



CHARTER AMENDMENT ELECTION  
November 8 2016  
Early Voting October 24-November 4

**Proposition No. 1**

*Shall Sec. 3.06 (a)(Vacancies, Forfeiture of Office, Filling Vacancies) and Sec. 10.05 (oath of office) be amended to require that newly elected or re-elected Councilmembers or Mayor must take the oath of office within 30 days of the election (i.e. the canvass) or the office will become vacant?*

State Law provides that members of the governing body of general law cities must take office (i.e. qualify for office) within 30 days of the officer's election. The Marble Falls Charter does not have a similar provision and it has experienced in the past a situation in which a newly elected Councilmember was unable to take office due to illness or injury, but there was no mechanism whereby the office could be declared vacant. The amendment will revise the Charter to be consistent with State Law.

**Proposition No. 2**

*Shall the third, fourth and fifth paragraphs of Section 3.13, Ordinances in General, of the Charter be amended to change the requirements for two readings of an ordinance and the publication of two notices of an ordinance to one reading and one publication of notice, except as otherwise required by State Law?*

State Law governs the posting and ordinance requirements for elections, budgets, and tax ordinances. Ordinances that adopt fees, franchises and public utility rates or impose penalties are not required by State Law to be read twice which the current Charter requires. Council always has the option to continue an ordinance to a subsequent meeting if additional information or direction to the staff is necessary. The amendment will revise the Charter to be consistent with State Law.

**Proposition No. 3**

*Shall the second sentence of Section 7.13, Depository, of the Charter be amended to allow the City Manager to designate an alternate city employee the authority to execute checks in the absence or unavailability of the City Manager?*

Currently all checks require the signature of the City Manager or the Mayor (in the absence of the City Manager), the payment of the city's bills can be delayed when both the Mayor and the City Manager are not available. This amendment would allow the City Manager to designate an additional city employee to sign checks.

**Proposition No. 4**

*Shall the last sentence of Section 7.13, Depository, of the Charter be amended to allow facsimile signatures on the value of checks to be increased from \$5000 to \$15,000?*

This amendment would update the Marble Falls Charter to reflect current practices throughout other cities by increasing the dollar amount on checks that require two real signatures from \$5,000 to \$15,000.

**Proposition No. 5**

*Shall the first two sentences of Section 7.17, Financial Records and Reports, of the Charter be amended to provide that the City Manager is required to present financial reports to the City Council on a bi-annual basis instead of a monthly basis?*

This amendment to the Marble Falls Charter would change the requirement that the City Manager is required to present financial reports to the City Council on a monthly basis to a bi-annual basis, typically at the time of the adoption of the annual budget and budget amendments.

**Proposition No. 6**

*Shall the first sentence of Section 10.07, Surety Bonds, of the Charter be amended to provide that the City Council shall have the discretion to designate which officers and employees of the City that handle money shall be required to provide a surety bond to the City instead of mandating that all officers and employees that handle money be required*



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*to provide a surety bond?*

Currently the Charter requires surety bonds for all employees whose duties include the handling of monies as this used to be a common practice. Liability insurance coverage and other considerations have resulted in fewer such bonding requirements. This amendment would allow the City Council to determine which employees must be bonded.

**Proposition No. 7**

*Shall the second sentence of Section 10.04, Nepotism, of the Charter be amended to be consistent with State Law, to change the requirement for continuous employment of a city employee from two years to six months in order to allow the employee to remain employed by the City in the event that a relative is elected as Mayor or to the City Council or from two years to thirty days if a relative is hired as the City Manager or other appointing officer?*

The current Charter provision is more stringent than State Law which may result in loss of qualified employees or City Officials. This amendment will revise the Charter to be consistent with State Law.

**Proposition No. 8**

*Shall Section 5.05, Filing for Office, subsection (c) of the Charter be amended by removing subsection (c) which subsection requires that a candidate for elective office not be in arrears in the payment of taxes or other liabilities due the City and which qualification requirement is contrary to State Law?*

The Marble Falls Charter currently states that a candidate for office shall not be in arrears in the payment of any taxes or other liabilities due the City. The meaning of "other liabilities" is not clear and the provision may not be enforceable in court. This amendment would revise the Charter to be consistent with State Law.