

**ORDINANCE NO. 2026-2758**

**AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CALLING A CHARTER AMENDMENT ELECTION FOR MAY 02, 2026, ON THE QUESTION OF ADOPTING FIVE (5) AMENDMENTS TO ITS HOME RULE CHARTER; PROVIDING FOR ONE (1) MUNICIPAL POLLING PLACE AND DESIGNATING THE LOCATION THEREOF; PROVIDING FOR THE QUALIFICATION OF ELECTORS; APPOINTING THE OFFICERS OF SAID ELECTION AND DESIGNATING THE NUMBER OF CLERKS TO ASSIST IN CONDUCTING SAID ELECTION AND THE COMPENSATION TO BE PAID THE ELECTION JUDGE AND CLERKS; PROVIDING FOR EARLY VOTING; PROVIDING FOR RATIFICATION AND CONFIRMATION BY THE MAYOR OF SAID CITY OF THE ACTION TAKEN BY THIS ORDINANCE; PROVIDING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

**WHEREAS**, Section 11.13 of the Home Rule Charter of the City of Freeport, Texas, ("the City") provides that the City Council shall appoint at its first regular meeting in June of each odd-numbered year a Charter Review Commission; and,

**WHEREAS**, on July 7, 2025, Resolution No.2025-2932 of the City Council of the City was passed and a Charter Review Commission was appointed for the City; and,

**WHEREAS**, Section 11.13 of said Charter provides that it shall be the duty of the Charter Review Commission, among other things, to propose, if it deems desirable and advisable, amendments to said Charter to improve the effective application of said Charter to current conditions, and to report its findings and present its proposed amendments, if any, to the City Council in writing; and,

**WHEREAS**, on December 15, 2025, the Charter Review Commission of the City appointed by Resolution No. 2025-2932, reported its findings and presented in writing SIX (6) proposed amendments to said charter, FOUR (4) of which were accepted by the City Council on such date, the substance of these FOUR (4) is hereinafter set forth; and,

**WHEREAS**, the City Council proposed and accepted an additional proposed amendment to said charter, the substance of which is hereinafter set forth; and,

**WHEREAS**, Section 11.13 of said Charter provides that if any amendment is presented as a part of the report of the Charter Review Commission or formulated and considered by the City

Council, the City Council may order such amendment or amendments to be submitted to the voters of the City in the manner provided in said Charter and/or the Texas Local Government Code, as now or hereafter amended; and,

**WHEREAS**, Section 9.004 of Chapter 9 of said Texas Local Government Code, requires that the ordinance providing for the submission of such amendment shall require the submission thereof at an election to be held on the next uniform election date that occurs on or after the 30th day after the date of adoption of said ordinance; and,

**WHEREAS**, under the applicable provisions of the Texas Election Code, the next uniform election date that occurs on or after the 30th day after the date of adoption of this ordinance will be the first Saturday in May, 2026, being May 2, 2026; and,

**WHEREAS**, the City Council of the City has determined to submit the hereinafter mentioned amendments to the voters of the City and is required by said Section 9.004 to do so at the regular municipal election which, as required by the Texas Election Code, will be held on the first Saturday in May, 2026, being May 2, 2026; and,

**WHEREAS**, said Section 9.004 provides that notice of an election for the submission of any amendment to a Home Rule Charter shall be given by publication thereof, in some newspaper of general circulation published in the City, on the same day in each of two (2) successive weeks, with the date of the first publication occurring before the 14th day before the date of said election, and that the form or such notice shall include a substantial copy of the proposed amendments; and,

**WHEREAS**, said Section 9.004 provides that an amendment may not contain more than one subject and that the ballot shall be prepared so that a voter may approve or disapprove any one or more amendments without having to approve or disapprove all of the amendments; and,

**WHEREAS**, the City Council of the City has determined to submit to a vote of the people FOUR (4) the amendments proposed by the Charter Review Commission in its report, hereinafter set forth, such report having been presented to and considered and approved by the City Council on December 15, 2025; and,

WHEREAS, the City Council accepted and approved the following amended wording to the Home Rule Charter:

**PROPOSED AMENDMENT NUMBER ONE**

**Should Section 3.05 of the Home Rule Charter of the City be amended to read as follows:**

**Sec. 3.05. – Mayor Pro Tem**

At the meeting of the city council at which the returns of the annual election are canvassed each year, the members of the city council shall select, on a rotating basis among the wards, a member of the city council who has been on city council for at least two years to serve as mayor pro tem until the meeting of the city council at which the returns of the annual election for the next succeeding year have been canvassed. The mayor pro tem shall perform all of the duties of the mayor in the absence or disability of the mayor and shall assume the office of mayor for the remainder of the unexpired term in the event the office of the mayor becomes vacant. If both the mayor and the mayor pro tem are absent from any meeting of the city council, the members present shall elect from among themselves a temporary mayor pro tem to preside at such meeting.

**PROPOSED AMENDMENT NUMBER TWO**

**Should Section 8.02 of the Home Rule Charter of the City be amended to read as follows:**

**Sec. 8.02. Development of Property**

The expenditure of public funds shall be authorized for the development of privately-owned land or subdivisions for economic development, only with a legally valid **development** agreement approved by city council and signed by the mayor, following a public hearing on the matter. Such expenditures may be for projects situated within or beyond the corporate limits of the city.

**PROPOSED AMENDMENT NUMBER THREE**

**Should Section 9.24 of the Home Rule Charter of the City be amended to read as follows:**

**Sec. 9.24 – Taxes; when due and payable**

All taxes due the City of Freeport may be paid at any time after the tax roll for the year has been approved, which shall be not later than October 1; and such taxes shall be payable to the Brazoria County assessor-collector, at the place and methods designated by the Brazoria County tax assessor-collector, if the city council has required the county to assess and collect city taxes pursuant to section 6.22 of the tax code, as now or hereafter amended; otherwise, such taxes shall be due and payable at the office of the city assessor-collector.

**PROPOSED AMENDMENT NUMBER FOUR**

**Should Section 11.01 be added to the Home Rule Charter of the City and read as follows:**

**Sec. 11.01 – Publicity of Records**

All records and accounts of every office, department, or agency of the city shall be open to inspection by any citizen or by any representative of the press at all reasonable times and under such reasonable regulations as may be established by the city council or the mayor, except **as restricted by state or federal law.**

**PROPOSED AMENDMENT NUMBER FIVE**

**Sec. 11.10 – Qualification of Board Members**

Except for the Main Street Board, the Historical Commission, and the City of Freeport Economic Development Corporation Board, no person shall be qualified to serve on a City Council-appointed board unless they are a resident of the City of Freeport, Texas.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:**

**SECTION ONE--Charter Amendment Election Called**

Pursuant to Section 11.13 of the Home Rule Charter of the City and Section 9.004, Chapter 9, Local Government Code of Texas, the Mayor and City Council of the City hereby order and ordain, respectively, that a Charter Amendment Election shall be held in and throughout the City on the first Saturday in May, 2026, being May 2, 2026, between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m., in conjunction with the regular municipal election to be held on such day and at such time, for the purpose of submitting to the qualified voters of the City amendments to the Home Rule Charter of the City, hereinafter set forth, the substance of which was heretofore proposed by the Charter Review Commission of the City.

**SECTION TWO--Form of Ballot**

The ballot used at said election shall conform with the requirements of the Texas Election Code, Section 9.004, Chapter 9, Local Government Code of Texas, and Section 52.072(b) of the Texas Election Code, shall contain the following proposed ballot summaries, to-wit:

**PROPOSED AMENDMENT NUMBER ONE**

Shall the charter be revised to eliminate conflicting language to fill council vacancies and conform with state law?

**PROPOSED AMENDMENT NUMBER TWO**

Shall the charter be revised to require any legally valid development agreement, rather than only an agreement under Chapter 380, approved by council before expenditure of public funds for economic development can be authorized?

**PROPOSED AMENDMENT NUMBER THREE**

Shall the charter be revised to reflect that all city taxes shall be payable to the Brazoria County tax assessor-collector at the place and methods designated by the Brazoria County tax assessor-collector?

**PROPOSED AMENDMENT NUMBER FOUR**

Shall the charter be revised to provide that the City shall not violate state or federal law when producing records to the public?

**PROPOSED AMENDMENT NUMBER FIVE**

Shall the charter be revised to provide that except for the Main Street Board, the Historical Commission, and the Economic Development Corporation, no person shall be qualified to serve on a City Council-appointed board unless they are a resident of the City of Freeport, Texas?

**SECTION THREE--Municipal Polling Places**

As provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference, for the purpose of the election called by this ordinance, there shall be one (1) municipal polling place located within the city limits of the City of Freeport, at the Freeport City Library located at 410 North Brazosport Boulevard, Freeport, Texas. On that day, voting will also be permitted at the Polling Places established by the Brazoria County Elections Official, as set forth in Exhibit B, attached and incorporated herein.

**SECTION FOUR--Electors**

Every person eligible to vote under the provisions of Chapter 11 of Title 2 of the Texas Election Code who is a resident of the City of FREEPORT, Texas, and who is duly registered to vote in the county election precinct where and on the day on which he or she votes in the charter amendment election called by this Ordinance, shall be entitled to vote for or against each of the proposed amendments set forth above in Section Two of this Ordinance.

**SECTION FIVE--Officers of Election and Compensation Thereof.**

The Presiding Judge, Alternate Presiding Judge and Clerks needed on the day of election for the election called by this ordinance, for the early ballot board and the central counting station shall be appointed, have the duties and be compensated as provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, adopted herein by reference.

**SECTION SIX--Early Voting.**

Early voting shall begin on April 20, 2026, and end on April 28, 2026, such early voting to be conducted by the County Clerk of Brazoria County, Texas, between the hours of 8:00 a.m. and 5:00 p.m. on such dates and at such locations, established by the Brazoria County Election official as set forth in Exhibit A, attached and incorporated herein.

Early voting by mail shall be as provided by applicable law. The mailing address of the Early Voting Clerk is Joyce Hudman, County Clerk, 237 E. Locust St., Suite 102, Angleton, Texas 77515. The email address of the Early Voting Clerk is [ABBM@brazoriacountytx.gov](mailto:ABBM@brazoriacountytx.gov) and [cclerkElections@brazoriacountytx.gov](mailto:cclerkElections@brazoriacountytx.gov) . The last day to submit an application for a ballot to the respective Early Voting Clerk to be voted by mail is April 20, 2026 (received, not postmarked).

**SECTION SEVEN--Method of Voting and Conducting Election.**

Both early voting and all voting on the day named above for the holding of said charter amendment election shall be in the manner specified in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, mentioned above.

**SECTION EIGHT--Notice of Election.**

(a) The Mayor of the City is hereby authorized and directed to issue a notice of said election, to cause the same to be posted for at least twenty-one (21) days prior to the date named above for the holding of said charter election on the bulletin board used for posting notices of meetings of the City Council.

(b) As required by Section 9.004 (c) of the Local Government Code the City Secretary shall cause a copy of the above notice, including a substantial copy of above and foregoing proposed amendments, to be published on the same day in each of two (2) successive weeks, with the first publication occurring before the fourteenth (14th) day before the date hereinabove fixed for the holding of said election.

**SECTION NINE--Ratification and Confirmation by Mayor.**

By signing this ordinance, the Mayor of the City of Freeport, Texas, hereby ratifies and confirms as his action all above recited matters which by law come within his jurisdiction.

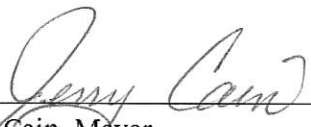
**SECTION TEN--Severance Clause**

In the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.


**SECTION ELEVEN--Effective Date.**

This ordinance shall be effective immediately upon its passage and approval.


READ, PASSED AND ADOPTED this 20<sup>th</sup> day of January 2026.

  
\_\_\_\_\_  
Jerry Cain, Mayor  
City of Freeport, Texas

ATTEST:

  
\_\_\_\_\_  
Clarisa Fernandez, City Secretary  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

  
\_\_\_\_\_  
Christopher Duncan, City Attorney  
City of Freeport, Texas

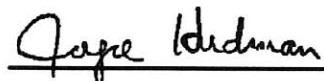
**NOTICE OF EARLY VOTING AT BRANCH POLLING PLACES**

**Early voting by personal appearance will be conducted at the following locations:**

- Angleton (Main) .....East Annex, 1524 E Mulberry
- Alvin .....Alvin Library, 105 S Gordon
- Brazoria .....Brazoria Library, 620 S Brooks
- Freeport .....Freeport Library, 410 Brazosport Blvd
- Lake Jackson.....Doris Williams Civic Center, 333 Hwy 332 East
- Manvel .....Keith Traylor Criminal Justice Center, 6605 North Masters
- Pearland East .....Tom Reid Library, 3522 Liberty Dr
- Pearland West.....West Pearland Community Center, 2150 Countryplace Pkwy
- Shadow Creek .....West Pearland Library, 11801 Shadow Creek Pkwy
- Sweeny .....Sweeny Community Center, 205 W Ashley Wilson Rd
- West Columbia.....Precinct 4 Building #2, 121 N 10<sup>th</sup> St

**DATES AND HOURS:**

- April 20 .....8 AM- 5 PM
- April 21 .. (Closed San Jacinto Day)
- April 22-25.....8 AM – 5 PM
- April 27-28.....8 AM – 5 PM



Early Voting Clerk

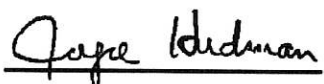
**AVISO DE VOTACIÓN ADELANTADA EN LOS SITIOS DE VOTACIÓN AUXILIARES**

**La votación adelantada en persona se llevará a cabo en los siguientes sitios de esta manera:**

- Angleton (Ubicación Principal).....East Annex, 1524 E Mulberry
- Alvin .....Alvin Library, 105 S Gordon
- Brazoria .....Brazoria Library, 620 S Brooks
- Freeport .....Freeport Library, 410 Brazosport Blvd
- Lake Jackson .....Doris Williams Civic Center, 333 Hwy 332 East
- Manvel .....Keith Traylor Criminal Justice Center, 6605 North Masters
- Pearland Este .....Tom Reid Library, 3522 Liberty Dr
- Pearland Oeste .....West Pearland Community Center, 2150 Countryplace Pkwy
- Shadow Creek .....West Pearland Library, 11801 Shadow Creek Pkwy
- Sweeny .....Sweeny Community Center, 205 W Ashley Wilson Rd
- West Columbia .....Precinct 4 Building #2, 121 N 10<sup>th</sup> St

**FECHAS Y HORAS**

- 20 de abril .....8 AM – 5 PM
- 21 de abril (cerrado día de San Jacinto)
- 22-25 de abril .....8 AM – 5 PM
- 27-28 de abril .....8 AM – 5 PM



Secretaría de la Votación Adelantada

MAY 2, 2026 JOINT LOCAL ELECTION POLLING LOCATIONS		
Home Pct #	Polling Place	Zip Code
1	East Annex (Old Walmart), 1524 E Mulberry, Angleton	77515
2	Precinct 4 Building #2, 121 N 10th St, West Columbia	77486
4	Brazoria Library, 620 S Brooks, Brazoria	77422
6	Liverpool City Hall, 8901 County Road 171, Liverpool	77577
8	Oyster Creek City Hall, 3210 FM 523, Oyster Creek	77541
9	Bonney Annex Building, 19025 FM 521, Bonney	77583
12	Drainage District No. 4 Building, 4813 W Broadway, Pearland	77581
14	Sweeny Community Center, 205 W Ashley Wilson Rd, Sweeny	77480
15	Danbury Community Center, 6115 5th St, Danbury	77534
17	Freeport Library, 410 Brazosport Blvd, Freeport	77541
23	Doris Williams Civic Center, 333 Hwy 332 East, LJ	77566
25	Hillcrest Village Municipal Building, 200 W Timberlane, Alvin	77511
29	West Pearland Community Center, 2150 Countryplace Pkwy, Pearland	77584
37	Pearland Recreation Center, 4141 Bailey Rd, Pearland	77584
38	Surfside Beach City Hall, 1304 Monument Dr, Surfside Beach	77541
39	Alvin Library, 105 S Gordon, Alvin	77511
40	Keith Traylor Criminal Justice Center, 6605 North Masters , Manvel	77578
44	Silverlake Recreation Center, 2715 Southwyck Pkwy, Pearland	77584
46	Tom Reid Library, 3522 Liberty Dr, Pearland	77581
50	West Pearland Library, 11801 Shadow Creek Pkwy, Pearland	77584
75	Richwood City Hall, 1800 Brazosport Blvd N, Richwood	77531
79	Iowa Colony Public Safety Building, 3144 Meridiana Pkwy, Iowa Colony	77583