

2024 Charter Review
Proposed Charter Amendments

Words and punctuation proposed to be added are underlined; words and punctuation proposed to be deleted are marked with ~~strikethrough~~.

SECTION 3.02 Limitations on Terms

No person shall serve as Mayor for more than three consecutive elected terms, and no person shall serve as Councilmember for more than three consecutive elected terms. No person shall serve as a Councilmember and Mayor (combined) for more than ~~18~~six consecutive ~~years~~terms. For purposes of this Section 3.02 and computing the limitations on terms:

- (1) A Mayor or Councilmember, who vacates, for any reason, City office before the end of the term for which he was elected, shall be considered to have completed that term.
- (2) An appointment or election to fulfill an unexpired Councilmember term, or unexpired Mayor term if applicable, shall be computed as follows:
 - (i) If 50 percent or more of the term is remaining, it shall be included in the computation of term limits; or
 - (ii) If less than 50 percent of the term is remaining, it shall not be included in the computation of term limits.

Any Councilmember or Mayor, who is ineligible to run for elected City office due to the limitations on terms as provided herein, shall remain ineligible to hold an elected City office for a period of one full term following the expiration of the most recent term of City office for which he or she was elected with the exception of a Councilmember seeking the office of Mayor or the Mayor seeking the office of a Councilmember.

SECTION 3.04 Compensation

The Mayor shall receive compensation in the amount of \$~~1,500.00~~850.00 per month. Each Councilmember shall receive compensation in the amount of \$~~1,200.00~~700.00 per month. On October 1, 2025 and annually thereafter on the same date, the amount of compensation shall be adjusted by an amount equal to the percentage change in the Consumer Price Index, Dallas-Fort Worth-Arlington for All Urban Consumers (CPI-U) over the prior, one-year period. In addition to such compensation, the Mayor and each Councilmember shall be entitled to reimbursement of actual expenses incurred in the performance of their official duties with the approval of the City Council at a public meeting. To the extent possible, all related expenses for conferences, meetings, meals and other types of events that recur during a budget year that are attended by the Mayor and Councilmembers (whether one or more) shall be included in the City's annual budget. The City Manager and Finance Director shall create and administer the regulations for the implementation of this policy.

SECTION 3.09 Meetings of the City Council

- (1) The City Council shall hold at least two regular meetings each month and as many additional meetings as it deems necessary to transact the business of the City; provided, however, the City Council may, in its sole discretion, determine to hold one regular

monthly meeting ~~four~~two months out of the calendar year. The City Council shall fix by ordinance the date and time of the regular meetings.

- (2) Special meetings of the City Council shall be held at the call of the Mayor or a majority of the Councilmembers upon provision of public notice in accordance with state law.
- (3) Except as provided by state law, all City Council meetings shall be open to the public and shall be held and notice given in accordance with the Texas Open Meetings Act.

SECTION 5.01 City Elections

- (1) All City elections shall be conducted in accordance with the Texas Election Code.
- (2) 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. The City Council shall be responsible for specification of places for holding such elections.
- (3) The City Council may, ~~by resolution,~~ order a special election for purposes consistent with this Charter and laws of the State of Texas. The City Council will fix the time and places for such a special election, and provide all means for holding same.
- (4) Municipal elections shall be conducted by election officials appointed by the City Council, or as prescribed by law. Sample ballots identical in format to those used in the specific election shall be posted in the voting place(s) for the purpose of voter orientation.
- (5) All municipal elections shall be publicized in accordance with the Texas Election Code.
- (6) A sample ballot shall be published in at least one of the official media of communication designated for City notices.

SECTION 6.05 Presentation of petition to the City Council

Within thirty-five (35) days after the date of the filing of the papers constituting the recall petition, the person performing the duties of City Secretary shall verify whether the petition complies with applicable law as to form, content, and procedure and, only if the person performing the duties of City Secretary so verifies the petition, present such petition to the City Council of the City.

SECTION 6.12 General Power of Initiative and Referendum

The qualified voters of the City, in addition to the method of legislation herein before provided, shall have the power of direct legislation by ~~the~~ initiative and referendum. However, the power of initiative and referendum shall not extend to the budget or capital program or any ordinance or resolution relating to appropriation of money, issuing of bonds, levy of taxes, salaries of City officers or employees, the Comprehensive Plan, amendments of the Zoning Ordinance, use of the power of eminent domain or other ordinances or resolutions not subject to initiative or referendum as provided by state law.

- ~~(1) Initiative: Such power shall not extend to the budget or capital program or any ordinance not subject to initiative as provided by state law, relating to appropriation of money, issuing, of bonds, levy of taxes or salaries of City officers or employees.~~
- ~~(2) Referendum: Such power shall not extend to the budget or capital program or any emergency ordinance or ordinance not subject to referendum as provided by state law, relating to appropriation of money, issuing of bonds, or levy of taxes.~~

SECTION 6.13 Initiative

~~Following a review by the City Attorney for enforceability and legality,~~ Qualified voters of the City may initiate legislation by submitting a petition addressed to the City Council which requests the submission of a proposed ordinance or resolution to a vote of the qualified voters of the City. Said petition must be signed by qualified voters of the City of at least thirty percent (30%) of the number of votes cast at the last regular mayoral election, or one hundred and fifty (150), whichever is greater, and each copy of the petition shall have attached to it a copy of the proposed legislation. The petition shall be signed in the same manner as recall petitions are signed, as provided in this Article, and shall be verified by oath in the manner and form provided for recall petitions in this Article. The petition may consist of one (1) or more copies as permitted for recall petitions [in this Article](#). Such petition shall be filed with the person performing the duties of City Secretary. Within thirty-five (35) days after the filing of such petition, the person performing the duties of City Secretary shall [verify whether the petition complies with applicable law as to form, content, and procedure and, only if the person performing the duties of City Secretary so verifies the petition,](#) present said petition and proposed ordinance or resolution to the City Council. Upon presentation to the City Council, it shall become the duty of the City Council, within two (2) regularly scheduled City Council meetings after the receipt thereof, to pass and adopt such ordinance or resolution without alteration as to meaning or effect in the opinion of the persons filing the petition, or to call a special election, to be held within thirty (30) days thereafter and/or on a date allowed under the Texas Election Code, at which the qualified voters of the City shall vote on the question of adopting or rejecting the proposed legislation. However, if any other City election is to be held within sixty (60) days after the filing of the petition, the question may be voted on at such election. Any election order so issued shall comply fully with the Texas Election Code. Unless otherwise provided by law, any election for an initiative under this Charter shall be held on the first authorized uniform election date that occurs after the sixty-fifth (65th) day after the petition was presented to the City Council.

SECTION 6.14 Referendum

Qualified voters of the City may require that any ordinance or resolution, with the exception of ordinances or resolutions appropriating money or levying taxes, passed by the City Council be submitted to the voters of the City for approval or disapproval, by submitting a petition for this purpose within thirty (30) days after final passage of said ordinance or resolution, or within thirty (30) days after its publication. Said petition must be signed by qualified voters of the City of at least thirty percent (30%) of the number of votes cast at the last regular mayoral election, or one hundred and fifty (150), whichever is greater. Said petition shall be addressed, signed, and verified as required for recall petitions in this Article and shall be submitted to the person performing the duties of City Secretary. Within thirty-five (35) days after the filing of such petition, the person performing the duties of City Secretary shall [verify whether the petition complies with applicable law as to form, content, and procedure and, only if the person performing the duties of City Secretary so verifies the petition,](#) present said petition to the City Council. Thereupon, the City Council shall immediately reconsider such ordinance or resolution and, if the City Council does not entirely repeal the same, shall submit it to popular vote as provided in Section 6.13 of this

Charter. Pending the holding of such election, each ordinance or resolution shall be suspended from taking effect and shall not later take effect unless a majority of the qualified voters voting thereon at such election shall vote in favor thereof. Unless otherwise provided by law, any election for a referendum under this Charter shall be held on the first authorized uniform election date that occurs after the sixty-fifth (65th) day after the petition was presented to the City Council.

SECTION 7.18 Independent Audit

At the close of each fiscal year, and at such other times as may be deemed necessary, the City Council shall call for an independent audit to be all accounts of the City by a certified public accountant. No more than five consecutive annual audits shall be completed by the same firm. The certified public accountant selected shall have no personal interest, directly or indirectly, in the financial affairs of the City or any of its officers. The report of audit, with the auditor's recommendations will be made to the City Council. Upon completion of the audit, the summary shall be published immediately on the City website, or by such other means as may be allowed by state law, in the official newspaper of the City and copies of the audit placed on file in the office of the person performing the duties of City Secretary, as a public record.

SECTION 14.08 Conflict of Interest

No officer, whether elected or appointed, or any employee, whether full-time or part-time, of the City shall have a substantial ~~financial~~ interest (as that term is defined in Section 171.002 of the Texas Local Government Code), ~~direct or indirect~~, in any contract, other than employment contracts, with the City; or have a substantial ~~financial~~ interest (as that term is defined in Section 171.002 of the Texas Local Government Code), ~~direct or indirect~~ in the sale to the City of any land, materials, supplies or services, except on behalf of the City as an officer or employee, except as allowed by state law. Any willful violation of this section shall constitute malfeasance in office and any officer or employee found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge, express or implied, of the person or the corporation contracting with the governing body of the City shall render the contract involved voidable by the City Manager or a majority vote of the full membership of the Council.

SECTION 14.09 No Officer to Accept Gifts, Etc.

- (1) A City Official shall not solicit, accept or agree to accept any Gift or benefit except as authorized in Subsection (3) below.
- (2) For purposes of this Section, the words/phrases "City Official", "Gift", "Matter", "Official" and "Official Action" shall have the same definition as set forth in Ordinance No. 09-04-25, as it exists on the effective date of this Charter amendment.
- (3) It is not a violation of Subsection (~~a~~1) for a City Official to accept the following:

- (A) a Gift to a City Official relating to a special occasion, such as a wedding, anniversary, graduation, birth, illness, death, or holiday, provided that the value of the Gift is fairly commensurate with the occasion and the relationship between the donor and recipient;
- (B) payment by third parties for travel related expenses of a City Official previously authorized by the City Council;
- (C) a public award or reward for meritorious service or professional achievement, provided that the award or reward is reasonable in light of the occasion;
- (D) a loan from a lending institution made in its regular course of business on the same terms generally available to the public;
- (E) a scholarship or fellowship awarded on the same terms and based on the same criteria that are applied to other applicants;
- (F) admission to an event in which the City Official is participating in connection with Official duties;
- (G) lawful campaign contributions;
- (H) attending social functions, ground breakings, or civic events pertinent to the public relations and operations of the City, including the receipt of a gift commensurate with the occasion;
- (I) a City Official giving or receiving Gifts with his family and relatives;
- (J) a City Official giving or receiving Gifts at church functions;
- (K) a City Official giving or receiving Gifts at City parties;
- (L) a City Official giving or receiving Gifts at functions where only City Officials and their employees are invited or in attendance;
- (M) giving or receiving Gifts or receiving a bonus from the City Official's place of employment;
- (N) admission or ticket(s) (including parking) to a City Official to an event held at any venue owned in whole or in part by the City;
- (O) reasonable expenses paid by non-profit organizations, the Frisco Community Development Corporation or Frisco Economic Development Corporation for attendance of a City Official at a fund raising event or other meeting;

- (P) reasonable expenses paid by other governments or governmental entities for attendance of a City Official at a convention, fact finding mission or trip or other meeting;
- (Q) a City Official giving or receiving a Gift whose value does not exceed fifty dollars (\$50.00);
- (R) a City Official giving or receiving a Gift in excess of fifty dollars (\$50.00) from a friend, client or customer if it cannot be reasonably inferred that the Gift was intended to influence the City Official. The City Official shall comply with the requirements of Chapter 176 of the Texas Local Government Code, if applicable~~If the Gift is in excess of fifty dollars (\$50.00) and received within one (1) year of the date the donor, either personally or on behalf of another person or entity, seeks Official Action from the City in which the City Official is in a position to take Official Action, the City Official shall acknowledge the receipt of the Gift to the City; immediately refrain from further participation in the Matter, including discussions with any persons likely to consider the Matter; and remove himself from the dais or area in which the other City Officials who are voting on the measure are seated; and~~
- (S) a City Official giving or receiving a Gift from a donor other than a friend, client or customer whose value is greater than fifty dollars (\$50.00) ~~and less than two hundred fifty dollars and one cent (\$250.01)~~ provided the City Official complies with the requirements of Chapter 176 of the Texas Local Government Code, if applicable~~with the recusal and disclosure process described below:~~
- ~~(i) The Gift shall be disclosed by the City Official who received it to the City Secretary within thirty (30) days of receipt of the Gift. The disclosure of the Gift to the City Secretary shall be reported to the public as part of the City Secretary's report to the City Council at the next available City Council meeting. The information to be disclosed to the City Secretary is as follows:~~
- ~~(1) the date the Gift was received and who received it;~~
- ~~(2) a description of the Gift;~~
- ~~(3) the fair market value of the Gift at the time of its receipt; and~~
- ~~(4) the name, address, phone number and employer of the person or entity who provided the Gift.~~
- ~~(ii) From the date that the City Official knows or should have known that the donor who has made a Gift the subject of this subsection was presenting a matter, either personally or on behalf of another person or entity, in which the~~

~~City Official may take Official Action and such request is within one (1) year from the date of the Gift described above, the City Official shall:~~

- ~~(1) immediately refrain from further participation in the Matter, including discussion with any persons likely to consider the Matter; and~~
- ~~(2) remove himself from the dais or area in which the other City Officials who are voting on the measure are seated.~~
- ~~(3) reserved.~~
- ~~(4) Application of Chapter 176, Local Government Code, as amended. Notwithstanding any gift to a City Official authorized in Section 3(b), a City Official shall comply with the requirements of Chapter 176, Local Government Code, as amended.~~

(4) ~~(5)~~—Gifts to Closely Related Persons. A City Official shall take reasonable steps to persuade a parent, spouse, child, stepchild, or other relative within the second degree of Consanguinity or Affinity not to solicit, accept, or agree to accept any Gift or benefit which would violate Subsection (a) if the Official solicited, accepted, or agreed to accept it.

(5) ~~(6)~~—Any City Official officer or employee of the City who shall violate the provisions of this section shall be guilty of a misdemeanor and may be punished by any fine that may be prescribed by ordinance for this offense, and may forthwith be removed from office or employment.