indebtedness, or certificates of obligation, or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, provided that such action is made or approved by ordinance.

ARTICLE VIII. – BOARDS AND COMMISSIONS

Section 2. – Boards and Commissions Enumerated.

- A. *Planning and Zoning Commission.* There is hereby established a Planning and Zoning Commission, whose purpose, composition, function, duties and tenure shall be as set out in Article IX of this Charter.
- B. *Parks and Recreation Board.* The City Council shall appoint a Parks and Recreation Board of seven members who shall be qualified voters to work in an advisory capacity to the City Council in the planning and development of Parks and Recreation facilities and regulations governing their use. Members of the Board shall be appointed for two year terms with three members' terms expiring in even-numbered years and four members' terms expiring in odd-numbered years. Members of the Board shall elect a chairpersonman, each July, from their membership and shall meet at the call of the chairpersonman or at the request of the City Council. The City Manager shall appoint a staff representative to the Board.
- C. *Library Board.* The City Council shall appoint a Library Board consisting of seven members who shall be qualified voters who shall serve for a term of two years with three members' terms expiring in even-numbered years and four members' terms expiring in odd-numbered years. Members of the Board shall elect a chairpersonman, each July, from their membership and shall meet at the call of the chairpersonman or at the request of the City Council. The City Manager shall appoint a staff representative to the Board.
- D. *Board of Adjustment and Appeals.* The City Council shall appoint a Board of Adjustment and Appeals of five members and two alternate members who shall serve in accordance with applicable law. Members of the Board shall be qualified voters of the City and shall be appointed for two year terms with three members' terms expiring in even-numbered years and two members' terms expiring in odd-numbered years. Members of the Board shall elect a chairpersonman each July from their membership and shall meet at the call of the chairpersonman within 30 days of receipt of written notice from anyone aggrieved as a result of the refusal of a building permit or administrative decision by the City Building Official. Rules and regulations shall be prescribed for the functioning of the Board consistent with the laws of the State of Texas and the building codes of the City of Wylie.
- E. *Other Boards and Commissions.* The City Council shall have the power and is hereby authorized to create, abolish, establish and appoint such other boards, commissions and committees as it deems necessary to carry out the functions and obligations of the City. The City Council shall, by

ordinance, prescribe the purpose, composition, functions, duties, accountability and tenure of each such board, commission and committee.

Section 3. – General.

- A. *Open Meetings.* All meetings of any board, commission, or committee created, established or appointed by this Charter or the City Council shall be open to the public, unless otherwise permitted by law and shall be subject to both current and future laws of the State of Texas concerning public meetings.
- B. *Appeals to City Council.* Subject to the provisions of any law of the State of Texas and to the county, an appeal may be taken to the City Council from any decision of any board, commission, committee or other body except from decisions of the Board of Equalization, or Board of Adjustment. Such appeals shall be perfected by filing a sworn notice of appeal with the City Secretary within 30 days from the rendition of the decision of the board, committee or other body. Prior to the institution of any appeal in a court of law by an aggrieved person from a decision of such board, commission, committee or other body, appeal must be first perfected to the City Council.
- C. *Compensation.* Subject to the provisions of any law of the State of Texas or this Charter to the contrary, all members of any board, commission, committee or other body will serve without compensation but may be reimbursed for any necessary expenses as a result of their work.
- D. *Minutes.* All boards, commissions or committees of the City shall keep and maintain minutes of any proceedings held and shall submit a written report of such proceedings to the City Council at least once each month.
- E. *Exclusion of City Officers and Employees.* No officer of the City nor any person who holds a compensated appointive position with the City shall be appointed to any board, commission or committee created or established by this Charter other than in an advisory capacity.
- F. *Rules and Regulations.* All boards, commissions and committees established or created by this Charter shall set out their own rules and regulations for operation thereof unless specifically prescribed by the laws of the State of Texas, this Charter, or by ordinance. Ordinances creating any board, commission or committee shall provide that if any member is absent from three consecutive meetings, his or her position shall be declared vacant and the vacancy shall be filled for the remainder of the unexpired term by the City Council within 30 days after the vacancy occurs.
- G. *Existing Boards and Commissions.* All existing boards, commissions and committees heretofore established shall be continued in accordance with the ordinance or other acts under which they have been created, or until the City Council shall, by ordinance, abolish, modify or alter the ordinances or acts under which they exist.

ARTICLE IX. – PLANNING

Section 2. – Planning and Zoning Commission.

The City Council shall establish a Planning and Zoning Commission in the manner provided by this Charter, whose primary duty shall be to advise the City Council in carrying out its various duties and functions regarding planning and environmental quality as provided by this Charter.

A. *Organization and qualification.*

- (1) There shall be established a Planning and Zoning Commission which shall consist of seven citizens of the City of Wylie. The members of said Board shall be qualified voters of the City and shall be appointed by the City Council within 60 days of the adoption of this Charter, for a term of two years. The members of said Board at their first meeting shall draw lots to determine those who will serve one year and two year terms beginning on the date of initial appointment of the Board. On the expiration of the term of each of the members who have drawn lots, his or her place shall be filled by a member appointed for a two year term. The Board shall elect a chairperson ~~man~~ from among its membership each year at the first regular meeting in July. The Commission shall meet not less than once each

month. Vacancies in an unexpired term shall be filled by the City Council within 30 days from the date of the vacancy for the remainder of the term. For purposes of this section, the appointment year of respective Commission members shall be deemed to begin on July 1st.

- (2) Members of the Planning and Zoning Commission shall be residents of the City of Wylie for at least 12 months preceding the date of appointment; be knowledgeable in the affairs of the City and be knowledgeable in the functions and activities provided for in this Article.

B. *Duties and Powers of the Planning and Zoning Commission.* The Planning and Zoning Commission shall:

- (1) Make and recommend to the City Council a master plan to be used as a guide in considering ordinances for the orderly development of the City. The Commission shall, not less than every five years, review and recommend to the City Council amendments to the master plan of the City.
- (2) Recommend to the City Council proposed ordinances and amendments to ordinances regarding planning, zoning and environmental quality and review ordinances and amendments proposed by the City Council relative to the City Council's planning and zoning function. Such review and recommendation by the Planning and Zoning Commission must be received by the City Council prior to action on the proposed ordinance or amendment.
- (3) Receive and review all platting and subdivision proposals and make recommendations to the City Council for appropriate action.

ARTICLE XI. – GENERAL AND TRANSITIONAL PROVISIONS

Section 5. – Personal Financial Interest.

No officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, nor shall be financially interested, directly or indirectly, in the sale to the City of any land, materials, supplies or service, except on behalf of the City as an officer or employee. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee found guilty thereof shall be subject to removal from his or her office or position. Any violation of this section with the knowledge, expressed or implied, of the person or corporation contracting with the City Council shall render the contract involved void.

Section 8. – Damage Suits.

Before the City shall be liable for any claim for damages for the death or personal injuries of any person or for damages to property, the complainant or his or her authorized representative shall notify the City Secretary. The notification shall be in writing and shall state specifically how, when and where the death, injury or damage occurred; the amount of loss claimed; and the identity of any witnesses upon whom it is relied to establish the claim. The notification shall be filed within 45 days of the date of injury or damage or, in the case of death, within 45 days of the date of death. The failure to so notify the City within the time and manner specified shall exonerate, excuse and exempt the City from any liability whatsoever. No action at law shall be brought against the City until at least 60 days have elapsed since the date of notification.

Section 21. – Emergency Powers of the Mayor.

Whenever it shall come to the knowledge of the Mayor or his or her designee that any malignant, infectious or contagious disease or epidemic is prevalent in the City or probably will become so, or in case of public calamity arising by reason of flood, hurricane, tornado, fire, or other disaster, he or she shall have the power to take all lawful steps and use all lawful measures necessary to avoid, suppress or mitigate such disease and relieve distress caused by flood or resulting from tornado, hurricane, fire or other disaster.

Section 25. – Wording Interpretation ~~Gender of Wording~~.

The ~~masculine~~ gender of the wording throughout this Charter shall always be interpreted to mean either sex.

Section 29. – Schedule of Transition.

- A. This Charter shall take effect immediately following adoption by the voters and entry of an official order by the City Council declaring the same adopted.
- B. Upon the adoption of this Charter, the present members of the City Council filling elective offices will continue to fill those offices for the terms to which they were elected. If this Charter is adopted, the City Council shall, by majority vote, at its first regular meeting after the adoption of this Charter, appoint one additional Council ~~Memberman~~ to serve for a term to coincide with the term of the Council ~~Membersmen~~ who are elected in even-numbered years, or until his or her successor is elected and qualified. Thereafter, the City Council shall be elected as provided in this Charter. Persons, who, on the date this Charter is adopted, are filling appointive positions with the City of Wylie which are retained under this Charter, may continue to fill these positions for the term for which they were appointed, unless removed by the City Council or by other means provided for in this Charter.
- C. In compliance with the terms of Section 29, paragraph B, the following offices, places, names and next election years are given in order to clarify the intent of that paragraph and provide an orderly transition. To wit: the Mayor is John W. Akin and his term will expire in April 1986. Council ~~Memberman~~, Place 1 is Don Hughes, whose term of office will expire in April, 1985; Council ~~Memberman~~, Place 2 is Percy Simmons whose term will expire in April, 1986; Council ~~Memberman~~, Place 3 is Cleo Adams whose term will expire in April, 1985; Council ~~Memberman~~, Place 4 is William Martin whose term will expire in April, 1986; Council ~~Memberman~~, Place 5 is Joe Fulgham whose term will expire in April, 1985; Council ~~Memberman~~, Place 6 is open and will be subject to appointment by the City Council following the adoption of this Charter and will serve until that term expires for Place 6 in April, 1986. Thereafter, the procedure for filling of Council seats shall follow the provisions of this City Charter.

ARTICLE XII. – ADOPTION OF CHARTER

Section 1. – Procedure.

- A. This Charter shall be submitted to the qualified voters of the City of Wylie for adoption or rejection on January 19, 1985, at which election, if a majority of the qualified voters voting in such election shall vote in favor of the adoption of this Charter, it shall then immediately become the governing law of the City of Wylie, Texas, until amended or repealed.
- B. It being impractical to submit this Charter by sections, it is hereby prescribed that the form of ballot to be used in such election shall be as follows, to wit:
For the adoption of the Charter
Against the adoption of the Charter
- C. The present City Council of the City of Wylie shall call an election in accordance with the provisions of the general laws of the state governing such elections, and the same shall be conducted and the returns made and results declared as provided by the laws of the State of Texas governing municipal elections, and in case a majority of the votes cast at such election shall be in favor of the adoption of such Charter, then an official order shall be entered upon the records of said City by the City Council of Wylie declaring the same adopted and the City Secretary shall record at length upon the records of the City, in a separate book to be kept in his or her office for such purpose, such Charter as adopted and such Secretary shall furnish to the Mayor a copy of the Charter which copy of the Charter shall be forwarded by the Mayor as soon as practicable, to the Secretary of State under the seal of the City together with a certificate showing the approval of the qualified voters of such Charter.

CITY OF WYLIE PROPOSITION B

Shall Article III, Section 5 of the Wylie Home Rule Charter be amended to specify the time for electing the Mayor Pro-Tem and to provide that the Mayor Pro-Tem shall serve in such capacity until a majority of the City Council votes to elect a new Mayor Pro-Tem?

Section 5. – Mayor and Mayor Pro-Tem.

The Mayor shall be recognized as the official head of the City government for all ceremonial purposes and by the Governor for purposes of military law but shall have no administrative duties. He shall be the chairman and shall preside at all meetings of the City Council. The Mayor shall vote on all propositions before the City Council, but shall have no power to veto. He shall, when authorized by the City Council, sign all official documents, such as ordinances, resolutions, conveyances, grant agreements, official plats, contracts, and bonds.

The Mayor Pro-Tem shall be a Councilman elected by the City Council at the first ~~regular~~ City Council meeting after each election of Council Members and/or Mayor, except that in the event a runoff election is required for any such office, the City Council shall not elect a Mayor Pro-Tem until the runoff election is completed and the duly elected candidate(s) have been officially seated on the City Council. following each regular City election. The Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor, and in this capacity shall have the rights conferred upon the Mayor. The Mayor Pro-Tem shall serve in such capacity until a majority of the City Council votes to elect a new Mayor Pro-Tem.

CITY OF WYLIE PROPOSITION C

Shall Article III, Section 6 of the Wylie Home Rule Charter be amended to clarify that a Council Member or Mayor forfeits his or her office if he or she fails to attend three consecutive regular City Council meetings without an explanation acceptable to a majority of the remaining members of the City Council?

Section 6. – Vacancies, Forfeiture, Filling of Vacancies.

- A. The office of a Councilman or office of the Mayor shall become vacant upon his death, resignation, removal from office in any manner authorized by law, or forfeiture of his office.
- B. A Councilman or the Mayor shall forfeit his office if he:
 - (1) Lacks at any time during his term of office any qualifications for the office prescribed by this Charter or by law;
 - (2) Violates any express prohibition of this Article (see Section 8); or any other provision of this Charter;
 - (3) Is convicted of a crime involving moral turpitude, or
 - (4) Fails to attend three consecutive regular City Council meetings without an explanation acceptable to a majority of the remaining members of the City Council ~~being excused by the City Council.~~
 - (5) The City Council shall be the final judge in matters involving forfeiture of office.
- C. Filling of Vacancies. Any vacancy or vacancies occurring on the City Council shall be filled for the remainder of the unexpired term by majority vote of the qualified voters at a special election called for such purpose within 120 days after such vacancy or vacancies occur.

CITY OF WYLIE PROPOSITION D

Shall Article III, Section 11 of the Wylie Home Rule Charter be amended to clarify the standard for determining when a Council Member has a conflict of interest by referencing state law?

Section 11. – Conflict of Interest and Abstention.

- A. *Conflict of Interest.* Should any member of the Council ~~have feel he has~~ a conflict of interest with an agenda item then before the Council (as determined under Chapter 171 of the Texas Local Government Code), he should openly declare same before discussion proceeds and he is thereby prohibited from discussing the item or voting on the question.
- B. *Abstention.* Should any member of the City Council choose to abstain from voting on any question before the City Council, where no declared conflict of interest exists, his vote shall be recorded as an affirmative vote in the official minutes of the City of Wylie.

CITY OF WYLIE PROPOSITION E

Shall Article III, Section 11 of the Wylie Home Rule Charter be amended to modify the result of a member of the City Council choosing to abstain from voting to reflect that the vote shall be recorded as a negative vote?

Section 11. – Conflict of Interest and Abstention.

- A. *Conflict of Interest.* Should any member of the Council feel he has a conflict of interest with an agenda item then before the Council, he should openly declare same before discussion proceeds and he is thereby prohibited from discussing the item or voting on the question.
- B. *Abstention.* Should any member of the City Council choose to abstain from voting on any question before the City Council, where no declared conflict of interest exists, his vote shall be recorded as ~~an affirmative~~ negative vote in the official minutes of the City of Wylie.

CITY OF WYLIE PROPOSITION F

Shall Article III, Section 13; Article VI, Section 9; Article VII, Sections 3 and 13; Article X, Section 3; and Article XI, Section 2 of the Wylie Home Rule Charter be amended to provide for publication of certain notices by means other than publication in the official newspaper of the City or as otherwise specified, all as may be allowed by state law?

ARTICLE III. – THE CITY COUNCIL

Section 13. – Passage of Ordinances in General.

- A. *Form.* The City Council shall legislate by ordinance only, and the enacting clause of every ordinance shall be "Be it ordained by the City Council of the City of Wylie, Texas." Each proposed ordinance shall be introduced in the written or printed form required for adoption. An ordinance shall not be amended or repealed except by the adoption of another ordinance.
- B. *Procedure.* Any member of the City Council may offer any ordinance in writing that has been placed on the agenda at a regular City Council meeting. Copies of proposed ordinances, in the form required for adoption, may be furnished to members of the City Council before the meeting at which it shall be considered. Copies of the proposed ordinance, in the form required for adoption, may be made available at the City offices and furnished to citizens, upon request.
- C. *Effective Date.* Every ordinance shall become effective upon adoption, or at any later time specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture shall become effective after publication of its caption once in a newspaper having general circulation in the City, or by such other means as may be allowed by state law.
- D. *Reading.* The reading aloud of a title and caption of the ordinance shall suffice as a reading. If two Councilmen request that the ordinance be read in its entirety, it must be so read.

ARTICLE VI. – INITIATIVE, REFERENDUM AND RECALL

Section 9. – Action on Initiative and Referendum Petitions.

When an initiative or referendum petition has been finally determined sufficient, the City Council shall promptly consider the proposed initiative ordinance in the manner prescribed for enacting ordinances or reconsider the referred ordinance by voting its repeal. If the City Council fails to adopt a proposed

initiative ordinance without any change in substance within 60 days, or fails to repeal the referred ordinance within 30 days after the date the petition was finally determined sufficient, it shall submit the proposed or referred ordinance to the voters of the City of Wylie at the first date permitted by law for holding said election after 30 days following the failure of the City Council to act as specified herein.

Said called election may coincide with a regular City election should such City election fall within the specified period. Special elections on initiated or referred ordinances shall not be held more frequently than once each six months, and no ordinance substantially the same as an initiated ordinance which has been defeated or one substantially the same as a referred ordinance which has been approved at any election may be initiated by the voters within two years from the date of such election. Copies of the proposed or referred ordinance shall be made available at the polls and shall be published at least once in the official newspaper of the City of Wylie, or by such other means as may be allowed by state law, not more than 15 days immediately preceding the date of the election.

ARTICLE VII. – MUNICIPAL FINANCE

Section 3. – Budget.

- A. *Content.* The budget shall provide a complete financial plan of all City funds and activities and, except as required by law or this Charter, shall be in such form as the City Manager deems desirable or the City Council may require. A budget message explaining the budget both in fiscal terms and in terms of the work programs shall be submitted with the budget. It shall outline the proposed financial policies of the City for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues, with reasons for such changes. It shall also summarize the City's debt position and include such other material as the City Manager deems desirable. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year. The proposed budget expenditures shall not exceed the total of estimated income. The budget message shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year, compared to the estimate for the budgeted year. The budget shall include in separate sections:
- (1) A clear, general summary of contents.
 - (2) A consolidated statement of receipts and expenditures of all funds, listed and itemized individually.
 - (3) An analysis and itemization of all estimated income of the City from surplus, miscellaneous income and taxes with miscellaneous income subclassified by source.
 - (4) Tax levies, rates, and collections for the preceding three years.
 - (5) A proposed multi-year capital program for pending and proposed new capital projects, including but not limited to the amounts to be appropriated from the budget, the amounts to be raised by the issuance of bonds, and the amount required for the operation and maintenance of the new projects. The above information may be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition.
 - (6) The amount required for interest on the City's debts, for sinking funds and for maturing serial bonds.
 - (7) The total amount of the City's outstanding debts, with a schedule of maturity on bond issues in an attachment.
 - (8) An itemized estimate of the expenses of operating each department, division and office or agency.
 - (9) Anticipated net surplus or deficit for the ensuing fiscal year of each utility owned or operated by the City and the proposed method of its disposition; subsidiary budgets for each such utility giving detailed income and expenditure information shall be included in the budget.

- (10) Such other information as is required by City Council or deemed desirable by the City Manager.
- (11) The total amount of each reserve/contingency fund must be not less than five percent of the proposed expenditures for the major operating funds.
- B. *Public Notice and Hearing.* The City Council shall provide for a public hearing on the proposed budget and publish in the official newspaper, or by such other means as may be allowed by state law, a general summary of the proposed budget and a notice stating:
 - (1) The times and places where copies of the budget are available for inspection by the public.
 - (2) The time and place, for a public hearing on the budget, as required by law.
- C. *City Council Action.*
 - (1) The City Council shall hold a public hearing on the budget as submitted at the time and place so advertised or at another time and place with proper notification. All interested persons shall be given an opportunity to be heard, either for or against any item on the proposed budget.
 - (2) At a regular or special meeting, the City Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income plus funds available from prior years.
 - (3) The City Council shall adopt the budget by ordinance. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated.
- D. *Failure to Adopt.* If the City Council fails to adopt the budget by September 27, the amounts appropriated for operation during the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the City Council adopts a budget for the ensuing fiscal year. The levy of property tax normally approved as part of the budget adoption will be set such that the tax rate for the budgeted year shall equal the tax rate of the current fiscal year.

Section 13. – Independent Audit.

At the close of each fiscal year, and at such other times as it may be deemed necessary, the City Council shall cause an independent audit to be made of all accounts of the City by a certified public accountant. The certified public accountant so selected shall have no personal interest, directly or indirectly, in the financial affairs of the City or any of its officers. Upon completion of the audit, the summary thereof shall be published immediately on the City website, or by such other means as may be allowed by state law ~~official newspaper of the City~~ and copies of the audit placed on file in the City Secretary's Office as public record.

ARTICLE X. – PUBLIC UTILITIES, FRANCHISES AND LICENSES

Section 3. – Ordinance Granting Franchise.

Any ordinance granting, renewing, extending or amending a public service franchise shall not take effect until 30 days after the final adoption. ~~Within 15 days following the first reading of the ordinance, a summary of the ordinance shall be published one time in a newspaper of general circulation in the City with the expense of such publication borne by the prospective franchisee.~~ No franchise shall be exclusive.

ARTICLE XI. – GENERAL AND TRANSITIONAL PROVISIONS

Section 2. – Official Medium of Communication ~~Newspaper~~.

The City Council shall declare annually one or more official media for the communication of all notices and other matters required by this Charter, City ordinance, or the Constitution and laws of the State of Texas to be published or made available by the City ~~newspaper of general circulation in the City. All~~

~~ordinances, captions of ordinances, notices and other matters required to be published by this Charter, by City ordinances, or by the Constitution and laws of the State of Texas, shall be published in this official newspaper.~~

CITY OF WYLIE PROPOSITION G

Shall Article III, Section 13 of the Wylie Home Rule Charter be amended to remove the requirement to read aloud the title, caption and full text of ordinances as part of the passage of ordinances?

Section 13. – Passage of Ordinances in General.

- A. *Form.* The City Council shall legislate by ordinance only, and the enacting clause of every ordinance shall be "Be it ordained by the City Council of the City of Wylie, Texas." Each proposed ordinance shall be introduced in the written or printed form required for adoption. An ordinance shall not be amended or repealed except by the adoption of another ordinance.
- B. *Procedure.* Any member of the City Council may offer any ordinance in writing that has been placed on the agenda at a regular City Council meeting. Copies of proposed ordinances, in the form required for adoption, may be furnished to members of the City Council before the meeting at which it shall be considered. Copies of the proposed ordinance, in the form required for adoption, may be made available at the City offices and furnished to citizens, upon request.
- C. *Effective Date.* Every ordinance shall become effective upon adoption, or at any later time specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture shall become effective after publication of its caption once in a newspaper having general circulation in the City.
- ~~D. *Reading.* The reading aloud of a title and caption of the ordinance shall suffice as a reading. If two Councilmen request that the ordinance be read in its entirety, it must be so read.~~

CITY OF WYLIE PROPOSITION H

Shall Article III, Section 14 of the Wylie Home Rule Charter be amended to modify how frequently the City Council must provide for the codification of general ordinances from every five years to every fifteen years?

Section 14. – Authentication, Recording, Codification, Printing, and Distribution.

- A. *Authentication and Recording.* The City Secretary shall record in a properly indexed book kept for that purpose, all ordinances and resolutions adopted by the City Council, and it shall be kept open for public inspection. Ordinances shall be numbered consecutively in the order in which adopted. The City Secretary shall attest the signature of the Mayor or officer signing such ordinance.
- B. *Codification.* Within three years after adoption of this Charter, and at least every ~~fifteen~~ five years thereafter, the City Council shall provide for the preparation of the codification of all general ordinances of the City. Every general ordinance enacted subsequent to such codification shall be enacted as an amendment to the code. For the purposes of this section, general ordinances shall be deemed to be those ordinances of a permanent or continuing nature which affect the residents of the City at large. The codification shall be published promptly, together with this Charter and any amendments thereto, and with appropriate references to state statutes and Constitution, and such codes of technical regulations and other rules and regulations as the City Council may specify. This compilation shall be known and cited officially as the Wylie City Code and shall be in full force and effect without the necessity of such code or any part thereof being published in any newspaper. The caption, descriptive clause, and other formal parts of the ordinances of the City may be omitted without affecting the validity of such ordinances when they are published as a code.
- C. *Printing of Ordinances and Resolutions.* The City Council shall cause each ordinance and each amendment to this Charter to be printed promptly following its adoption, and the printed ordinances

and Charter amendments shall be distributed free or sold to the public at reasonable prices to be fixed by the City Council. A copy of each ordinance and resolution may be placed in City offices.

CITY OF WYLIE PROPOSITION I

Shall Article III, Section 17 of the Wylie Home Rule Charter be amended to modify the makeup of the commission charged with acting as the City Council during a disaster and calling a City election for the election of a required quorum and to remove the required formation of a committee to appoint such a commission?

Section 17. – Disaster Clause.

In case of disaster when a legal quorum of elected Council Members cannot otherwise be assembled due to multiple deaths or injuries, the surviving member or members of the elected Council, or highest surviving City official, if no elected official remains, must within 24 hours of such disaster, appoint a commission with a membership equal to the number of persons necessary to make a quorum, composed of the surviving members of the City Council, if any, and the following, appointed on a rotating basis in the following order: (a) the highest-ranking member of the Wylie Independent School District Board of Trustees who is a resident of Wylie, (b) the highest-ranking member of the Wylie Economic Development Corporation Board of Directors who is a resident of Wylie, and (c) the highest-ranking member of the F.O. Birmingham Memorial Land Trust Board of Directors who is a resident of Wylie. ~~request the highest surviving officers of the local chamber of commerce and the board of trustees of the local school district, and the county judge of Collin County to appoint a~~ The commission shall to act as the City Council during the disaster emergency and call a City election within 15 days of such disaster for election of a required quorum, if for good reasons it is known that a quorum of the present Council will never again meet. The commission's authority to act shall cease once a quorum of City Council is elected and inducted into office.

CITY OF WYLIE PROPOSITION J

Shall Article IV, Section 3 of the Wylie Home Rule Charter be amended to require additional Municipal Court judges to be competent, duly qualified, licensed attorneys in the State of Texas?

Section 3. – Municipal Court.

- A. The City Council shall establish and cause to be maintained a Municipal Court, for the trial of misdemeanor offenses. The Court shall have all the powers and duties as are now, or may be prescribed by the laws of the State of Texas.
- B. *Municipal Court Judge.* The City Council shall appoint a judge of the Municipal Court, who shall be a competent, duly qualified, licensed attorney in the State of Texas. The judge of the Municipal Court shall be appointed to a term of two years, and may be appointed to additional and consecutive terms, upon completion of his term of office. The appointment of the judge may be terminated by a majority vote of the City Council. The judge shall receive compensation as may be determined by the City Council. This compensation shall be fixed, and commensurate with the duties performed by the judge.
- C. *Acting Judge of the Municipal Court.* The City Council shall, in the absence or disability of the appointed judge of the Municipal Court, appoint an acting judge to serve during such absence or disability. The acting judge may be compensated by the City Council for his performance of required duties.
- D. *Appointment of Additional Judges.* Additional judges of the Municipal Court may be appointed by the City Council consistent with state law. The additional judges shall be competent, duly qualified, licensed attorneys in the State of Texas.
- E. *Clerk of the Court.* The City Manager shall appoint a clerk, and may appoint deputies of the Municipal Court. The clerk and deputies shall be bonded at City expense, in an amount deemed

adequate by the City Council, and shall receive compensation as may be determined by the City Council.

- F. *Powers of the Clerk.* The clerk and deputies of the Municipal Court shall have the power to administer oaths and affidavits, make certificates, affix the seal of the Court, and perform all acts usual and necessary by the clerks of said Courts, in conducting the business thereof, including but not limited to the keeping of records and accounts of the Municipal Court.
- G. *Costs, Fines and Penalties.* All costs, fines and penalties imposed by the Municipal Court shall be paid into the City treasury for the use and benefit of the City, as may be consistent with present and future state laws.

CITY OF WYLIE PROPOSITION K

Shall Article IV, Section 5 of the Wylie Home Rule Charter be amended to remove the City Council's authority over the appointment, removal, duties, compensation and other terms of employment of the City Engineer and granting such authority to the City Manager?

Section 5. – Reserved City Engineer.

- A. ~~Appointment and Qualifications. The City Council, in consultation with the City Manager, shall appoint a competent, duly qualified, registered and practicing professional engineer in the State of Texas who shall serve as City Engineer.~~
- B. ~~Removal. The City Engineer shall serve at the pleasure of the City Council and shall not have a property right to continued employment and may be removed by a vote of the City Council.~~
- C. ~~Duties. The City Engineer shall be required to serve as engineering advisor to the City Council and City Manager, and perform such other duties as may be required by the City Council or City Manager.~~
- D. ~~Limitation. The City Council shall have the right to retain special engineering service at any time that it may deem necessary and appropriate.~~
- E. ~~Compensation. The City Engineer shall receive compensation as may be determined by the City Council.~~
- F. ~~Additional Engineers. The City Engineer, with approval of the City Council, may select additional engineers to act for him and the City in serving its engineering needs.~~
- G. ~~Term City Engineer. The term "City Engineer" may refer to an individual or firm.~~

CITY OF WYLIE PROPOSITION L

Shall Article V, Section 1 of the Wylie Home Rule Charter be amended to require regular City elections to be held annually on the first Saturday in May or such other date as required by the Texas Election Code?

Section 1. – City Elections.

- A. *Election Schedule.* The regular City election will be held annually in accordance with the Texas Election Code. The City Council shall be responsible for specifications of places for holding of such elections. The regular City election shall be held annually on the first Saturday in May or such other date as required by the Texas Election Code.
- B. *Special Elections.* The City Council may order a special election under conditions specified elsewhere in this Charter, or for ordinances, bond issues, Charter amendments, recall or other purposes deemed appropriate by the City Council. The City Council will fix the time and places for such special elections, and provide all means for holding same.
- C. *Voter Eligibility List.* A certified list of voter registrants within the City, as prepared by the proper agency, shall be held by the City Secretary or the contracted election official. If, for a purpose relating only to a City election or to candidates or issues involved in such election, any organization,

- group or person requests a list of qualified voters of the City, permission to copy the current list shall be granted by the City Secretary or the contracted election official.
- D. *Conduct and Regulation of Elections.* All City elections shall be governed by the Constitution of the State of Texas, general laws of the state, this Charter, and by ordinance of the City in the order named. Municipal elections shall be conducted by election officials appointed or approved by the City Council.
- E. *Publicizing City Elections.* All municipal elections shall be publicized in a manner consistent with the requirements of the present, and all future amended editions of the Texas Election Code.

CITY OF WYLIE PROPOSITION M

Shall Article V, Section 2 and Article XI, Section 14 of the Wylie Home Rule Charter be amended to remove provisions disqualifying a person from being eligible to run for elective office or to serve in a municipal office if he or she is in arrears in the payment of taxes or other liabilities due to the City?

ARTICLE V. – NOMINATIONS AND ELECTIONS

Section 2. – Filing for Office; Eligibility to File.

- A. *Candidate Qualifications.* Each candidate for an elective office shall meet the following qualifications:
- Shall be a qualified voter of the City.
 - Shall have resided for at least 12 months preceding the election within the corporate limits of the City, including territory annexed prior to the filing deadline.
 - ~~Shall not, after notice of any delinquency, be in arrears in the payment of any taxes or other liabilities due the City. "In arrears" is defined herein to mean that payment has not been received within 90 days from due date.~~
 - An incumbent City Councilman seeking reelection must file for the same place position number currently being served.
 - No candidate may file in a single election for more than one office or place position as provided by this Charter.
- B. *Petition Required.* Every person desiring to file for elective office with the City shall first present to the City Secretary a sufficient petition signed by a minimum of the greater of the following:
- a) 25 persons; or
 - b) a number of persons equal to one-half of one percent of the total vote received by all candidates for Mayor in the most recent Mayoral general election who are qualified voters in the City.

ARTICLE XI. – GENERAL AND TRANSITIONAL PROVISIONS

Section 14. – ~~Reserved. Persons Indebted to the City Shall Not Hold Office.~~

~~No person shall be qualified to hold a municipal office who is, or becomes while in service, in arrears in the payment of taxes or other liabilities due the City, provided they have received notice of the same (in arrears in this section shall have the same meaning as defined in Article V, Section 2 of this Charter).~~

CITY OF WYLIE PROPOSITION N

Shall Article VI, Section 1 of the Wylie Home Rule Charter be amended to remove from the scope of the powers of initiative and referendum ordinances relating to salaries of City officers or employees, the Comprehensive Plan,

amendments of the Zoning Ordinance, use of the power of eminent domain and other ordinances not subject to initiative or referendum as provided by state law, and reorganizing existing language relating thereto?

Section 1. – General Authority.

The qualified voters of the City of Wylie shall, by following the procedures set out in this Charter, have the power to propose ordinances to the City Council, to require reconsideration by the City Council of any adopted ordinances, and to revoke the office of any elected City official. ~~Initiative power may be used to enact a new ordinance, or to repeal or to amend sections of an existing ordinance, except~~ However, the power of initiative or referendum shall not extend to ordinances relating to appropriating appropriation of money or levying of taxes, or ordinances repealing appropriating money or levying of taxes, not in conflict with this Charter, the state Constitution or the state laws.

~~Referendum power shall not extend to the budget or capital program or any ordinance or ordinances pertaining to appropriation of money or levying of taxes, or to issuing of bonds issued pursuant to the authority of an election or elections previously held, salaries of City officers or employees, the Comprehensive Plan, amendments of the Zoning Ordinance, use of the power of eminent domain or other ordinances not subject to initiative or referendum as provided by state law.~~

Grounds for removal of any member of the City Council, whether elected to office by the qualified voters or appointed by the City Council to fill a vacancy, shall be incompetency, noncompliance with this Charter, misconduct or malfeasance in office.

CITY OF WYLIE PROPOSITION O

Shall Article VI, Section 6 of the Wylie Home Rule Charter be amended to clarify the scope of the City Secretary’s review of petitions, to modify the time period in which the City Secretary must verify petitions, and to remove authority for amending and supplementing petitions after the filing thereof?

Section 6. – Certification of Petitions and Presentation to City Council.

Within ~~35 ten~~ days after the petition is filed, the City Secretary shall verify whether the petition complies with applicable law as to form, content, and procedure and, only if the City Secretary so verifies the petition, complete a certificate as to its sufficiency, specifying, if it is insufficient, wherein it is defective and shall immediately upon completion of certification, send a copy of the certificate to the petitioners’ committee by registered mail.

If the petition is certified sufficient, the City Secretary shall present the certificate to the City Council by the next regular City Council meeting which shall be a final determination of the sufficiency of the petition.

~~If a petition has been certified insufficient and the petitioners’ committee does not file notice of intention to amend it,~~ the committee may, within five working days after receiving the copy of such certificate, file a request that it be reviewed by the City Council. The City Council shall review the certificate at its next regular meeting following such a request and approve or disapprove it, and the City Council’s determination shall then be a final determination.

~~If a petition is certified insufficient for lack of required number of signatures, it may be amended once if the petitioners’ committee files a notice of intention to amend it with the City Secretary within five working days after having received the copy of the certificate. A supplementary petition with additional names must be filed within five days after receiving the copy of the certificate. Such supplementary petition shall comply with all the requirements of Sections 3 and 4 of this Article.~~

~~Within five days after the amended petition is filed, the City Secretary shall complete a certificate of sufficiency of the petition, as amended, and shall send a copy of such sufficiency to the petitioners’ committee by registered mail as in the case of an original petition. The final determination as to the~~

~~sufficiency of an amended petition shall be determined in the same manner as prescribed for original petitions in this section above, except that no petition, once amended, may be amended again.~~

A final determination as to the sufficiency of a petition shall be subject to review in a court of competent jurisdiction. A final determination of insufficiency, even if sustained upon court review, shall not prejudice the filing of a new petition for the same purpose.

CITY OF WYLIE PROPOSITION P

Shall Article VII, Section 2 of the Wylie Home Rule Charter be amended to change the date by which the City Manager must submit a proposed budget from August 1 to August 15 of each year?

Section 2. – Submission of Budget.

On or before August 15 of each year, unless the City Council has granted an extension, the City Manager shall file with the City Secretary and submit to the City Council a proposed budget for the ensuing fiscal year and the budget message. The City Council shall hold the required public hearings on and review the proposed budget and make any appropriate changes prior to publishing the final budget.

CITY OF WYLIE PROPOSITION Q

Shall Article VII, Section 9 of the Wylie Home Rule Charter be amended to clarify procedures relating to City Council's award of contracts and purchases?

Section 9. – Purchasing.

The City Council may, by ordinance, confer upon 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. All contracts for expenditures involving more than the set limits must be expressly approved in advance by the Council. All contracts or purchases involving more than the limits set by the City Council shall be awarded by the City Council in accordance with state law ~~let to the lowest bidder whose submittal is among those most responsive to the needs of the City after there has been opportunity for competitive bidding as provided by law or ordinance~~; provided that the City Council, or City Manager in such cases as he is authorized to contract for the City, shall have the right to reject any and all bids.

Emergency contracts as authorized by law and this Charter, may be negotiated by the City Council, or City Manager, if given authority by the City Council, without competitive bidding. Such emergency shall be declared by the City Manager and approved by the City Council or may be declared by the City Council.

CITY OF WYLIE PROPOSITION R

Shall Article VII, Section 12 of the Wylie Home Rule Charter be amended to remove the requirement for the City Manager to submit financial reports at the first formal City Council meeting each month and instead require the submission to occur at any City Council meeting but no less frequently than once per month?

Section 12. – Financial Report.

The City Manager shall submit to the City Council ~~at its first formal meeting~~ each month the financial condition of the City by budget item, budget estimated versus month to date accruals for the preceding month and for the fiscal year to date. The financial records of the City will be maintained on the modified accrual basis or the accrual basis by fund type as established by the Governmental Accounting Standards Board.

CITY OF WYLIE PROPOSITION S

Shall Article VIII, Section 2 and Article IX, Section 2 of the Wylie Home Rule Charter be amended to change the time for electing chairpersons of certain boards and commissions from each July to the first regular meeting after annual appointments and to remove language regarding appointments occurring in July?

ARTICLE VIII. – BOARDS AND COMMISSIONS

Section 2. – Boards and Commissions Enumerated.

- A. *Planning and Zoning Commission.* There is hereby established a Planning and Zoning Commission, whose purpose, composition, function, duties and tenure shall be as set out in Article IX of this Charter.
- B. *Parks and Recreation Board.* The City Council shall appoint a Parks and Recreation Board of seven members who shall be qualified voters to work in an advisory capacity to the City Council in the planning and development of Parks and Recreation facilities and regulations governing their use. Members of the Board shall be appointed for two year terms with three members' terms expiring in even-numbered years and four members' terms expiring in odd-numbered years. Members of the Board shall elect a chairman, at the first regular meeting after annual appointments~~each July~~, from their membership and shall meet at the call of the chairman or at the request of the City Council. The City Manager shall appoint a staff representative to the Board.
- C. *Library Board.* The City Council shall appoint a Library Board consisting of seven members who shall be qualified voters who shall serve for a term of two years with three members' terms expiring in even-numbered years and four members' terms expiring in odd-numbered years. Members of the Board shall elect a chairman, at the first regular meeting after annual appointments~~each July~~, from their membership and shall meet at the call of the chairman or at the request of the City Council. The City Manager shall appoint a staff representative to the Board.
- D. *Board of Adjustment and Appeals.* The City Council shall appoint a Board of Adjustment and Appeals of five members and two alternate members who shall serve in accordance with applicable law. Members of the Board shall be qualified voters of the City and shall be appointed for two year terms with three members' terms expiring in even-numbered years and two members' terms expiring in odd-numbered years. Members of the Board shall elect a chairman, at the first regular meeting after annual appointments~~each July~~, from their membership and shall meet at the call of the chairman within 30 days of receipt of written notice from anyone aggrieved as a result of the refusal of a building permit or administrative decision by the City Building Official. Rules and regulations shall be prescribed for the functioning of the Board consistent with the laws of the State of Texas and the building codes of the City of Wylie.
- E. *Other Boards and Commissions.* The City Council shall have the power and is hereby authorized to create, abolish, establish and appoint such other boards, commissions and committees as it deems necessary to carry out the functions and obligations of the City. The City Council shall, by ordinance, prescribe the purpose, composition, functions, duties, accountability and tenure of each such board, commission and committee.

ARTICLE IX. – PLANNING

Section 2. – Planning and Zoning Commission.

The City Council shall establish a Planning and Zoning Commission in the manner provided by this Charter, whose primary duty shall be to advise the City Council in carrying out its various duties and functions regarding planning and environmental quality as provided by this Charter.

- A. *Organization and qualification.*
 - (1) There shall be established a Planning and Zoning Commission which shall consist of seven citizens of the City of Wylie. The members of said Board shall be qualified voters of the City and shall be appointed by the City Council within 60 days of the adoption of this Charter, for a term of two years. The members of said Board at their first meeting shall draw lots to determine those who will serve one year and two year terms beginning on the

date of initial appointment of the Board. On the expiration of the term of each of the members who have drawn lots, his place shall be filled by a member appointed for a two year term. The Board shall elect a chairman from among its membership each year at the first regular meeting after annual appointments in July. The Commission shall meet not less than once each month. Vacancies in an unexpired term shall be filled by the City Council within 30 days from the date of the vacancy for the remainder of the term. ~~For purposes of this section, the appointment year of respective Commission members shall be deemed to begin on July 1st.~~

- (2) Members of the Planning and Zoning Commission shall be residents of the City of Wylie for at least 12 months preceding the date of appointment; be knowledgeable in the affairs of the City and be knowledgeable in the functions and activities provided for in this Article.
- B. *Duties and Powers of the Planning and Zoning Commission.* The Planning and Zoning Commission shall:
- (1) Make and recommend to the City Council a master plan to be used as a guide in considering ordinances for the orderly development of the City. The Commission shall, not less than every five years, review and recommend to the City Council amendments to the master plan of the City.
 - (2) Recommend to the City Council proposed ordinances and amendments to ordinances regarding planning, zoning and environmental quality and review ordinances and amendments proposed by the City Council relative to the City Council's planning and zoning function. Such review and recommendation by the Planning and Zoning Commission must be received by the City Council prior to action on the proposed ordinance or amendment.
 - (3) Receive and review all platting and subdivision proposals and make recommendations to the City Council for appropriate action.

CITY OF WYLIE PROPOSITION T

Shall Article VIII, Section 3 of the Wylie Home Rule Charter be amended to remove the requirement for submission of written reports of proceedings of City boards, commissions and committees?

Section 3. – General.

- A. *Open Meetings.* All meetings of any board, commission, or committee created, established or appointed by this Charter or the City Council shall be open to the public, unless otherwise permitted by law and shall be subject to both current and future laws of the State of Texas concerning public meetings.
- B. *Appeals to City Council.* Subject to the provisions of any law of the State of Texas and to the county, an appeal may be taken to the City Council from any decision of any board, commission, committee or other body except from decisions of the Board of Equalization, or Board of Adjustment. Such appeals shall be perfected by filing a sworn notice of appeal with the City Secretary within 30 days from the rendition of the decision of the board, committee or other body. Prior to the institution of any appeal in a court of law by an aggrieved person from a decision of

such board, commission, committee or other body, appeal must be first perfected to the City Council.

- C. *Compensation.* Subject to the provisions of any law of the State of Texas or this Charter to the contrary, all members of any board, commission, committee or other body will serve without compensation but may be reimbursed for any necessary expenses as a result of their work.
- D. *Minutes.* All boards, commissions or committees of the City shall keep and maintain minutes of any proceedings held. ~~and shall submit a written report of such proceedings to the City Council at least once each month.~~
- E. *Exclusion of City Officers and Employees.* No officer of the City nor any person who holds a compensated appointive position with the City shall be appointed to any board, commission or committee created or established by this Charter other than in an advisory capacity.
- F. *Rules and Regulations.* All boards, commissions and committees established or created by this Charter shall set out their own rules and regulations for operation thereof unless specifically prescribed by the laws of the State of Texas, this Charter, or by ordinance. Ordinances creating any board, commission or committee shall provide that if any member is absent from three consecutive meetings, his position shall be declared vacant and the vacancy shall be filled for the remainder of the unexpired term by the City Council within 30 days after the vacancy occurs.
- G. *Existing Boards and Commissions.* All existing boards, commissions and committees heretofore established shall be continued in accordance with the ordinance or other acts under which they have been created, or until the City Council shall, by ordinance, abolish, modify or alter the ordinances or acts under which they exist.

CITY OF WYLIE PROPOSITION U

Shall Article III, Section 1; Article IX, Section 2; Article X, Section 6; Article XI, Sections 27 and 29; and Article XII, Section 1 of the Wylie Home Rule Charter be amended to remove obsolete transitional provisions that are no longer necessary?

ARTICLE III. – THE CITY COUNCIL

Section 1. – Number, Selection and Term.

The legislative and governing body of the City shall consist of a Mayor and six Councilmen and shall be known as the "City Council of the City of Wylie."

- A. The Mayor and Councilmen shall be elected by the qualified voters of the City at large, each of whom, unless sooner removed by the provisions of this Charter, shall serve for a term of three years. Each Councilmen shall occupy a position on the City Council, such positions being numbered 1 through 6, consecutively.
- B. All members of the City Council, other than the Mayor, shall be elected under the place system.
- C. ~~The method of election and transition to three year terms under the place system will be as follows:~~

| Terms | 2-yr. | 3-yr. | 2-yr. | 3-yr. | 3-yr. | 2-yr. | 2-yr. |
|--------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Places | 1 | 2 | 3 | 4 | 5 | 6 | Mayor |
| 1999 | 1 | | 3 | | 5 | | |
| 2000 | | 2 | | 4 | | 6 | Mayor |
| 2001 | 1 | | 3 | | | | |
| 2002 | | | | | 5 | 6 | Mayor |
| 2003 | | 2 | | 4 | | | |

| | | | | | | | |
|------|---|---|---|---|---|---|-------|
| 2004 | 1 | | 3 | | | | |
| 2005 | | | | | 5 | 6 | Mayor |
| 2006 | | 2 | | 4 | | | |
| 2007 | 1 | | 3 | | | | |
| 2008 | | | | | 5 | 6 | Mayor |

~~Places 1, 3, and 5 will be up for re-election in 1999. Places 1 and 3 will have a two-year term, and Place 5 will have a three-year term.~~

~~Places 2, 4, 6 and the Mayor will be up for re-election in 2000. Place 6 and the Mayor will have a two-year term and Places 2 and 4 will have a three-year term.~~

~~Beginning in 2001, each Place, including the Mayor, will be re-elected with three-year terms.~~

ARTICLE IX. – PLANNING

Section 2. – Planning and Zoning Commission.

The City Council shall establish a Planning and Zoning Commission in the manner provided by this Charter, whose primary duty shall be to advise the City Council in carrying out its various duties and functions regarding planning and environmental quality as provided by this Charter.

A. *Organization and qualification.*

(1) There shall be established a Planning and Zoning Commission which shall consist of seven citizens of the City of Wylie. The members of said Board shall be qualified voters of the City ~~and shall be appointed by the City Council within 60 days of the adoption of this Charter, for a term of two years. The members of said Board at their first meeting shall draw lots to determine those who will serve one year and two year terms beginning on the date of initial appointment of the Board. On the expiration of the term of each of the members who have drawn lots, his place shall be filled by a member appointed for a two year term.~~ The Board shall elect a chairman from among its membership each year at the first regular meeting in July. The Commission shall meet not less than once each month. Vacancies in an unexpired term shall be filled by the City Council within 30 days from the date of the vacancy for the remainder of the term. For purposes of this section, the appointment year of respective Commission members shall be deemed to begin on July 1st.

(2) Members of the Planning and Zoning Commission shall be residents of the City of Wylie for at least 12 months preceding the date of appointment; be knowledgeable in the affairs of the City and be knowledgeable in the functions and activities provided for in this Article.

B. *Duties and Powers of the Planning and Zoning Commission.* The Planning and Zoning Commission shall:

(1) Make and recommend to the City Council a master plan to be used as a guide in considering ordinances for the orderly development of the City. The Commission shall, not less than every five years, review and recommend to the City Council amendments to the master plan of the City.

(2) Recommend to the City Council proposed ordinances and amendments to ordinances regarding planning, zoning and environmental quality and review ordinances and amendments proposed by the City Council relative to the City Council's planning and zoning function. Such review and recommendation by the Planning and Zoning

Commission must be received by the City Council prior to action on the proposed ordinance or amendment.

- (3) Receive and review all platting and subdivision proposals and make recommendations to the City Council for appropriate action.

ARTICLE X. – PUBLIC UTILITIES, FRANCHISES AND LICENSES

Section 6. – Right of Regulation.

In granting, amending, renewing and extending public service and utility franchises, the City has the following rights:

- A. To repeal the franchise by ordinance for failure to begin construction or operation within the time prescribed or for failure to comply with terms of the franchise. This may be executed only after due notice and hearing.
- B. To require all extensions of services within the City limits to become part of the aggregate property of the service and operate subject to all obligations and reserved rights contained in this Charter. This extension is considered part of the original grant and terminable at the same time and under the same conditions as the original grant.
- C. To require expansion and extension of facilities and services and to require maintenance of existing facilities to provide adequate service at the highest level of efficiency.
- D. To require reasonable standards of service and quality of product and prevent unjust rate discrimination.
- E. To impose reasonable regulations and restrictions to insure the safety and welfare of the public.
- F. To prescribe the form of accounts kept by each utility. Accounts must be kept according to the accounting system prescribed by the appropriate state or federal regulatory agency.
- G. To examine and audit accounts and records and to require annual reports on local operations of the utility.
- H. To require that procedural rules and regulations dealing with public utilities conform to the requirements of the appropriate state or other regulatory agency.
- I. To require franchisee to restore, at franchisee's expense, all public or private property to a condition as good or better than before disturbed by the franchisee for construction, repair or removal.
- J. To require every franchisee to furnish, within a reasonable time to the City, at the franchisee's expense, a general map outlining current location, character, size, length and terminal of all facilities, over and underground of City property and additional information on request.
- K. To require every franchise and public service utilities operator within the City to file certified copies of all franchises owned or claimed or under which such utility is operated in the City. ~~This shall be done within six months after the Charter takes effect.~~ The City shall maintain a public record of public service franchises.
- L. To require such compensation and rental as may be permitted by the laws of the State of Texas.
- M. To require City Council approval of all rates, rate schedules and amendments thereto of utilities franchised in the City of Wylie.

ARTICLE XI. – GENERAL AND TRANSITIONAL PROVISIONS

Section 27. – Reserved Submission of Charter to Voters.

~~This Charter is so constructed that in order to enable it to work and function, it is necessary that it be adopted in its entirety. Thus, the Charter Commission directs that it be voted upon as a whole and be submitted to the voters of Wylie at an election to be held for that purpose on January 19, 1985. Not less than 30 days prior to such election, the City Council shall cause the City Secretary to mail a copy of this Charter to each qualified voter of Wylie as appears on the latest list of registered voters. If a majority of the qualified voters voting in such election vote in favor of the adoption of this Charter, it shall become the Charter of the City of Wylie. A copy of said Charter, authenticated by the signature of the Mayor and the~~

~~seal of the City, shall be forwarded to the Secretary of the State of Texas and shall show the approval of this Charter by majority vote of the qualified voters voting at such election.~~

~~Section 29. – Reserved Schedule of Transition.~~

- ~~A. — This Charter shall take effect immediately following adoption by the voters and entry of an official order by the City Council declaring the same adopted.~~
- ~~B. — Upon the adoption of this Charter, the present members of the City Council filling elective offices will continue to fill those offices for the terms to which they were elected. If this Charter is adopted, the City Council shall, by majority vote, at its first regular meeting after the adoption of this Charter, appoint one additional Councilman to serve for a term to coincide with the term of the Councilmen who are elected in even-numbered years, or until his successor is elected and qualified. Thereafter, the City Council shall be elected as provided in this Charter. Persons, who, on the date this Charter is adopted, are filling appointive positions with the City of Wylie which are retained under this Charter, may continue to fill these positions for the term for which they were appointed, unless removed by the City Council or by other means provided for in this Charter.~~
- ~~C. — In compliance with the terms of Section 29, paragraph B, the following offices, places, names and next election years are given in order to clarify the intent of that paragraph and provide an orderly transition. To wit: the Mayor is John W. Akin and his term will expire in April 1986. Councilman, Place 1 is Don Hughes, whose term of office will expire in April, 1985; Councilman, Place 2 is Percy Simmons whose term will expire in April, 1986; Councilman, Place 3 is Cleo Adams whose term will expire in April, 1985; Councilman, Place 4 is William Martin whose term will expire in April, 1986; Councilman, Place 5 is Joe Fulgham whose term will expire in April, 1985; Councilman, Place 6 is open and will be subject to appointment by the City Council following the adoption of this Charter and will serve until that term expires for Place 6 in April, 1986. Thereafter, the procedure for filling of Council seats shall follow the provisions of this City Charter.~~

~~ARTICLE XII. – ADOPTION OF CHARTER~~

~~Section 1. – Reserved Procedure.~~

- ~~A. — This Charter shall be submitted to the qualified voters of the City of Wylie for adoption or rejection on January 19, 1985, at which election, if a majority of the qualified voters voting in such election shall vote in favor of the adoption of this Charter, it shall then immediately become the governing law of the City of Wylie, Texas until amended or repealed.~~
- ~~B. — It being impractical to submit this Charter by sections, it is hereby prescribed that the form of ballot to be used in such election shall be as follows, to wit:
For the adoption of the Charter
Against the adoption of the Charter~~
- ~~C. — The present City Council of the City of Wylie shall call an election in accordance with the provisions of the general laws of the state governing such elections, and the same shall be conducted and the returns made and results declared as provided by the laws of the State of Texas governing municipal elections, and in case a majority of the votes cast at such election shall be in favor of the adoption of such Charter, then an official order shall be entered upon the records of said City by the City Council of Wylie declaring the same adopted and the City Secretary shall record at length upon the records of the City, in a separate book to be kept in his office for such purpose, such Charter as adopted and such Secretary shall furnish to the Mayor a copy of the Charter which copy of the Charter shall be forwarded by the Mayor as soon as practicable, to the Secretary of State under the seal of the City together with a certificate showing the approval of the qualified voters of such Charter.~~

CITY OF WYLIE PROPOSITION V

Shall Article IX, Section 2 of the Wylie Home Rule Charter be amended to state the Planning and Zoning Commission shall meet as needed rather than not less than once each month?

Section 2. – Planning and Zoning Commission.

The City Council shall establish a Planning and Zoning Commission in the manner provided by this Charter, whose primary duty shall be to advise the City Council in carrying out its various duties and functions regarding planning and environmental quality as provided by this Charter.

A. *Organization and qualification.*

- (1) There shall be established a Planning and Zoning Commission which shall consist of seven citizens of the City of Wylie. The members of said Board shall be qualified voters of the City and shall be appointed by the City Council within 60 days of the adoption of this Charter, for a term of two years. The members of said Board at their first meeting shall draw lots to determine those who will serve one year and two year terms beginning on the date of initial appointment of the Board. On the expiration of the term of each of the members who have drawn lots, his place shall be filled by a member appointed for a two year term. The Board shall elect a chairman from among its membership each year at the first regular meeting in July. The Commission shall meet ~~as needed not less than once each month~~. Vacancies in an unexpired term shall be filled by the City Council within 30 days from the date of the vacancy for the remainder of the term. For purposes of this section, the appointment year of respective Commission members shall be deemed to begin on July 1st.
- (2) Members of the Planning and Zoning Commission shall be residents of the City of Wylie for at least 12 months preceding the date of appointment; be knowledgeable in the affairs of the City and be knowledgeable in the functions and activities provided for in this Article.

B. *Duties and Powers of the Planning and Zoning Commission.* The Planning and Zoning Commission shall:

- (1) Make and recommend to the City Council a master plan to be used as a guide in considering ordinances for the orderly development of the City. The Commission shall, not less than every five years, review and recommend to the City Council amendments to the master plan of the City.
- (2) Recommend to the City Council proposed ordinances and amendments to ordinances regarding planning, zoning and environmental quality and review ordinances and amendments proposed by the City Council relative to the City Council's planning and zoning function. Such review and recommendation by the Planning and Zoning Commission must be received by the City Council prior to action on the proposed ordinance or amendment.
- (3) Receive and review all platting and subdivision proposals and make recommendations to the City Council for appropriate action.

CITY OF WYLIE PROPOSITION W

Shall Article XI, Section 8 of the Wylie Home Rule Charter be amended to enlarge the time for providing notice of a claim for damages from 45 days to 180 days?

Section 8. – Damage Suits.

Before the City shall be liable for any claim for damages for the death or personal injuries of any person or for damages to property, the complainant or his authorized representative shall notify the City Secretary. The notification shall be in writing and shall state specifically how, when and where the death, injury or damage occurred; the amount of loss claimed; and the identity of any witnesses upon whom it is relied to establish the claim. The notification shall be filed within 180~~45~~ days of the date of injury or damage

or, in the case of death, within ~~180~~45 days of the date of death. The failure to so notify the City within the time and manner specified shall exonerate, excuse and exempt the City from any liability whatsoever. No action at law shall be brought against the City until at least 60 days have elapsed since the date of notification.

CITY OF WYLIE PROPOSITION X

Shall Article XI, Section 24 of the Wylie Home Rule Charter be amended to state that use of the word “City” shall mean the City of Wylie, Collin, Dallas and Rockwall Counties, Texas?

Section 24. – City Defined.

The use of the word "City" in this Charter shall mean the City of Wylie, Collin, Dallas, and Rockwall County Counties, Texas.

CITY OF WYLIE PROPOSITION Y

Shall Article XI, Section 25 of the Wylie Home Rule Charter be amended to state that references to singular words include the plural, references to plural words include the singular, references to laws shall mean “as presently enacted or as may be amended or superseded,” and use of the word “Charter” shall mean the “Home Rule Charter”?

Section 25. – Gender of Wording.

The masculine-gender of the wording throughout this Charter shall always be interpreted to mean either sex. All singular words shall include the plural and all plural words shall include the singular. All references to laws, however expressed in this Charter, shall mean "as presently enacted or as may be amended or superseded." The use of the word "Charter" shall mean this Home Rule Charter.

CITY OF WYLIE PROPOSITION Z

Shall Article XI, Section 28 of the Wylie Home Rule Charter be amended to grant the City Council authority to make non-substantive revisions to the Charter without obtaining separate approval of the voters in a Charter amendment election, authorizing non-substantive changes to be made to the Charter through the passage of an ordinance?

Section 28. – Nonsubstantive Revisions ~~Rearranging and Renumbering~~.

The City Council shall have the power, by ordinance, to renumber and rearrange all articles, sections and paragraphs of this Charter or any amendments thereto, and to correct errors in spelling, grammar, cross-references and punctuation, as it shall deem appropriate, and upon the passage of any such ordinance, a copy thereof, certified by the City Secretary, shall be forwarded to the Secretary of State for filing. A revision adopted under this section is not intended to and is not to be interpreted as making any substantive change in any Charter provision.

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Exhibit B
Official Ballot Propositions

At the Election, the following ballot propositions shall be submitted to the qualified voters of Wylie in conformance with the requirements of the Texas Election Code:

CITY OF WYLIE PROPOSITION A

Shall Article I, Section 1; Article III, Sections 1, 2, 5, 6, 8, 11, and 13; Article IV, Sections 1, 2, 3, 4, 5, and 7; Article V, Section 2; Article VI, Sections 3, 4, 8, 12, 13, and 14; Article VII, Sections 4, 9, and 10; Article VIII, Sections 2 and 3; Article IX, Section 2; Article XI, Sections 5, 8, 21, 25, and 29; and Article XII, Section 1 of the Wylie Home Rule Charter be amended to replace gender-specific language with gender-neutral terms?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION B

Shall Article III, Section 5 of the Wylie Home Rule Charter be amended to specify the time for electing the Mayor Pro-Tem and to provide that the Mayor Pro-Tem shall serve in such capacity until a majority of the City Council votes to elect a new Mayor Pro-Tem?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION C

Shall Article III, Section 6 of the Wylie Home Rule Charter be amended to clarify that a Council Member or Mayor forfeits his or her office if he or she fails to attend three consecutive regular City Council meetings without an explanation acceptable to a majority of the remaining members of the City Council?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION D

Shall Article III, Section 11 of the Wylie Home Rule Charter be amended to clarify the standard for determining when a Council Member has a conflict of interest by referencing state law?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION E

Shall Article III, Section 11 of the Wylie Home Rule Charter be amended to modify the result of a member of the City Council choosing to abstain from voting to reflect that the vote shall be recorded as a negative vote?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION F

Shall Article III, Section 13; Article VI, Section 9; Article VII, Sections 3 and 13; Article X, Section 3; and Article XI, Section 2 of the Wylie Home Rule Charter be amended to provide for publication of certain notices by means other than publication in the official newspaper of the City or as otherwise specified, all as may be allowed by state law?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION G

Shall Article III, Section 13 of the Wylie Home Rule Charter be amended to remove the requirement to read aloud the title, caption and full text of ordinances as part of the passage of ordinances?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION H

Shall Article III, Section 14 of the Wylie Home Rule Charter be amended to modify how frequently the City Council must provide for the codification of general ordinances from every five years to every fifteen years?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION I

Shall Article III, Section 17 of the Wylie Home Rule Charter be amended to modify the makeup of the commission charged with acting as the City Council during a disaster and calling a City election for the election of a required quorum and to remove the required formation of a committee to appoint such a commission?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION J

Shall Article IV, Section 3 of the Wylie Home Rule Charter be amended to require additional Municipal Court judges to be competent, duly qualified, licensed attorneys in the State of Texas?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION K

Shall Article IV, Section 5 of the Wylie Home Rule Charter be amended to remove the City Council's authority over the appointment, removal, duties, compensation and other terms of employment of the City Engineer and granting such authority to the City Manager?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION L

Shall Article V, Section 1 of the Wylie Home Rule Charter be amended to require regular City elections to be held annually on the first Saturday in May or such other date as required by the Texas Election Code?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION M

Shall Article V, Section 2 and Article XI, Section 14 of the Wylie Home Rule Charter be amended to remove provisions disqualifying a person from being eligible to run for elective office or to serve in a municipal office if he or she is in arrears in the payment of taxes or other liabilities due to the City?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION N

Shall Article VI, Section 1 of the Wylie Home Rule Charter be amended to remove from the scope of the powers of initiative and referendum ordinances relating to salaries of City officers or employees, the Comprehensive Plan, amendments of the Zoning Ordinance, use of the power of eminent domain and other ordinances not subject to initiative or referendum as provided by state law, and reorganizing existing language relating thereto?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION O

Shall Article VI, Section 6 of the Wylie Home Rule Charter be amended to clarify the scope of the City Secretary’s review of petitions, to modify the time period in which the City Secretary must verify petitions, and to remove authority for amending and supplementing petitions after the filing thereof?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION P

Shall Article VII, Section 2 of the Wylie Home Rule Charter be amended to change the date by which the City Manager must submit a proposed budget from August 1 to August 15 of each year?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION Q

Shall Article VII, Section 9 of the Wylie Home Rule Charter be amended to clarify procedures relating to City Council’s award of contracts and purchases?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION R

Shall Article VII, Section 12 of the Wylie Home Rule Charter be amended to remove the requirement for the City Manager to submit financial reports at the first formal City Council meeting each month and instead require the submission to occur at any City Council meeting but no less frequently than once per month?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION S

Shall Article VIII, Section 2 and Article IX, Section 2 of the Wylie Home Rule Charter be amended to change the time for electing chairpersons of certain boards and commissions from each July to the first regular meeting after annual appointments and to remove language regarding appointments occurring in July?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION T

Shall Article VIII, Section 3 of the Wylie Home Rule Charter be amended to remove the requirement for submission of written reports of proceedings of City boards, commissions and committees?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION U

Shall Article III, Section 1; Article IX, Section 2; Article X, Section 6; Article XI, Sections 27 and 29; and Article XII, Section 1 of the Wylie Home Rule Charter be amended to remove obsolete transitional provisions that are no longer necessary?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION V

Shall Article IX, Section 2 of the Wylie Home Rule Charter be amended to state the Planning and Zoning Commission shall meet as needed rather than not less than once each month?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION W

Shall Article XI, Section 8 of the Wylie Home Rule Charter be amended to enlarge the time for providing notice of a claim for damages from 45 days to 180 days?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION X

Shall Article XI, Section 24 of the Wylie Home Rule Charter be amended to state that use of the word “City” shall mean the City of Wylie, Collin, Dallas and Rockwall Counties, Texas?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION Y

Shall Article XI, Section 25 of the Wylie Home Rule Charter be amended to state that references to singular words include the plural, references to plural words include the singular, references to laws shall mean “as presently enacted or as may be amended or superseded,” and use of the word “Charter” shall mean the “Home Rule Charter”?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

CITY OF WYLIE PROPOSITION Z

Shall Article XI, Section 28 of the Wylie Home Rule Charter be amended to grant the City Council authority to make non-substantive revisions to the Charter without obtaining separate approval of the voters in a Charter amendment election, authorizing non-substantive changes to be made to the Charter through the passage of an ordinance?

FOR THE MEASURE: _____ AGAINST THE MEASURE: _____

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