

State of Texas  
County of Brazoria  
City of Freeport, Texas

BE IT REMEMBERED, that the Charter Review Commission and City Council of the City of Freeport, met on Thursday, December 10th, 2009 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council:	Larry L. McDonald Clan A. Cameron James W. Phillips Ron Wise Norma M. Garcia
Charter Review Commission:	William W. Rains Jeff Pynes Dorothy Pirrung – Absent Tobey Davenport Annette Sanford
Staff:	Wallace Shaw – Absent Delia Munoz, City Secretary Nat Hickey, Property Manager Bob Welch, Finance Director

Call to Order.

Mayor McDonald called the meeting to order at 6:00 p.m.

**Joint Meeting with Charter Review Commission: Consideration of receiving, discuss and approve a final report from the Charter Review Commission 2009-2010.**

There being a quorum with the Charter Review Commission and City Council, Chairman William Rains presented Council with the final report from the Charter Review Commission 2009-2010.

Adjourn

On a motion by Councilman Phillips, seconded by Councilman Cameron, with all present voting “aye”, the meeting adjourned at 6.06 p.m.

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Chairman - William W. Rains

# CITY OF FREEPORT CHARTER REVIEW COMMISSION

Bill Rains-Chairman

Tobey Davenport-Vice Chairman/Secretary

Jeff Pynes Dorothy Pirrung Annette Sanford

## FINAL REPORT

To the Honorable Mayor and City Council:

The Charter Review Commission, having reviewed the Home Rule Charter of the City and having consulted with the City Manager, the City Attorney and others who are to be consulted, makes the following recommendations.

First, consider amending Section 3.02. Qualifications to eliminate the provision prohibiting one holding an elective office from filing for a second office when more than one (1) year remains on the term of the first office by amending it to read as follows:

"The Mayor and each member of the City Council shall be a registered voter and a resident citizen of the City of Freeport for at least six (6) consecutive months immediately preceding his or her application to have his or her name placed on the official ballot and the filing of proof of his or her qualifications as required by law. Provided, however, such residence within any territory annexed to the City of Freeport immediately preceding such annexation shall be counted as residence within the City. If any such officer shall fail to maintain the foregoing residence qualifications during his or her term of office or shall be absent from three (3) consecutive regularly scheduled meetings without a valid excuse, or fail to attend at least eighty (80%) of regularly scheduled meetings during any fiscal year, without a valid excuse, the City Council must at its next regularly scheduled meeting declare a vacancy to exist and shall fill such vacancy as set forth in Section 3.06 of this Charter."

Second, consider amending Subsection (b) of Section 4.05 re: qualifications of Municipal Court Judge to read as follows:

"(b) The Judge of said Court shall be a qualified voter of Brazoria County, Texas appointed by the City Council, shall hold such office at the pleasure of the City Council, and shall receive such salary as may be fixed by the City Council."

Third, consider amending Subsection (e) of Section 4.05 re: Assistant Municipal Court Judges to read as follows:

"(e) At the request of the Judge of said Court, the City Council may appoint one or more Assistant Judges for said Court to sit for the Judge of said Court when requested to do so by the Judge of said Court. An Assistant Judge of said Court shall have the same qualifications as the Judge of said Court, shall serve at the pleasure of the City Council, shall receive such salary as may be fixed by the City Council and, when acting in such capacity, shall have all of the powers and duties of the Judge of said Court."

Fourth, consider amending Section 4.06 re: City Attorney to read as follows:

"The City Council shall appoint a competent and duly licensed attorney practicing law and a qualified voter in Brazoria County, Texas, who shall be the City Attorney. The City Attorney shall receive such compensation as may be fixed by the City Council, and shall hold such office at the pleasure of the City Council. The City Attorney, or such other attorneys selected by the City Attorney with the approval of the City Council, shall represent the City in all litigation and shall be the legal advisor of, and attorney and counsel for, the City and all officers and departments thereof."

Fifth, consider amending the second sentence of Section 7.02 re: Initiative to read as follows:

"The petition must be signed by two hundred (200) qualified voters of the City or by a number of qualified voters equal in number to fifty-one (51%) of the number of votes cast at the last regular municipal election of the City, whichever is greater."

Sixth, consider amending the first unnumbered paragraph of Section 8.03 and Subsection (a) thereof re: Planning Commission Membership to read as follows:

"The City Council shall appoint a City Planning Commission consisting of five (5) members who shall be residents in the City of Freeport while serving and for not less than six (6) months prior to being appointed, and who shall serve without compensation.

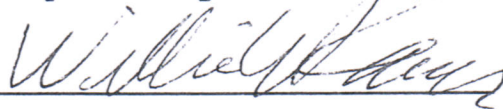
(a) Term of Office: The terms of office of all persons serving on the Planning Commission as of May 8, 2009, shall end on May 31, 2009. Thereafter, three (3) persons shall be appointed as members of the Commission to serve until May 31, 2011, and two (2) persons shall be appointed to serve until May 31, 2012. Thereafter, following each City election in odd numbered years, three (3) persons shall be appointed to serve a term of two (2) years each as members of the Commission and in following each city election in even numbered years two (2) persons shall be appointed to serve a term of two (2) years each as members of the Commission."

Seventh, consider amending Subsection (b) of Section 8.03 re: Planning Commission Rules of Procedure by adding thereto at the end thereof the following:

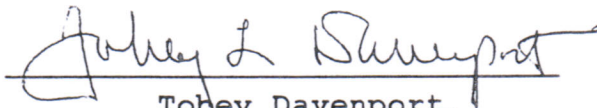
"The annual election of chairman shall take place in June of each year or whenever all vacant positions have been filled, whichever is later."

Dated this 10<sup>th</sup> day of December, 2009.

Respectfully Submitted,

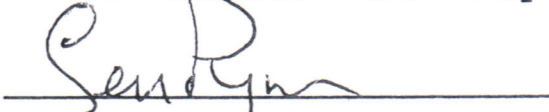


Bill Rains, Chairman

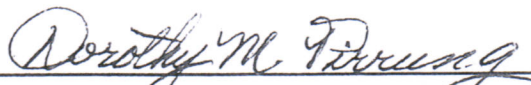


Tobey Davenport,


Vice Chairman & Secretary



Jeff Pynes, Member



Dorothy Pirrung, Member



Annette Sanford, Member