



NEWS RELEASE

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Proposed amendments to charter on May 2017 ballot

PROSPER (October 13, 2016) A process to ensure that the Town Charter is up-to-date and relevant to Prosper's current situation is set to be presented to residents next May for final disposition.

"Just as the US Constitution outlines the rules, regulations, processes and procedures that govern the country, the Town Charter is the document that provides that level of guidance to Prosper," says Town Secretary Robyn Battle. "And, because conditions change, the charter is reviewed by a citizens' commission at least every 10 years. Any modifications that the commission proposes must be approved by a vote of the residents."

That vote is set as part of a special election scheduled for May 6, 2017, and up for consideration are 10 amendments to the document, referred to as a home rule charter. Originally approved in 2006, it was amended by special election in 2011. The current review is part of the charter's regularly-scheduled re-examination.

The Charter Review Commission (CRC), which has been meeting regularly since mid-June, is chaired by Councilmember Kenneth Dugger, and includes Councilmember Mike Korbuly, along with residents Charles Cotten, Bill Beavers, Cameron Reeves, JD Sanders, Robert Griffis, Roger Thedford, Teague Griffin and Tom Aiken.

Last month, the CRC presented its recommendations to the Council, which accepted and approved their work unanimously, consolidating the CRC modifications into ten proposed amendments. That action cleared the way for the special election to determine whether or not Prosper residents accept and approve each of the proposed amendments.

"In May of next year, the special election will allow residents to review each proposed amendment individually, and vote yes or no to accept or reject each one," said Battle.

The first of the ten proposed amendments might be considered "housecleaning" as the CRC determined that portions of the document required minor improvements, spelling and grammatical corrections and changes to ensure it conforms to current state and federal laws. Amendment one addresses changes throughout the document.

Proposed amendment two addresses Section 3.02, removing the "Limitations on Terms" provision. This essentially drops terms limits for the Mayor and Council members.

Proposed amendment three addresses Section 3.04, "Compensation," allowing the Mayor and Council members to be reimbursed for reasonable expenses related to the performance of official duties.

Proposed amendment four addresses Section 3.06, entitled "Vacancies, Forfeiture and Filling of Vacancies." This change enables the Town Council to replace a vacancy on Council by election, unless the remaining term of that position, called a "Place," is 12 months or less. In that case, the amendment would allow the Council to appoint a person to that Place for the remainder of the term. Appointments like these were authorized by a recent state constitutional amendment.

Proposed amendment five addresses Section 3.12 called "Abstention" as well as Section 9.03 called "Procedure." This change would record an abstention in any vote by a Council member or member of the Planning and Zoning Commission as an abstention, rather than "no" vote.

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Proposed amendment six addresses Section 5.02, called "Filing for Office," and requires candidates for Town Council to be registered voters, as well as Town residents, for at least 12 months immediately preceding the filing date. Additionally, this proposed amendment states that any board or commission member appointed by the Town Council immediately forfeits his or her seat as soon as he or she becomes a candidate for election to the Town Council.

Proposed amendment seven addresses Section 5.05, called "Taking of Office," states that new Town Council members be sworn into office at the next meeting following the declaration of the results of the election.

Proposed amendment eight addresses Section 7.06, entitled "Proceeding on Adoption of Budget." This change requires the Town budget to be adopted before the beginning of the next fiscal year.

Proposed amendment nine addresses Section 8.01, called "Authority, Composition and Procedures," and allows for members of boards and commissions to be reimbursed for reasonable expenses related to the performance of official duties. The proposed amendment also removes the requirement that all board and commission reports be submitted to the Town Council within three weeks, since meeting minutes are archived by the Town Secretary.

Proposed amendment ten addresses Section 9.05 and essentially eliminates the "Board of Adjustment" provision on the home rule charter, since the Board of Adjustment is authorized by the Town's zoning ordinance.

"These proposals have been carefully considered," said Battle. "Lots of time, energy and effort have gone into preparing the amendments, and the Council has looked at these recommendations very closely. Now, it will be up to residents to think about these changes, make up their minds and vote either for or against each one."

The amendments, the Town Charter without the changes, the Town Charter with a detailed description of the proposed amendments, called a redline, and the amendments with the Town attorney's comments are all available at <http://www.prospertx.gov/government/departments/town-secretary/proposed-charter-amendments/>.

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ABOUT THE TOWN OF PROSPER – The Town of Prosper is a fast-growing suburb with small town charm, located 30 miles north of Dallas at the crossroads of U.S. 380, Preston Road and the Dallas North Tollway in Collin and Denton Counties. Prosper sits on 27 square miles and is home to more than 17,800 people. A home-rule municipality, governed by a council-manager form of government, the town has full-time fire and police departments, including its own dispatch service. As the Town grows to its projected build-out population of 70,000 residents, Prosper's vision is to remain a "Place Where Everyone Matters."