

**Notice of City of Galena Park, Texas
Special Election**

To the Registered Voters of Galena Park, Harris County, Texas

NOTICE IS HEREBY GIVEN that the City Commission of the City of Galena Park, Texas, has ordered and scheduled a Special Election (the "Election") for May 9, 2015, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of submitting to the qualified voters of the City of Galena Park, Texas various propositions for amending the City Charter of the City of Galena Park, Texas.

Section 1. Proposed Charter Amendments. The text of the proposed Amendments to the City Charter are as follows:

PROPOSED AMENDMENT 1

1) *Change the designation of the City's governing body from "City Commission" to "City Council";*

Amend Article VIII (MISCELLANEOUS PROVISIONS), Section 6 (DESIGNATION OF GOVERNING BODY) of the City Charter of the City of Galena Park, Texas to read:

"Section 6: DESIGNATION OF GOVERNING BODY.

The term "City Commission", "City Council", "Governing Body", and/or other similar designation wherever used in this Charter shall mean the City Council or other governing body of the City of Galena Park. The term "City COUNCIL" and/or other similar designation wherever used in this Charter shall mean and include "The Mayor and Four (4) City Council Members".

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 2.

2) *Establish a Department of Community Development to oversee the City's development, planning, and building code enforcement activities;*

Amend Article VIII, Section 17-A (DEPARTMENT OF COMMUNITY DEVELOPMENT) of Article VIII (MISCELLANEOUS PROVISIONS) of the City Charter of the City of Galena Park, Texas to read:

"Section 17-A: DEPARTMENT OF COMMUNITY DEVELOPMENT.

There shall be a Director of Community Development for the City. The City Manager shall appoint, subject to the confirmation and approval of the Council, a Director of Community

Development and such assistants as the Council shall deem advisable. The Director of Community Development shall oversee the city's development processes, including planning and zoning, engineering, code enforcement, and inspections, and shall perform such other duties assigned by the City Council and those elsewhere provided in this Charter and the laws of the State of Texas."

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 3.

3) *Establish a Fire Department and the offices of Fire Chief and Fire Marshal and prescribe the qualifications and duties for those offices;*

Amend Article VIII (MISCELLANEOUS PROVISIONS), Section 18 (Fire Department) of the City Charter of the City of Galena Park, Texas, to read:

"Section 18: FIRE DEPARTMENT

City Fire Department. The Fire Department is established for general protection from fire for the residents of the City, for fire prevention education and enforcement, for salvage and rescue operations, and for other related activities as may be assigned by the Council. The department shall consist of full-time, part-time, volunteer members or any combination thereof. All such members shall function under the Standard Operating Guidelines of the Fire Department.

A. Fire Chief. The Fire Chief is the senior officer of the Fire Department. He/She shall be appointed by majority vote of the City Council for an indefinite term. He/She shall be a qualified fire fighter with experience in the operations of a fire department. He/She should have supervisory and administrative experience and possess such other qualifications as may be required by the City Council. With the approval of the City Council, he appoints and removes employees of the Fire Department. He shall be responsible to the City Council for the administration of the Fire Department and the performance of Council-established duties and directives.

B. Fire Marshal. A Fire Marshal shall be selected by the Fire Chief, with the approval of the City Council and shall be responsible for enforcement of the City Fire Codes and other functions as may be assigned by the Fire Chief. He shall be a member of the command staff of the Fire Department, and he may be removed from office by the Fire Chief with the approval of the City Council.

C. Mutual Aid Agreements with Other Fire Departments. Subject to approval by the Council, the Fire Department may enter into inter-local and mutual aid agreements with other fire departments in the area by which to provide and receive assistance in emergency situation."

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 4

4) *Amending the Charter regarding the Establishment of a Police Department and the office of Police Chief and prescribing the qualifications and duties for that office)*

Amend Article VIII (MISCELLANEOUS PROVISIONS) by adding a new Section 18-A (POLICE DEPARTMENT) of the City Charter of the City of Galena Park, Texas, to read:

“Section 18-A: POLICE DEPARTMENT

A Police Department is established to preserve order, to strive to secure the safety of residents, to prevent violence and to protect life and property from injury and loss within the limits and allowable jurisdiction of the City.

A. Chief of Police. The Chief of Police is the senior officer of the Police Department. The Chief shall be appointed by a majority vote of the entire Council, for an indefinite term. The Chief shall be a certified and experienced police officer in the State of Texas. The Chief shall have supervisory and administrative experience as a police officer prior to being appointed by the Council. The Council may prescribe such other qualifications as it deems appropriate for the Chief of Police. Subject to the confirmation and approval of the City Council and subject to the Civil Service laws of the State of Texas, the Chief of Police, may appoint and remove the employees of the Police Department. The Chief is responsible to the City Council for the administration of the Police Department and the performance of Council-established duties and directives.

B. Reserve Police. Subject to the confirmation and approval of the City Council, the Chief of Police may appoint or remove "Reserve Police Officers" in accordance with guidelines established by the Council. No other persons, except as otherwise provided by the laws of the State of Texas, shall act as "special police" within the City.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 5

5). *Add a provision for resolving conflicts between charter provisions adopted in the same election;*

Amend Article VIII, Section 24: Savings Clause, Etc. of the City Charter of the City of Galena Park, Texas, to add the following paragraph:

“Section 24: SAVING CLAUSE, ETC.

All powers granted heretofore to cities are hereby preserved. In case of any irreconcilable conflict between the provisions of this Charter and any superior law, the powers of the City and its officers shall be defined in such superior laws. In case of any insufficiency or omission in this Charter which insufficiency or omission can be supplied by reference to the general laws, such provisions of the general law are hereby adopted, and the City shall have and exercise all of the powers that it could have acquired by expressly adopting and incorporating into this Charter all of the provisions of such superior and general laws, it being the intent of this Charter that no lawful power of the City shall fail because of omission, insufficiency or inconsistency in the Charter appearing. The insufficiency or invalidity of any portion or portions of this Charter shall not in anywise affect the remainder of the Charter but the same shall be construed as if adopted without such portion so found invalid or impotent.

In the event there are any provisions in the City Charter that are in conflict with the Amendments adopted by the citizens of Galena Park, Texas, at the election at which the Amendments were adopted, such conflicting provisions in the City Charter are expressly repealed. If two or more inconsistent charter amendments are approved in the same election, only the one receiving the greatest number of votes prevails.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 6

6) Change the terms of office of the Mayor and Council Members from two years to three years; provide for staggered terms of office; and to provide for term limits;

Amend Article IX (ADMINISTRATION PROVISIONS), Sections 1, 3 and 4 (CITY COMMISSION) of the City Charter of the City of Galena Park, Texas to read:

“SECTION 1: CITY COUNCIL.

a) The powers of the municipal government and the administration of business affairs of the City shall be conducted by a Mayor and four (4) ~~Commissioners~~ Council Members, who together, shall be known and designated as the City ~~Commission~~ Council, each and all of whom shall be elected by the qualified voters of the City at large, and who shall hold their respective offices for ~~two (2)~~ three (3) years, and until their successors are elected and qualified, unless sooner removed as provided by this Charter or the Laws of the State of Texas. The Mayor shall be for all

the purposes a member of the City ~~Commission~~-Council and the Mayor shall vote on all ordinances, resolutions and questions presented to the Council.

b) For the Office of Mayor, and the Office of Council Member, Position number 1, the election for the initial three-year term shall be the General Election held in 2016.

c) For the Office of Council Member, Positions number 2, 3, and 4, the election in 2016 shall be for a two year term expiring in 2018 and the election in 2018 shall be for the three year term expiring 2021.

d) No person shall be elected to serve in the position of Mayor for more than two (2) consecutive three year terms. No person shall be elected to serve in the position of Council Member for more than two (2) consecutive three year terms.”

Amend Article IX (ADMINISTRATION PROVISIONS), Section 3 (COMMISSIONERS) of the City Charter to read:

“Section 3: ~~COMMISSIONERS~~ COUNCIL MEMBERS

The four (4) Council Members shall be designated and denominated as follows:

~~Commissioner~~ Council Member- Position No. 1, -WATER & SEWER

~~Commissioner~~ Council Member- Position No. 2, - POLICE & FIRE

~~Commissioner~~ Council Member- Position No. 3, - PARKS & RECREATION

~~Commissioner~~ Council Member- Position No. 4. - STREETS & BRIDGES

In all elections each candidate shall have his name placed on the official ballot as a candidate for the particular position that he or she seeks.”

Amend Article IX (ADMINISTRATION PROVISIONS), Section 4 (ELECTIONS) of the City Charter to read:

~~“There shall be held on the first Tuesday in April, 1948, and every two (2) years thereafter, until otherwise provided by laws, a regular City election for Mayor and four (4) Commissioners, who shall assume their offices upon the first day of May thereafter, and who shall perform the duties and discharge the obligations conferred and imposed by the provisions of this Charter, and by law, and shall hold their offices for two (2) years and until their successors are elected and qualified. All city elections shall be held in accordance with State Law regulating the holding of municipal elections and in accordance with all ordinances and resolutions adopted by the City Council for the conduct of elections.”~~

Repeal Article X, Elections, Sections 1-7 of the City Charter of the City of Galena Park, Texas.

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 7.

7) Provide rules for determining when a position on the governing body becomes vacant or is forfeited, for the removal of members of the governing body for misconduct, and for filling vacancies that occur;

Amend Article IX (ADMINISTRATION PROVISIONS), Section 6. (Vacancies in the City Commission-How Filled of the City Charter of the City of Galena Park, Texas to read:

“Section 6: Vacancies in the City ~~Commission- How Filled~~, forfeiture, filling of vacancies.

~~Vacancies in the City Commission, where the same do not exceed two (2) at any one time if within one year of a general election, shall be filled by a majority vote of the remaining members of the Commission; and the persons selected to fill such vacancies shall serve only until the next general City election, when such vacancies shall be filled as in the case of an original election. Where more than two (2) vacancies shall occur at any one time a special election shall be called, in the manner provided for general City elections, to elect their successor to fill the unexpired terms. However, if such vacancies shall occur within ninety (90) days of the general City election no special election to fill such vacancies shall be called, but the remaining members of the Commission shall, by majority vote, fill such vacancies, and the persons so selected shall serve until the next general City election when such vacancies shall be filled as in the case of an original election.~~

(a) Vacancies: The office of a Council Member or mayor shall become vacant upon that person’s death, resignation, removal from office in any manner authorized by law, or forfeiture of the office.

(b) Forfeiture of office: A Council Member or the Mayor shall forfeit the persons’ office if the person:

(1) Lacks at any time during that person’s term of office any qualification for the office prescribed by this Charter or by law;

(2) Violates any express prohibition of this Charter;

(3) Is convicted of a felony or a crime involving moral turpitude; or

(4) Fails to attend four (4) consecutive regular Council meetings without being excused by the Council.

(c) In the event a vacancy occurs on the council for an unexpired term of 12 months or less, the City Council may call a special election to fill the vacancy, or by majority vote of the council, appoint a replacement to fill the vacancy until the next regular municipal election. However, in the event there is more than one vacancy on city council or a vacancy for an unexpired term of more than 12 months, then the City Council shall call a special election.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 8

8) *To permit the City Council to conduct meetings in public buildings other than City Hall in certain circumstances;*

Amend Article IX (ADMINISTRATION PROVISIONS), Section 10 (MEETINGS OF THE CITY COMMISSION) of the City Charter of the City of Galena Park, Texas to read:

“Section 10. MEETINGS OF THE CITY COMMISSION COUNCIL.

Not less than two regular meetings of the City ~~Commission~~ Council shall be held in each calendar month, the time thereof to be fixed by the City ~~Commission~~ Council, and the City ~~Commission~~ Council by ordinance may provide for additional regular meetings from time to time as may be deemed advisable. As many special meetings as may be necessary to attend to the municipal business may be called by the City Secretary upon the written request of the Mayor or three (3) ~~Commissioners~~ Council Members. Notice of special meetings of the City ~~Commission~~ Council at least twenty-four (24) hours prior to such meeting, which notice shall state the subject to be considered at such meeting and no other subject shall be there considered except with the unanimous consent of the ~~Commissioners~~ Council Members.

All meetings of the City ~~Commission~~ Council shall be held at the City Hall in the City of Galena Park, Texas, and shall be open to the public. Provided, however, that in event of an emergency where the City Hall is not available for a public meeting, such as fire or damages to the City Hall, or the unavailability of the City Hall due to public elections being held at the City Hall, the City Council may, upon adequate public notice, move the meeting to another public facility in the City of Galena Park.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 9.

9) *To require that the City Council adopt reasonable procedures to permit citizens to speak on matters of public concern during its meetings;*

Amend Article IX (ADMINISTRATION PROVISIONS), Section 11 (QUORUM OF CITY COMMISSION) of the City Charter of the City of Galena Park, Texas to read:

“Section 9. QUORUM OF CITY COMMISSION COUNCIL; CITIZEN COMMENTS

A quorum of the City ~~Commission~~ Council for the transaction of business shall consist of three (3) members, except where the City ~~Commission~~ Council is reduced to less than three (3) on account of vacancies, in which event, a quorum shall consist of all the remaining members of the City ~~Commission~~ Council, provided, however, that all decision of the City Council to be effective, shall require a majority vote. However, a less number than quorum may adjourn from time to time and compel the attendance of absent members. The Council shall, by resolution, determine its own rules and order of business. The rules shall provide that citizens of the City shall have a reasonable opportunity to be heard at any meeting, including but not limited to, those matters under consideration; provided, further, that the failure to provide such opportunity shall not void any action of the Council. The Council shall provide for minutes being taken and recorded of all public meetings, and such minutes shall be a public record.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 10

10) Amend the City Charter to provide for a city manager form of government where the city council appoints a qualified professional to manage the day-to-day operations of the City, to create the office of City Manager, and to prescribe the duties and responsibilities of the City Manager

Amend Article IX (ADMINISTRATION PROVISIONS) of the City Charter Section 16-A (CITY MANAGER) of the City Charter of the City of Galena Park, Texas to read:

“Section 16A: CITY MANAGER.

(a) Appointment and qualifications: The Council by majority vote of the entire Council shall appoint a City Manager. The method of selection shall be left to the discretion of the City Council so long as the method ensures orderly, nonpartisan action toward securing a competent and qualified person to fill the position. The City Manager shall be chosen solely upon the basis of his/her executive and administrative training, experience and ability and need not when appointed be a resident of the City of Galena Park; however, the City Council may determine and impose a residency other requirements as a condition of employment. The City Manager shall be bonded at City expense in an amount of not less than \$10,000.00.

(b) Compensation: The City Manager shall receive compensation as may be fixed by the Council according to his/her experience, education and training. The compensation should be

agreed upon before appointment with the understanding that the Council may change it at its discretion.

(c) Term and removal: The City Manager shall not be appointed for a definite term but may be removed at the discretion of the Council, by vote of the majority of the entire Council. The action of the Council in suspending or removing the City Manager shall be final. It is the intention of this Charter to vest all authority and fix all responsibilities of such suspension or removal in the Council.

(d) Powers and duties: The City Manager shall be responsible to the Council for the proper administration of all the affairs of the City and to that end shall have the power and be required to:

(1) See that all State Laws and City Ordinances are effectively enforced.

(2) Appoint, suspend or remove all or any one of the Directors of Departments with the concurrence of the Council.

(3) Attend all meetings of the Council except when excused by Council.

(4) Prepare the budget annually and submit it to the Council and be responsible for its administration after its adoption.

(5) Prepare and submit to the Council at the end of the fiscal year a complete report on the finances and administrative activities of the City for the preceding year.

(6) Keep the Council advised of the financial condition and future needs of the City and make such recommendations as may seem to him/her advisable.

(7) Perform such duties as may be prescribed by this Charter or required of him/her by the Council, as consistent with this Charter.

(e) Acting City Manager: Subject to the approval of the City Council, the City Manager shall designate, by letter filed with the City Secretary, a qualified Administrative Officer of the City to perform the duties of City Manager in his/her absence. In the event of long term disability, resignation, or termination of the City Manager, the Council may appoint an acting City Manager for the duration of any such disability, or until appointment of a permanent City Manager. No member of the City Council shall serve as acting City Manager.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 11.

11) Amend the City Charter to provide for the appointment of the City Attorney and to prescribe the duties and qualifications of the City Attorney.

“Amend Article IX (ADMINISTRATION PROVISIONS) of the City Charter of the City of Galena Park, Texas by adopting a new Section 17-A (CITY ATTORNEY) to read:

Section 17-A: CITY ATTORNEY

The City Council shall appoint a qualified licensed attorney as the City Attorney, who shall receive compensation for services as determined by the Council. The City Attorney serves at the will and pleasure of the City Council and the Council has sole authority for removing the City Attorney. The City Attorney may represent the City in litigation and shall be the legal adviser of and attorney and counsel for the City and its officers and other departments, in their official capacity. Provided further, the City Council may retain special counsel as it deems appropriate and necessary.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 12.

12) Define the powers of the Mayor;

Amend ARTICLE IX (ADMINISTRATION PROVISIONS), SECTION 19 (GENERAL POWERS OF THE MAYOR AND CITY COMMISSION) of the City Charter of the City of Galena Park, Texas to read:

“Section 19. GENERAL POWERS OF THE MAYOR AND CITY ~~COMMISSION~~ COUNCIL.

The Mayor and City ~~Commission~~ Council shall have and exercise such powers, prerogatives and authority as conferred upon the governing bodies of cities and towns by State law, as same now exist or may hereafter be amended, including such powers and authority as may be necessary to carry out the provisions of this Charter. And the Mayor shall have further such powers, prerogatives, and authority as may be conferred upon him by the City ~~Commission~~ Council, not inconsistent with the general purposes and provisions of this Charter, and shall have the power to administer oaths and also the right and privilege of veto.

The Mayor shall be the official head of the City government. The Mayor shall be the chair and shall preside at all meetings of City Council, shall have an equal vote with each Council Member on every proposition before the City Council. The Mayor shall see that all resolutions of the City Council are faithfully obeyed and enforced. The Mayor shall, when authorized by the City Council, sign all official documents such as ordinances, resolutions, conveyances, grant

agreements, official plats, contracts and bonds. The Mayor shall perform such other duties consistent with this Charter or as may be authorized or directed by City Council.

~~Subject to the confirmation of the City Commission Council, he shall have the power to appoint all boards, commissions, agencies and officers provided for in this Charter or by ordinance of the City Commission pursuant to terms hereof.”~~

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 13.

13) Provide for Council oversight of the City and City Manager

Amend Article IX (ADMINISTRATION PROVISIONS), Section 19A (DUTIES OF THE CITY COMMISSION) of the City Charter of the City of Galena Park, Texas to read:

~~“Section 19A. Duties of City Council Commissioners Members; Administrative Departments.~~

~~The Mayor and City Commission shall, by ordinance, within sixty days following the approval of this amendment, designate the powers, functions and duties of each of the following named Commissioners:~~

- ~~1. Water and Sewage Commissioner~~
- ~~2. Police and Fire Commissioner~~
- ~~3. Parks and Recreation Commissioner~~
- ~~4. Street and Bridge Commissioner~~

~~and, during the term of office of said Commissioners, no power, functions and duties shall be added or withdrawn except such as shall be consistent with and related to the powers, functions and duties designated as hereinabove provided.~~

(A) There are hereby created the following Administrative Departments:

1. Water and Sewer
2. Police and Fire;
3. Parks and Recreation;
4. Streets and Bridges

The City Council shall have the power to create other departments or agencies in addition to the Administrative Departments established in this section.

(B) Each City Council Member shall, depending upon the position number to which he or she is elected, serve as a liaison officer on behalf of the City Council to each of the Administrative Departments created hereinabove. Provided, however, that such Council Member shall not interfere with City Manager's supervision, authority, and control of the above Administrative Departments and the Council Member shall always deal with his or her Administrative Department solely through the City Manager.

1. The Council Member occupying Position One (1) shall serve as liaison officer to the Department of Water and Sewer.

2. The Council Member occupying Position Two (2) shall serve as liaison officer to the Department of Police and Fire.

3. The Council Member occupying Position Three (3) shall serve as liaison officer to the Parks and Recreation.

4. The Council Member occupying Position Four (4) shall serve as liaison officer to the Streets and Bridges.

Notwithstanding anything to the contrary herein, each Councilman Member shall have the same power, duties, and responsibilities for every Administrative Department in the City regardless of whether he or she is the official liaison officer designated for a certain Administrative Department.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 14.

14) *Require Council Member’s signatures on vetoes and deleting obsolete provisions;*

Amend ARTICLE IX (ADMINISTRATION PROVISIONS), SECTION 20 (VETO) of the City Charter of the City of Galena Park, Texas to read:

“Section 20: VETO.

The Mayor shall have the power of veto of any ordinance or resolution passed by the City Commission Council provided such veto is signed by two (2) Council Members, and the affirmative vote of all three Council Members ~~Commissioners~~ shall be required to finally pass any ordinance or resolution over such veto. ~~The provisions of Article 997 of the Revised Civil Statutes of Texas of 1925, pertaining to ordinances and resolutions are hereby adopted as fully as if~~

~~incorporated verbatim herein, except where same may be in conflict with some other provision of this Charter.”~~

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 15.

15) Provide for rules against the hiring of employees who are closely related to members of the city council;

Amend Article IX (ADMINISTRATION PROVISIONS) by adopting a new section 27 (NEPOTISM) of the City Charter of the City of Galena Park, Texas to read:

“Section 27: NEPOTISM.

A person who is related within the second degree of affinity or within the third degree of consanguinity to a member of the city council or to the city manager shall not be appointed to any compensated office, position, or service within the city. This prohibition does not affect an officer or employee related to a Council Member or the city manager within the named degree, who is already serving or employed by the city, at the time when the member of the city council or the city manager takes office.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 16.

16) Amend City Charter to provide citizens with the rights of initiative, referendum and recall.

“Amend Article X, ELECTIONS by adding a new section 8 (INITIATIVE, REFERENDUM AND RECALL) to the City Charter of the City of Galena Park, Texas to read:

Section 8. INITIATIVE, REFERENDUM AND RECALL

a) General authority.

1) Initiative: The qualified voters of the City shall have the power to propose ordinances to the Council and, if the Council fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it at a City Election, provided that such power shall not extend to the budget, or capital program or any ordinance relating to appropriation of money, levy of taxes or salaries of City Officers or employees. Such

initiative power may be used to enact a new ordinance, or to repeal or amend sections of an existing ordinance.

2) Referendum: The qualified voters of the City shall have the power to require reconsideration by the Council of any adopted ordinance and, if the Council fails to repeal any ordinance so reconsidered, to approve or reject it at a City Election, provided that such power shall not extend to the budget or capital program or any properly enacted emergency ordinance, ordinance relating to appropriation of money or levying of taxes or ordinance relating to the control of armed or violent insurrection, revolt, rebellion or riot.

b) Initiation of proceedings; petitioners' committee; affidavit.

Any five qualified voters may begin initiative or referendum proceedings by filing with the City Secretary an affidavit stating they constitute the petitioners' committee and will be responsible for circulating the petition and filing it in proper form; stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or the ordinance sought to be reconsidered.

Immediately after the affidavit of the petitioners' committee is filed, the City Secretary shall issue the appropriate petition blanks to the petitioners' committee.

After the affidavit of the petitioners' committee has been filed, the ordinance sought to be amended or repealed shall not be repealed, or amended or reenacted by the Council unless:

- 1) The action taken by Council is that which the petition requests; or
- 2) The petition has not been filed within the prescribed time limit; or
- 3) There is a final determination of the insufficiency of the petition; or
- 4) The petition is withdrawn by the petitioners' committee; or
- 5) One year has elapsed since Council or voter action has been taken on the petition; or
- 6) The ordinance sought to be amended or repealed relates to the control of insurrection or riot.

c) Petitions.

1) Number of signatures: Initiative and referendum petitions must be signed by currently qualified voters of the City equal in number to at least ten percent of the total number of qualified voters registered to vote at the last regular City Election.

2) Form and content: All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. For a petition signature to be valid, the petition must contain, in addition to the signature, the signer's printed name, date of birth, voter registration number, county of registration, residence address, and date of signing. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered.

3) Affidavit of circulator: When filed, each paper of a petition shall have attached to it an affidavit executed by the circulator thereof stating that the person personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in the person's presence, that the person believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.

4) Time for filing petitions: Referendum petitions must be filed within 30 days after adoption by the Council of the ordinance sought to be reconsidered. Initiative petitions must be filed within 30 days after issuance of the appropriate petition blanks to the petitioners' committee. Additional time as specified in subsection 5.04(e) shall be allowed for amending petitions.

d) Determination of sufficiency.

1) Certificate of City Secretary: Within twenty (20) business days after the petition is filed, the City Secretary shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall immediately upon completion of certification send a copy of the certificate to the petitioners' committee by registered mail.

2) Sufficient petition, final determination: If the petition is certified sufficient, the City Secretary shall present the certificate to the Council by the next Council meeting and the certificate shall then be a final determination as to the sufficiency of the petition.

3) Insufficient petition, final determination: If a petition is certified insufficient, and the petitioners' committee does not elect to amend or request Council review under subsections (d) and (e) of this section within the time required, the City Secretary shall present a certificate to the Council by the next Council meeting which shall be a final determination of the sufficiency of the petition.

4) Insufficient petition, appeal: If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it as in subsection (e), the committee may, within two working days after receiving the copy of such certificate, file a request that it be reviewed by the Council. The Council shall review the certificate at

its next meeting following the filing of such request and approve or disapprove it, and the Council's determination shall then be a final determination as to the sufficiency of the petition.

5) Insufficient petition, amending: A petition certified insufficient for lack of required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the City Secretary within two working days after receiving the copy of the circulator's certificate, and files a supplementary petition with additional names within two weeks after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of subsections (b) and (c).

Within ten (10) working days after an amended petition is filed, the City Secretary shall complete a certificate as to the sufficiency of the petition as amended and shall within 24 hours send a copy of such certificate to the petitioners' committee by certified mail as in the case of an original petition. The final determination as to the sufficiency of an amended petition shall be determined in the same manner as prescribed for original petitions in subsections (b), (c), and (d), except that no petition, once amended, may be amended again.

6) Court review; new petition: A final determination as to the sufficiency of a petition shall be subject to review in a county court of record and higher. A final determination of insufficiency, even if sustained upon court review, shall not prejudice the filing of a new petition for the same purpose.

e) Action on petitions.

1) Action by Council: Council shall promptly consider the proposed initiative ordinance in the manner prescribed for enacting ordinances or reconsider the referred ordinance by voting its repeal. Within 60 days after the date the initiative or referendum petition has been finally determined sufficient Council shall either:

- i. Adopt a proposed initiative ordinance without any change in substance; or
- ii. Repeal a referred ordinance; or
- iii. Call an election on the proposed or referred ordinance, said election to be held on the first uniform election date falling 45 days or more after such determination by Council.

2) Submission to voters: The vote of the City on a proposed or referred ordinance shall be held at a Special Election called for such purpose in accordance with subsection (a)(3) above. Copies of the proposed or referred ordinance shall be made available at the polls and shall also be made available at the City Office for 15 days

immediately preceding the election and shall be posted at the regular posting places for 15 days immediately preceding the election.

3) Withdrawal of petitions: An initiative or referendum petition may be withdrawn at any time prior to the 20th day preceding the day scheduled for a vote of the City by filing with the City Secretary a request for withdrawal signed by at least four members of the petitioners' committee. Upon filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

f) Results of election.

1) Initiative: If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by Council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

2) Limitation of Council repeal: The Council may not repeal or amend the initiated ordinance for one year after the effective date and then only by the affirmative vote of five members of the Council.

3) Referendum: If a majority of the qualified electors voting on a referred ordinance vote against it, it shall be considered repealed upon certification of the City Secretary.

g) Power of recall.

The qualified voter shall have the power to recall any elected official of the City on grounds of incompetency, noncompliance with the express provisions of this Charter, misconduct or malfeasance in office. Such power shall be exercised by filing with the City Secretary a petition, signed by currently qualified voters of the City equal in number to at least twenty (20%) percent of the total number of qualified voters registered to vote at the last regular City Election, demanding the removal of such elected official. The petition shall be signed and verified in the manner required for an initiative petition.

h) Recall election.

The Mayor or Mayor Pro Tem shall be required to immediately order a recall election upon certification by the City Secretary that the recall petition is sufficient for a recall election. In the event the Mayor or Mayor Pro Tem shall fail or refuse to order an election, the City Commission shall immediately order such election.

i) Results of recall election.

If a majority of the votes cast at a recall election shall be against removal of the elected official named on the ballot, he/she shall continue in office. If the majority of the votes cast at the election [shall] be for the removal of the elected official named on the ballot, the Council shall immediately declare his/her office vacant and such vacancy shall be filled in accordance with the provisions of this Charter for the filing of vacancies. An elected official thus removed shall not be a candidate to succeed himself/herself.

j) Limitation on recall.

No recall petition shall be filed against an elected official within four (4) months after he or she takes office, and no elected official shall be subjected to more than one recall election during a term of office.

k) Failure of Council to call an election.

In case all of the requirements of this Charter shall have been met and the Council shall fail or refuse to receive the recall petition, or order such recall election, or discharge other duties imposed upon said Council by the provisions of this Charter with reference to such recall, then in such event any qualified voter in the City may seek judicial relief in the District Court of Harris County, Texas, to have any of the provisions of this Charter pertaining to recall carried out by the proper official.

l) Failure of Council to call an election on recall.

In case all of the requirements of this Charter shall have been met and the Council shall fail or refuse to receive the recall petition, or order such recall election, or discharge other duties imposed upon said Council by the provisions of this Charter with reference to such recall, then, upon application of a citizen of the City, the Presiding Judge of the District Court of Harris County, Texas, shall discharge any such duties herein provided to be discharged by the City Secretary or by the Council. In addition any qualified voter may seek judicial relief in the District Court of Harris County, Texas, to have any of the provisions of this Charter pertaining to recall carried out by the proper official.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 17

17) *Provide the City’s citizens with the right to petition for the amendment of the charter*

Amend Article XII (SUBMISSION OF CHARTER TO VOTERS) Section 1, CHARTER REVIEW COMMISSION, of the City Charter of the City of Galena Park, Texas to read

“Article XII (SUBMISSION OF CHARTER TO VOTERS)

Section 1. CHARTER AMENDMENTS.

Amendments to this Charter may be framed and submitted to the voters of the City in the manner provided by V.T.C.A., Local Government Code, Ch. 9, as now enacted or hereafter amended.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

PROPOSED AMENDMENT 18

18) Provide for the appointment every five years of a charter review commission;

Amend Article XII (SUBMISSION OF CHARTER TO VOTERS) Section 2, CHARTER REVIEW COMMISSION, of the City Charter of the City of Galena Park, Texas to read:

“Section 2. CHARTER REVIEW COMMISSION.

The Council shall appoint at its first regular meeting in July of every fifth year after approval of the amendments to this Charter, a Charter Review Commission composed of seven (7) citizens of the City of Galena Park, Texas, which Commission shall submit to the City Council any recommendations it may deem in the best interest of the City for such action as the City Council shall determine to be appropriate.”

The estimate is that there will be no anticipated fiscal impact on the City of Galena Park if this Amendment is approved at the Election.

Section 2. Ballot Propositions Specifically, the following propositions shall be submitted to qualified voters of the City of Galena Park so that voters may cast their ballots either “FOR” or “AGAINST” them

PROPOSITION NO. 1

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to designate the Mayor and Council Members as the City Council.

PROPOSITION NO. 2

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to provide for a Department of Community Development.

PROPOSITION NO. 3

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS regarding the appointment, qualifications, compensation, term and removal of the Fire Chief and Fire Marshal.

PROPOSITION NO. 4

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to establish a Police Department and the office of Police Chief and to prescribe the qualifications and duties for that office.

PROPOSITION NO. 5

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to provide for resolution of conflicting provisions.

PROPOSITION NO. 6.

Amend the Charter of THE CITY OF GALENA PARK, TEXAS to provide for three year terms for Mayor and Council Members; provide for staggered terms of office and to provide for term limits.

PROPOSITION NO. 7

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to provide rules for determining when a position on the governing body becomes vacant or is forfeited, for the removal of members of the governing body for misconduct, and for filling vacancies that occur.

PROPOSITION NO. 8

Amend the CITY Charter of THE CITY OF GALENA PARK, TEXAS to provide for emergency and public council meetings at locations other than City Hall.

PROPOSITION NO. 9

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to require Council to provide citizens reasonable opportunity to be heard.

PROPOSITION NO. 10

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to provide for a city manager form of government where the city council appoints a qualified professional to manage the day-to-day operations of the City, to create the office of City Manager, and to prescribe the duties and responsibilities of the City Manager.

PROPOSITION NO. 11

Amending the City Charter of THE CITY OF GALENA PARK, TEXAS to provide for the appointment of the City Attorney and to prescribe the duties and qualifications of the City Attorney.

PROPOSITION NO. 12

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to define the power of the Mayor.

PROPOSITION NO. 13

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to permit all Council Members to participate in administrative oversight of the City and the City Manager.

PROPOSITION NO. 14

Amending the City Charter of THE CITY OF GALENA PARK, TEXAS to require a veto be signed by two Council Members and deleting an obsolete reference.

PROPOSITION NO. 15

Amend the CITY Charter of THE CITY OF GALENA PARK, TEXAS to provide rules against the hiring of employees who are closely related to members of the City Council.

PROPOSITION NO. 16

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to provide the City's citizens with the rights of initiative and referendum and recall.

PROPOSITION NO.17

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to provide the City's citizens with the right to petition for the amendment of the City Charter.

PROPOSITION NO 18

Amend the City Charter of THE CITY OF GALENA PARK, TEXAS to provide for a Charter Review Commission.

Section 3. Persons entitled to vote. Only voters of the City of Galena Park, Texas who are qualified under state and federal law shall be allowed to vote in the Election, and each voter shall vote at the polling place designed for the election precinct in which such voters resides: The Election Day Polling Location are at the Following Counties.

Precincts and Polling Places:

Precinct 208

Polling Place:

City Hall 2000 Clinton Drive

Galena Park, Texas 77547

Precinct 81

Polling Place:

Alvin D. Baggett Community Building

1302 Keene Street

Galena Park, Texas 77547

Section 4. Early Voting by Personal Appearance.

Early voting by personal appearance shall be held at the City Hall, 2000 Clinton Drive, Galena Park, Texas 77547.

Hours for Early Voting by Person Appearance

April 27	7:00 a.m. to 7:00 p.m.
April 28	7:00 a.m. to 7:00 p.m.
April 29	8:00 a.m. to 5:00 p.m.
April 30	8:00 a.m. to 5:00 p.m.
May 1	8:00 a.m. to 5:00 p.m.
May 4	8:00 a.m. to 5:00 p.m.
May 5	8:00 a.m. to 5:00 p.m.

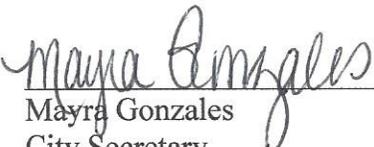
Section 5. Ballot by Mail

April 30, 2015 is the last day to apply for a Ballot by Mail and May 1, 2015 is the last day for the receipt of a federal postcard application for a Ballot (Received not Postmarked). Application for a Ballot by Mail and Mail Ballots shall be mailed to:

Ms. Mayra Gonzales
City Secretary
2000 Clinton Drive
Galena Park, Texas 77547
Fax to: (713) 672-1840

Additional Information

For questions or additional information please call the City Secretary's office at (713) 672-2556.



Mayra Gonzales
City Secretary
City of Galena Park, Texas