



Farmersville
DISCOVER A TEXAS TREASURE

TO: Mayor and Councilmembers

FROM: John Moran, City Manager

DATE: July 26, 2011

SUBJECT: WORKSHOP – Information regarding Texas State Senate Bill 100, its requirements, and effects on the City's election processes.

Please read attached article from McKinney Courier Gazette

ACTION: Workshop item for discussion only.

(IV - A)

McKinney Courier-Gazette

Current election dates, term limits would force city to pay \$45K more to hold own elections

By Chris Beattie, cbeattie@acnpapers.com

MCKINNEY - The Texas Legislature recently passed a bill that could change McKinney election dates and city council term lengths.

Gov. Rick Perry signed Senate Bill 100 on June 17 to adjust the dates of the general primary election and primary runoff election in order to bring Texas into compliance with the U.S. Military and Overseas Voter Empowerment (MOVE) Act.

The bill retains the general primary date of the first Tuesday in March of even-numbered years and shifts the primary runoff to the fourth Tuesday in May of even-numbered years. The adjustment enables state and municipal elections to comply with the MOVE Act, passed in 2009 so that federal ballots are transmitted to military and overseas voters at least 45 days before an election for federal office or any election held in conjunction with a federal election.

The bill affects cities in Collin County because it does not require that county election administration enter into a contract with the cities to provide election services on the current May election date in even-numbered years. Collin County Elections administrators have already said that they will not be able to conduct a municipal election in those years, thus forcing cities to pay for the election.

McKinney can retain its mayor and council elections' date of the second Saturday in May or move it to November. Another option is to change council members' term limits to an even-numbered term, from three-year terms to two- or four-year terms.

By sharing election costs with the county on odd-numbered years, the city spends about \$35,000 to hold the election. If it chooses to continue holding mayor and council elections as well as school board and bond elections in May every year, the city would have to pay about \$80,000 in even-numbered years to provide its own voting machines and furnish the elections.

District 2 council member Geralyn Keever said during the meeting that there are advantages and disadvantages to both retaining and changing the election date.

"There is a significant cost for moving to hold elections on our own," she said. "There is a benefit from the citizens' perspective of going to the polls one time with the opportunity to vote for both federal and local issues."

To change the term lengths from three years to two or four years, the council would need to amend the city charter. The bill allows council to pass a resolution changing the lengths, but the city could also hold a charter election that would allow voters to make that decision.

During the June 7 meeting, Mayor Brian Loughmiller said that he isn't in favor of returning council members' terms to two years, as they were in the 1990s, because the current three-year term structure provides at least one year where no member is up for re-election.

The council has until December 31, 2012 to decide whether to change the election date and term lengths. City Manager Jason Gray and the council members said that they would like to go over all options in detail before making any decisions.

"There is obviously no ability to have a consensus right now because of the different options," Gray said during the meeting. "We can lay out the different available scenarios and costs as we best understand them. We do have a little bit of time to get this figured out."



TO: Mayor and Councilmembers

FROM: John Moran, City Manager

DATE: July 26, 2011

SUBJECT: WORKSHOP – Budget Workshop for Fiscal Year 2011-2012

No information attached

ACTION: Workshop item for discussion only.

(IV - B)



TO: Mayor and Councilmembers

FROM: John Moran, City Manager

DATE: July 26, 2011

SUBJECT: WORKSHOP – Discussion and possible direction regarding an ordinance regulating exotic animals within the city limits

Example information attached

ACTION: Council to discuss and give direction

(IV - C)

EXAMPLE

ARTICLE IV. EXOTIC ANIMALS**Sec. 6-101. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Exotic animal means any animal not normally domesticated in the United States or is wild by nature. The term "exotic animals" include, but are not limited to, any or all of the following orders and families, whether bred in the wild or in captivity. The animals listed in parentheses are intended to act as examples and are not to be construed as an exhaustive list or to limit the generality of each group of animals, unless otherwise specified:

- (1) Nonhuman primates and prosimians (monkeys, chimpanzees, baboons);
- (2) Felidae (lions, tigers, bobcats, cougars, leopards, jaguars, nondomesticated cats);
- (3) Canidae (wolves, coyotes, foxes, jackals, wolf -- hybrids);
- (4) Ursidae (all bears);
- (5) Reptilla (all venomous snakes, all constricting snakes, all venomous lizards, iguanas);
- (6) Crocodilla (alligators, crocodiles);
- (7) Proboscidae (elephants);
- (8) Hyaenidae (hyenas);
- (9) Artiodactyla (hippopotamuses, giraffes, camels; not cattle, swine, sheep, goats);
- (10) Procyonidae (raccoons, coatis);
- (11) Marsupialia (kangaroos, opossums);
- (12) Perissodactyla (rhinoceroses, tapirs; not horses, donkeys, mules);
- (13) Edentata (anteaters, sloths, armadillos);
- (14) Viverridae (mongooses, civets, genets).

Sec. 6-102. Keeping of exotic animals prohibited.

It is unlawful for any person to own, possess, keep, harbor, bring, or have in one's possession any exotic animal within municipal limits.

Sec. 6-103. Exemptions.

The provisions of this article do not apply to:

- (1) Institutions accredited by the American Zoo and Aquarium Association;
- (2) Licensed humane societies;
- (3) Animal control officers;
- (4) Licensed veterinary hospitals or clinics;
- (5) Any wildlife rehabilitator, licensed by the state department of parks and wildlife, who temporarily keeps exotic animals within the municipality when the purpose is to return the animals to the wild;
- (6) Rodeos, circuses and carnivals licensed to do business in the state;
- (7) With regard only to raptors for which the license applies, falconers licensed by the state parks and wildlife department;
- (8) A research facility, as that term is defined by 7 USC 2132, as amended, that is licensed by the secretary of agriculture of the United States;
- (9) A television or motion picture production company during the filming of a television or motion picture production in this state;
- (10) Otherwise prohibited animals in the possession, custody, or control of a college or university solely as a mascot for the college or university;
- (11) Otherwise prohibited animals while being transported in interstate commerce through the state in compliance with the Animal Welfare Act (7 USC 2131 et seq.) and its subsequent amendments and the regulations adopted under that Act.

~~Sec. 6-104. Grandfather clause.~~

- (a) Persons already in possession of such exotic animals on or before adoption of this article may keep such animals, provided such animals are kept in a safe and secure enclosure.
- (b) Animals retained under this section shall be confined in accordance with 25 Tex. Admin. Code § 169.131.

~~Secs. 6-105-6-116. Reserved.~~

EXAMPLE