

Proposed Amendments to San Marcos City Charter  
November 4, 2008

*Ballot Wording: Here is the wording on the November 4, 2008 City of San Marco ballot of 22 proposed amendments to the City Charter and one non-binding referendum proposition. See the "Explanation of Amendments" to see how the Charter provisions would be amended.*

PROPOSITION NO. 1

FOR/AGAINST The amendment of Section 12.12 of the City Charter to require the city council to appoint a charter review commission in January 2013 and at least every four years thereafter.

PROPOSITION NO. 2

FOR/AGAINST The amendment of Section 1.03 of the City Charter to revise the statement of goals of city government.

PROPOSITION NO. 3

FOR/AGAINST The amendment of Section 2.02 of the City Charter to delete language regarding the eminent domain process that is duplicative of state law.

PROPOSITION NO. 4

FOR/AGAINST The amendment of Section 3.02(a)(2) of the City Charter to provide that residency in the city's extraterritorial jurisdiction prior to annexation shall no longer qualify an individual to serve on the city council.

PROPOSITION NO. 5

FOR/AGAINST The amendment of Section 3.04 of the City Charter to provide that city council compensation shall be set in a public forum by ordinance of the city council.

PROPOSITION NO. 6

FOR/AGAINST The amendment of Section 3.11 of the City Charter to provide that ordinances shall be approved on two separate days, shall become effective upon final reading or publication, and permit notices of public hearings on proposed ordinances to be published on the city's website or local media outlets unless newspaper publication is otherwise required.

PROPOSITION NO. 7

FOR/AGAINST The amendment of Section 3.12 of the City Charter to direct the city clerk to publish adopted ordinances in the newspaper only when required by state law, charter or ordinance.

PROPOSITION NO. 8

FOR/AGAINST The amendment of Section 3.15 of the City Charter to affirm the legal rights of persons participating in investigations conducted by the city council.

PROPOSITION NO. 9

FOR/AGAINST The amendment of Section 4.01(a) of the City Charter to include education as a basis for appointment of the city manager.

PROPOSITION NO. 10

FOR/AGAINST The amendment of Section 4.02 of the City Charter to provide that the city clerk shall perform the duties assigned by the city council and require the city clerk to establish and maintain a principal physical residence in the city within 90 days after appointment.

PROPOSITION NO. 11

FOR/AGAINST The amendment of Section 4.03(c) of the City Charter to provide for the appointment of the municipal court clerk and any assistants by the presiding judge with the approval of the city council.

PROPOSITION NO. 12

FOR/AGAINST The amendment rewording Section 5.01 of the City Charter to state that the regular city election will be held on the first Tuesday after the first Monday in November.

PROPOSITION NO. 13

FOR/AGAINST The amendment of Section 5.03 of the City Charter to follow the 70 day candidate filing deadline set by state law for elections held on the same date as a general election for state and county offices.

PROPOSITION NO. 14

FOR/AGAINST The amendment of Sections 8.09, 8.10, and 8.13 to clarify the procedures for adoption of the budget and tax rate; require the approval of the budget and tax rate prior to the end of the current fiscal year following public hearings required by state law; and require the budget to set forth the tax levy for the corresponding tax year.

PROPOSITION NO. 15

FOR/AGAINST The amendment of Section 8.17 of the City Charter to provide that notices of the competitive purchases of goods and services, when required by law, shall be given on the city's website and on an internet site for governmental purchases and may also be published in a newspaper of general circulation in the city.

PROPOSITION NO. 16

FOR/AGAINST The amendment of Section 9.02 of the City Charter to require the city manager or the manager's designee to maintain a bond record instead of a bond register.

PROPOSITION NO. 17

FOR/AGAINST The amendment of Sections 10.02 and 12.10 of the City Charter to correct typographical errors and provide correct punctuation without changing the substance of those sections.

PROPOSITION NO. 18.

FOR/AGAINST The amendment of Section 10.05 of the City Charter to provide that taxes for a particular tax year shall be paid by February 1 of the following year unless a later payment date is allowed by state law.

PROPOSITION NO. 19

FOR/AGAINST The amendment deleting Section 11.03 of the City Charter that currently prohibits the city council from granting, renewing, or extending an exclusive franchise, permit, or other authorization to construct, maintain, or operate a public service company.

PROPOSITION NO. 20

FOR/AGAINST The amendment of Section 12.02(c) of the City Charter to provide that the ethics review commission shall conduct hearings and investigations according to procedures set forth in the city's ethics ordinance.

PROPOSITION NO. 21

FOR/AGAINST      The amendment deleting Section 12.13 of the City Charter which states that the city council has the power to make non-substantive changes and corrections to the city charter by adoption of an ordinance.

PROPOSITION NO. 22

FOR/AGAINST      The amendment to Section 7.01(b) of the City Charter to state that members of the Planning and Zoning Commission must own property throughout their terms of office.

The ballots will include the following non-binding proposition:

NON-BINDING REFERENDUM

FOR/AGAINST      Shall the San Marcos City Council be authorized to adopt an ordinance extending the hours for the sale of alcoholic beverages for on-premises consumption to 2:00 a.m.