

# CHARTER REVIEW PROCESS



Presented by Fernando Costa  
Assistant City Manager  
City of Fort Worth

# **Charter Review Task Force**

**Dionne Bagsby, Chair**

**Bert Williams, Vice Chair**

**Pete Geren**

**Henry Borbolla**

**Carlos Flores**

**Julie Miers**

**Keith Shankland**

**Lu Moskowitz**

**Mike Holt**

**Danny Scarth**

**Mike Coffey**

# History of Fort Worth Charter

- 1873: Legislature grants Fort Worth's **original** charter.
- 1912: Voters of Texas adopt **home rule** amendment to state constitution for cities with populations of 5,000 or more.
- 1924: Fort Worth adopts first home rule charter, creating **council-manager** form of government.
- 1924-2006: Charter **amended** 13 times.



# Amending the City Charter

- Under state law, a city charter may not be amended more often than **every two years**.
- The **city council** approves the submittal of charter amendments to the voters.
- In Fort Worth, the usual practice has included a **charter review task force** and a public hearing process to advise the city council.

# Contents of Home Rule Charters

- Form of government: mayor-council; council-manager; commission
- Details about governing body: size, qualifications, terms, term limits, method of electing officials, compensation, vacancies, powers of the mayor, etc.
- Selection of administrative personnel
- Publication and passage of ordinances
- Creation of boards and commissions
- Annexation
- Municipal finances and issuance of debt
- Personnel functions
- Conflicts of interest and ethical matters
- Elections, initiatives, referendums, and recalls
- Franchises
- Planning and zoning

# Scope of City Charter Review

Issue	Current Charter provisions
Number of Council members	8+1
Terms of office	Two-year terms
Staggered terms	Concurrent terms
Compensation	\$29,000 for Mayor \$25,000 for Council members
Technical amendments	Inconsistencies with state law, archaic language, unused provisions

# Schedule

July 28, 2015	City Council adopts <b>resolution</b> appointing Charter Review Task Force.
August 19, September 3, 17, 30	Task Force holds four meetings to study <b>issues</b> and reach preliminary findings.
October 13	Task Force briefs City Council on <b>preliminary findings</b> .
October 26 - November 16	Task Force conducts six <b>public hearings</b> at locations throughout the city.
November 18	Task Force meets to formulate <b>recommendations</b> .
December 8	Task Force presents <b>recommendations</b> to City Council.
January 12 and 26	City Council holds <b>public hearings</b> on Task Force recommendations during two regular Council meetings.
February 2 (NLT 2/19/16)	City Council adopts <b>ordinance</b> calling election on proposed Charter amendments.
February through April	City conducts <b>outreach</b> to educate voters about proposed Charter amendments.
May 7	City conducts <b>Charter election</b> .

# **Council-Manager Benchmark Cities As Selected by Task Force**

## Texas

Austin

Dallas

El Paso

San Antonio

## Other States

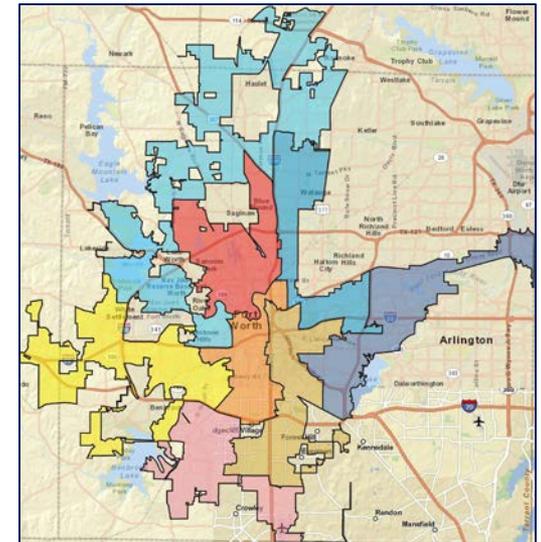
Charlotte

Kansas City

Oklahoma City

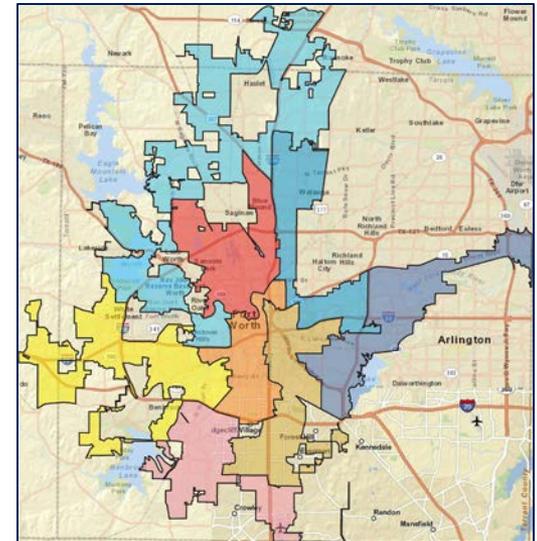
# Number of Council Members: Background

- The city council is currently composed of the mayor who is elected city-wide and **eight council members** elected from single-member districts.
- Each council member in Fort Worth represents approximately **101,000** citizens.
- In Austin, Dallas, El Paso, and Oklahoma City, each council member represents **fewer than 100,000** residents.
- In San Antonio, however, each of their ten council members represents more than **140,000**.



# Number of Council Members: Questions

- Would increasing the number of single-member districts, perhaps from eight to ten, provide **all Fort Worth residents** with better representation?
- Would increasing the number of districts provide **minority groups**, such as Hispanics and African-Americans, with better representation?
- Would increasing the number of districts provide better representation for residents from different **geographic areas**, including older urban neighborhoods within Loop 820 and newer suburban neighborhoods beyond the Loop?



# Terms of Office: Background

- Fort Worth's mayor and city council members currently serve **two-year terms** and are elected in odd-numbered years.
- Council members in Dallas and San Antonio also serve for **two years**.
- Council members serve for **three years** in Charlotte and for **four years** in Austin, El Paso, Kansas City, and Oklahoma City.



# Terms of Office: Questions

- Could longer terms increase the **effectiveness** of the mayor and council members?
- Would longer terms in any way reduce their **accountability**?
- Should the **cost** savings of holding less frequent elections, i.e. up to approximately \$550,000 per municipal election, be a significant factor in this decision?



# Staggered Terms: Background

- Fort Worth's mayor and city council now serve **concurrent** two-year terms.
- Dallas, San Antonio, Charlotte, and Kansas City also have **concurrent** terms.
- Austin, El Paso, and Oklahoma City **stagger** their terms.



# Staggered Terms: Questions

- Would staggered terms provide the city council with greater **continuity and stability**?
- Is it important to limit the amount of **turnover** that could occur in any city council election?
- Is it important to elect the mayor and all council members at the **same time**?
- Do the **terms of office**, i.e. two years versus three or four years, affect the importance of staggering those terms?
- Should the **cost** of holding elections be a significant factor in this decision?



# Compensation: Background

- The mayor is currently paid \$29,000 per year and the council members are paid **\$25,000**, but the time demands on the mayor and council members have increased over the years as the city has grown in size and complexity.
- In comparable cities, salaries range from \$24,000 for the mayor and **\$12,000** for council members in Oklahoma City to more than \$123,000 for the mayor and **\$61,000** for council members in Kansas City.



# Compensation: Questions

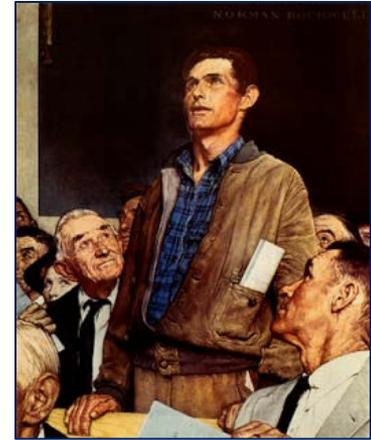
- Is it important to consider the **time demands** of the position when setting compensation?
- Is it important to consider the city's **budget**?
- Would increasing the compensation allow **more citizens** an opportunity to serve in public office?



# Public Engagement Process

- **Community outreach**

- Six public hearings
- Speakers bureau
- Meeting in a box



- **Traditional media**

- City News weekly electronic newsletter
- City Times monthly utility bill insert
- Weekly Bulletin from Community Engagement Office

# Public Engagement Process

(Continued)

- **Web/ social media**

- *YourFortWorth.org*
- *FortWorthTexas.gov*
- Facebook and Twitter posts
- Councilmember web pages
- Mayor's Message



- **Video**

- FWTV
- Other broadcast outlets



- **Media relations**

- Pitch story to print and broadcast reporters.
- Answer media inquiries.
- Meet with *Star-Telegram* editorial board.

# Public Hearings

<b>Council Districts</b>	<b>Day</b>	<b>Date</b>	<b>Time</b>	<b>Location</b>
9	Monday	October 26	7:00 p.m.	University Christian Church
3 and 6	Thursday	October 29	7:00 p.m.	Southwest Regional Library
4 and 7	Monday	November 2	7:00 p.m.	Heritage Church of Christ
2	Monday	November 9	7:00 p.m.	Northside Community Center
8	Thursday	November 12	7:00 p.m.	Hazel Harvey Peace Center for Neighborhoods
4 and 5	Monday	November 16	7:00 p.m.	Sweet Home Missionary Baptist Church

Summary of Proposed Technical Amendments

Sarah Fullenwider  
City Attorney

Overview of Charter Election Process

Mary Kayser  
City Secretary

Citizen Presentations





# Summary of Proposed Technical Amendments and Proposed Ballot Language



Presented by Sarah Fullenwider  
City Attorney  
City of Fort Worth

# Major Issues Identified by the Fort Worth City Council

## **Proposition No. 1. City Council Terms.**

Shall Section 1 of Chapter III of the Fort Worth City Charter be amended to increase the current two-year terms for the city council to \_\_\_\_ ( ) year terms?

## **Proposition No. 2. Staggered Terms for City Council Members.**

If Proposition No. 1 is approved by the voters, shall Section 1 of Chapter III of the Fort Worth City Charter be amended to provide for staggered terms for the council members by \_\_\_\_\_?

# Major Issues Identified by the Fort Worth City Council

## **Proposition No. 3. Increase the Number of Council Members.**

Shall Section 1 of Chapter III and other references to the number of council members in the Fort Worth City Charter be amended to increase the number of council members from nine (9) to \_\_\_\_\_ ( ) council members beginning with the first election following the 2020 census and adoption of the new redistricting map by the City Council?

## **Proposition No. 4. Compensation of the Mayor and City Council.**

Shall Section 3 of Chapter III of the Fort Worth City Charter be amended to increase the compensation of council members from the sum of twenty-five thousand dollars (\$25,000) per year to \_\_\_\_\_ (\$\_\_\_\_\_) per year and the compensation of the mayor from twenty-nine thousand (\$29,000) per year to \_\_\_\_\_ (\$\_\_\_\_\_) per year starting October 1, 2016?

# Technical Amendments

## **Proposition No. 5. Vacancies in the City Council.**

Shall Section 4 of Chapter III of the Fort Worth City Charter be amended to allow a majority of the City Council to appoint a qualified person from the district whose place has been vacated to serve the unexpired term if the vacancy occurs twelve (12) months or less prior to an unexpired term?

## **Proposition No. 6. Swearing in of City Council Members.**

Shall the first paragraph of Section 5 of Chapter III of the Fort Worth City Charter be amended to provide that the newly elected city council members may be sworn in at the same meeting at which the election results are canvassed?

## **Proposition No. 7. Employees Allowed to Run for Office.**

Shall Section 8 of Chapter III of the Fort Worth City Charter be amended to delete the provision that appointed officers and employees of the city forfeit their position with the city if they become a candidate for nomination or election to any public office in order to comply with state law that allows employees to remain employed while running for office?

# Technical Amendments

## **Proposition No. 8. Alternative Means to Publication Requirements.**

Shall the Fort Worth City Charter be amended to provide for electronic and other web based publications and notices instead of newspaper publications where allowed by state law?

## **Proposition No. 9. Residence Requirements for Persons Seeking Election to the City Council.**

Shall Section 1 of Chapter IV of the Fort Worth City Charter be amended to clarify that a person seeking election to the city council must have resided in the district for which he or she seeks election for 180 days prior to the first allowed filing date for the election?

## **Proposition No. 10. Deletion of Right of Public Hearing by Department Directors.**

Shall Section 3 of Chapter V of the Fort Worth City Charter be revised to delete the right of department directors to request a public hearing by the City Council before his/her removal by the city manager is final?

# Technical Amendments

## **Proposition No. 11. Deletion of Right of Public Hearing by Certain Appointed Officials.**

Shall Section 1 of Chapter V, Section 4 of Chapter VI, and Section 3 of Chapter XXVII of the Fort Worth City Charter be revised to delete the right of the city manager, the city attorney and the internal auditor to request a public hearing by the City Council if removed after serving six (6) months?

## **Proposition No. 12. Appointment and Removal of Municipal Judges.**

Shall Chapter VII of the Fort Worth City Charter be amended to add a new section to provide that municipal judges will be appointed and removed for cause by a majority vote of the City Council?

## **Proposition No. 13. Assessment and Collection of Taxes.**

Shall Section 1 of Chapter IX of the Fort Worth City Charter be amended to remove the assessment and collection of taxes as a duty of the department of finance to reflect that the current practice of assessing and collecting all taxes, including special assessments, is performed by the county?

# Technical Amendments

## **Proposition No. 14. Adoption of Budget in Accordance with State Law.**

Shall Section 2 of Chapter X of the Fort Worth City Charter be amended to provide for budget hearings, adoption and publication of the budget, appropriation ordinance and tax levy ordinance in accordance with state law?

## **Proposition No. 15. Independent Audit.**

Shall Section 11 of Chapter X of the Fort Worth City Charter be amended to state the duties of the outside auditor as it relates to the city's budget?

## **Proposition No. 16. Deletion of Public Health Department.**

Shall Chapter XV of the Fort Worth City Charter be deleted in its entirety since the functions of a city health department are performed by Tarrant County?

# Technical Amendments

## **Proposition No. 17. Recall of Councilperson, Procedure; Election of successors.**

Shall Section 1 of Chapter XIX of the Fort Worth City Charter be amended to increase the time from ten (10) days to twenty-five (25) days for the city secretary to review a petition submitted by the voters to recall any councilmember?

## **Proposition No. 18. The Initiative.**

Shall Section 3 of Chapter XX of the Fort Worth City Charter be amended to increase the time from ten (10) days to twenty-five (25) days for the city secretary to review a petition submitted by the voters to propose ordinances?

## **Proposition No. 19. The Initiative.**

Shall Section 5 of Chapter XXI of the Fort Worth City Charter be amended to reduce the number of newspaper publications for the sale of property valued at more than \$125,000 from once-a-week for four weeks to one time with a requirement that notice also be placed on the city's webpage for four consecutive weeks?

# Technical Amendments

## **Proposition No. 20. Clarify Who May Pay for the Cost of Construction of Sidewalks.**

Shall Section 4 of Chapter XXII of the Fort Worth City Charter be amended to state that the city may pay, in whole or in part, for the cost of construction of sidewalks and curbs?

## **Proposition No. 21. Correct Title to Reflect that Improvement Contracts are Signed by the City Manager.**

Shall the title of Section 6 of Chapter XXII of the Fort Worth City Charter be corrected to specify that the city manager signs improvement contracts?

## **Proposition No. 22. Reporting by the Tax Assessor.**

Shall Section 1 of Chapter XXIV of the Fort Worth City Charter be amended to allow the tax assessor-collector to provide a list of assessments of real and personal property owned in the City to the City Council by a deadline as established under state law?

# Technical Amendments

## **Proposition No. 23. Annual Reporting by Public Service Corporations.**

Shall Section 6 of Chapter XXVI of the Fort Worth City Charter which requires all public service corporations operating within the city to file an annual report of the receipts of their business operation be deleted in its entirety?

## **Proposition No. 24. Contracts for Official Advertising.**

Shall Section 17 of Chapter XXVII of the Fort Worth City Charter be amended to allow the city's contract with a newspaper for official advertising of the city to have a term of more than one year?

## **Proposition No. 25. Annexation, Method and Procedure.**

Shall Section 3 of Chapter 1 of the Fort Worth City Charter be amended to clarify that the city may contract with the appropriate county to hold an election for annexation and change the words "strike out" to "marking" the ballot to conform to current practice?

# Technical Amendments

## **Proposition No. 26. Compliance with State Law.**

Shall the Fort Worth City Charter be amended where preempted by state law?

## **Proposition No. 27. Alternative Means to Publication Requirements.**

Shall the Fort Worth City Charter be amended to provide for electronic and other web based publications and notices instead of newspaper publications where allowed by state law?



# Charter Election Process

<b>Final Report by the Charter Review Task Force</b>	<b>December 8, 2015</b>
<b>Public Hearings before the City Council</b>	<b>January 12, 2016 and January 26, 2016</b>
<b>City Council to call the election</b>	<b>February 2, 2016 (No later than February 19, 2016)</b>
<b>Education and Community Outreach</b>	<b>February – April</b>
<b>Early Voting</b>	<b>April 25, 2016 – May 2, 2016</b>
<b>Election Day</b>	<b>May 7, 2016</b>
<b>Canvass of the Election</b>	<b>May 17, 2016</b>
<b>Charter Changes effective</b>	<b>Immediately unless otherwise noted</b>

