



# 2023 Charter Amendment Election Information

## City of Rockport, Texas

The City of Rockport's Charter governs the City and requires periodic review by the City Council. Since adopted in 1983, there have been five different Charter amendment elections. The last time the City Council reviewed the Charter was in 2008, for which no amendments were considered. In October 2022, the City Council appointed a Charter Review Commission, in accordance with the Charter, to recommend potential changes. The City Council, after reviewing the recommendations and receiving public input, submit the propositions to the public for a vote.

On May 6, 2023, you will be able to decide which amendments are approved and which amendments are not. **All registered voters of the City of Rockport are encouraged to vote.** Each proposition can be voted on a "Yes" or "No" basis. A complete copy of the proposed changes may be found on the City website at the following link: [Link](#).

### **CHARTER AMENDMENT GOVERNING THE GENDER SPECIFICITY IN THE CHARTER:**

#A Shall the Charter be amended to provide for gender neutral terminology and correct other terms, spelling and capitalization without making any substantive changes?

#### ***Why this amendment was placed on the ballot.***

The current charter is written in the masculine form. This amendment removes gender specificity and replaces it with job title or neutrality. Included are corrections to spelling, punctuation, capitalization, and other non-substantive changes to provide clarity.

The specific language change may be viewed here: [Link](#).

### **CHARTER AMENDMENT GOVERNING CONFORMANCE TO THE GENERAL LAWS OF THE STATE IN THE CHARTER:**

#B Shall the Charter be amended to conform to the general laws of the State if Texas?

#### ***Why this amendment was placed on the ballot.***

State Law has changed since the last charter update. This amendment addresses areas where Texas laws have changed or the existing charter is not in compliance with State Law. For all changes, State Law takes precedence therefore alignment will alleviate conflict and confusion with local policy application. In some areas, some changes provide flexibility if State Law changes.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING THE EXTENSION OR CONTRACTION OF CITY BOUNDARIES IN THE CHARTER:**

#C Shall the Charter be amended to provide for expansion and contraction of the City's corporate boundaries?

***Why this amendment was placed on the ballot:***

State annexation laws have changed which is reflected in this amendment. This amendment allows for the City Council to expedite approval of a valid disannexation petition with four of five members voting in favor. Any other vote by City Council will require a Special Election for consideration by the public.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING DISANNEXATION PROCESS IN THE CHARTER:**

#D Shall the Charter be amended to provide a process for disannexation petitions to be considered by the City

***Why this amendment was placed on the ballot:***

The current charter does not provide a clear process for completing a disannexation. The proposed change clarifies the process for disannexation when a valid petition is submitted.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING TERMS OF OFFICE FOR COUNCIL MEMBERS IN THE CHARTER:**

#E Shall the Charter be amended to provide for four-year terms of office for the Mayor and City Council persons and the process to fill vacancies of such terms?

***Why this amendment was placed on the ballot:***

This amendment would change City Council member terms from two years to four years. Currently, the Mayor and City Council members serve two years. Some have expressed that two years is not enough time to get acclimated to the duties of the job and carry out initiatives. This change would also reduce election costs. Should four-year terms be approved, this amendment outlines how to transition from two to four-year terms as well as how to fill council vacancies over the course of the term.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING CITY COUNCIL TERM LIMITS IN THE CHARTER:**

#F Shall the Charter be amended to eliminate the service limitation of ten years for members of the City Council?

***Why this amendment was placed on the ballot:***

City Council members are currently allowed to serve for ten consecutive years. This amendment would remove term limits and remove identified loopholes that exist that circumvent the intent of the

existing Charter limitation. Some have expressed that the ballot box provides the ultimate term limit. Any Council person can be voted out through the appropriate channels.

The specific language change may be viewed here: [Link](#).

#### **CHARTER AMENDMENT GOVERNING MEETINGS OF CITY COUNCIL IN THE CHARTER:**

#G Shall the Charter be amended to provide for notice of a meeting and an emergency meeting and establish additional quorum provisions if City Council is reduced to less than three voting members?

***Why this amendment was placed on the ballot:***

This amendment will bring the City into conformance with the notice provisions of the Texas Open Meetings Act. Additionally, it provides for a quorum to be established in the event that the City Council is reduced to less than three members.

The specific language change may be viewed here: [Link](#).

#### **CHARTER AMENDMENT GOVERNING PASSAGE OF ORDINANCES IN THE CHARTER:**

#H Shall the Charter be amended to provide for amended reading requirements for an ordinance to be approved?

***Why this amendment was placed on the ballot:***

If passed, this would require two readings for any zoning ordinance unless council votes to forgo a second reading with approval by a supermajority of the City Council. This will allow for flexibility to address emergent needs, customer service, and more closely aligns with neighboring communities while still protecting the rights of adjacent property owners.

The specific language change may be viewed here: [Link](#).

#### **CHARTER AMENDMENT GOVERNING THE STORAGE OF DATA IN THE CHARTER:**

#I Shall the Charter be amended to provide for electronic means of storing and publication of ordinances and resolutions?

***Why this amendment was placed on the ballot:***

This amendment would allow for the electronic storage of data, as allowed by law, and make such data available on the City's website for at least one year. Further, this amendment will bring our Charter into alignment with customary current best practices for transparency and accessibility.

The specific language change may be viewed here: [Link](#).

#### **CHARTER AMENDMENT GOVERNING CITY MANAGER IN THE CHARTER:**

#J Shall the Charter be amended to eliminate the cap on severance or termination compensation of the City Manager?

***Why this amendment was placed on the ballot:***

This item is to allow for negotiations that are in line with the industry norms.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING THE CITY SECRETARY IN THE CHARTER:**

#K Shall the Charter be amended to provide updated duties of the City Secretary

***Why this amendment was placed on the ballot:***

The duties of the City Secretary have changed since the last update. This would conform the City Secretary's job duties to the job duties needed today.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING THE CITY ATTORNEY IN THE CHARTER:**

#L Shall the Charter be amended to provide for the ability of the City to employ a person or firm as City Attorney?

***Why this amendment was placed on the ballot:***

Employing a firm as a City Attorney allows the City to receive more specialized legal advice as well as greater availability to counsel. This would give Council to engage an attorney or a law firm. The current Charter intends this position to be a paid City employee.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING THE CITY ENGINEER IN THE CHARTER:**

#M Shall the Charter be amended to delete the provisions related to the City Engineer?

***Why this amendment was placed on the ballot:***

Removing this provision in the Charter will allow for the hiring of specialized engineers depending on project needs. This does not mean that City projects will not be properly engineered, as needed or required by law.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING CITY ELECTIONS IN THE CHARTER:**

#N Shall the Charter be amended to provide for movement of the City's general election date if made possible by the general laws of the State of Texas?

***Why this amendment was placed on the ballot:***

This provision would allow the City Council to move City Elections to the November uniform election date by ordinance, if state law changes. If a change were to occur, it is anticipated election costs would be reduced with increased voter participation in City Elections.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING FILING FOR OFFICE IN THE CHARTER:**

#O Shall the Charter be amended to provide for petitions of offices to meet certain signature numerical requirements?

***Why this amendment was placed on the ballot:***

In order to run for Mayor or City Council, a potential candidate must present a petition with a certain amount of valid signatures in order to be placed on the ballot. The proposed amendment provides clarity on the number of signatures needed in certain circumstances.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING FILING FOR OFFICE IN THE CHARTER:**

#P Shall the Charter be amended to disqualify a person to serve on the City Council if the person is in arrears of taxes or other liabilities to the City.

***Why this amendment was placed on the ballot:***

This amendment is intended to require anyone running for office to not be in debt to the City.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING THE GENERAL AUTHORITY IN THE CHARTER:**

#Q Shall the Charter be amended to clarify the meaning of Qualified Voter?

***Why this amendment was placed on the ballot:***

This provides clarification that a registered voter must be registered in the City of Rockport.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING THE CALLING OF A RECALL IN THE CHARTER:**

#R Shall the Charter be amended to provide for cancellation of a recall petition in certain circumstances?

***Why this amendment was placed on the ballot:***

This allows the City Council cancellation of a recall election if the person being recalled resigns or if the election extends beyond the term of the person being recalled. The intent of the provision is to save the City the cost of an unnecessary recall election.

The specific language change may be viewed here: [Link](#).

**CHARTER AMENDMENT GOVERNING THE FORM OF BALLOTS IN THE CHARTER:**

#S Shall the Charter be amended to update the form of ballot for initiatives and recall elections?

***Why this amendment was placed on the ballot:***

The Charter is written for paper ballots which are no longer in use. This change will be in line with the electronic ballots currently in use.

The specific language change may be viewed here: [Link](#).

#### **CHARTER AMENDMENT GOVERNING THE FAILURE OF THE CITY TO CALL AN ELECTION IN THE CHARTER:**

#T Shall the Charter be amended to clarify the duties regarding initiative, referendum or recall elections?

***Why this amendment was placed on the ballot:***

The City Charter currently provides the public the right to seek judicial relief if City Council does not call an initiative, referendum or recall election. The proposed change provides clarity on this position and removes the possibility of a conflicting jurisdictional disputes.

The specific language change may be viewed here: [Link](#).

#### **CHARTER AMENDMENT GOVERNING FINANCES IN THE CHARTER:**

#U Shall the Charter be amended to provide for changes to municipal finance provisions related to the City's fiscal year, budget, capital programs, borrowing, purchasing, depository, financial reporting and audit?

***Why this amendment was placed on the ballot:***

The amendments in this section of the Charter are intended to bring the wording of the Charter in line with current practices. It extends the Capital Program requirement from two years to five years. Additionally, it references appropriate state and financial laws that are required.

The specific language change may be viewed here: [Link](#).

#### **CHARTER AMENDMENT GOVERNING PLANNING AND ZONING COMMISSION IN THE CHARTER:**

#V Shall the Charter be amended to eliminate Article X. Planning and Zoning Commission

***Why this amendment was placed on the ballot:***

This amendment is intended to remove the Planning and Zoning Commission from the Charter and replace it with an ordinance. An ordinance allows for additional flexibility to the board, including operating procedures, should it be necessary. The State requires the Planning and Zoning Commission in all communities, therefore, it cannot and will not be eliminated. This amendment only moves the Planning and Zone Commission from the Charter to Code of Ordinances. Further, this provision does not repeal the City's current Comprehensive Plan nor removes requirements for future Plan revisions or updates required by state law.

The specific language change may be viewed here: [Link](#).

#### **CHARTER AMENDMENT GOVERNING FRANCHISES IN THE CHARTER:**

#W Shall the Charter be amended to allow for the exclusivity of franchises?

***Why this amendment was placed on the ballot:***

This amendment is a recognition that there may be a reason for a specific franchise to be exclusive and gives an opportunity for securing best value for the public through customary procurement and contract negotiations as allowed by state law.

The specific language change may be viewed here: [Link](#).