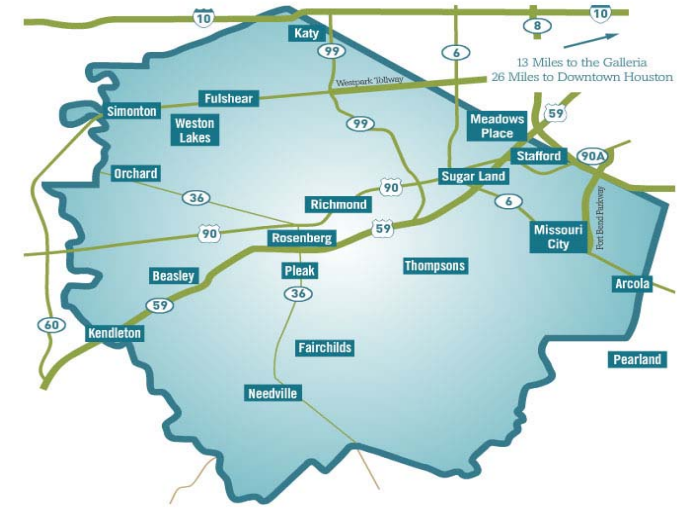




Memorial City Plaza II  
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Houston, TX 77024-4494  
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# Home Rule Charters of Cities in Fort Bend County as of December 2015



**Fulshear** Texas  
*Fort Bend County's Premier Address*

	A	B	C	D	E	F	G	H
1	<b>FORT BEND HOME RULE CHARTERS</b>							
2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
3								
4	Form of Government	Section 1.01 - Council-Manager	Article I, Section 2 - The Municipal Government provided by this Charter shall be known as the Mayor-Aldermanic-Administrator Form of Government and shall be described elsewhere in this Charter.	Section 1.02 - Shall consist of a mayor and councilmembers, elected by the people and responsible to the people, and a city manager, appointed by and responsible to the Council for proper administration of the affairs of the city. The term "city council" or "the council" shall mean collectively the mayor and the councilmembers.	Section 1.01 - "Commission-Manager" form of government.	Section 1.01 - "Council-Manager" form of government.	Section 1.02 - The City government shall be known as the council-manager form of government. All City powers are vested in an elected city council. The council shall appoint a city manager, who shall execute the laws and administer City government.	Section 1.02 - "Mayor-Council" form of government.
5	Boundaries of City	Section 1.02	Article I, Section 1(b) - √	Section 1.03 - √	Section 1.02 - √	Section 1.02 - √	-	Section 1.03 - √
6	General Powers	Section 2.02 - Power of local self government to the fullest extent permitted by law, and shall have all powers possible for a city to have under the constitution and laws of the State of Texas.	Article II - May sue and be sued; may contract and be contracted with; shall have all the powers granted to cities by the Constitution and Laws of the State of Texas; implied powers.	Article II -Shall have all powers to perform and render all public services as are granted to municipal corporations and to cities by constitution and laws of Texas together with all of implied powers of local self-government necessary to execute all such powers granted.	Section 2.04 - Charter to grant full power of local government to accomplish any public purpose; all other powers necessary or useful to accomplish any public purpose.	Section 2.01 - General Section 2.02 - General Powers adopted - shall have and may exercise all power of local self-government	Section 1.03 - shall have all powers possible for a home-rule city to have under the Texas Constitution, the laws of State of Texas, and this Charter.	Section 2.01 - shall have all powers possible for a home-rule city to have under Texas Constitution, laws of the State of Texas, and this Charter.
7	Intergovernmental	Section 2.02 - City may exercise any of its powers or perform any of its functions, and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with the Government of Texas or any agency thereof, with the Federal Government or any agency thereof, or with the government of any county, city or political subdivision to accomplish any lawful municipal purpose.	Article II, Section 1 - "...may cooperate with the Government of the State of Texas or any agency thereof, the Federal Government or any agency thereof, or any political subdivision of the State of Texas;"	Article II, Section 2.01(b) - May cooperate with the government of the State of Texas or any agency or any political subdivision thereof, or with the federal government or any agency thereof, to accomplish any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety and convenience of the city and its inhabitants.	Section 2.03 - The City may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more states or any state civil division or agency, or the United States or any of its agencies, and any other county or any other political subdivisions in the State of Texas.	Article II, Section 2.01 - "...may cooperate with the government of the State of Texas or any agency thereof, the federal government or any agency thereof, or any political subdivision of the State of Texas;"	-	Article II, Section 2.01(a)(8) - To cooperate with the government of the State of Texas or any agency or political subdivision thereof, or with the federal government or agency thereof, to accomplish any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety, and convenience of the City and its inhabitants.

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2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
	Authority to Annex and Disannex	<p><b>Section 2.03</b>  <b>(a) City shall have the power to fix boundaries, to extend the boundaries and annex area adjacent to City, and to exchange area with other cities.</b>  <b>(b) Any area of City may be disannexed pursuant to any procedure allowed under state law whenever, in the opinion of City Council, there exists within corporate limits a territory not suitable or necessary. City Council ay discontinue said territory as part of the City by ordinance after conducting a public hearing.</b></p>	<p>Section 1(c) - Council shall have power by ordinance to fix boundary limits and to provide for alteration/extension of boundary limits, [and] annexation of additional territory with/without consent of owners/inhabitants of territory annexed, detached/disannexed; in any manner not inconsistent with Laws of Texas. Upon final passage of any ordinance annexing territory, corporate limits of City shall thereafter include territory so annexed; and when any additional territory has been so annexed, same shall be a part of City and property situated therein shall bear its pro rata part of taxes levied by City, and inhabitants thereof shall be entitled to all of rights and privileges of all citizens and shall be bound by acts and ordinances, resolutions and regulations of City. Upon final passage of any ordinance detaching or disannexing territory from City, Corporate limits of City shall be reduced by territory so detached or disannexed.</p>	<p>Section 2.02 - Council by ordinance to fix boundary limits of city and to provide by ordinance for annexation of additional territory lying adjacent to city with or without consent of inhabitants or owners of territory to be annexed. Council shall have power to detach by ordinance any territory with or without consent of inhabitants or owners of such area to be detached. Such annexation or detachment of any such territory shall be in accordance with provisions of chapter 160, page 447, Acts of 1963, 58th Legislature, as same is now or may hereafter be amended, such being article 970a, Revised Civil Statutes of Texas entitled the Municipal Annexation Act Legislature, page 342, chapter 231 as now or hereafter may be amended [V.T.C.A., Local Government Code § 212.001 et seq.]</p>	<p>Section 11.01 - Annexation  Section 11.02 - Disannexation</p>	<p>Section 1.03 - Extension of Boundaries - in accordance with Article 974 of Revised Civil Statues; by election; annexation of unoccupied lands on petition of owners; annexation by amendments to charter; by action of city council; by any other method provided by law.</p>	<p>Section 1.03(a) - General Powers - To annex an area for full or limited purposes as provided in this Charter and to disannex land.</p>	<p>Section 2.02 - The City Council shall have the power by ordinance to establish the boundary limits of the City and to provide by ordinance for the annexation of additional territory lying adjacent to the City, with or without the consent of the owners or inhabitants of the territory to be annexed; and upon the final passage of any such ordinance, the corporate limits of the City shall thereafter include the territory so annexed; and the inhabitants thereof shall be entitled to all the rights and privileges of all citizens, and shall be bound by the acts and ordinances, resolutions, and regulations of the City. The City Council shall have the power to detach by ordinance any territory with or without the consent of the inhabitants or owners of such area to be detached. Such annexation or detachment of any such territory shall be in accordance with the provisions of State Law, as it now exists or may be hereafter amended.</p>
8								

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2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
9	Authority to Grant Franchises	Section 2.04 (a) right of control and use is hereby declared inalienable, except as may be provided by Charter or other law, and no act or omission by City Council/officer/agent of City shall be construed to grant, renew, extend, or amend by estoppel or indirection any right, franchise, or easement affecting. (b) To full extent allowed by law, City may require they provide any service to public first obtain written consent of City by license, permit, franchise, ordinance, or otherwise, which may be subject to certain terms and conditions at discretion of the City Council. (c) To full extent allowed by law, City may regulate rates, charges, fees, operations, and services of person, utility, or entity providing water, wastewater, electricity, natural gas, telephone, telecommunications, cable television, taxicab, bus, solid waste, transportation, or similar service to public within City.	Article XI. Franchise Section 1. Inalienability of Public Property Section 2. Power to Grant Franchise Section 3. Ordinance Granting Franchise Section 4. Transfer of Franchise Section 5. Regulation of Franchise Section 6. Regulation of Rates Section 7. Accounts of Municipally Owned Utilities Section 8. Other Conditions	Section 10.01 - Inalienability of public property Section 10.02 - Power to grant franchise Section 10.03 - Ordinance granting franchise Section 10.04 - Transfer of franchise Section 10.05 - Regulation of franchise Section 10.06 - Regulation of rates	Section 9.01 - Authority Franchise Section 9.02 - Ordinance Granting Franchise Section 9.03 - Transfer of Franchise Section 9.04 - Franchise Value Not to be Allowed Section 9.05 - Right of Regulation Section 9.06 - Regulation of Rates Section 9.07 - Licenses	Section 7.11 - Franchise ordinances - Nothing contained in this article shall be construed to be in conflict with any of the provisions of Article X of this Charter, pertaining to ordinances granting franchises when valuable rights shall have accrued thereunder. Article XII - Franchises and Public Utilities	Section 1.03(e-f) - General Powers - To full extent allowed by law, to require that any person, utility, or company making use of city's streets or property to provide any service to public first obtain written consent of city by license, permit, franchise, ordinance or otherwise. A franchise shall not be valid for more than fifty (50) years; and To full extent allowed by law, to regulate rates, charges, fees, operations, and services of any person, utility, or entity providing water, wastewater, electricity, natural gas, telephone, telecommunications, cable television, taxicab, bus, solid waste, transportation, or similar service to public within city.	Section 7.01 - Inalienability of Control of Public Property Section 7.02 - Power to Grant Franchise Section 7.03 - Ordinance Granting Franchise Section 7.04 - Transfer of Franchise Section 7.05 - Franchise Value Not Allowed Section 7.06 - Regulation of Franchise Section 7.07 - Franchise Records Section 7.08 - Regulation of Rates
10	City Council							

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11	Qualifications	Section 3.01- Mayor and each Council Member shall meet and maintain the following qualifications to be eligible for office: (a) Be a United States citizen; (b) Be twenty-one (21) years of age or older on the first day of the term to be filled; (c) Have resided continuously in the corporate limits of the City for twelve (12) months on the first day of the term to be filled at the election; (d) Not be delinquent in paying any local, state, or federal taxes; (e) Not be indebted to the City; and (f) Satisfy any other eligibility requirements prescribed by this Charter or other law for the office for which they are a candidate.	Article IV. Section 1. This Council shall consist of one Councilmember elected from at large and four Councilmembers elected from Wards established by City designated within City as Ward A., and Ward B.; Councilmembers shall be elected, two from Ward A., and two from Ward B., and one at-large. Candidate for Councilmember from a Ward shall reside in Ward for which he seeks election. Must be a citizen of United States, at least twenty-one (21) years of age, a qualified voter residing within City for at least twelve (12) months prior to his election. He shall not hold any other public office; and he shall not receive remuneration from two governmental or taxing entities.	Section 3.01(E) - No person shall be eligible to be elected to, appointed to, or to serve in office of mayor or councilmember unless that person is a resident of Missouri City, Texas, for six (6) months immediately preceding that person's appointment or election to fill such office. Additionally, no person shall be eligible to be elected to, appointed to, or to serve in office of district councilmember unless that person resides in district and has resided within district, or in an area that has been added to district, for six (6) months immediately preceding that person's appointment or election to fill such office. Section 3.01(c) - 4 districts residency	Section 3.02 - The Mayor and each Commission Member shall meet the qualifications set forth in and prescribed by the Texas Election Code.	Section 3.02 - The mayor and each other member of the city council shall have and possess the following qualifications to be a candidate for such office and shall retain such qualifications during the term of the office for which a person might be elected. Such qualifications are: Be a resident of the City of Rosenberg for six (6) months and have resided in the State of Texas for twelve (12) months, and if a candidate for a council district position, then shall have been a resident of such district for six (6) months; and (b) Be a United States citizen; and (c) Be 18 years of age or older on the first day of the term of office that the candidate is seeking; and (d) Not have been previously determined mentally incompetent by a judgment of a court of competent jurisdiction; and (e) Not finally convicted of a felony for which a pardon has not been given. Section 3.01(d) - 4 districts residency	Section 2.02 - Council members shall be twenty-one (21) years of age or older and city residents for at least one (1) year preceding their election. A district council member shall during the term of office maintain a residence in the district to which elected. No council member shall hold any other city office or city employment while serving as a council member or hold any paid city employment within two (2) years thereafter. Section 2.01(b) - 4 districts residency	Section 3.02 - Upon commencement of the term to be filled at their respective elections, each Councilmember and the Mayor shall be at least twenty-one (21) years of age, be a resident qualified voter of the City, and shall have resided continuously in the City for at least twelve (12) months immediately preceding the filing deadline for an application for a place on the ballot.
12	Barred if tax delinquent	Yes	-	-	-	Section 3.05 - Yes	-	-
13	Barred if indebted to City	Yes	-	-	-	Section 13.05 - Yes	-	-
14	Term Limit	No Yes, 3 X 2 year terms	Article IV, Section 2(a) - "Shall not exceed 3 consecutive two-year terms"	None	None	None	Section 2.03 - "Not more than 4 times in any consecutive 9 year period"	None
15	Vote	Plurality Majority	Article VII, Section 3 - Majority	Section 6.03 - Majority	Section 5.11 - Majority	Section 5.05 - Majority	Section 2.01(c) - Majority	Section 5.05 - Plurality
16	Public Comment Required	Yes	Article IV, Section 5(a) - No, open to public.	Section 3.09 - No, open to the public.	Section 3.12 - Yes	-	-	Section 3.10 - Open to the public.
17	Investigations Subpoena Power	Yes Yes	Article II, Section 6 - Yes Article III, Section 6 - Yes	Section 3.07 - Yes Section 3.17 - Yes	Section 3.16 - Yes Section 3.16 - Yes	Section 3.07 - Yes Section 3.13 - Yes	-	Section 3.09 - Yes Section 3.08 - Yes
18	Judge of Qualifications	Section 3.02 - City Council	-	Section 3.03 - City Council	Section 3.05(2) - City Commission [IMPLIED] - states that the commission would be responsible for adopting and enforcing a resolution.	Section 3.03 - City Council	Section 2.01(c) - City Council	Section 3.08 - City Council

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19	Number, Selection and Term of Council Members	Section 3.03 - Seven (7) councilmembers total - Two (2) at-large by majority vote Five (5) by majority vote of a single-member district in which they must reside; Two year terms	Article III/Article IV - Mayor and 5 councilmembers; 2 year term; This Council shall consist of one Councilmember elected from the City At large and four Councilmembers elected from the Wards established by the City designated within the City as Ward A., and Ward B.; the Councilmembers shall be elected, two from Ward A., and two from Ward B., and one at-large. The candidate for Councilmember from a Ward shall reside in the Ward for which he seeks election.	Article III - Mayor and 6 councilmembers Section 6.01(c) - 2 year term; The mayor and two (2) councilmembers shall be elected from the city at large. Each of said two (2) councilmembers shall occupy a position on the council, such positions being designated as councilmember-at-large, Position 1 and councilmember-at-large, Position 2. C. Four (4) councilmembers shall each be elected from within geographic districts of the city, as established elsewhere in this Charter, and shall each occupy a position on the council. One (1) councilmember shall be designated as councilmember, District A and shall be elected from District A. One (1) councilmember shall be designated as councilmember, District B and shall be elected from District B. One (1) councilmember shall be designated as councilmember, District C and shall be elected from District C. One (1) councilmember shall be designated as councilmember, District D and shall be elected	Section 3.01 - Mayor and 2 Commissioners; 3 year term; The "City Commission" shall be composed of a "Mayor" and two (2) "Commissioners." The Mayor and each Commissioner shall be elected at large, and unless sooner removed under the provisions of this Charter, shall serve for a term of three (3) years and until their successor has been elected and duly qualified. Neither the Mayor nor either Commission Member's terms of office shall expire in the same year, such that only one of them shall face election in any one year.	Section 3.01 - Mayor and 6 councilmembers; 2 year term; The legislative and governing body of the city shall consist of the mayor and six (6) council members and shall be known as the "City Council of the City of Rosenberg." (a) The mayor and two members of the city council shall be elected from the city at large. (b) The mayor shall be the presiding officer of the city council and shall be recognized as the head of city government for all ceremonial purposes and by the government [governor] for purposes of military law but shall have no regular administrative duties. The mayor shall be entitled to vote on all matters under consideration by the city council. (c) The mayor and six (6) council members, including two (2) at large council members and four (4) council members elected by districts shall be elected to two-year terms. The mayor and (2) council members shall be elected at-large in odd number years. The two (2) at-large council members positions shall be respectively designated as Position 1 and Position 2. The remaining four (4) council members shall be elected by districts, designated as Districts one (1), two (2), three (3) and four (4), in even	Section 2.01 - Mayor and 6 Councilmembers; 2 year term; (a) The council shall consist of a mayor and six (6) council members elected by the voters for a term of two (2) years, or until their successors have been elected and qualified. (b) The mayor and two (2) council members shall be elected at-large in even-numbered years. The two (2) at-large council members positions shall be respectively designated as Position 1 and Position 2. The remaining four (4) council members shall be elected by districts, designated as Districts 1, 2, 3, and 4, in odd-numbered years. The council shall modify the size, configuration, and geographic definition of the council districts as necessary to provide equal representation to all citizens of the city and to comply with state and federal law. (c) Council elections shall be held in May of each year on the date specified by state law. A candidate must be elected to office by majority vote. If no candidate for an office receives a majority vote, a run-off election shall be held as required by state law. The council shall be the	Section 3.01 - Mayor and 6 Councilmembers; 2 year term; The governing body of the City shall be the City Council. The City Council shall be composed of a Mayor and six (6) Councilmembers. The Mayor and all Councilmembers shall be elected from the City at-large. The Mayor and the Councilmembers shall be elected in the manner provided in Article V of this Charter to serve for two-year terms, and shall hold office until their respective successors have been elected and qualified.
20	Compensation Expenses	Section 3.05 (a) - \$300 per month Section 3.05 (b) - Shall be reimbursed for travel and out-of-pocket expenses incurred in the performance of their official duties.	Article IV, Section 9(g) - Duty of City Council to fix the salaries and compensation of the City Officials and employees.	Section 3.04 - Council may provide by ordinance for compensation to its members.	Section 3.03 - City Commission compensation is \$75.00 per month. Subsequent increases to be determined & approved by vote of citizens at regular election to amend this Charter. No increase shall take effect until beginning of terms of Mayor and/or Commission Members elected at next general election. Entitled to reimbursement for actual expenses incurred in performance of official duties with approval of City Commission at public meeting.	Section 3.04 - The city council shall fix the compensation to be received by its members; provided, however, that no council member shall receive more than two hundred dollars (\$200.00) per month.	Section 2.04 - Mayor and councilmen may receive such pay or compensation, including necessary expenses incurred in performance of official duties, in amount determined from time to time by council; provided, that pay or compensation received by mayor shall not be less than that received by each councilman.	Article III, Section 3.05 - The Mayor and Councilmembers may receive such pay and compensation, including necessary expenses incurred in the performance of their official duties, as may be prescribed and set by City Council by ordinance; however, the compensation set for the Mayor or a Councilmember may not be changed during the term for which the Mayor or such Councilmember is elected or appointed.

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21	General Powers and Duties of the City Council	Section 3.06 - All powers of the City shall be vested in City Council, except as otherwise provided by law or by this Charter, and City Council shall provide for exercise thereof and for the performance of all duties and obligations imposed on City by law or by this Charter. By way of illustration but not limitation, the powers and duties of the City Council shall include the following: (a) investigations, subpoenas; (b) determine boundaries of all districts necessary for election of each Council Member required by this Charter to be elected by district, and shall revise such boundaries from time to time as may be required by law.	Section 9. Duties of the Council Section 10. Create Boards Section 11. Purchase Procedure Section 12. Emergency Powers	Section 3.07 - All powers of the city shall be vested in the council, except as otherwise provided by law or this Charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.	Section 3.06(1-14)	Section 3.07	Section 2.07 - All powers of city shall be vested in city council, except as otherwise provided by law or this Charter. Powers and duties of council shall include following: (a) To select, appoint, review, and dismiss city manager, with or without cause; (b) To establish boards or commissions and appoint individuals thereto as shall be required by law or deemed necessary by city council. (c) To adopt and modify yearly a plan containing goals and long range plans for city and directing city manager in meeting those goals and plans; and (d) To exercise exclusive jurisdiction upon, over and under public streets, sidewalks, alleys, and public grounds of city, including right to impose charges for use of such property.	Section 3.04 - All powers and authority which are expressly or impliedly conferred on or possessed by the City shall be vested in and exercised by the City Council; provided, that the City Council shall have no power to exercise those powers which are expressly conferred on other city officers by this Charter.
22	Prohibition	Section 3.07 - (a) Neither Council/Council Member shall control/demand appointment/removal of administrative officer/ employee whom City Manager/subordinate is empowered to appoint, but may express its views/fully and freely discuss with City Manager anything pertaining to appointment/removal/both. (b) Except for inquiries/investigations authorized by Charter, Council and each Member deal with officers/employees subject to direction/supervision of City Manager solely through City Manager, and neither Council nor any Member shall give orders to any such officer/employee, either publicly/privately.	Section 6 - Personal interest in city contracts Section 7 - Nepotism	Section 3.08 - No holding other office. No former mayor/councilmember shall hold compensated appointive city office/city employment until passage of one year after expiration of term; Appointments/removals - shall not dictate appointment/removal of city administrative officer/employee; Interference with administration - shall deal solely through city manager. Section 3.09 - Councilmember shall vote upon all matters before council except when matter involves consideration of councilmember's own official conduct/where councilmember's financial interest is involved.	Section 3.07 - No Mayor or Commission Member shall hold any other City office/city employment/compensated appointive office until two (2) years; not in any way dictate the appointment/removal of city administrative officers/employees; deal with employees solely through City Manager. Section 4.07 - Freedom from Interference - unlawful to dictate to City Manager the appointment of any person to office or employment or interfere in any manner with City Manager.	Section 3.08 - City council not to interfere in appointments. Neither city council nor any of its members, except as herein otherwise provided, shall direct appointment of person to office by city manager or by any of his subordinates. Except for all purpose of inquiry, city council and its members shall deal with administrative services solely through city manager and neither city council nor any member thereof shall give orders to any subordinate of city manager, either publicly or privately.	-	Section 10.06 - nepotism
23	<b>Mayor</b>							

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24	Qualifications	<p><b>Section 3.01- Mayor and each Council Member shall meet and maintain the following qualifications to be eligible for office:</b></p> <p>(a) Be a United States citizen;</p> <p>(b) Be twenty-one (21) years of age or older on the first day of the term to be filled;</p> <p>(c) Have resided continuously in the corporate limits of the City for twelve (12) months on the first day of the term to be filled at the election;</p> <p>(d) Not be delinquent in paying any local, state, or federal taxes;</p> <p>(e) Not be indebted to the City; and</p> <p>(f) Satisfy any other eligibility requirements prescribed by this Charter or other law for the office for which they are a candidate.</p>	Article III. Section 1. Shall be a citizen of the United States, at least twenty-one (21) years of age, a qualified voter, residing for at least twelve (12) months prior to his election within; he shall not hold any other public office. He shall not receive remuneration from two governmental or taxing entities.	Section 3.01(E) - No person shall be eligible to be elected to, appointed to, or to serve in office of mayor or councilmember unless that person is a resident of Missouri City, Texas, for six (6) months immediately preceding that person's appointment or election to fill such office. Additionally, no person shall be eligible to be elected to, appointed to, or to serve in office of district councilmember unless that person resides in district and has resided within district, or in an area that has been added to district, for six (6) months immediately preceding that person's appointment or election to fill such office.	Section 3.02 - The Mayor and each Commission Member shall meet the qualifications set forth in and prescribed by the Texas Election Code.	Section 3.02 - The mayor and each other member of the city council shall have and possess the following qualifications to be a candidate for such office and shall retain such qualifications during the term of the office for which a person might be elected. Such qualifications are: Be a resident of the City of Rosenberg for six (6) months and have resided in the State of Texas for twelve (12) months, and if a candidate for a council district position, then shall have been a resident of such district for six (6) months; and (b) Be a United States citizen; and (c) Be 18 years of age or older on the first day of the term of office that the candidate is seeking; and (d) Not have been previously determined mentally incompetent by a judgment of a court of competent jurisdiction; and (e) Not finally convicted of a felony for which a pardon has not been given.	Section 2.02 - Council members shall be twenty-one (21) years of age or older and city residents for at least one (1) year preceding their election. A district council member shall during the term of office maintain a residence in the district to which elected. No council member shall hold any other city office or city employment while serving as a council member or hold any paid city employment within two (2) years thereafter.	Section 3.02 - Upon commencement of the term to be filled at their respective elections, each Councilmember and the Mayor shall be at least twenty-one (21) years of age, be a resident qualified voter of the City, and shall have resided continuously in the City for at least twelve (12) months immediately preceding the filing deadline for an application for a place on the ballot.
25	Selection and Term of Mayor	<p><b>Section 3.04 - Elected at large by majority vote;</b></p> <p><b>Two year term;</b></p> <p><b>May not serve more than three (3) consecutive terms as Mayor, provided partial terms shall be excluded from such limitation</b></p>	Article III. Section 1. Elected from City at large; shall hold office for two years and/or until his successor is elected and qualified unless sooner removed as provided by this Article. Article III, Section 12 - Term limit: 3 X 2 year term	Section 6.01(b) - 2 year term Section 3.01(b) - at large	Section 3.01 - 3 year term; at large	Section 3.01(c) - 2 year term Section 3.01(a) - at large	Section 2.01(a) - 2 year term Section 2.01(b) - at large	Section 3.01 - 2 year term; at large



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2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
26	Compensation Expenses	Section 3.05 (a) - \$800 per month Section 3.05 (b) - Shall be reimbursed for travel and out-of-pocket expenses incurred in the performance of their official duties	Article II, Section 11 - Annual salary of the Mayor shall be determined by the Council.	Section 3.04 - Council may provide by ordinance for compensation to its members.	Section 3.03 - Mayor's compensation is \$75.00 per month. Subsequent increases to be determined & approved by vote of citizens at regular election to amend this Charter. No increase shall take effect until beginning of terms of Mayor and/or Commission Members elected at next general election. Entitled to reimbursement for actual expenses incurred in performance of official duties with approval of City Commission at public meeting.	Section 3.04 - The city council shall fix the compensation to be received by its members; The mayor shall not receive more than three hundred (\$300.00) per month.	Section 2.04 - Mayor and councilmen may receive such pay or compensation, including necessary expenses incurred in performance of official duties, in amount determined from time to time by council; provided, that pay or compensation received by mayor shall not be less than that received by each councilman. (Ord. No. 1178, § 1, 6-15-99)	Article III, Section 3.05 - The Mayor and Councilmembers may receive such pay and compensation, including necessary expenses incurred in the performance of their official duties, as may be prescribed and set by City Council by ordinance; however, the compensation set for the Mayor or a Councilmember may not be changed during the term for which the Mayor or such Councilmember is elected or appointed.
27	Vote	In the event of a tie <b>In the event of a tie</b>	Article III, Section 7 - In the event of a tie	Section 3.05 - Yes	Section 3.04 - In the event of a tie	Section 3.01(b) - Yes	Section 2.05 - Yes	Section 3.03(a)(2) - Yes
28	Veto	Yes, LGC <b>No</b>	Article III, Section 7 - Yes, override by 3	Not expressly stated	Section 3.04(2) - Yes	No	No	Section 3.03(a)(2) - No
29	Powers and Duties of Mayor	Section 3.08 (a) - Shall nominate, and by and with approval of City Council, shall appoint the members of all boards and commissions of the City, and may remove the same at any time. Section 3.08 (b) - Shall annually address the City Council as to the State of the City.	Article III, Section 1(a). Head of City Government - The Mayor shall be the Chief Administrative and Executive Officer of the City. He shall devote his best efforts to and shall be responsible for the proper administration of its affairs. The Mayor shall preside at all meetings of the Council and shall be recognized as the head of the City Government for all ceremonial purposes, for the purpose of receiving civil process, for emergency purposes, and for military purposes.	Section 3.05 - Mayor shall be official head of city government and act as chief administrative officer of city and fulfill all duties of city manager until a city manager is appointed. He shall be chairman and shall preside at all meetings of city council. Mayor shall vote upon all matters before city council except when matter involves consideration of his own official conduct or where his financial interest is involved. He shall see that all ordinances, bylaws, motions and resolutions of council are faithfully obeyed and enforced. He shall sign all ordinances and resolutions; and when authorized by council, he shall sign all official documents, such as conveyances, grant agreements, official plats, contracts and bonds. He shall appoint special committees as he deems advisable and also those special committees as instructed by council. He shall perform such other duties consistent with Charter or as may be imposed upon him by city council.	Section 3.04 - (1) Mayor occupies highest elective office in City and shall preside at meetings of City Commission. Mayor shall be recognized as head of City government for all ceremonial purposes, and by Governor for purposes of military law, but shall have no regular administrative duties. Mayor may participate in discussion of all matters coming before City Commission and may second any motion that comes before Commission. Mayor shall not be entitled to vote as a member of Commission, on legislative or other matters, except in case of a tie when Mayor shall 4 cast deciding vote or in absence of a Commissioner to meet requirement of Section 3.09. (2) Before an Ordinance or Resolution adopted by City Commission may take effect, Ordinance or Resolution must be signed by Mayor. On any Ordinance or Resolution adopted by Commission to which Mayor does not execute within one week after Commission approval, Ordinance or Resolution shall take effect. If Mayor files objections with City Secretary within one week after Commission approved Ordinance or Resolution, action by	Section 3.01(b) - The mayor shall be the presiding officer of the city council and shall be recognized as the head of city government for all ceremonial purposes and by the government [governor] for purposes of military law but shall have no regular administrative duties. The mayor shall be entitled to vote on all matters under consideration by the city council. Section 3.07(a - y) - Powers of city council	Section 2.05(a) - Head of City government. Mayor shall preside at all council meetings and be deemed a council member and be entitled to vote upon all matters considered by council. Mayor shall be recognized as head of City government for all ceremonial purposes and shall perform any additional duties as provided for by Federal or State laws or regulations. Section 2.07 - All powers of city shall be vested in city council, except as otherwise provided by law or this Charter. Powers and duties of council shall include following: (a) To select, appoint, review, and dismiss city manager, with or without cause; (b) To establish boards or commissions and appoint individuals thereto as shall be required by law or deemed necessary by city council. (c) To adopt and modify yearly a plan containing goals and long range plans for city and directing city manager in meeting those goals and plans; and (d) To exercise exclusive jurisdiction upon, over and under public streets, sidewalks, alleys, and public grounds of city, including right to impose charges for use of	Section 3.03(a) - Mayor shall: (1) preside at all meetings of City Council, be recognized as head of City government for emergency purposes, for purpose of receiving service of process, for military purposes, and for ceremonial purposes; (2) be entitled to vote upon all matters before City Council unless prohibited by Law, but shall have no power of veto; (3) see that ordinances, regulations, and resolutions of the City Council are faithfully obeyed and enforced; (4) when authorized by City Council, sign all official documents such as ordinances, resolutions, conveyances, agreements, contracts, and bonds; (5) appoint special committees which he deems advisable or as instructed by City Council; (6) oversee preparation of each annual fiscal year budget, file it with City Secretary, and be responsible for its administration after adoption by City Council; (7) in January of each year, deliver a State of City Message to City Council and members of public; (8) perform such other duties and possess and exercise such other authority as may be prescribed and conferred by City Council when not inconsistent with this Charter.
30	City Council Meetings							

	A	B	C	D	E	F	G	H
2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
31	Meeting Frequency	Section 3.09(a) - At least 1 a month	Article IV, Section 5 - At least 2 a month	Section 3.09 - At least 2 a month	Section 3.08(1) - May hold at least one regular meeting each month and as many additional meetings as it deems necessary.	Section 3.09 - At least 1 a month	Section 2.08 - At least 2 a month	Section 3.10 - At least 1 a month
32	Special Meetings	Section 3.09(b) - Mayor may call a special meeting on own motion and shall call a special meeting on the application of three (3) Council Members or the City Manager.	Article IV, Section 5(a) - Special meetings of the Council shall be called by the Office of the City Secretary upon written request of the Mayor or of two Councilmembers.	-	Section 3.08(2) - Special meetings of the City Commission shall be held at the call of the Mayor or a majority of the City Commission Members upon provision of public notice in accordance with Texas Open Meetings Act.	Section 3.09 - The mayor or any three members of the city council may call special meetings of the city council at any time.	Section 2.08(a) - The mayor, any four (4) council members, or the city manager may call special meetings of the council.	Section 3.10(a) - Special meetings may be held on the call of the Mayor or four (4) or more Councilmembers.
33	Vote, Order, Decision or Other Action	Section 3.09(c) - Unless otherwise provided by this Charter or other law, each vote, order, decision, or other action taken by the City Council shall require the affirmative vote of a majority of the full City Council, provided that any abstention not required by law shall be counted as a vote against the matter under consideration, and provided that the Mayor shall have the right to cast the deciding vote in the case of a tie, but shall not otherwise have any right, power, or authority to vote against or veto any action taken by the City Council. For purposes of this subsection, a majority shall mean an integer greater than one-half of the full City Council, provided that any one or more Council Members required by law to abstain from voting on a particular matter shall be excluded for purposes of determining the majority.	Article IV, Section 5(b) - A vote regarding adjournment or the attendance of absent members may be adopted by a majority of the members present but in all other matters upon which the Council may vote, three-fifths (3/5) vote of all members of the Council in Office shall be necessary for adoption, provided, however, in the event of a tie vote with only four Councilmembers present, then the Mayor shall be entitled to vote and break the said tie.	Section 3.11 - The council may legislate and act only by ordinance, resolution or motion; and all ordinances, resolutions or motions, except ordinances making appropriations, shall be confined to one subject, which shall be clearly expressed in the title, and ordinances making appropriations shall be confined to the subject of appropriations.	Section 3.09 - A majority of Commission Members shall constitute a quorum for the purpose of transacting business. No action of the City Commission, except as specifically provided in this Charter, shall be valid or binding unless adopted by the affirmative vote of a majority of the City Commission places occupied at the time of the vote. The presence of the Mayor at any Commission meeting shall not count toward a quorum unless a Commissioner is absent, then the Mayor does count toward a quorum and is allowed to vote on all matters during the absence of the Commissioner. No Ordinance, Resolution or action by the City Commission shall be binding unless the matter receives two (2) affirmative votes.	Section 3.10 - The affirmative vote of four (4) members of the council shall be necessary to adopt any ordinance or resolution. Every ordinance shall be in written form and upon passage shall take effect at the time indicated therein, or if no time be specified, then immediately after passage and approval; provided that any penalty, fine or forfeiture for a violation of ordinance provisions shall become effective from the date of its publication.	Section 2.01(b) - 2	Section 3.10(b) - Four (4) members of City Council shall constitute a quorum for the purpose of transaction of business at any regular or special called meeting. No action of the City Council shall be valid or binding unless approved by the affirmative vote of a majority of the members of City Council present.
34	Rules of Procedure required	Section 3.09(d) - The City Council shall adopt rules of procedure governing all meetings of the City Council, which shall provide for comments from the public at all regular meetings, subject to such limitations as may be imposed by the City Council.	Article IV, Section 5(c) - Yes - established by ordinance	Section 3.10 - Yes - established by ordinance	Section 3.12 - Yes - established by City Commission	Section 3.09 - Yes - established by City Council	Section 2.08 - Yes - established by City Council	Section 3.11 - Yes - established by ordinance

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35	Agenda items	Section 3.09(e) - The City Manager shall place an item on the agenda of the next regular meeting of the City Council if requested to do so at a time other than during a City Council meeting by either the Mayor or by a concurrence of two (2) Council Members, and shall place an item on the agenda of a subsequent meeting if a motion to do so is made and seconded during any City Council meeting.	-	Section 3.11(5) - Any member of council may offer any ordinance in writing that he desires after it has been approved by the attorney for the city as to form and has been placed on the agenda of a regular council meeting.	Section 3.12(2) - The Mayor or Commission Members by motion at a Commission meeting may place items on the agenda of a future meeting prior to the agenda being posted.	-	Section 4.01(7) - City Manager "...to prepare and accept items for the agenda of the meetings of the city council in accordance with rules adopted by the city council."	Section 3.10(f) - The agenda for the meetings of City Council shall be prepared by the Mayor and posted in the manner required by State Law. Any Councilmember may request that an item be placed on the agenda; however, the Mayor is not obligated to comply unless such request is timely submitted in writing and signed by three (3) or more Councilmembers. The item shall then be included on the next regular City Council meeting agenda unless a different meeting date was specified in the request.
36	Mayor Pro Tempore	Section 3.09(f) - At the first regular meeting of the City Council after each general election, the City Council shall elect one Council Member to serve as Mayor Pro Tempore until the City's next general election. If the Mayor fails, is unable, or refuses to act, the Mayor Pro Tempore shall perform the Mayor's duties. If the Mayor and the Mayor Pro Tempore are both absent, any Council Member may be appointed to preside at the meeting.	Article III, Section 1(b) - If for any reason Mayor is absent from City, sick or unable to perform duties of office, Mayor Pro Tem shall act as Mayor, and during such absence or disability shall possess all of powers and perform all of duties of Mayor. Article III, Section 2 - Each year at first regular meeting of Council after newly-elected Officials have been inducted into office, Mayor shall nominate, subject to confirmation by Council, one of Councilmembers who shall be known and designated as "Mayor Pro Tem," and shall continue to hold title and office until his successor is appointed, but shall receive no extra pay by reason of being or acting Mayor Pro Tem.	Section 3.05 - The mayor pro tem shall be a councilmember and shall be elected by the council at the first regular council meeting following each regular city election. The councilmember elected as the mayor pro tem shall hold the title and serve in such capacity during 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.	Section 3.04(4) - The Mayor Pro Tem shall be a Commission Member appointed by the Mayor at the first regular meeting after each election of Commission Members and/or Mayor. The Mayor Pro Tem shall act as Mayor during the disability or absence of the Mayor, and in this capacity shall have all the rights conferred upon the Mayor and shall still be entitled to vote as a Commission Member.	Section 3.05 - The city council, at its first meeting after election of councilmen, shall elect one of its number mayor pro-tem, and he shall perform all the duties of the mayor in the absence or disability of the mayor.	Section 3.05(b) - Following each city election in May, the council shall appoint one of its members as mayor pro tem. The mayor pro tem acts as mayor during mayor's absence and has the power to perform every act the mayor could perform if present.	Section 3.03(b) - The Mayor Pro Tern shall be a Councilmember and shall be elected by the City Council at the first regular meeting following the general municipal election each year or as soon thereafter as practicable. The Councilmember elected as the Mayor Pro Tern shall hold the title and serve in such capacity at the pleasure of the City Council. If the Mayor fails, or is unable, or refuses to act, the Mayor Pro Tern shall have power to perform the Mayor's duties. If the Mayor and the Mayor Pro Tern are absent from a meeting, the City Councilmember next in line of succession present shall preside over such meeting.
37	Vacancies							

	A	B	C	D	E	F	G	H
2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
38	Filling one vacancy	Section 3.10(a) - If for any reason a single vacancy exists among the Mayor and the members of the City Council, then a majority of the remaining Council Members may fill the vacancy by appointment. Section 3.10(c) - A person elected or appointed to fill a vacancy serves until the next regular election at which the affected office is to be elected (partial term).	Article III, Section 5 - Mayor - "Filled in the same manner as any other vacancies." Article IV, Section 4 - Councilmember - Remaining members must appoint a qualified person within 20 days to serve in that position until the next Regular City Officers' Election.	Section 3.06D - Filled within 30 days by majority vote of remaining members of council to serve until next regular city election.	Section 3.05 (4 - 6) - Mayor - Mayor Pro Tem shall serve until next election. City Commissioner - If term is less than a year, vacancy filled within 30 days by vote of remaining members. If term is more than a year, position must be filled by election.	Section 3.06 - Within 10 days, remaining members will appoint. Shall not appoint more than 1 member in 12 month period.	Section 2.06 - Mayor - More than 15 months remain, election held on next May election. Interim, council appoints one of members and council position becomes vacant. Three months or more but 15 months or less, council appoints one of members and council position becomes vacant. Less than three months, Mayor Pro Tem acts as Mayor and receives his compensation. Mayor Pro Tem's position does not become vacant. Councilmember - Within 30 days appoint. More than 15 months, election held at next May election.	Section 3.07(d)(1) - Filled by majority vote of members OR special election if sufficient time to order special election for next uniform election date. If insufficient time, Council appoints person to fill the vacancy until next regular municipal election, at which time, if unexpired term remaining, special election is ordered. If Council fails to appoint a person, special election is ordered to be held on first authorized election date as prescribed by Election Code which occurs before general election and allows enough time to hold election.
39	Filling two vacancies	Section 3.10(b) - If two or more vacancies among the Mayor and the members of the City Council exist at the same time, then a special election shall be ordered to fill the vacancies. Section 3.10(c) - A person elected or appointed to fill a vacancy serves until the next regular election at which the affected office is to be elected (partial term).	Article IV, Section 4 - Remaining members appoint qualified person within 20 days to serve in position until next regular election. Shall not appoint more than one Councilmember within twelve month period. If vacancies exist within 90 days of next regular election, vacancy shall be filled by appointment as in other cases. Should Mayor and Mayor Pro Tem resign at same time, City Council shall issue legal notice of such election to be held and to elect and appoint Election Officials. Should all positions become vacant at one time, County Judge is directed to issue notice of special election and to appoint Election Officials.	Section 3.06D - special election shall be called by the council within 30 days following vacancies to fill vacancies in the same manner for regular elections. If, however, the vacancies occur with 120 days of a regular election, remaining councilmembers shall appoint to fill the vacancy until the regular election.	Section 3.05 (4 - 6) - But does not specifically address more than one vacancy.	Section 3.06 - Shall call a special election within 10 days to occur not sooner than 45 days from the date of the order calling an election.	Section 2.06 - But does not specifically address more than one vacancy.	Section 3.07(d)(2) - Special Election shall be ordered to fill two or more vacancies.

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40	Missed Meetings	Section 3.10(d) - If the Mayor or a Council Member is absent for three (3) consecutive regular meetings, then the Mayor's or Council Member's office, as applicable, is considered vacant unless:  (1) They are sick and the absence is excused afterward; or  (2) They have first obtained a leave of absence at a regular meeting.	<b>Mayor</b> - Article III, Section 4 - 3 consecutive meetings by a majority vote OR automatically after 6 consecutive meetings <b>Council</b> - Article IV, Section 3 - 3 consecutive meetings by a majority vote OR automatically after 6 consecutive meetings	-	Section 3.05(2) - 3 consecutive meetings by majority vote	-	-	Section 3.07(c) - 3 consecutive regular meetings by majority vote OR automatically after 6 consecutive regular meetings
41	<b>City Administration</b>							
42	City Manager Qualifications, Appointment, and Compensation	Section 4.01 - (a) The City Council shall appoint, by at least a two-thirds (2/3) supermajority of the full City Council, a City Manager who shall be chosen solely on the basis of executive and administrative training, experience, and ability. The City Manager may not be required to reside within the City. (b) The City Manager shall have an employment contract with the City of Fulshear, which shall be approved by at least a two-thirds (2/3) supermajority of the full City Council, shall be for an indefinite term, shall fix the compensation of the City Manager, and shall provide for review of the City Manager at least once but not more than twice per year. (c) The City Manager may be removed only by at least a two-thirds (2/3) supermajority of the full City Council, and no hearing shall be required prior to the removal of the City Manager.	"City Administrator" - Article V, Section 1 - Appointment; Qualifications; Assistants; Temporary City Administrator Section 2 - Term and Salary	Section 4.01 - A. Council by majority vote shall appoint a city manager who shall be chief administrative and executive officer of city. Method of selection shall be left to discretion of city council so long as method insures orderly, nonpartisan action toward securing a competent and qualified person to fill position. City manager shall be chosen solely upon basis of his executive and administrative training, experience and ability and need not when appointed be a resident; however, during tenure of his office he shall reside within city. B. City manager shall receive compensation as may be fixed by council. Compensation shall be agreed upon before appointment with understanding that council may change it at their discretion.	Section 4.01(1) - City Commission shall appoint and approve a written agreement for City Manager by affirmative vote of a majority of the full membership of City Commission. City Manager shall be appointed solely upon City Manager's executive, administrative and educational qualifications and shall have previous city manager or administrator or assistant city manager experience and/or a degree in a field related to city government. City Manager need not be a resident of the City when appointed, but shall, within a reasonable time (no more than one year), after such appointment, reside within a radius of ten (10) miles of Richmond City Hall during balance of tenure of his/her appointment. Section 4.01(3) - City Commission shall fix compensation of City Manager, and City Manager's compensation may be amended from time to time, in accordance with City Manager's experience, qualifications and performance.	Section 4.01 - (a) Appointment and qualifications: city council shall appoint a city manager who shall be chief administrative and executive officer and shall be responsible to city council for administration of all affairs of city under his jurisdiction. He shall be chosen by city council solely on basis of his executive and administrative training, experience and ability, and need not, when appointed, be a resident of City. No member of city council shall, during the time for which he is elected and for one year thereafter, be appointed or designated city manager. (b) Term and salary: City manager shall not be appointed for a definite term but may be removed at the will and pleasure of city council by a vote of majority of entire council. Action of city council in suspending or removing city manager shall be final, it being intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in city council. City manager shall receive such compensation as may be fixed by city council.	Section 4.01(a) - The city council shall appoint and retain a city manager to serve as the chief administrative officer of the City. The council shall set the compensation to be paid to the city manager. The city manager serves at the pleasure of the city council and shall be subject to dismissal by the city council, with or without cause.	N/A - City employs a City Secretary

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	City Manager Powers and Duties	Section 4.02 - (a) Chief executive officer of the City, responsible to City Council for management of all City affairs placed in City Manager's charge by/under this Charter. (b) City Manager shall (See Section 4.02(b)(1-15))	Article V, Section 3 - Duties of the City Administrator	Section 4.01(D) - City manager shall be responsible to council for proper administration of all affairs of city and to that end shall have power and be required to: 1. See that all state laws and city ordinances are effectively enforced. 2. Except as prohibited by this Charter, city manager shall appoint, suspend or remove all or any one of directors of departments with concurrence of council; and he shall employ, suspend or discharge all other employees of city. 3. Attend all meetings of council except when excused by council. 4. Prepare budget annually and submit it to council and be responsible for its administration after its adoption. 5. Prepare and submit to council at end of the fiscal year a complete report on finances and administrative activities for preceding year. 6. Keep council advised of financial condition and future needs of 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 council, as consistent with this	Section 4.01(1) - City Manager shall serve as Chief Administrative Officer of City. The City Manager shall be responsible to City Commission for administration of all affairs of City, with only those exceptions that are named in this Charter. Section 4.01(6)(A - K) - Duties and Responsibilities	Section 4.01(c) - (1) Appoint, and when necessary for the welfare of the city, remove any employee of the city, except as otherwise provided by this Charter. (2) Prepare the budget annually and submit it to the city council, and be responsible for its administration after adoption. (3) Prepare and submit to the city council as of the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year. (4) Keep the city council advised of the financial condition and future needs of the city and make such recommendations as may seem desirable. (5) Perform such duties as may be prescribed by this Charter or may be required of him by the city council not inconsistent with this Charter.	Section 4.01(b) - Shall exercise administrative powers granted herein or by ordinance. (1) To establish, organize, and abolish City departments or administrative units not otherwise provided for by Charter and to assign duties thereof; (2) To adopt, modify, and administer personnel policies for City employees; (3) To hire, promote, transfer, demote, terminate, discipline, and take other administrative actions involving employment of City employees; (4) To establish and adjust salaries and compensation for all employees not appointed by city council in accordance with a compensation plan approved by city council; (5) To annually prepare and recommend to city council a budget and to administer adopted budget; (6) To make regular reports to city council on City operations; (7) To prepare and accept items for agenda of meetings of city council in accordance with rules adopted by city council; and (8) To attend and take part in discussions of all open meetings of city council.	N/A - City employs a City Secretary

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	A	B	C	D	E	F	G	H
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44	Acting City Manager	<p><b>Section 4.03 - (a) The City Manager shall designate a qualified employee or officer of the City to be the Acting City Manager, who shall act as the City Manager in the absence of the City Manager.</b></p> <p><b>(b) Neither the Mayor nor any Council Member may be designated as the Acting City Manager.</b></p> <p><b>(c) If the City Manager's absence exceeds sixty (60) days, then the City Council may remove the Acting City Manager designated by the City Manager and designate a new Acting City Manager, who shall act as City Manager until the City Council, at any time thereafter, either designates a new Acting City Manager or appoints a new City Manager.</b></p>	Article V, Section 1(b) - Such Assistant City Administrators as may be required may be appointed by the Mayor subject to the approval of City Council. In the temporary absence of a City Administrator and Assistant City Administrator because of illness, death, resignation, termination or other cause, the Mayor may appoint a qualified person as Temporary City Administrator whose term may not exceed 90 days without Council approval.	Section 4.01(E) - The city manager, within sixty (60) days after taking office, shall designate by letter filed with the city secretary, a qualified administrative officer of the city to perform the duties of the city manager in his absence or disability and to then be known as "acting city manager." Such designation shall be subject to approval by council. No person while serving as a member of city council or as the city secretary shall ever serve at the same time as city manager or as acting city manager. No member of the city council shall, during the time for which he is elected or for two (2) years thereafter, be chosen as city manager or acting city manager.	Section 4.01(5) - (A) In case of a disability or suspension of the City Manager, the City Commission may designate a qualified administrative officer of the City to perform the duties of the office or appoint an acting City Manager. (B) By letter filed with the City Secretary and copies provided to the Mayor and City Commission, the City Manager shall designate, subject to the approval of the City Commission, a qualified administrative officer to exercise the powers and perform the duties of the City Manager during vacation or any temporary voluntary leave of the City Manager. The Commission may revoke such designation at any time and appoint another officer of the City to serve until the return of the City Manager.	Section 4.01(b) - In case of the absence or disability of the city manager, the city council may designate some qualified person to perform the duties of the office during such absence or disability.	-	N/A - City employs a City Secretary

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2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
	City Attorney	<p><b>Section 4.04 - (a) The City Council shall appoint, by at least a two-thirds (2/3) supermajority of the full City Council, a licensed attorney of the State of Texas to be the City Attorney, who shall be subject to the direction and supervision of the City Council.</b></p> <p><b>(b) The City Attorney may be removed only by at least a two-thirds (2/3) supermajority of the full City Council.</b></p>	<p>Article VI, Section 1(a) - Dept of Law, head of which shall be City Attorney, who shall be appointed by Mayor with approval of Council. City Attorney shall be a competent attorney who shall have practiced law in Texas for at least 5 years immediately preceding appointment. City Attorney shall be legal advisor of, and attorney for, all of officers/departments of City and shall represent City in all litigation and legal proceedings. City Attorney shall draft, approve, or file written legal objections to every ordinance before it is acted upon and shall pass upon all documents, contracts, and legal instruments in which City may be required to perform any act, or pay any sum of money.</p>	<p>Section 4.02 - Council shall appoint as attorney for city (referred to as city attorney) a competent and duly qualified and licensed attorney who has practiced law in Texas for at least five (5) years immediately preceding appointment. City attorney shall receive for services such compensation as may be fixed by council and shall hold office at pleasure of council. City attorney shall be legal advisor of, and attorney for, all of offices and departments of city, and shall represent city in all litigation and legal proceedings; provided, that council may retain special legal counsel for any purpose and at any time it shall deem same appropriate and necessary. City attorney shall draft, review, approve, or file written legal objections to, every ordinance before it is acted upon by council; and shall review and concur or dissent upon all documents, contracts, and legal instruments in which city may have an interest. City attorney shall perform other duties prescribed by this Charter, ordinance, or as directed by</p>	<p>Section 4.04 - City Commission shall appoint, by the affirmative vote of a majority of the City Commission, a competent, duly qualified, licensed and practicing attorney in the State of Texas for at least five (5) years who shall serve as the City Attorney. The City Commission may provide for such services by contract with a duly qualified law firm. The City Attorney designated to provide services must be a member of and be in good standing with the State Bar of Texas.</p>	<p>Section 4.05 - The city council shall appoint a competent and duly licensed attorney practicing law in Rosenberg, Texas, who shall be the city attorney. He shall receive for his services such compensation as may be fixed by the city council and shall hold his office at the pleasure of the city council. The city attorney, or such other attorneys selected by him with the approval of the city council, shall represent the city in all litigation. He shall be the legal advisor of, and attorney and counsel for, the city and all officers and departments thereof.</p>	<p>Section 4.03 - The city manager shall, with the City Council's consent, appoint a city attorney who shall serve at the pleasure of the city manager and may, with the City Council's consent, be dismissed by the city manager, with or without cause. The city attorney will exercise independent professional judgment in providing legal services to the city.</p>	<p>Section 4.01 - The City Council shall appoint as the attorney for the City (referred to as city attorney) a competent and duly qualified attorney who is licensed to practice Law in the State of Texas. The city attorney shall hold the office at the will and pleasure of the City Council. The city attorney shall be the legal advisor of, and the attorney for, all of the offices and departments of the City, and shall represent the City in litigation and legal proceedings; provided, that the City Council may retain special legal counsel for any purpose and at any time it shall deem same appropriate and necessary. The city attorney shall perform other duties prescribed by this Charter, ordinance, or as directed by City Council.</p>
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	Municipal Judge	Section 4.05 - The City Council shall appoint the Municipal Judge.	Article VI, Section 2(a) - He shall be appointed by Mayor with approval of Council, for a two-year term beginning on April 15th of odd-numbered years. He shall be removed only for cause or disability as defined in State Constitution. He shall have resided in City for a period of not less than five years immediately preceding his appointment. In event Judge of the Municipal Court is unable to act for any reason, Mayor, with approval of Council, shall appoint a competent person possessing the qualifications listed above to act in his place. Municipal Judge shall receive compensation as may be set by Council.	Section 4.03(B) - The municipal court shall be presided over by a magistrate who shall be known as the "judge of the municipal court." The council may, by ordinance, divide the municipal court into two (2) or more panels or divisions, one of which shall be presided over by the presiding judge. Each additional panel or division shall be presided over by an associate judge, who is a magistrate with the same powers as the presiding judge. The judge or judges for said court shall be appointed for a term of two (2) years by the council but may be removed or replaced, at any time, at the discretion of the council, by vote of the majority of the entire council. Each judge shall be an attorney licensed and practicing in the State of Texas and shall receive such salary as may be fixed by the council.	Section 4.03(2) - City Commission shall appoint, by affirmative vote of a majority of membership of City Commission, such Municipal Judges, as may be necessary, all of whom shall be competent, duly qualified attorneys licensed and practicing for at least five (5) years in Texas. In event a duly qualified attorney is not available, City Commission shall then select a qualified person to be Municipal Judge. Municipal Judge(s) shall be appointed to a term of two (2) years and may be appointed to additional consecutive terms upon completion of his/her term(s) of office. Municipal Judge(s) shall receive compensation as may be determined by City Commission. Section 4.03(3) - In event of failure of any Municipal Judge to perform his/her duties, Mayor shall appoint a Municipal Judge for a term not to exceed three (3) continuous months. In event of a vacancy, a Municipal Judge shall be appointed by City Commission in accordance with paragraph 2 of this Section. If Mayor appoints a Municipal Judge, Judge shall be compensated at same salary, if any, as Municipal Judge for whom Judge is acting. Section 4.03(4) - Municipal Judge	Section 4.04(b) - The judge of the Municipal Court of the City of Rosenberg shall be appointed for a two-year term and shall serve such additional term or time until said judge shall be reappointed or a successor judge shall be appointed and take office.	Section 4.06(b) - The city council shall appoint a municipal court judge and one or more associate judges to serve when the presiding judge is unavailable for unable to serve. The presiding and associate judges shall serve two (2) year terms, but may be dismissed by the city council at any time, with or without cause. The judge and associate judges shall be licensed to practice law in this State.	Section 4.02(b) - The municipal court shall be presided over by a magistrate who shall be known as the "judge of the municipal court." The City Council may, by ordinance, divide the municipal court into two (2) or more panels or divisions, one of which shall be presided over by the presiding judge. Each additional panel or division shall be presided over by an associate judge, who is a magistrate with the same powers as the presiding judge. Each judge shall be a competent, duly qualified attorney; licensed and practicing for at least two (2) years in the State of Texas. The judge or judges for said court shall be appointed by the Mayor with confirmation by City Council for a term of two (2) years to run concurrent with the term of the Mayor, but any judge may be removed for cause by majority vote of the entire City Council. Each judge shall receive such salary as may be fixed by the City Council.
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47	Chief of Police	Section 4.06 - The City Manager shall appoint and remove the Chief of Police with the approval of the City Council, who shall be subject to the direction and supervision of the City Manager.	Article VI, Section 3(a) - Chief of Police shall be Chief Administrative Officer of Dept of Police. He shall, with approval of Mayor, appoint and remove employees of said Department and shall perform such duties as may be required of him by City Council. Chief of Police shall be appointed by Mayor with approval of Council for an indefinite term. Chief of Police shall be responsible to Mayor for administration of his Department and carrying out of directions of City Council. He may be removed from Office by Mayor.	-	-	Section 4.02(a) - (1) Appointment. Chief of police shall be chief executive officer of police department, and he shall be appointed by city council for an indeterminate term and may be removed or discharged at any time by a majority vote of entire council. Such removal and discharge shall be solely within discretion of city council, and may be made with or without cause, and chief of police shall be directly responsible and accountable to city council for faithful discharge of responsibilities of such department. (2) Qualifications. Chief of police shall be at least thirty years of age, with prior experience in field of law enforcement, possessed of good moral character and shall have never been convicted of a felony or any crime involving moral turpitude, in this or any other state. (3) Duties. It shall be duty of chief of police to enforce laws and ordinances of City of Rosenberg and this state, and shall perform such other duties as may be required by city council, provided such duties shall not be contrary to the provisions of this Charter or in violation of laws and constitution of Texas and United States; and he	Section 4.04 - The city manager shall appoint a police chief to administer the department, who shall serve at the pleasure of the city manager and be subject to dismissal by the city manager, with or without cause.	-

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	City Secretary	Section 4.07 - The City Manager shall appoint and remove the City Secretary with the approval of the City Council, who shall be subject to the direction and supervision of the City Manager.	Article VI, Section 4 - Mayor, with approval of City Council, shall appoint a competent person as City Secretary and such assistants as City Council shall deem advisable. Office of City Secretary shall give notice of Council meetings, shall keep the minutes of proceedings of such meetings, and shall authenticate by his signature and record in full in a book kept and indexed for the purpose, all ordinances and resolutions, and shall perform such other duties as Mayor shall assign to him, and those elsewhere provided in this Charter and Laws of Texas.	Section 4.04 - Appointed by majority vote of all council. Council may, if it shall so choose, by a two-thirds majority vote of all members appoint an assistant city secretary who shall act in absence of city secretary. City secretary and assistants, if any, shall act as secretary to council and shall hold office at pleasure of council. City secretary shall be provided an office in City Hall sufficient to maintain records entrusted to care of city secretary, and shall be entitled to a seat at council table at all official meetings. A. Duties of city secretary: duties of city secretary shall be as follows: 1. Record minutes of all official meetings of council. All ordinances and resolutions shall be recorded. 2. Be custodian of all municipal records of council. 3. Recommend to council rules and regulations to be adopted by ordinances to protect safety and security of municipal records. 4. Hold and maintain City Seal and affix to all instruments requiring such seal. 5. Administer oaths in any matter pertaining to municipal affairs. 6. Perform any and all other acts	Section 4.02 - City Manager shall appoint or remove without cause, City Secretary. (2) City Manager shall fix compensation of City Secretary and City Secretary's compensation may be amended, from time to time, in accordance with City Secretary's experience, qualifications and performance. City Secretary shall report to City Manager. City Manager shall annually evaluate performance of City Secretary. Section 4.02(3)(A - J) - Duties	Section 4.03 - The city council shall appoint a city secretary and such assistant city secretaries as the city council shall deem advisable. The city secretary, or an assistant city secretary, shall give notice of council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by his signature and record in full in a book kept and indexed for the purpose, all ordinances and resolutions, and shall perform such other duties as the city council shall assign to him, and those elsewhere provided for in this Charter.	Section 4.02 - The city manager shall, with the City Council's consent, appoint a city secretary who shall serve at the pleasure of the city manager and may, with the City Council's consent, be dismissed by the city manager, with or without cause. The city secretary shall give notice of council meetings, shall keep the minutes of the meetings, shall authenticate by signature all ordinances and resolutions, and shall keep the corporate seal and affix the same to documents and certificates as may be required.	Section 4.03 - a. There shall be a city secretary, who shall be appointed by the Mayor with confirmation by the City Council. City Council shall appoint an assistant city secretary who shall act in the absence of the city secretary. The city secretary and assistant city secretary shall hold office at the will and pleasure of the City Council. b. The city secretary shall: (1) Attend all meetings of the City Council and keep accurate records of all actions taken by the Council; (2) Maintain the official records and files of the City; (3) Administer oaths; (4) Attest contracts, certificates, and other legal instruments when executed by the authorized officers of the City; (5) Serve as the election official for all City elections; and (6) Perform such other duties as may be required of the city secretary by this Charter, the City Council or State Law.

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49	Chief Financial Officer	Section 4.08 - The City Manager shall appoint and remove the Chief Financial Officer of the City with the approval of the City Council, who shall be subject to the direction and supervision of the City Manager.	-	-	-	Section 11.01 - (a) There shall be a department of finance, the head of which shall be the director of finance, who may be appointed by the city manager with the approval of the city council; and he shall give a surety bond for faithful performance of his duties in a sum which shall be fixed by the city council at not less than ten thousand dollars, unless such position be filled by the city assessor-collector and then, in such event, the provisions of section 9.17 shall apply. (b) The director of finance shall have the proper knowledge of municipal accounting and taxation and sufficient experience in budgeting and financial control to properly perform the duties of the office.	-	-
50	Boards and Commissions: Qualification	Section 4.09 - Except as otherwise provided by this Charter or other law, each candidate for appointment as a member of a board or commission shall have resided within the corporate limits of the City, or within territory annexed prior to the appointment, for at least six (6) months preceding the appointment.	Article X, Section 4 - Board of Equalization: Appointment: Qualifications - Each year the Mayor and the City Council shall appoint, no less than three and no more than five persons, who shall be qualified voters and real property owners in the City, as the Board of Equalization. At the same meeting that the Mayor and Council appoints such Board, it shall fix the time of the first meeting of the Board, which shall be not later than the first day of June. The Tax Assessor-Collector shall act as Secretary of the Board.	-	Section 8.01(2) - Individuals who are qualified voters and residents of the City, with no more than one member from the City's Extraterritorial Jurisdiction (ETJ), may be appointed by the City Commission, if allowed by state law, to serve on one (1) or more boards, commissions or committees. Such appointees shall serve at the pleasure of the City Commission and may be removed at the discretion of the City Commission. Except as otherwise provided in this Charter members of any such board, commission or committee shall serve without compensation but may be reimbursed for actual expenses as approved by the City Commission.	Section 4.06 - <b>Example is board of health</b> The board of health shall be composed of two (2) or more members, one of which such member shall be a qualified physician, licensed to practice medicine in the State of Texas, and the second member shall be the city manager. The city council in its discretion may appoint a duly licensed civil or sanitary engineer as a third member. Said members shall serve for a period of two (2) years, or until their successors shall have been appointed and qualified. The first such board shall be appointed within sixty (60) days after the adoption of this Charter and each succeeding board shall be appointed or reappointed within one month after the regular city election in each even-numbered year.	-	Section 8.01(b) - The City Council shall give preference to qualified voters of the City when appointing individuals to serve on such boards, commissions, or committees where such qualification is not otherwise prescribed by Law or this Charter. Section 8.01(d) - Members of the City Council may be appointed to any board, commission, or committee created or established by the City Council, provided that such appointment is not incompatible with the office of Councilmember or prohibited by this Charter, the laws of the State of Texas, or common law conflicts of interest.

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51	Planning and Zoning Commissions	Section 4.10 - The City Council shall create a Planning Commission and a Zoning Commission, and may combine or, after being combined, separate the same at its discretion.	-	Section 8.01 - Organization Section 8.02 - Powers and Duties Section 8.03 - Director of planning	Section 14.01(1) - Commission shall consist of (5) members who shall be appointed by the City Commission to staggered terms of two (2) years and shall be governed in accordance with the zoning ordinance. The Commission members shall be qualified City voters and residents of the City. Any vacancy occurring during the unexpired term of a member shall be filled by the City Commission for the remainder of the unexpired term. Each January, the Commission shall elect from its members a Chairman, and Vice Chairman to serve for one (1) year. Members of the Commission may be removed, without cause, by an affirmative vote of a majority of the City Commission.	Section 8.03 - Planning Commission Section 8.04 - Zoning Commission of Adjustment	Section 5.01 - A planning and zoning commission is established. Members serve 2 year terms, staggered. Council shall by ordinance provide for # of members, which shall not be less than seven, manner of their appointment, and any other matters relating to commission as council deems necessary. Commission shall: (a) Approve or disapprove subdivision plats as provided by State law and City ordinance; (b) Recommend to the council approval or disapproval of proposed changes in the zoning regulations and zoning map as provided by State law and City ordinance; (c) Make recommendations to council on City's master plans; (d) Make recommendations to city manager and city council on City's five-year capital improvements plan; and (e) Perform any other duties as directed by council or by ordinance. Section 5.02 - A zoning board of adjustment is established. Council shall by ordinance provide for # of members, their terms, manner of appointment, and any other matters relating to board as council deems necessary. Board	-
52	<b>Financial Administration</b>							
53	Fiscal Year	Section 5.1 - The Fiscal Year of the City shall be from October 1 through September 30.	Article IX, Section 1 - shall commence on the first day of October and end on the last day of September for any and all purposes including taxing and budgeting.	Section 9.01 - The fiscal year of the city shall begin on the first day of July and end on the last day of June of each calendar year. The fiscal year established by this section shall also constitute the budget and accounting year.	Section 7.01 - The fiscal year of City shall begin on the first day of October and end on the last day of September on the next succeeding year. Such fiscal year shall also constitute the budget and accounting year.	Section 9.01 - The fiscal year of the City of Rosenberg shall begin on the first day of October and shall end on the last day of September of each calendar year. Such fiscal year shall also constitute the budget and accounting year.	Section 6.01 - The fiscal year shall begin on October 1 each year and end on the following September 30. The city council may by ordinance change the fiscal year, but the change shall not be effective until six (6) months after adoption of the ordinance.	Section 6.01 - The fiscal year of the City shall begin on the first day of each October and end on the last day of September of the following year; provided, however, City Council may, by ordinance, establish a different fiscal year of the City after holding a public hearing on the proposed change.

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	Annual Budget	Section 5.2 - The City Manager shall submit the annual budget to the City Council no later than thirty (30) days before the beginning of the Fiscal Year.	Article III, Section 6(b)(4) - It shall be duty of Mayor from time to time to make such recommendations to Council as Mayor may deem to be for welfare of the City, and each year to submit to the Council annual budget of current expenses of City in accordance with requirements of State Budget Law applicable to cities and towns. Budget shall be finally adopted no earlier than 30th day after presentation by Mayor and no later than last day of then current fiscal year and should City Council fail to so adopt said budget, budget as proposed by Mayor shall go into effect for ensuing fiscal year.	Section 9.03(A) - Content Section 9.03(B) - Submission Section 9.03(C) - Public notice and hearing Section 9.03(D) - Amendment before adoption Section 9.03(E) - Adoption Section 9.03(F) - Failure to adopt Section 9.04(A) - Supplemental Appropriations Section 9.04(B) - Emergency appropriations Section 9.04(C) - Reduction of appropriations Section 9.04(D) - Transfer of appropriations Section 9.04(E) - Limitations Section 9.04(F) - Effective date	Section 7.02 - On or before August 15th of the fiscal year, the City Manager shall submit to the City Commission a budget for the ensuing fiscal year and an accompanying budget message. The proposed budget submitted to Commission for review will be an itemized budget in accordance with state law.	Section 9.02 - The city manager, between sixty and ninety days prior to the beginning of each fiscal year, shall submit to the council a proposed budget, which budget shall provide a complete financial plan for the fiscal year and shall contain the following: (a - n).	Section 6.03 - (a) The city manager shall prepare an annual budget for the ensuing fiscal year. The city manager shall submit to the council, for its review, consideration and revision, both a letter describing the proposed new budget, as well as a balanced budget for the forthcoming fiscal year, not later than sixty (60) days prior to the end of the current fiscal year. The budget, as adopted, must set forth the funding for services, programs and activities of the various city departments, and shall meet all fund requirements provided by law and required by bond covenants. It shall also include a multi-year capital improvement program and a current year capital budget. (b) The budget shall be adopted by ordinance by one reading not later than the twenty-fifth (25th) day of the last month of the fiscal year. No budget shall be adopted or appropriations made unless the total of estimated revenues, income and funds available shall be equal to or in excess of such budget or appropriations, except as otherwise provided in this article.	Section 6.02 - Annual Budget (a) - Itemized budget; Contents (b) - Authority to require information (c) - Submission (d) - Budget message (e) - Public notice and hearing (f) - Amendment before adoption (g) - adoption (h) - failure to adopt

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	Capital Program	Section 5.03 - (a) The City Manager shall prepare and submit to the City Council a five (5) year Capital Program at least three (3) months prior to the final date for submission of the budget. The Capital Program shall include:(1) A clear general summary of its contents; (2) A list of all capital improvements which are proposed to be undertaken during the five (5) fiscal years next ensuing, with appropriate supporting information as to the necessity of such improvements; and (3) Cost estimates, method of financing, and recommended time schedules for each such improvement.(b) The City Council shall give notice of a public hearing on the proposed Capital Program and shall hold said hearing in the same manner as for the annual budget. The hearing for the proposed Capital Program and the notice of same may be in conjunction with the annual budget. The City Council shall, by resolution, adopt the Capital Program with or without amendment after the	-	Section 8.02(C) - Submit annually to the city manager, not less than ninety (90) days prior to the beginning of the budget year, a list of recommended capital improvements which in the opinion of the commission are then necessary or desirable.	Section 7.10 - City Manager shall submit a five (5) year capital program as an attachment to annual budget. Program as submitted shall include: (1) A clear general summary of its contents; (2) A list of all capital improvements which are proposed to be undertaken during five (5) fiscal years succeeding budget year, with appropriate supporting information as to necessity for such improvements; (3) Cost estimates, method of financing and recommended time schedules for each improvement, and (4) estimated annual cost of operating and maintaining facilities to be constructed or acquired. The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.	Section 8.03(d)(7) - Planning Commission - Submit annually to the city manager, not less than ninety days prior to the beginning of the budget year, a list of recommendations for capital improvements which, in the opinion of the commission, are necessary or desirable to be constructed during the forthcoming five years. Such list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year.	Section 6.03 - Budget - "...It shall also include a multi-year capital improvement program and a current year capital budget."	-
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56	Annual Audit	Section 5.4 - As soon as practicable after the close of each Fiscal Year, an independent audit shall be made of all accounts of the City government and corporations established by the City. The certified public accountants, appointed by the City Council, shall have no personal interest, directly or indirectly, in the financial affairs of the City or any of its officers. The scope of the audit shall require a limited review of City-owned property and the results shall be reported with each annual audited financial report. Upon completion of the annual audit, the combined balance sheet thereof shall be published in the official newspaper of the City within thirty (30) days of the City Council acceptance of such audit. Copies of all audits shall be placed on file with the City Secretary.	Article IX, Section 3 - At the close of each fiscal year the Council shall cause an independent audit to be made of all accounts of the City by a Certified Public Accountant.	Section 9.07(C) - At the close of each fiscal year, and at such times as it may be deemed necessary, the council shall cause an independent audit to be made of all accounts of the city by a certified public accountant. The certified public accountant so selected shall have no personal interest, directly or indirectly in the financial affairs of the city or any of its officers. Upon completion of the audit, the results thereof in a summary form shall be placed on file in the city secretary's office as a public record.	Section 7.18 - At the close of each fiscal year and in accordance with state law, and at such other times as may be deemed necessary, the City Commission shall call for an independent audit to be made of all accounts of the City by a certified public accountant. No more than five (5) consecutive annual audits shall be completed by the same firm. The certified public accountant selected shall have no personal interest, directly or indirectly in the financial affairs of the City or any of its officers. The report of audit, with the auditor's recommendations, will be made to the City Commission. Upon completion of the audit the summary shall be published immediately in the official newspaper of the City and copies of the audit placed on file in the office of the person performing the duties of City Secretary, as public record.	Section 3.14 - Not less than thirty nor more than sixty days prior to the end of each fiscal year the council shall designate a qualified public accountant who, as of the end of the fiscal year, shall make an independent audit of accounts and other evidences of financial transactions of the city government and shall submit his report to the council. Notice shall be given by publication in some newspaper of general circulation published in the City of Rosenberg that the annual audit is on file at the city hall for inspection. Such accountant shall have no personal or direct interest in the fiscal affairs of the city government. He shall not maintain any accounts or record of the city business, but, within specifications approved by the council, shall post-audit the books and documents kept by the department of finance and any separate or subordinate accounts kept by any other office, department or agency of the city government.	-	Section 6.07 - At the close of each fiscal year, the City Council shall cause an independent audit to be made of all accounts of the City by a certified public accountant. The City Council may, at such other times as it may be deemed necessary, cause an independent audit to be made of any or all accounts of the City by a certified public accountant. The certified public accountant so selected shall have no personal interest, directly or indirectly in the financial affairs of the City or any of its officers. Upon completion of the audit, the results thereof shall be presented to City Council for acceptance, in a meeting open to the public, and thereafter shall be placed on file in the City Secretary's office as a public record.



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	Purchasing and Contracts	Section 5.5 - All sales of City property, purchases made, and contracts executed by the City shall be made in accordance with the requirements of the constitution and laws of the State of Texas.	Article IV, Section 11 - Contracts for purchase or for contractual services for a sum in excess of amount authorized for expenditures by cities of size and population of City, as set out in Local Government Code, Article 252.021, and all amendments thereto or other statute into which same shall be merged or changed, shall be in writing and opportunity for competitive bidding shall be given before they are awarded, after such public notice as may be required by laws of Texas. Council shall have right to reject any and all bids. Contracts for purchase of supplies, materials, equipment, or for contractual services where such purchase requires an expenditure less than amounts above stated and item(s) is one provided for in budget, may be authorized by Council to be made by designated City Official without necessity of competitive bidding. When it becomes necessary to act at once to appropriate money for	Section 9.08 - All purchases made and contracts executed by the city shall be made in accordance with the requirements of the constitution and statutes of the state of Texas.	-	Section 11.07 - Purchasing - City of Rosenberg shall have all the powers and privileges as provided for under applicable laws of Texas and of United States. All purchases by City of Rosenberg shall be in accord with laws of Texas and United States of America.  Section 11.08 - Improvements by contract - Any city improvement costing more than one thousand dollars (\$1,000.00) shall be executed by contract, except where such improvement is authorized by council to be executed directly by a city department in conformity with detailed plans, specifications and estimates.  Section 11.10 - Accounting control of purchases - All purchases made shall be pursuant to a written requisition from head of office, department or agency whose appropriation will be charged, and no contract or order shall be issued to any seller unless and until director of finance certifies that there is to credit of such office, department or agency, a sufficient unencumbered appropriation balance to pay for supplies, materials, equipment or contractual	-	-
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2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
58	Exemption from Garnishment	<b>Section 5.6 - The City's municipal funds shall not be subject to garnishment, and the City shall not be required to answer in garnishment proceedings.</b>	Article XII, Section 11 - The property, real and personal, belonging to the City shall not be liable for sale or appropriation under any writ of execution. The funds belonging to the City, in the hands of any person, firm, or corporation, shall not be liable to garnishment, [or] attachment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the City nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatever. The City shall not be obligated to recognize any assignment of wages or funds by its employees, agents or contractors.	Section 11.01 - The property, real and personal, belonging to the city shall not be liable for sale or appropriation under any writ of execution. The funds belonging to the city, in the hands of any person, firm, or corporation, shall not be liable to garnishment, attachment, or sequestration; nor shall the city be liable to garnishment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the city nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatever. The city shall not be obligated to recognize any assignment of wages or funds by its employees, agents or contractors.	Section 11.03 - Property, real and personal, belonging to City shall not be liable to be sold or appropriated under any writ of execution or cost bill. Funds belonging to City in hands of any person, firm or corporation, shall not be liable to garnishment, attachment or sequestration; nor shall City be liable to garnishment, attachment or sequestration; nor shall City be liable to garnishment on account of any debt it may owe or funds or property it may have on hand owing to any person. Neither City nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatsoever. (2) City shall not be obligated to recognize any assignment of wages or funds by its employees, agents or contractors, except as provided by laws of this State or United States of America.	Section 13.11 - The property, real and personal, belonging to the city shall not be liable to be sold or appropriated under any writs of execution or cost bill. The funds belonging to the city, in the hands of any person, firm or corporation, shall not be liable to garnishment, attachment, or sequestration; nor shall the city be liable to garnishment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the city nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatever. The city shall not be obligated to recognize any assignment of wages or funds by its employees, agents or contractors.	Section 1.04 - (a) Except as otherwise provided for by State or Federal law, City funds are not subject to garnishment and the City is not required to answer in any garnishment proceeding. (b) City property is not subject to any kind of execution.	Section 10.04 - The property, real and personal, belonging to the City shall not be liable for sale or appropriation under any writ of execution. The funds belonging to the City, in the hands of any person, firm or corporation, shall not be liable to garnishment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the City nor any of its officers, employees or agents shall be required to answer any such writ of garnishment on any account whatsoever. The City shall not be obligated to recognize any assignment of wages or funds by any of its officers, employees, agents or contractors.
59	Exemption from Bond, Undertaking, or Security	<b>Section 8.03 - It shall not be necessary in any action, suit, appeal, or proceeding in which the City is a party for any bond, undertaking, or security to be executed by or on behalf of the City, but all such actions, suits, appeals, or proceedings shall be conducted in the same manner as if bonds, undertaking, or security had been given.</b>	Article XII, Section 5 - It shall not be necessary in any action, suit, or proceeding in which the City is a party for any bond, undertaking or security to be demanded or executed by or on behalf of the City. The City shall have all remedies of appeal by law to all courts in this State without bond or security of any kind, but shall be liable in the same manner and to the same extent as if such bond, undertaking, or security had actually been executed or given.	Section 11.02 - It shall not be necessary in any action, suit, or proceeding in which the city is a party for any bond undertaking or security to be demanded or executed by or on behalf of the city. The city shall have all remedies of appeal provided by law to all courts in this state without bond or security of any kind, but shall be liable in the same manner and to the same extent as if such bond, undertaking, or security had actually been executed or given.	Section 11.04 - It shall not be necessary in any action, suit or proceeding in which the City is a party for any bond, undertaking or security to be demanded or executed by or on behalf of the City. All such actions shall be conducted in the same manner as if such bond, undertaking or security had been given as required by law.	Section 13.09 - It shall not be necessary in any action, suit or proceeding in which the City of Rosenberg is a party, for any bond, undertaking or security to be demanded or executed by or on behalf of said city in any of the state courts, but in all such actions, suits, appeals or proceedings same shall be conducted in the same manner as if such bond, undertaking or security had been given as required by law, and said city shall be just as liable as if security or bond had been duly executed.	-	Section 10.05 - It shall not be necessary in any action, lawsuit or proceeding, in which the City shall be a party, for any bond, undertaking or security to be executed on behalf of the City; but all actions, lawsuits, and proceedings shall be conducted in the same manner as if such bond, undertaking or security had been given. The City shall have all remedies by appeal, as provided by Law, to all courts of this State without bond or security of any kind. For all the purposes of such actions, lawsuits, proceedings, and appeals, the City shall be liable in the same manner, and to the same extent, as if the bond, undertaking or security in ordinary cases had been given and executed.

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2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
60	Liability Coverage for City Officials	Section 8.04 - The City shall provide liability coverage to all officials and officers in an amount to be determined by the City Council to provide protection for any claim, judgment, or litigation arising out of the official's or officer's actual or alleged error or omission or neglect or breach of duty, including misfeasance, malfeasance, or nonfeasance, by the official or officer in the discharge of their duties with the City, individually or collectively, or any matter claimed against them solely by reason of their being or having been City officials or officers.	<b>Mayor</b> - Article III, Section 6 - Council shall require Mayor, before entering upon duties of his Office, to execute a good and sufficient bond, with a surety company business in Texas, and approved by Council, as surety thereon, said bond to be in such amount as Council may demand payable to City and conditioned for faithful performance of duties of his Office, premium for such bond to be paid by City. <b>Tax Assessor-Collector</b> - Article X, Section 1 - The Tax Assessor-Collector shall give a surety bond for faithful performance of his duties, including compliance with all controlling provisions of the State Law bearing upon the functions of his office, in a sum which shall be fixed by the Mayor with the approval of Council.	Section 3.16 - The council shall require a bond of all municipal officers and employees who receive or pay out any monies of the city, and such bonds shall be in effect before they shall enter upon the duties of their offices. The amount of such bonds shall be determined by the council and the cost thereof shall be borne by the city.	Section 3.17 - City Commission shall require bonds of all municipal officers and employees who receive monies for or pay out any monies of City. Amount of bonds shall be determined by state law or City Commission, bonds shall be payable to City of Richmond and conditioned upon faithful discharge of duties of such persons and upon faithful accounting of all monies, credits, and things of value coming into hands of such persons, and such bonds shall be signed as surety by a corporate surety bond company authorized to do business under the laws of Texas. Premium on such bonds shall be paid by City, and such bonds must be acceptable to Commission. Commission may also require new bonds at any time, if in its opinion; existing bond on any employee is insufficient.	Section 3.12 - The city manager and the city secretary and such other city officers and employees as the city council may require, shall, before entering upon the duties of their offices, enter into a good and sufficient fidelity bond in a sum to be determined by the city council, payable to the City of Rosenberg and conditioned upon the faithful discharge of the duties of such persons and upon the faithful accounting for all monies, credits and things of value coming into the hands of such persons, and such bonds shall be signed as surety by some company authorized to do business under the laws of the State of Texas, and the premium on such bonds shall be paid by the City of Rosenberg, and such bonds must be acceptable to the city council.	-	Section 10.09 - a. City Council shall require a bond or bonds covering all municipal officers and employees who receive or pay out any monies of the City. The bond(s) must: (1) be in favor of the City; (2) be in the form and amount required by City Council; (3) have security approved as sufficient by City Council; and (4) be conditioned that the officer(s) and employee(s) covered by the bond(s) will faithfully discharge the duties of the office. b. City Council may require a bond covering any other municipal officer or employee, payable to the City, in the form and amount as determined by City Council, and conditioned that the officer or employee will faithfully perform the duties of the office or position held. c. The cost of the bonds required by this section shall be borne by the City.
61	Severability	Section 8.05 - If any section or part of a section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such section or part of a section so held invalid may appear.	Article XII, Section 18 - If any Article or Section or Subsection of an Article of this Charter is held to be invalid or unconstitutional by a Court of competent jurisdiction, the same shall not invalidate or impair the validity, force or effect of any other Article or Section or Subsection of an Article of this Charter.	-	Section 10.01 - If any section or part of this Charter is held to be invalid by a court of competent jurisdiction, such holding shall not invalidate or impair the validity, force or effect of any other section or part of this Charter.	Section 13.16 - This Charter shall be liberally construed to carry out its intents and purposes. If any section or part of section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.	Section 1.06 - If any section or part of a section of this charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this charter nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with section or part of section to which such holding shall directly apply.	Section 10.11 - If any section or part of a section of this Charter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not invalidate or impair the validity, force, or effect of any other section or part of a section of this Charter.

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	Non-Substantive Revisions	Section 8.06 - (a) The City Council may, without approval of the voters, adopt an ordinance that makes the following types of revisions to this Charter: (1) Renumbering, revising titles, and rearranging parts thereof; (2) Correcting errors in spelling, grammar, cross-references, and punctuation; and (3) Revising language to reflect modern usage and style. (b) A revision adopted under this section is not intended to and is not to be interpreted as making any substantive change in any Charter provision.	-	-	-	-	Section 1.07 - (a) The City Council may, without approval of the voters, adopt an ordinance that makes the following types of revisions to the Charter: (1) Renumbering, revising titles, and rearranging parts thereof; (2) Correcting errors in spelling, grammar, cross-references, and punctuation; and (3) Revising language to reflect modern usage and style. (b) A revision adopted under this section is not intended to and is not to be interpreted as making any substantive change in any Charter provision.	Section 10.12 - All headings and numeration in this Charter for its respective articles, sections and subsections are provided for the sole purpose of convenient reference, and shall have no substantive legal effect.
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	Charter Review Commission	Section 8.07	Section 16 - Every four (4) years commencing in 1992, at the first regular meeting of the City Council in October, the Mayor, with the approval of the City Council, shall appoint a Charter Review Commission of five (5) citizens of the City of Katy. Section 16(a) - duties Section 16(b) - Action by Mayor and Council Section 16(c) - term of office	Section 11.13 - 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. All charter review commissions shall be appointed in July and each shall consist of five (5) citizens of the City of Missouri City.	Section 10.04	Section 13.17 - Amending the Charter Amendments to Charter may be framed and submitted to electors of city by a charter commission in manner provided by law for framing and submitting a new charter. Amendments may also be proposed and submitted by city council upon its own motion, in absence of a petition, and shall, upon petition of at least ten percent (10%) of qualified voters of said city, submit any proposed amendment or amendments to such Charter. Ordinance providing for submission of such amendment or amendments shall require submission thereof at an election to be held not less than thirty (30) days nor more than ninety (90) days after the passage of said ordinance. If next regular municipal election is to be held during said period; submission of said amendment or amendments shall be at such election. Otherwise, a special election shall be called for the purpose. Notice of the election for the submission of said amendment or amendments shall be given by publication thereof, in some newspaper of general circulation published in said city, on the same day in each of two (2)	Section 1.05 - The council shall appoint a charter commission as often as it deems necessary, but not less than every five years, to review the operations of city government under the Charter and determine whether revisions should be made. At the conclusion of its review, the commission shall make a written report of its recommendations of changes, if any, to the city council. The city council may submit the recommended changes, as it deems appropriate, to the voters for approval.	Section 10.15(a) - Every five (5) years the City Council shall at its first regular meeting in July appoint a Charter Review Commission of four (4) or more qualified voters of the City. Section 10.15(b) - Duties of the commission Section 10.15(c) - term of office Section 10.15(d) - Actions by the City Council
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	Comprehensive Plan	<p>Section 8.08 - (a) The City Council shall adopt and implement a comprehensive plan to guide, regulate, and manage the future development within the corporate limits and the extraterritorial jurisdiction of the City, and to assure the most appropriate and beneficial use of land, water, and other natural resources, consistent with the public interest.</p> <p>(b) The comprehensive plan shall be reviewed and adopted no less than every five (5) years.</p>	-	<p>Section 8.04 - Comprehensive plan for physical development of City shall contain commission's recommendations for growth, development and beautification. A copy, or any part thereof, shall be forwarded to city manager who shall thereupon submit such plan, or part thereof, to council with his recommendations. Council may adopt this plan as a whole or in parts and may adopt any amendment thereto, after at least one (1) public hearing on proposed action. Council shall act on such plan, or part thereof, within sixty (60) days following its submission by city manager. If such plan, or part thereof, should be rejected by council the planning commission may modify such plan, or part thereof, and again forward it to city manager for submission to council. All amendments to comprehensive plan recommended by planning commission shall be submitted in same manner as that outlined above, to council for approval. Recommendations affecting comprehensive plan may be made to city council by any city department through its</p>	<p>Section 14.04 - (1) Existing Comprehensive Master Plan contains recommendations for growth, development and beautification of City and its extraterritorial jurisdiction. Additions to and amendments of Comprehensive Plan shall be by ordinance or resolution in accordance with state law. (2) Following adoption by the City Commission of Comprehensive Master Plan, and any revisions thereto, it shall serve as a guide to all future City Commission action concerning land use and development regulations and expenditures for capital improvements. Any proposal which deviates from Comprehensive Master Plan shall not be authorized until and unless location and extent thereof shall have been submitted to and approved by Commission. In case of denial, Commission shall communicate its reasons to City Commission, which shall have power to overrule such denial with a vote of a majority of full Commission Membership, and upon such overruling, City Commission or appropriate office, department or agency shall have authority to proceed.</p>	<p>Section 8.03(d)(1) - Make, amend, extend and add to the master plan for the physical development of the city.</p>	<p>Section 5.01(e) - Planning and Zoning Commission - "...Make recommendations to the council on the City's master plan."</p>	-
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	Disaster Clause	Section 8.09 - In case of disaster when a legal quorum of the City Council cannot otherwise be assembled due to multiple deaths or injuries, the surviving persons of the City Council, or highest surviving City official, if no elected official remains, shall, within twenty-four (24) hours of such disaster, request the highest surviving officers of the Fort Bend County Commissioners Court to appoint a number of residents of the City equal to the number necessary to make a quorum to act during the emergency as the City Council. The newly appointed City Council shall call a City election within fifteen (15) days of their appointment, or as provided in the Texas Election Code, for election of the vacant offices, if for good reasons it is known a quorum of the present City Council will never again meet. If it is determined that a quorum of the present City Council will meet again, the appointed Council Members shall serve in their position until such time as the present Council Members may begin	Section 6 - In case of general conflagration, rioting, earthquakes, or other emergency menacing life and property, the Mayor, or in his absence, the Mayor Pro Tem, shall be authorized to marshal all the forces of the different departments of the City for the maintenance of the general security, and shall have the power to deputize, or otherwise employ, such other persons as he may consider necessary for the purpose of protecting the City and its residents. Section 12 - The Council may enter upon cooperative agreements with the proper authorities of State, Federal or County Governments, or other Municipalities, for mutual assistance within the area of an existing or threatened emergency.	Section 9.04(B) - Emergency appropriations: To meet a public emergency created by a natural disaster or man-made calamity affecting life, health, property, or the public peace, the council may make emergency appropriations, not to exceed ten per cent (10%) of the current fiscal year's budgeted receipts. Such appropriations may be made by an emergency ordinance. To the extent that there are no available unappropriated revenues to meet such appropriations, the council may by such emergency ordinance authorize the issuance of emergency notes, which may be renewed from time to time.	Section 11.11 - In case of disaster when a legal quorum of the elected City Commission cannot otherwise be assembled due to multiple deaths or injuries, the surviving persons of the City Commission, or highest surviving City official, if no elected official remains, must, within twenty-four (24) hours of such disaster, request the City Manager and the County Judge of Fort Bend County to appoint a commission to act during the emergency and call a City election within thirty (30) days of such disaster, or as provided in the Texas Election Code, for election of a required quorum, if for good reasons it is known a quorum of the present City Commission will never again meet.	-	Section 2.09 - Legislation (a) An ordinance shall not be adopted until it has been considered and favorably acted on by the council at two (2) separate council meetings. However, ordinances relating to the following matters may be adopted by the council after consideration at only one meeting: (4) Where the city council, by the affirmative vote of five (5) or more members, adopts an ordinance declaring that an emergency exists because there is an immediate need to preserve and protect the peace, health, safety, or welfare of the community.	-
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66	Notice of Claim	<b>Section 8.10 - The City shall not be held liable on account of any claim for the death of any person or injuries to any person or damage to any property unless the person making such complaint or claiming such damages shall, within 120 days after the time at which it is claimed such damages were inflicted upon such person or property, file with the City Manager a written statement, under oath, stating the nature and character of such damages or injuries, the extent of the same, the place where same happened, the circumstances under which same happened and the condition causing same, with a detailed statement of each item of damages and the amount thereof, giving a list of any witnesses known by affiant to have seen the accident.</b>	Section 4 - Before City shall be liable to damages for death or personal injuries of any person or for damage to or destruction of property of any kind, which does not constitute a taking or damaging of property under Article I. Section 17, Constitution of Texas, person injured, if living, or his representatives, if dead, or owner of property damaged or destroyed, shall give to Mayor or City Council notice in writing of such death, injury, damage or destruction, duly verified by affidavit, within forty-five days after same has been sustained, stating specifically in such written notice when, where, and how death, injury, damage or destruction, occurred, and apparent extent of any such injury, amount of damages sustained, actual residence of claimant by street and number at date claim is presented, actual residence of such claimant for six months immediately preceding occurrence of such death, injury, damage or destruction, and names and addresses of all	Section 2.06 - Tort liability	Section 11.05 - The City shall not be held liable on account of any claim for the death of any person or injuries to any person or damage to any property unless the person making such complaint or claiming such damages shall, within six (6) months after the time at which it is claimed such damages were inflicted upon such person or property, file with the City a written statement, under oath, stating the nature and character of such damages or injuries, the extent of the same, the place where same happened, the circumstances under which same happened and the condition causing same, with a detailed statement of each item of damages and the amount thereof, giving a list of any witnesses known by affiant to have seen the accident.	Section 13.06 - Before city shall be liable to damage claim or suit for personal injury, or damage to property, person who is injured or whose property is damaged or someone in his behalf shall give city manager, or city secretary, notice in writing within thirty days after occurring of alleged injury, or damage, stating specifically in such notice, when, where and how injury or damage was sustained, and setting forth extent of injury or damage as accurately as possible, and giving names and addresses of all witnesses known to claimant upon whose testimony such person is relying to establish injury or damage. No action at law for damages shall be brought against city for personal injury or damage to property prior to expiration of sixty days after notice hereinbefore described has been filed with city manager or city secretary. After expiration of sixty days aforementioned, complainant may then have two years in which to bring an action at law. In case of injuries resulting in death, person or persons claiming damage therefor shall within thirty days after death of injured person give notice as above required in case of personal	-	Section 10.03 - Before City shall be liable for damages for death or personal injuries of any person or for damages to or destruction of property of any kind, which does not constitute a taking or damaging of property under Article I, Section 17, Constitution of the State of Texas, the person injured, if living, or his legal representatives, if deceased, or the parent or guardian of a minor child, or the owner, his agent or attorney of the property damaged or destroyed, shall give the City notice in writing of such death, injury, damage or destruction, duly verified by affidavit, within ninety (90) days after same has been sustained. Such notice shall be directed to the attention of the City Secretary. The failure to so notify the City within the time and manner specified herein shall exonerate, excuse and exempt the City from any liability whatsoever. No act of any officer, employee or agent of the City shall waive compliance, or preclude the City from requiring compliance, with the provisions of this section as to notice.
67	Power to Settle Claims	<b>Section 8.11 - The City Council shall have the power to compromise and settle any and all claims and lawsuits of every kind and character, in favor of, or against, the City, including suits by the City to recover delinquent taxes, after consulting with the City Attorney.</b>	Section 6(b)(6) - The Mayor shall have the power to settle all claims and lawsuits where such claim or lawsuit is for \$5,000.00 or less without approval of the City Council. Section 9(k) - Compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the City of Katy.	-	Section 11.06 - The City Commission shall have the power to settle suits by the City to recover delinquent taxes.	Section 13.07 - The city council shall have the power to compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the city, including suits by the city to recover delinquent taxes.	-	-
68	Service of Process Against the City	<b>Section 8.12 - All legal process against the City shall be served upon the City Manager.</b>	Section 1(a) - Mayor	-	Section 11.07 - All legal process against the City shall be served upon either the Mayor, City Manager or City Secretary.	Section 13.08 - All legal process against city shall be served upon the mayor, or mayor pro-tem.	-	Section 3.03 - Mayor
69	<b>Transitional Provisions</b>							

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	Existing Ordinances and Resolutions	Section 9.1 - At the time of initial adoption of this Charter, all existing ordinances, resolutions, regulations, and other prior actions of the City Council, not in conflict with this Charter, shall remain in effect without being subject to the provisions of this Charter for referendum.	Section 8 - All codes, ordinances, resolutions, rules and regulations in force in the City on the effective date of this Charter, and not in conflict with this Charter, shall remain in force until altered, amended or repealed by the Council. All taxes, assessments, liens, encumbrances and demands, of or against the City, fixed or established before such date, or for the fixing or establishing of which proceedings have begun at such date, shall be valid when properly fixed or established either under the law in force at the time of the beginning of such proceedings or under the law after the adoption of this Charter.	Section 11.03 - All ordinances, resolutions, rules, and regulations now in force under the city government and not in conflict with the provisions of this Charter shall remain in force until altered, amended, or repealed by the council after this Charter takes effect. All rights of the city under existing franchises and contracts and all existing authority for the issuance of bonds, not in conflict with the provisions of this Charter, shall be preserved in full force and effect.	Section 12.03 - All City ordinances, rules and regulations in force at the time of adoption of this Charter and not in conflict with it shall remain in force until altered, amended or repealed by the Commission. All rights of the City under existing franchises and contracts are preserved in full force and effect. Any ordinances, rules or regulations inconsistent with this Charter are repealed as of the date of adoption of the Charter.	Section 13.14 - All ordinances, resolutions, rules and regulations now in force under the city government of Rosenberg and not in conflict with the provisions of this Charter, shall remain in force under this Charter until altered, amended or repealed by the council after this Charter takes effect; and all rights of the City of Rosenberg under existing franchises and contracts are preserved in full force and effect to the City of Rosenberg. Upon adoption of this Charter it shall constitute the Charter of the City of Rosenberg.	-	Section 11.03 - a. All codes, ordinances, resolutions, rules, and regulations in force in the City on the effective date of this Charter, and not in conflict with the provisions thereof, shall remain in force until altered, amended, or repealed by the City Council. Any code, ordinance, resolution, rule, or regulation which conflicts with the provisions of this Charter is repealed to the extent that it is inconsistent or will interfere with the effective operation of this Charter or ordinances enacted pursuant thereto. b. All taxes, assessments, liens, encumbrances, and demands, of or against the City, fixed or established before the effective date of this Charter, or for the fixing or establishing of which proceedings had begun prior to such date, shall be valid when properly fixed or established under the law in force at the time of the beginning of such proceedings or under the law after adoption of this Charter.
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2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
71	Officers and Employees	Section 9.2 - (a) Upon adoption of this Charter, the present persons filling elective offices on the City Council will continue to fill those offices for the terms for which they were elected. Term limits, as referenced herein, shall not be imposed for terms preceding adoption of this Charter or for terms less than one year. (b) Nothing in this Charter, except as otherwise specifically provided, shall affect or impair the rights or privileges of persons who are City officers or employees at the time of its adoption. Upon adoption of this Charter, the person presently serving as the City Administrator shall be deemed to be the City Manager, subject to the provisions of this Charter. (c) Except as specifically provided by this Charter, if at the time this Charter takes full effect, a City administrative officer or employee holds any office or position which is or can be abolished by or under this Charter, he shall continue in such position or office until the taking effect of some specific	Section 9 - Upon adoption of this Charter, the persons then filling elective offices will continue to fill those offices for the terms to which they were electef. Thereafter, the City Council and the Mayor shall be elected as provided in Article VII - Section 2., of this Charter. Persons, who on the date this Charter is adopted, are filling appointive positions with the City of Katy which are retained under this Charter, may continue to fill these positions for the term for which they were appointed, unless removed by the Mayor or the City Council or by other means provided for in this Charter. Persons who, on the effective date of this Charter, are filling elective offices, that by this Charter are made appointive offices shall continue to serve in those offices for the terms to which they were elected.	-	Section 12.02 - Continuation of Elective/Appointive Offices - Upon adoption, present persons filling elective offices on City Commission will continue to fill those offices for terms for which they were elected. Persons who, on date this is adopted, are filling appointive positions with City which are retained under this Charter, may continue to fill those positions for term for which they were appointed, unless removed by City Commission or by other means provided in this Charter. Section 12.04 - Officers and Employees - Except as specifically provided, nothing in this Charter shall affect or impair rights or privileges of persons who are City officers or employees at time of its adoption. Upon adoption, person presently serving as City Manager shall be deemed to be City Manager, subject to provisions of this Charter.	-	Section 4.01 - City Manager - (b)The city manager shall exercise the administrative powers granted herein or by ordinance. In particular, the city manager has the following powers and duties: (1) To establish, organize, and abolish City departments or administrative units not otherwise provided for by the Charter and to assign the duties thereof.	Section 11.02 - Nothing in this Charter, except as may be specifically provided otherwise, shall affect or impair the rights or privileges of persons who are appointive officials or employees of the City at the time of its adoption.
72	Pending Matters	Section 9.03 - All rights, claims, actions, orders, franchises, contracts and legal administrative proceedings shall continue except as modified pursuant to the provisions of this Charter and in each case shall be maintained, carried on or dealt with by the City department, office, or agency appropriate under this Charter.	-	-	Section 11.09 - All rights, claims, actions, orders, contracts and legal or administrative proceedings shall continue, except as modified pursuant to the provisions of this Charter, and, in each case, shall be maintained, carried on or dealt with by the City department, office or agency appropriate under this Charter.	Certificate of Change of Government - "That there is no litigation pending or threatened relative to the organization of the City of Rosenberg, Texas, the boundaries thereof, or the title of the present officers to their respective offices."	-	Section 11.04 - All rights, claims, actions, orders, contracts, franchises, and legal or administrative proceedings in existence or pending on the effective date of this Charter shall continue until consummation. All new or renewal rights, claims, actions, orders, contracts, franchises, and legal or administrative proceedings initiated after the effective date of this Charter shall conform to the requirements and provisions thereof.

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73	Manner of Submission to Electors	Section 9.4 - In preparing this Charter, the Charter Commission finds and decides that it is impractical to segregate each subject so as to permit a vote of "yes" or "no" on the same, for the reason that the Charter is so constructed that in order to enable it to work and function, it is necessary that it should be adopted in its entirety.	Section 17 - Pursuant to Article 1167, V.A.C.S., Charter Commission finds and determines that it is impracticable to segregate each subject or section contained in this Charter so that voter may vote "Yes" or "No" on same. This Charter was drafted and framed in such a manner that Articles and Sections of Charter are so interrelated and dependent, one upon other, to extent that Charter would not function properly if it were not adopted in its entirety. Therefore, Charter Commission directs that said Charter be voted upon as a whole and that it shall be submitted to qualified voters of City of Katy at an election to be held for that purpose on 17th day of January, 1981, which time is fixed by Charter Commission at a time not less than forty (40) nor more than ninety (90) days after completion of the work of the Charter Commission. Not less than thirty (30) days prior to aforesaid date of election, City Council shall cause the Office of City Secretary to mail a	Section 11.14 - Pursuant to article 1167, V.A.C.S. [V.T.C.A., Local Government Code § 9.003], Charter commission finds and determines that it is impracticable to segregate each subject or section contained in this Charter so that the voter may vote "Yes" or "No" on same. This Charter was drafted and framed in such a manner that articles and sections of Charter are so interrelated and dependent, one upon the other, to extent that Charter would not function properly if it were not adopted in its entirety. Therefore, Charter commission directs that said Charter be voted upon as a whole and that it shall be submitted to the qualified voters of the City of Missouri City at an election to be held for that purpose on the twenty-third day of November, 1974, which time is fixed by the Charter commission at a time not less than forty (40) nor more than ninety (90) days after the completion of the work of the Charter commission.	Section 10.05 - The Charter Commission in preparing this Charter finds and declares that it is impractical to segregate each subject so that the voter may vote "Yes" or "No" on each subject. The Charter is so constructed that in order to enable it to work and function, it is necessary that it should be adopted in its entirety. For these reasons, the Charter Commission directs that this Charter be voted upon as a whole.	Section 13.18 - (a) Charter Commission in preparing this Charter finds and decides that it is impracticable to segregate each subject so as to permit a vote of "yes" or "no" on the same, for the reason that the Charter is so constructed that in order to enable it to work and function it is necessary that it should be adopted in its entirety. For these reasons the Charter Commission directs that said Charter be voted upon as a whole and that it shall be submitted to qualified voters of City at an election to be held for that purpose on the 20th day of November, A. D., 1956. If a majority of qualified voters voting in such election shall vote in favor of adoption of this Charter, it shall become Charter and after returns have been canvassed, same shall be declared adopted. (b) An official copy of Charter shall be filed with records of city, and mayor shall as soon as practicable certify to secretary of state an authenticated copy under seal of city, showing approval by qualified voters of such Charter. (c) In not less than thirty days prior to such election the city council shall cause the city secretary to mail a copy of this Charter to each	*Editors Note: The charter is set out as amended, passed and approved by the majority of the voters at the city election on May 14, 2011	Section 11.05 - Charter commission in preparing this Charter concludes that it is impracticable to segregate each subject so as to permit a vote of "yes" or "no" on same, for reason that Charter is so constructed that in order to enable it to work and function it is necessary that it should be adopted in its entirety. For these reasons, Charter commission directs that Charter be voted upon as a whole and that it shall be submitted to qualified voters of the City at an election to be held on May 15, 2004. Not less than thirty (30) days prior to that election, City Council shall cause city secretary to mail a copy of this Charter to each qualified voter of City as appears from latest certified list of qualified voters. If a majority of qualified voters voting in election shall vote in favor of adoption of this Charter, it shall become Charter and after returns have been canvassed, same shall be declared adopted, Mayor shall certify to Secretary of State an authenticated copy under City's seal showing approval by voters of City, and City Secretary shall file an official copy of Charter with records of City.
74	<b>Elections</b>							
75	General Election Date	Section 6.01 - May	Article VII, Section 2 - May	Article VI - May	Section 5.02 - May	Section 3.01(c) - May	Section 2.01(c) - May	Section 5.03 - May - "spring uniform election date"

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76	Terms to be Staggered	<p>Section 6.02 - Terms of the City Council and Mayor shall be staggered as follows:</p> <p>(a) One (1) Council Member elected at large, two (2) Council Members elected from single-member districts, and the Mayor shall be elected in even-numbered years; and</p> <p>(b) One (1) Council Member elected at large and three (3) Council Members elected from single-member districts shall be elected in odd-numbered years.</p>	Article VII, Section 2 - Yes	Section 6.01(c- d) - Yes	Section 3.01 - Yes	Section 3.01(c) - Yes	Section 2.01(b) - Yes	Section 5.03(d)(1-2) - Yes
77	Term limit applies	<b>Separately</b>	Article III, Section 12 - "No person shall be elected to more than three (3) consecutive regular two-year terms as Mayor." [Implies the term limit applies separately.]	N/A	N/A	N/A	Section 2.03 - Separately	N/A
78	Elections by	<b>Majority</b>	Article VII, Section 3 - Majority	Section 6.03 - Majority	Section 5.02 - Plurality	Section 5.05 - Majority	Section 2.01(c) - Majority	Section 5.05 - Plurality

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79	Transition Elections	Section 9.5 - Five-member council to seven-member council as provided in Article III of this Charter, the following election schedule shall be followed until such time as all Council Members are elected in accordance with Section 6.02 of this Charter: (a) May uniform election date in 2017, one (1) Council Member shall be elected at large, and one (1) Council Member shall be elected from each of two (2) single-member districts to be determined by the City Council in the ordinance. (b) May uniform election date in 2018, Mayor and one (1) Council Member shall be elected at large, and one (1) Council Member shall be elected from each of the three (3) single-member districts that did not elect a Council Member under subsection (a). One (1) Council Member elected from a single-member district in the year 2018, shall serve a one-year term. Council Member who serves such one-year term is determined by drawing lots at first regular City Council meeting held after the election.	Section 9 - Upon adoption of this Charter, the persons then filling elective offices will continue to fill those offices for the terms to which they were electecf. Thereafter, the City Council and the Mayor shall be elected as provided in Article VII - Section 2., of this Charter. Persons, who on the date this Charter is adopted, are filling appointive positions with the City of Katy which are retained under this Charter, may continue to fill these positions for the term for which they were appointed, unless removed by the Mayor or the City Council or by other means provided for in this Charter. Persons who, on the effective date of this Charter, are filling elective offices, that by this Charter are made appointive offices shall continue to serve in those offices for the terms to which they were elected.	Section 6.01 - Elections to be held under this charter	Section 3.01 - Transitional Provision - All City Commission Members holding office at time of passage shall continue to hold their respective office until their respective term of office for which they were elected expires. At May 2014 election, Mayor shall have a three (3) year term and two (2) newly elected Commissioners, immediately upon canvassing of May 2014 vote shall draw lots to determine which Commissioner's term will expire in one (1) year and which Commissioner's term will expire in two (2) years. A drawing of lots by Commissioners elected in May 2014 shall not be held if a Commissioner voluntarily requests one (1) year term prior to date of canvassing of election.	Section 13.19(b) - Within thirty days after the adoption of this Charter, the city council shall call an election for the filling of positions three, four, five and six as defined and identified in the aforesaid section 5.04, which councilmen shall be elected for a term to expire on the first Monday in May, 1958, or until their successors shall have been elected and qualified. The city council as then constituted shall be the governing body of the City of Rosenberg under the terms of this Charter. Thereafter the city council shall be elected every two years as provided in sections 5.04 and 5.05 of this Charter.	-	Section 11.01 (a-f)
80	<b>Initiative, Referendum, and Recall</b>							

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	Initiative	<p><b>Section 7.01 - General Authority</b>  <b>Section 7.02 - Petitions for Initiative, Referendum and Recall, Generally</b>  <b>Section 7.03 - Petitions for Initiative, Specifically</b>  <b>Section 7.06 - Initiative, Referendum, and Recall Elections</b></p>	<p>Article VIII, Section 1 - reserve the power of direct legislation by initiative except an ordinance appropriating money or authorizing the levy of taxes, or ordinances repealing ordinances appropriating money or levying taxes; petition signed by at least 30 % of qualified voters but in no event less than 300 petitioners</p>	<p>Section 5.01 - reserve the power of direct legislation by initiative except an ordinance appropriating money or authorizing levy of taxes; petition must be signed by at least 10% of the qualified voters.</p>	<p>Section 6.02 - People shall have the power to propose legislation on any local government issue, except legislation appropriating money, levying taxes, affecting zoning, annexing land, or setting rates, fees or charges, and, if the Commission fails to adopt an ordinance so proposed, to adopt or reject the proposed legislation at an election; petitions must be signed by registered voters equal to 30% cast in last general election or one hundred and fifty (150), whichever is greater.</p>	<p>Section 7.02 - Qualified voters initiate legislation by submitting a petition signed by qualified voters of the city equal in number to 20% percent of the number of votes cast at last regular municipal election of city, or one hundred and fifty, whichever is greater.</p>	<p>Section 3.01(a) - power through petition to enact new ordinance and, if council fails to, hold election to approve/reject new ordinance.  Section 3.01(b) - does not apply to ordinances relating to financial matters, including budget, levy of taxes, issuance of bonds/debt instruments, salaries of officers and employees, matters which are not legislative or which have been withdrawn/excluded by general law, and matters where state/federal law provides for election.  Section 3.04 - Petition signed by at least 30% of those voting in the last city election.  Section 3.02(e) - Committee of Petitioners.</p>	<p>Section 9.01 - The qualified voters of the City reserve the power of direct legislation by initiative, and in the exercise of such power may propose any ordinance which is not in conflict with this Charter, the State Constitution, or the laws of this State; provided, however, such power shall not extend to the budget or capital programs, ordinances relating to the appropriation of money, the levy of taxes, the salaries of city officials or employees, zoning ordinances or ordinances repealing zoning ordinances, or ordinances annexing or disannexing territory. Any initiated ordinance may be submitted to the City Council by a petition signed by qualified voters of the City equal in number to at least ten percent (10%) of the qualified voters of the City at the time of such submission. All the signatures on such a petition must have been collected within the ninety (90) day period immediately preceding the date of submission.  Section 9.03 - Form of Petition  Section 9.04 - Filing, Examination and Certification of Petitions</p>
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2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
	Referendum	<p><b>Section 7.01 - General Authority</b></p> <p><b>Section 7.02 - Petitions for Initiative, Referendum, and Recall, Generally</b></p> <p><b>Section 7.04 - Petitions for Referendum, Specifically</b></p> <p><b>Section 7.06 - Initiative, Referendum, and Recall Elections</b></p>	Article VIII, Section 2 - the people reserve the power to approve or reject at the polls any legislation enacted by Council except an ordinance authorizing issuance of tax or revenue bonds; prior to effective date of ordinance or within 30 days after effective date of ordinance, a petition signed by 30% of the qualified voters but in no event less than 300 petitioners	Section 5.02 - reserve the power to approve or reject legislation enacted by Council except an ordinance which is enacted for immediate preservation of public peace, health, safety or welfare which contains statement of urgency and is adopted by four or more favorable votes of councilmembers; prior to effective date of any ordinance, a petition signed by qualified voters equal in number to at least 10% of qualified voters.	Section 6.03 - shall have the power to require reconsideration of an adopted ordinance regarding any issue that would be proper subject for an initiative, and if the Commission fails to repeal an ordinance so reconsidered, to approve or reject the ordinance at an election. Shall not extend to budget, capital expenditures, levy of taxes, any bonds, certificates of obligation or any similar obligations; zoning; annexation; or any rates, fees and charges, provided that tax increases shall be subject to petition as provided by state law; petitions must be signed by registered voters equal to 30% cast in last general election or one hundred and fifty (150), whichever is greater.	Section 7.03 - Qualified voters may require that ordinance/resolution passed be submitted to voters; petition within thirty days after the final passage, or within thirty days after its publication; Petition shall be addressed, prepared, signed and verified as required for petitions initiating legislation as provided in section 7.02 (20% of # of votes cast in last municipal election).	<p>Section 3.01(a) - Repeal all or part of an existing ordinance, and if council fails to do so, hold an election to approve/reject the ordinance.</p> <p>Section 3.01(b) - does not apply to ordinances relating to financial matters, including budget, levy of taxes, issuance of bonds/debt instruments, salaries of officers and employees, matters which are not legislative or which have been withdrawn/excluded by general law, and matters where state/federal law provides for election.</p> <p>Section 3.02(e) - Committee of Petitioners.</p> <p>Section 3.04 - Petition signed by at least 30% of those voting in the last city election.</p>	<p>Section 9.02 - Reserve the power to approve or reject any ordinance enacted by the City Council which is subject to the initiative process under this Charter and under the laws of this State, except that ordinances authorizing the issuance of either tax or revenue bonds, whether original or refunding bonds, shall not be subject to such referendum. Ordinances submitted to the City Council by initiative petition and passed by the City Council without change shall be subject to the referendum in the same manner as other ordinances.</p> <p>Within sixty (60) days after the enactment by City Council of any ordinance which is subject to a referendum, a petition signed by qualified voters of the City equal in number to at least ten percent (10%) of the qualified voters of the City at the time of filing the petition may be filed with the City Secretary requesting that any such ordinance be either repealed by the City Council or submitted to a vote of the people.</p> <p>Section 9.04 - Filing, Examination and Certification of Petitions</p>
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	Recall	<p><b>Section 7.01 - General Authority</b></p> <p><b>Section 7.02 - Petitions for Initiative, Referendum, and Recall, Generally</b></p> <p><b>Section 7.05 - Petitions for Recall, Specifically</b></p> <p><b>Section 7.06 - Initiative, Referendum, and Recall Elections</b></p>	<p>Article VIII, Section 8 - filing a petition signed by at least 30% of qualified voters but in no event less than 300 petitioners; same verification as initiative petition; limitation - No recall petition shall be filed against Mayor/Councilmember within 6 months after he takes office and neither shall be subjected to more than one recall during a term.</p>	<p>Section 5.07 - reserve the power to recall any elected official by filing a petition signed by 10% of voters qualified to vote at the time of that official's last election to office.</p>	<p>Section 6.11 - reserve the power to recall any elected city officer and may exercise the power by filing with City Secretary a petition signed by qualified voters of the City equal to at least 30% of the number of registered votes cast in the last election or one hundred and fifty (150), whichever is greater; no recall shall be called within six months of taking office and no officer shall be subjected to more than three recall elections during a term; and no officer shall be recalled at an election held less than 3 months prior to expiration of term.</p>	<p>Section 6.01 - Any elected city official, shall be subject to recall on grounds of incompetency, misconduct or malfeasance in office. Section 6.02 - A petition demanding such question to be submitted shall first be filed with the city secretary; petition shall be signed by qualified voters of the city equal in number to at least thirty percent of the number of votes cast at the last regular municipal election of the city, but in no event less than one hundred fifty such petitioners.</p>	<p>Section 3.01(3) - Resign from office for reasons set forth in petition, and if member fails to do so, hold an election on recall. Section 3.02(e) - Committee of Petitioners. Section 3.04(3) - Petition must be signed by at least 20% of city's registered voters residing in that district.</p>	<p>Section 9.11 - Reserve the power to recall any elected official and exercise by filing with City Secretary a petition, signed by qualified voters of the City equal in number to at least ten percent (10%) of the qualified voters of City at the time of such filing, demanding the removal of such elected official. All the signatures on such a petition must have been collected within the ninety (90) day period immediately preceding the date of submission. The petition shall be signed and verified in the manner required for an initiative petition, shall contain a general statement of the grounds for which the removal is sought and the circulator of each petition paper shall make an affidavit that the statements therein made are true. Section 9.15 - No recall petition shall be filed against an elected official within six (6) months after such official takes office. An elected official subjected to a recall election and not removed thereby</p>
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84	<b>General Provisions</b>							

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2	<b>PROPOSED in RED</b>	<b>Fulshear</b>	<b>Katy</b>	<b>Missouri City</b>	<b>Richmond</b>	<b>Rosenberg</b>	<b>Sugar Land</b>	<b>Stafford</b>
	Construction	Section 8.01 - This Charter shall not be construed as a mere grant of enumerated powers, but shall be construed as a general grant of power and as a limitation of power on the government of the City in the same manner as the Constitution of Texas is construed as a limitation on the powers of the Legislature. Except where expressly prohibited by this Charter, each and every power under Article XI, Section 5 of the Constitution of Texas, which it would be competent for the people of the City to expressly grant to the City, shall be construed to be granted to the City by this Charter.	-	Section 11.04 - Charter shall not be construed as grant of enumerated powers, but a general grant of power and as a limitation of power on the government in the same manner as Constitution of Texas is construed as a limitation on the powers of the legislature. Except where expressly prohibited by this Charter, each and every power under Article XI, Section 5 of the Constitution of Texas, which it would be competent for the people of the City to expressly grant to the city, shall be construed to be granted to the city by this Charter.	Section 11.12 - This Charter is a general grant of powers and is not to be interpreted as limiting in any way.	Section 13.16 - Charter shall be liberally construed to carry out intents and purposes. If any section or part of section of Charter shall be held invalid by court of competent jurisdiction, such holding shall not affect the remainder of Charter nor context in which such section or part of section so held invalid may appear, except to extent that entire section or part of section may be inseparably connected in meaning and effect with section or part of section to which such holding shall directly apply.	-	-
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	General Prohibitions	Section 8.02 - (a) No employee/official, whether elected/appointed, shall orally, by letter or otherwise solicit/assist in soliciting any assessment, subscription, or contribution for any political party/political purpose whatever from any subordinate official/employee holding any compensated position. (b) No person who holds any compensated position shall solicit/receive any contribution to campaign funds of any candidate for municipal office or take any part in the management, affairs, or political campaign of any municipal candidate. (c) No person who seeks appointment/promotion with respect to any position or office shall directly/indirectly give, render, or pay any money, service, or other thing of value to any person for or in connection with his or her test, appointment, proposed appointment, promotion, or proposed promotion. (d) Any employee who is found to have violated any provision of this section shall be	Section 7 - nepotism Section 1 - Powers of the City - "except as prohibited by the Constitution and Laws of this State or restricted by this Charter, the City may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever.	Section 9.07 - payments and obligations prohibited Section 11.10 - nepotism	Section 3.07 - (1) Except where authorized by law or by this Charter, no Mayor or Commission Member shall hold any other City office or City employment during his/her term as Mayor or Commission Member. No former Mayor or Commission Member shall hold any compensated appointive office or City employment until two (2) years after the expiration of term for which they were elected/appointed to City Commission. (2) Members of the City Commission shall not in any way dictate appointment/removal of City administrative officers/employees whom City Manager or any of City Manager's subordinates are empowered to appoint. City Commission, at a meeting called for that purpose, may express its views and fully and freely discuss with City Manager anything pertaining to appointment/removal of such officers/employees. (3) Except for purpose of inquiries and investigations as provided by this Charter, City Commission shall deal with City officers/employees, who are subject	Section 2.01 - General - "...except as prohibited by the constitution and laws of this state or restricted by this charter..." Section 13.03 - No officer or employee to accept gifts Section 13.04 - Relatives of officers shall not be appointed or employed Section 13.05 - Persons indebted to the city shall not hold office or employment	-	Section 6.05 - No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the Finance Director or their designee first certified that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. Section 10.06 - nepotism
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