

PROPOSED CHARTER CHANGES

Authorized for placement on special election ballot as of January 21, 2021:

ITEM A: MAYOR AS CHIEF ADMINISTRATIVE OFFICER

Section 3.05

Sec. 3.05. – Mayor and mayor pro tem.

The mayor shall be the official head of the city government ~~and act as chief administrative officer of the city and fulfill all duties of city manager until a city manager is appointed~~. He shall be the chairman and shall preside at all meetings of the city council. The mayor shall vote upon all matters before the city council except when the matter involves the consideration of his own official conduct or where his financial interest is involved. He shall see that all ordinances, bylaws, motions and resolutions of the council are faithfully obeyed and enforced. He shall sign all ordinances and resolutions; and when authorized by the council, he shall sign all official documents, such as conveyances, grant agreements, official plats of city property, contracts and bonds. He shall appoint special committees as he deems advisable and also those special committees as instructed by the council. He shall perform such other duties consistent with the Charter or as may be imposed upon him by the city council.

The mayor pro tem shall be a councilmember and shall be elected by the council at the first regular council meeting following the later of each general city election or special city election for the election of the mayor or one or more councilmembers. The councilmember elected as the mayor pro tem shall hold the title and serve in such capacity at the pleasure of the council. The mayor pro tem shall act as mayor during the absence or disability of the mayor and when so acting in this capacity shall have the authority conferred upon the mayor.

ITEM E: TERMS OF OFFICE

Section 6.01

Sec. 6.01. – Elections to be held under this Charter.

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B. *Election of mayor.* The mayor, after this section becomes effective, shall be elected at the general election to be held in November, 2022~~18~~, and shall serve until the general election to be held in November, 2025~~0~~, or until a successor has been elected and shall have qualified. Thereafter, elections hereunder for the position of mayor shall be held on the general election date, as provided by state law, in November of every third year ~~of each even-numbered year~~. The mayor shall serve for three (3) ~~two (2)~~ years concluding with the election and qualification of a successor ~~in the next subsequent even-numbered year~~.

C. *Election of two (2) councilmembers-at-large.* The two (2) councilmembers-at-large, after this section becomes effective, shall be elected at the general election to be held in November, 2022~~18~~, and shall serve until the general election to be held in November, 2025~~0~~, or until their respective successors have been elected and shall have qualified. Thereafter, elections hereunder for the two (2) positions of councilmembers-at-large shall be held on the general election date, as provided by state law, in November of every third year ~~of each even-numbered year~~. The councilmembers-at-large shall serve for

three (3) ~~two (2)~~-year terms concluding with the election and qualification of their successors ~~in the next subsequent even-numbered year.~~

- D. *Election of four (4) district councilmembers.* Pursuant to V.C.T.A., Election Code §41.0052, the councilmember, District A, councilmember, District B, councilmember, District C, and councilmember, District D, shall be elected at the general election to be held in November, 2021~~18~~, and shall serve until the general election to be held in November, 2024~~0~~, or until a successor has been elected and shall have qualified. Thereafter, elections hereunder for councilmember, District A, councilmember, District B, councilmember, District C, and councilmember, District D, shall be held on the general election date, as provided by state law, in November of every third year~~of each even-numbered year~~, and said councilmembers shall serve for three (3) ~~two (2)~~-year terms concluding with the election and qualification of their successors ~~in the next subsequent even-numbered year.~~

ITEM F: TERM LIMITS

Section 6.01

Sec. 6.01. – Elections to be held under this Charter.

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F. *Term Limits.* Neither the mayor nor any councilmember shall serve more than twelve (12) consecutive years of office in any position on the council or in any combination thereof. For the purposes of this subsection, an official shall have been considered to have served in any position upon taking the oath of office for such position, regardless of whether the official serves the complete term or a part thereof for such position. Any official who has served (12) consecutive years of office in any position on the council or in any combination thereof shall be prohibited from serving another term in any elected position for a minimum of two (2) years from the date of the expiration of the official's last consecutive term. The limit for terms provided by this subsection shall apply to a term of office beginning after the general election to be held in November, 2021.

ITEM G: TRANSFER OF UNENCUMBERED FUNDS

Section 9.04

Sec. 9.04. – Amendments after adoption.

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- D. *Transfer of appropriations.* Not later than the ~~ninetieth~~~~sixtieth~~ (90~~60~~th) day after the last day of the fiscal year, the city manager may transfer part or all of any unencumbered appropriations balance among programs within a department, division, or office and, upon written request by the city manager, the council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.

ITEM H: BOND SALE CLARIFICATION

Section 9.10

Sec. 9.10. – Sale of bonds.

No bond issued by the city shall be sold for less than its par value and accrued interest. Nor shall any bonds if sold in a competitive sale, be sold until bids, submitted in response to public advertisement therefor, have been received and considered by the council. The council shall have the right to reject any and all bids.

ITEM I: CHARTER REVIEW COMMISSION APPOINTMENTS

Section 11.13

Sec. 11.13. – Charter Review Commission.

The council shall appoint a charter review commission at least every four (4) years. The council shall appoint the first charter review commission after the adoption of this provision no later than July, 1981. Beginning with the 2024 charter review commission, and for each charter review commission thereafter. ~~All~~ charter review commissions shall be appointed in ~~July~~ January and each shall consist of five (5) citizens of the City of Missouri City.

To be considered for placement on special election ballot:

ITEM B: MAYOR PRO TEM TERM

Section 3.05

Sec. 3.05. - Mayor and mayor pro tem.

The mayor shall be the official head of the city government and act as chief administrative officer of the city and fulfill all duties of city manager until a city manager is appointed. He shall be the chairman and shall preside at all meetings of the city council. The mayor shall vote upon all matters before the city council except when the matter involves the consideration of his own official conduct or where his financial interest is involved. He shall see that all ordinances, bylaws, motions and resolutions of the council are faithfully obeyed and enforced. He shall sign all ordinances and resolutions; and when authorized by the council, he shall sign all official documents, such as conveyances, grant agreements, official plats of city property, contracts and bonds. He shall appoint special committees as he deems advisable and also those special committees as instructed by the council. He shall perform such other duties consistent with the Charter or as may be imposed upon him by the city council.

The mayor pro tem shall be a councilmember and shall be elected by the council at the second regular council meeting in December of each calendar year ~~at the first regular council meeting following the later of each general city election or special city election for the election of the mayor or one or more councilmembers~~. The councilmember elected as the mayor pro tem shall hold the title and serve in such capacity for a term of one year and until the election of his successor ~~at the pleasure of the council~~. The mayor pro tem shall act as mayor during the absence or disability of the mayor and when so acting in this capacity shall have the authority conferred upon the mayor.

ITEM C: COUNCIL CONCURRENCE FOR DEPARTMENT DIRECTOR APPOINTMENTS

Section 4.01

Sec. 4.01. - City manager.

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- D. *Powers and duties.* The city manager shall be responsible to the council for the proper administration of all the affairs of the city and to that end shall have the power and be required to:
1. See that all state laws and city ordinances are effectively enforced.
 2. Except as prohibited by this Charter, the city manager shall appoint, suspend or remove all or any one of the directors of departments with the advice and consent concurrence of a majority of the council; and he shall employ, suspend or discharge all other employees of the city.
 3. Attend all meetings of the council except when excused by council.
 4. Prepare the budget annually and submit it to the council and be responsible for its administration after its adoption.
 5. Prepare and submit to the council at the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year.
 6. Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem to him advisable.
 7. Perform such other duties as may be prescribed by this Charter or required of him by the council, as consistent with this Charter.

ITEM D: CITY MANAGER CONTRACT

Section 4.01

Sec. 4.01. - City manager.

- A. *Appointments and qualifications:* The council by majority vote of the entire council shall appoint a city manager who shall be the chief administrative and executive officer of the city. The method of selection shall be left to the discretion of the city council so long as the method insures orderly, nonpartisan action toward securing a competent and qualified person to fill the position. The city manager shall be chosen solely upon the basis of his executive and administrative training, experience and ability and need not when appointed be a resident of the City of Missouri City; however, during the tenure of his office he shall reside within the city. The council may enter into an employment contract with the selected city manager that prescribes the conditions of employment as the council determines appropriate. Such contract shall be authorized by a majority of the entire council.
- B. *Compensation.* The city manager shall receive compensation as may be set by the council according to his experience, education and training. If the council elects to enter into an employment contract with the selected city manager, the selected city manager shall receive such compensation as shall be affixed by the council in such employment contract. The compensation shall be agreed upon before appointment with the understanding that the council may change it at their discretion.