

**ORDINANCE NO. O-25-001**

**AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE CITY OF BRENHAM REGULAR GENERAL ELECTION ON MAY 3, 2025, FOR THE PURPOSE OF SUBMITTING PROPOSITIONS TO THE QUALIFIED VOTERS OF BRENHAM, TEXAS FOR CERTAIN PROPOSED AMENDMENTS TO THE EXISTING HOME RULE CHARTER OF THE CITY; STATING PROPOSED AMENDMENTS TO BE VOTED UPON AT SAID ELECTION; DESIGNATION OF EARLY VOTING DATES AND TIMES AND POLLING PLACES OF SAID ELECTION; PROVIDING THE FORM OF THE BALLOT AND DIRECTING THAT THE NOTICE OF ELECTION BE GIVEN; PROVIDING FOR FISCAL IMPACT ESTIMATES; CONTAINING OTHER PROVISIONS REQUIRED BY THE TEXAS ELECTION CODE; DIRECTING PUBLICATION AS REQUIRED BY LAW; FINDING THAT THE MEETINGS AT WHICH THIS ORDINANCE IS CONSIDERED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR SEVERABILITY AND THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Texas Local Government Code, Section 9.004(b) provides that the ordinance ordering a charter amendment election shall provide for the special election to be held on the first authorized uniform election date prescribed by the Texas Election Code or on the earlier of the date of the next municipal general election or presidential general election; and

**WHEREAS**, May 3, 2025 is the date provided for in the Texas Election Code for the next regular general election in the City of Brenham, Texas, therefore the City is authorized to order a special charter amendment election to be held on May 3, 2025; and

**WHEREAS**, Article VII, Section 4 of the Home Rule Charter of the City of Brenham provides for amending the Charter and having the amendments submitted to the voters; and

**WHEREAS**, the Home Rule Charter amendment election shall be held and conducted in accordance with Sections 9.001, 9.004 and 9.005 of the Texas Local Government Code and all other applicable election laws; and

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

**SECTION 1.**  
**GENERAL PROVISIONS**

That a Special Election shall be held on May 3, 2025 for the purpose of submitting ballot propositions to the qualified voters of the City of Brenham, Texas for proposed amendments to the existing Home Rule Charter.

**Subsection A:** That a Special Election shall be held in the City of Brenham, Texas on the 6<sup>th</sup> day of May, 2025 at which election ballot propositions for proposed amendments to the City of Brenham Home Rule Charter shall be voted upon by the resident qualified voters of the City of Brenham.

**Subsection B:** That early voting by personal appearance in said election shall be conducted every weekday at the **Washington County Annex Building**, 100 S. Park Street, Brenham, Texas, as follows:

**Monday, April 21, 2025 through Tuesday, April 29, 2025 from 8:00  
a.m. to 5:00 p.m.:**

**Subsection C:** That all applications for ballots by mail shall be mailed to:

**Carol Jackson, REO, EA  
Early Voting Clerk  
Washington County Elections Office  
100 E. Main Street, Suite 105  
Brenham, Texas 77833**

All applications for ballots by mail must be received no later than the close of business at 5:00 p.m. on Tuesday, April 22, 2025.

**Subsection D:** That said election shall be held at the following designated voting places in the City of Brenham, Texas, for voters of the particular Wards:

Ward 1: Nancy Carol Roberts Memorial Library  
100 W. Martin Luther King, Jr. Pkwy.  
Brenham, Texas

Ward 2: Washington County Event Center  
1305 E. Blue Bell Road  
Brenham, Texas

Ward 3: Brenham VFW Hall  
1200 E. Tom Green Street  
Brenham, Texas

Ward 4: Blinn Jr. College Student Center  
1007 Walter Schwartz Way  
Brenham, Texas

**Subsection E:** That said election shall be held in accordance with the provisions of the Constitution and Laws of the State of Texas, and only duly qualified resident voters of the City of Brenham shall be allowed to vote.

**Subsection F:** Notice of said election shall be given as provided by in the Texas Election Code and the Texas Local Government Code.

**Subsection G:** The City Secretary is hereby authorized and instructed to publish notice of said election as required by law.

**Subsection H:** There are a total of twelve (12) amendment propositions on the ballot for the May 3, 2025 special charter amendment election. It is estimated that eleven (11) of the proposed amendments are anticipated to have no fiscal impact to the City of Brenham if the 11 proposed amendments are approved at the special election. Only Proposition I is anticipated to have any fiscal impact on the City of Brenham. If Proposition I is approved at the special election, it is estimated that the City of Brenham will have a budget impact of nineteen thousand, five hundred and no/100 dollars (\$19,500.00) per fiscal year for an increase in the Mayor and City Councilmember's monthly salaries.

**Subsection I:** There shall be placed on the official ballot the following proposed amendments to the City Charter for the City of Brenham, Texas, and the ballot shall provide that the voter may approve or disapprove the propositions which are stated individually as follows:

## AMENDMENT A

SHALL ARTICLE I, SECTION 2; ARTICLE II, SECTIONS 1, 2 AND 8; ARTICLE III, SECTIONS 8, 15, 17, 18, 19, 21 AND 23, 24; ARTICLE IV, SECTIONS 1, 2, 3 AND 8; ARTICLE V, SECTIONS 1, 2, 3 AND 4; ARTICLE VI, SECTIONS 3, 6, 9, 11 AND 15-19; AND ARTICLE VII, SECTIONS 6, 12, 14, 15, 19 AND 24 OF THE BRENHAM CITY CHARTER REGARDING GRAMMAR CORRECTIONS, SPELLING CORRECTIONS, PUNCTUATION CORRECTIONS, DELETION OF RESERVED SECTIONS AND RENUMBERING, AND VOCABULARY CHANGES BE AMENDED AS FOLLOWS?

### **ARTICLE I. INCORPORATION; FORM OF GOVERNMENT; BOUNDARIES**

#### **Sec. 2. - Boundaries**

The City Council shall have the power by ordinance to establish the boundary limits of the City of Brenham; and to provide for the alterations and extension of said boundary limits, the annexation of additional territory to the City and the detachment or disannexation of territory, with or without the consent of the owners and inhabitants of the territory annexed, detached or disannexed. The boundaries of the City shall be those established by ordinance of the City Council enacted in accordance with the procedures provided for in applicable federal, state or other law. The City Secretary shall keep a correct and complete description of the City boundaries, indicating all annexations, detachments and disannexations.

### **ARTICLE II. POWERS**

#### **Sec. 1. – Powers generally.**

The said City of Brenham shall have power to ordain and establish such acts, laws, rules, regulations, resolutions, and ordinances, not inconsistent with the Constitution and laws of Texas and of this Charter, as shall be needful for the government, interests, health, welfare and good order of said City and its inhabitants. Under the name of the City of Brenham it shall be known in law and have succession and be capable of contracting and being contracted with, suing and being sued, impleading and being impleaded, answering and being answered unto, in all courts and tribunals, and in all amounts whatsoever, subject to the laws of the State of Texas, or which shall hereafter be passed.

The City of Brenham shall have the power to take, hold, lease, grant, purchase and convey such real property or mixed property or estate, situated within, or without, the limits thereof, as the purpose of said corporation may require and shall have and use a corporate seal, and change and renew the same at its pleasure.

**Sec. 2. – Rights reserved.**

All suits, taxes, penalties, fines, forfeiture, and all other rights, claims and demands, of every kind and character, which have accrued under the laws in favor of said City, heretofore in force governing the same, shall belong to and vest in said eCity and shall not abate by reason of the adoption or amendment of this Charter, and shall be prosecuted and collected for the use and benefit of said City of Brenham and shall not be in any manner affected by the taking effect of this Charter; but as to all of such rights, the laws under which they shall have accrued shall be deemed to be in full force and effect.

**Sec. 8. – Manufacture of electricity, gas, etc.; purchase and sale of gas, water, electricity, etc.**

Said City shall have the authority to manufacture its own electricity, gas or anything else that may be needed or used by it or the public; to make contracts with any person, firm or corporation for the purchase of gas, water, electricity or any other commodity or articles used by it or the public, and to sell same to the public as may be determined by the ~~governing authority~~ City Council.

**ARTICLE III. THE CITY COUNCIL**

**Sec. 8. - Canvassing returns and declaring results of election; judges of its own election and qualification.**

The returns of every municipal election shall be delivered forthwith by the Election Judges to the City Secretary. The Council shall canvass the returns,; investigate the qualifications of the candidates, and declare the official results of the election in accordance with applicable state and federal laws. The returns of every municipal election shall be recorded in the minutes of the Council by Ward totals, when applicable. At each election the qualified person receiving a majority of all votes cast for the office that person seeks shall thereon be declared elected by said Council.

The City Council shall be judges of the election and the Council's qualification of its members shall be conclusive and final for all purposes.

**Sec. 15. - Calling special meetings; determining rules and order of business; journal; quorum; voting on measures.**

The Mayor or any three (3) Councilmembers may call special meetings of the City Council at any time deemed advisable. The City Council shall determine its own rules and order of business; and shall keep a journal of the proceedings in a permanently bound book and any citizen shall have access to the minutes and record thereof at all reasonable times. Any four (4) members of the City Council shall constitute a quorum for the transaction of any business, and the affirmative vote of the four (4) members of the City Council shall be sufficient and necessary to adopt or repeal any ordinance or resolution. The vote upon the passage or repeal of any ordinance or resolution shall be taken by "yea" or "nay" vote; and entered upon the journal. Except when required by law to abstain from voting on a matter before the City Council, each member of the City Council present at the meeting shall vote upon every question, ordinance or resolution which shall be entered upon the journal. Any Councilmember refusing to vote except when required by law to abstain shall be entered on the journal as voting in the affirmative.

**Sec. 17. - Introduction and passage of ordinances and resolutions.**

Each proposed ordinance or resolution shall be introduced in written or printed form, shall not contain more than one subject, which shall be clearly stated in the title; but general appropriation ordinances may contain the various subjects and accounts for which moneys are to be appropriated. No ordinance, unless it shall be declared to be an emergency measure; and passed by a unanimous vote ~~to~~of the City Council, shall be passed on the day on which it shall be introduced. All ordinances, save and except emergency ordinances, shall be finally passed on the second reading. Ordinances not required to be published shall take effect and be in force from and after the passage thereof, unless otherwise provided.

**Sec. 18. - Emergency measures.**

An emergency measure is an ordinance or resolution for the immediate preservation of the public peace, property, health, or safety, or providing for the usual daily operation of a municipal department, in which the emergency is set forth and defined in a preamble thereto. Ordinances appropriating money and ordinances for the payment of salaries and wages may be passed as emergency measures, but no measure making a grant, renewal or extension of a franchise, or other special privilege or regulating the rate to be charged for ~~its~~services by any utility, shall ever be passed as an emergency measure.

**Sec. 19. - Publication of penal ordinances.**

The City Secretary shall publish, in a newspaper of general circulation within the City, any ordinances required by state or federal law to be published. The City Secretary may abbreviate the text of any ordinance for publication purposes. Such ordinances shall take effect upon the date of publication unless otherwise required by law or stated in the ordinance. Ordinances related to, ~~provided that~~ emergency measures shall take effect according to their terms.

**Sec. 21. - Recording and authenticating documents.**

The City Council shall appoint a City Secretary who shall be responsible for the original documentation of all laws, notices, minutes, resolutions, ordinances, and related official records of the governing body; all deeds, easements, leases, titles and related documents of ownership of City property; and the municipal charter and seal. Every ordinance or resolution, upon its becoming effective, shall be kept in the permanent files of the City and shall be authenticated by the signature of the Mayor and the City Secretary, or in their absence, the person exercising their duties as appointed by the City Council.

**Secs. ~~23~~, 24. - Reserved.**

**ARTICLE IV. THE CITY MANAGER; FINANCES**

**Sec. 1. - Appointment; position; qualifications; removal.**

The City Council shall appoint a City Manager, who shall be the administrative head of the municipal government and shall be responsible for the efficient administration of all departments. He shall be chosen upon qualification and fitness for the exercise of his duties. He may or may not be a resident of the City of Brenham when appointed, but shall establish his residence within the City as directed by the City Council. The City Council may engage a City Manager by agreement for a term not to exceed one year; however, the City Manager is subject to removal at any time, with or without cause, by City Council.

**Sec. 2. - Duties generally.**

Except as provided in Article III, section 1 of the Charter or other applicable law, the City Manager or the City Manager's designee shall appoint all officers and employees of the City. The City Manager shall exercise control and supervision over all departments and offices that may be created by the City Council or City Manager and all officers and employees appointed by him. He shall attend all meetings of the City Council with the right to take part in the discussion, but having no vote. He shall recommend in writing to the City Council such measures as he may deem necessary or expedient. He shall keep the City Council fully advised as to the financial condition and needs of the City and perform such other duties as may be prescribed by this Charter or which may be required of him by ordinance or resolution of the City Council.

The City Manager may create and consolidate appointive offices and positions, may divide the administration of the City's affairs into such departments as he may deem advisable, and may discontinue any such appointive office, position, or department at his discretion, except the office of the City Manager, City Secretary, Deputy City Secretary(ies), Municipal Court Judge, Associate Municipal Court Judge(s), City Attorney and Municipal Court Prosecutor.

**Sec. 3. - Annual budget.**

The annual budget of the City shall be prepared by the City Manager based on the estimates of each department. These departmental estimates shall include the expenses of the department for the preceding year and indicate where increases or reductions ~~diminutions~~ are recommended for the ensuing year. The City Manager shall submit the budget to the City Council for approval.

**Sec. 8. - Issuance of checks for payroll and other claims.**

No check for the payment of payroll or of any claim shall be issued by the City unless such claims shall be evidenced by an itemized account, in accordance with approved City Budget including amendments, approved by the signature of the City Manager or his designee, and all checks shall be signed by any two of the following: Mayor, City Secretary, City Manager or ~~and~~ the Chief Financial Officer.

**ARTICLE V. IMPROVEMENT BONDS**

**Sec. 1. - Purpose.**

The City shall have the right and power to borrow money upon the credit of the City and to issue bonds of the City therefor, in such sum or sums as may be deemed expedient, for the purpose of improving the streets, purchasing or constructing sewers, erecting and maintaining public buildings of every kind and for purchasing or constructing waterworks and gas plants and systems and for the purpose of purchasing, erecting, maintaining and operating an electric light and power plant and such other public utilities as the City Council governing authority ~~may~~, from time to time, deem expedient, and for any other purpose authorized by state law.

**Sec. 2. - Specifying purpose; sale; interest and sinking fund.**

All bonds shall specify for what purpose they are issued, and shall be sold for cash. When any bonds are issued by the City a fund shall be provided to pay the interest on those bonds and create a sinking fund to redeem said bonds. Said fund shall not be diverted or drawn upon for any other purpose, and the custodian of the funds of the City shall honor no drafts upon said fund except to pay interest upon or redeem the bonds for which it was provided. The City shall have the power to invest said sinking funds in securities secured by the pledge of United States Bonds or Federal Agency Bonds, Texas State or County Bonds, or Bonds of the City of Brenham, or other municipality, or any school district, or any other investment authorized by state law.



**Sec. 3. - Maximum period; signing; specifying places and times of payment; approval by state officials; issuance.**

Said bonds shall be issued for a period of time not to exceed forty (40) years; shall be signed by the Mayor, countersigned by the person acting in the capacity of City Secretary, and both principal and interest shall be payable at such places and times as may be fixed by the ordinance of the City Council governing authority. All such bonds shall be submitted to the Attorney General of the State for his approval and the Comptroller for registration, as provided by the State law; provided, that any such bonds, after approved, may be issued by the City, either optional or serial, or otherwise, as may be deemed advisable by the City Council governing authority.

**Sec. 4. - Submitting to referendum.**

Before the issuance of any bonds the same shall be submitted to a vote of the qualified voters of the City as required by state law~~the General Laws of the State~~.

**ARTICLE VI. TAXATION**

**Sec. 3. - Occupation tax.**

The City shall have the power to levy and collect occupation taxes consonant with the Constitution and laws of the State of Texas, and shall authorize the granting and issuance of licenses and shall direct the manner of issuing and registering the same and fix the fees thereafter, but no license shall be issued for a longer period than one year and shall not be assignable except by permission of the City Council governing authority of the City.

**Sec. 6. - Rendition, etc., as to omitted property.**

The City shall have the power to provide for the rendition of unrendered property for taxation, and levy and assess taxes thereon annually, and to provide for the rendition, levy and assessment of taxes for previous years on the property omitted from taxation in the manner provided by State law of this State.

**Sec. 9. - Time of levying.**

The City Council governing authority of the City, at its first meeting in September of each year, or as soon thereafter as practicable, shall levy the annual tax for such year, but special taxes or assessments allowed by this Charter may be levied, assessed and collected at such times as the City Council governing authority may provide; provided, that should the City Council governing authority fail or neglect to levy the annual tax herein provided for any one year the annual tax levy for the preceding year last made by said governing authority shall and will be considered in force and effect as the tax levy for the year for which no annual tax was made.

**Sec. 11. - City not required to give bond; payments to city to be in legal currency.**

It shall not be necessary in any action, suit or proceeding, in which the City shall be a party, for any bond, undertaking, or security to be executed in behalf of the City. Nothing of value nor anything save official currency~~money-current~~ of the United States shall be received in payment of taxes, fines, forfeitures, penalties and debts due and owing to said City.

**Secs. 15—19. - Reserved.**

**ARTICLE VII. MISCELLANEOUS PROVISIONS**

**Sec. 6. - Establishment of wards; purpose.**

The City shall be divided and established into four (4) wards, having boundaries described by ordinance, for the purpose of securing a more equal distribution of representation on the City Council by the people of the whole City. Newly annexed territory shall be added to the adjacent Ward as City Council may provide. No person shall be a candidate for Councilmember from any ward of the City unless he shall have been, for twelve (12) months preceding the date of the election at which he is a candidate, a resident of the ward represented by the office to which he aspires, and must possess the other qualifications as prescribed in this Charter; provided, however, that the qualifications as to residence in any one ward shall not apply to the Mayor or at-large Councilmembers. Any candidate, Mayor or Councilmember who during his candidacy or term of office moves his place of residence from the City or the ward which he represents automatically ipso facto forfeits his right to such office.

**Sec. 12. - Liability and notice of injury or damage claims.**

Before the City of Brenham shall be liable for damages of any kind, the person injured or the owner of the damaged property, or someone on~~in~~ his behalf shall give the Mayor or City Councilmembers notice in writing of such injury or damage within ninety (90) days, or within six (6) months for good cause shown, after the same has been received stating specifically in such notice when, where and how the injury or damage occurred and the extent thereof. Failure to notify the Mayor or City Councilmember within the time and manner specified herein shall exonerate, excuse and exempt the City from any liability whatsoever. Further, this section shall not apply to the taking, damaging or destruction of property as guaranteed and covered by Section 17 of Article I of the Constitution of Texas.

**Sec. 14. - Court.**

The City Council shall establish and provide for a court, designated as the "Municipal Court" for the trial of misdemeanor offenses, with all such jurisdiction, powers, duties as are now, or may hereafter be prescribed by the laws of the State of Texas relative to municipal courts.

The Municipal Court shall be presided over by a Magistrate who shall be known as the Judge of the Municipal Court. The City Council shall provide for the qualifications of the Judge and any Associate Municipal Judge(s). The Judge and any Associate Judge(s) of said court shall be appointed by the City Council to serve a term of office of two (2) years; however, they shall be removable at any time, with or without cause, by a majority vote of the City Council. Any such judge shall receive such compensation as may be determined by the City Council. In the event a judge is temporarily unable to act for any reason, the Mayor shall appoint a qualified person to temporarily act in the judge's place. In the event a vacancy exists in the office of Judge or Associate Judge for any reason, the City Council, by majority vote, shall appoint a qualified person to fill such vacancy for the remainder of the unexpired term of office.

There shall be a Municipal Clerk of said court ~~appointed~~<sup>appointed</sup> by the City Manager. The Clerk of said Court shall have the power to administer oaths and affidavits, make certificates, affix the seal of said court thereto, and generally do and perform any and all acts necessary in issuing process of said Court and conducting business thereof. There may be such Deputy Clerks of the Municipal Court as may be authorized and appointed by the City Manager, which Deputy Clerks shall have authority to act for and on behalf of the Clerk of the Municipal Court. Said Municipal Court Clerk and Deputy Clerks shall receive such compensation as may be determined by the City Manager.

There shall also be an attorney appointed by the City Council to serve as the prosecutor in Municipal Court and said prosecutor shall receive such compensation as may be determined by the City Council.

#### **Sec. 15. - Council investigations.**

The City Council may investigate the financial transactions of any office or department of the City government, and the acts and conduct of any official or employee. In conducting such investigation, the City Council may compel the attendance of witnesses, the production of checks and papers, and other evidence and for that purpose may issue subpoenas or attachments which shall be signed by the Mayor, and which may be served and executed by any officer authorized by law to serve subpoenas or other process, or by any peace officer of the City. If any witness shall refuse to appear to testify to ~~any~~ facts within his knowledge, or to produce any papers or books in his possession, or under his control, relating to the matter under investigation before the City Council, the City Council shall have the power to cause the witness to be punished as for contempt, not exceeding a fine of one hundred dollars (\$100.00). No witness shall be excused from testifying to any fact within touching his knowledge of the matter under investigation in any such inquiry, but such testimony shall not be used against him in any criminal prosecution except for perjury committed upon such inquiry.

**Sec. 19. - Filing, examination and certification of petitions.**

Within thirty (30) days after an initiative or referendum petition is filed, the City Secretary shall determine whether the same is signed by the requisite number of qualified voters. The City Secretary shall declare void any petition paper which does not have an affidavit attached thereto as required in Section 1820C of this Article. In examining the petition the Secretary shall write the letters "DV" (declared void) in red ink opposite the names of signatures found not qualified to vote. After completing examination of the petition, the Secretary shall certify the result thereof to the Council at its next regular meeting, stating the number of the persons found on the petition who are qualified to vote and the number of persons found on the petition who ~~are~~<sup>are</sup> not qualified to vote. If the Certificate of the City Secretary shall show an initiative or referendum petition to be insufficient, the Secretary shall notify the persons filing the petition, and it may be amended within ten (10) days from the date of such notice by filing a supplementary petition upon additional papers signed and filed as provided for in the original petition. Within ten (10) days after such amendment is filed, the Secretary shall examine the amended petition and certify as to its sufficiency. If the amended petition is found to be insufficient, the Secretary shall return the petition to the person filing the same, without prejudice to the filing of a new petition for the same purpose.

**Sec. 24. - Recall ballot.**

Ballots used at recall elections shall conform to the following requirements: (1)"1". With respect to each person whose removal is sought the question shall be submitted "shall (show name of officer) be removed from the office of (name of office)?"; and (2)"2". Immediately below each such question there shall be printed the two (2) following propositions, one above the other, in the order indicated: "For the recall of (name of officer)". "Against the recall of (name of officer)."

AMENDMENT A SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION A**

YES  
 NO

Shall Article I, Section 2; Article II, Sections 1, 2 and 8; Article III, Sections 8, 15, 17, 18, 19, 21, 23 and 24; Article IV, Sections 1, 2, 3 and 8; Article V, Sections 1, 2, 3 and 4; Article VI, Sections 3, 6, 9, 11 and 15-19; and Article VII, Sections 6, 12, 14, 15, 19 and 24 of the Brenham City Charter be amended by 1) making corrections to grammar, spelling and punctuation errors; 2) deleting reserved sections of the Charter throughout all Articles of the Charter and renumbering the sections due to deletions and other revisions as necessitated by other propositions on this ballot that are approved by the voters; and 3) making non-substantive vocabulary changes in order to use modern and consistent terminology, titles, and labels, which shall include but not be limited to, changing the references to members of the governing body from "governing authority" to "City Council"?

**AMENDMENT B**

SHALL ARTICLE I, SECTION 2 OF THE BRENHAM CITY CHARTER REGARDING THE BOUNDARIES OF THE CITY BE AMENDED AS FOLLOWS?

**ARTICLE I. INCORPORATION; FORM OF GOVERNMENT; BOUNDARIES**

**Sec. 2. - Boundaries.**

The City Council shall have the power by ordinance to establish the boundary limits of the City of Brenham; and to provide for the alterations and extension of said boundary limits, the annexation of additional territory to the City and ~~the detachment or~~ disannexation of territory, with or without the consent of the owners and inhabitants of the territory annexed, ~~detached or~~ disannexed, in accordance with applicable federal, state or other law. ~~The boundaries of the City shall be those established by ordinance of the City Council enacted in accordance with the procedures provided for in applicable federal, state or other law.~~ The City Secretary shall keep a correct and complete description of the City boundaries, indicating all annexations, ~~detachments~~ and disannexations.

AMENDMENT B SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION B**

- YES      Shall Article I, Section 2 of the Brenham City Charter be amended by clarifying the authority, procedures and terminology concerning annexation and disannexation of territory to be consistent with applicable federal, state or other law?
- NO

**AMENDMENT C**

SHALL ARTICLE III, SECTION 4 OF THE BRENHAM CITY CHARTER REGARDING CITY COUNCIL TERMS OF OFFICE BE AMENDED AS FOLLOWS?

**ARTICLE III. THE CITY COUNCIL**

**Sec. 4. - Terms of office; term limits.**

The Mayor and each Councilmember shall serve for a term of four (4) years, beginning with the first meeting of the City Council following their election until the later of the first meeting of the City Council following the regular election four (4) years later or their successor has been elected and duly qualified.

A person shall not serve as Mayor more than three (3) consecutive elected four (4) year terms of office. Time served by appointment or by election to fill a vacancy in the office of Mayor for an unexpired term shall not count toward the term limit. After completing three (3) consecutive elected terms of office, a person may again serve in the office of Mayor after one (1) entire year of not holding the office of Mayor. Non-consecutive terms of office shall not be limited.

A person shall not serve as a Councilmember, either in a ward or at-large, more than three (3) consecutive elected four (4) year terms of office, or twelve (12) consecutive years. Time served by appointment or by election to fill a vacancy in the office of Councilmember for an unexpired term shall not count toward the twelve (12) year term limit. After completing three (3) consecutive elected terms of office, or twelve (12) consecutive years, a person may again serve in the office of Councilmember after one (1) entire year of not holding the office of Councilmember. Non-consecutive terms of office shall not be limited.

Terms of office, or partial terms of office, served prior to May 3, 2025 shall not be considered for the purpose of term limits.

AMENDMENT C SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION C**

YES

NO

Shall Article III, Section 4 of the Brenham City Charter be amended by providing that a person may not serve as Mayor more than three (3) consecutive elected four (4) year terms of office; providing that after completing three (3) consecutive elected terms of office, a person may again serve in the office of Mayor after one (1) entire year of not holding the office of Mayor; providing that a person shall not serve as a Councilmember, either in a ward or at-large, more than three (3) consecutive elected four (4) year terms of office, or twelve (12) consecutive years; providing that after completing three (3) consecutive elected terms of office, or twelve (12) consecutive years, a person may again serve in the office of Councilmember after one (1) entire year of not holding the office of Councilmember; providing that time served by appointment or by election to fill a vacancy in the office of Mayor or Councilmember for an unexpired term shall not count toward the term limit; and providing that terms of office, or partial terms of office, served as Mayor or Councilmember prior to May 3, 2025 shall not be considered for the purpose of term limits?

**AMENDMENT D**

SHALL ARTICLE III, SECTION 6 OF THE BRENHAM CITY CHARTER REGARDING THE QUALIFICATIONS TO HOLD OFFICE OF MAYOR, COUNCILMEMBERS AND OTHER OFFICERS AND EMPLOYEES, AND CONFLICTS OF INTEREST BE AMENDED AS FOLLOWS?

**ARTICLE III. THE CITY COUNCIL**

**Sec. 6. – Qualifications to hold office of mayor and councilmembers ~~and other officers and employees; conflict of interests.~~**

The Mayor and each Councilmember shall be a resident citizens of the City of Brenham, ~~be a qualified voter~~ ~~have the qualifications of electors therein~~, be of a minimum age of twenty-one (21) when elected, and shall have been resident citizens of the City of Brenham and any ward they may represent for a period of twelve (12) months immediately preceding such election. Any such officer of the City who shall cease to possess any of the qualifications herein required shall automatically forfeit his office. ~~The Mayor, Councilmembers and other officers and employees shall not be interested in the profits or emoluments of any contract, job, work or service for the municipality, or interested in the sale to the City of any supplies, equipment, material, or articles purchased. Any officer or employee of the City who shall cease to possess any of the qualifications herein required shall forthwith and ipso facto forfeit his office, and any such contract in which any officer or employee is or may become interested may be declared void by the City Council.~~

AMENDMENT D SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION D**

- |                          |     |  |
|--------------------------|-----|--|
| <input type="checkbox"/> | YES | Shall Article III, Section 6 of the Brenham City Charter be amended by clarifying the qualifications necessary to hold the office of Mayor and Councilmember; clarifying that any Mayor or Councilmember that ceases to possess any of the required qualifications shall automatically forfeit his office; and deleting provisions related to conflicts of interest? |
| <input type="checkbox"/> | NO  |  |

**AMENDMENT E**

SHALL ARTICLE III, SECTION 8 OF THE BRENHAM CITY CHARTER REGARDING CANVASSING RETURNS AND DECLARING RESULTS OF ELECTION AND JUDGES OF ITS OWN ELECTION AND QUALIFICATIONS BE AMENDED AS FOLLOWS?

**ARTICLE III. THE CITY COUNCIL**

**Sec. 8. - Canvassing returns and declaring results of election; judges of its own election and qualification.**

The returns of every municipal election shall be delivered forthwith by the Election Judges to the City Secretary. The Council shall canvass the returns; investigate the qualifications of the candidates, and declare the official results of the election in accordance with applicable state and federal laws. The returns of every municipal election shall be recorded in the minutes of the Council by Ward totals, when applicable. At each election the qualified person receiving a majority of all votes cast for the office that person seeks shall thereon be declared elected by said Council.

The City Council shall be judges of the ~~election and the Council's~~ qualifications of its members, and the Council's determination shall be conclusive and final for all purposes.

AMENDMENT E SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION E**

- YES      Shall Article III, Section 8 of the Brenham City Charter be amended by clarifying that members of the City Council do not serve as Election Judges, as that position is defined in Chapter 32 of the Texas Election Code, in any election held by the City?
- NO

**AMENDMENT F**

SHALL ARTICLE III, SECTIONS 9 AND 11 OF THE BRENHAM CITY CHARTER REGARDING REGULAR ELECTION DAYS BE AMENDED AS FOLLOWS?

**ARTICLE III. THE CITY COUNCIL**

**Sec. 9. - Regular election days.**

The regular municipal elections of the City of Brenham shall be held on the ~~second Saturday~~ uniform election date in May in odd-numbered years or any other uniform election date as authorized by law.



**Sec. 11. - Special elections; state election laws control elections.**

All elections provided for in this Charter, except the regular election of Councilmembers held on the uniform election date ~~second Saturday~~ in May of odd-numbered years or on any other date as authorized by law, shall be called special elections, and all elections shall be conducted and results canvassed and announced by the election authorities as prescribed by the general election laws of the State of Texas relating to cities and towns, and said general election laws shall control in all municipal elections, except as otherwise herein provided.

AMENDMENT F SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION F**

- YES      Shall Article III, Sections 9 and 11 of the Brenham City Charter be amended by providing that the regular municipal elections of the City shall be held on the uniform election date in May of odd-numbered years, or on any other uniform election date authorized by law?
- NO

**AMENDMENT G**

SHALL ARTICLE III, SECTION 10 OF THE BRENHAM CITY CHARTER REGARDING RUNOFF ELECTIONS BE AMENDED AS FOLLOWS?

**ARTICLE III. THE CITY COUNCIL**

**Sec. 10. – Runoff elections.**

In the event any candidate for the Council (including the Mayor) fails to receive, at any regular or special election, a majority of all votes cast for his particular office, the Mayor or, if he fails to do so, the Council shall no later than the fifth day following the official canvass of the election order a runoff election to be held ~~within thirty (30) days of said canvass~~ in accordance with applicable law.

At said runoff election the two (2) candidates that received the highest number of votes cast for such particular office in the first election, at which no one was elected to such office by receiving a majority of all votes cast for all candidates for such particular office, shall be voted on again.

The candidate who receives the majority of the votes cast for the particular office in the runoff election shall be elected to such office and shall take office as soon thereafter as he is qualified.

In runoffs for the office of Mayor or Councilmembers elected at large, the registered voters of the City as a whole shall vote. In runoffs of Councilmembers for single wards, being any of the Councilmembers from Ward One, Ward Two, Ward Three or Ward Four, only those registered voters in the particular ward shall vote in the runoff election for that particular position.

AMENDMENT G SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION G**

- YES      Shall Article III, Section 10 of the Brenham City Charter be amended by providing that all City Council runoff elections shall be held in accordance with applicable law?
- NO

**AMENDMENT H**

SHALL ARTICLE III, SECTION 13 OF THE BRENHAM CITY CHARTER REGARDING ORGANIZATIONAL MEETINGS AND HOLDING OTHER MEETINGS BE AMENDED AS FOLLOWS?

**ARTICLE III. THE CITY COUNCIL**

**Sec. 13. - Organizational meeting; holding other meetings.**

Within fourteen (14) days after the election of the Councilmembers, whether a regular election or runoff election, the City Council shall meet in the Council Chamber of the City Hall, at which time the Councilmembers-elect shall qualify and assume the duties of their offices. Thereafter the City Council shall meet at such time as prescribed by ordinance or resolution, but they shall meet at least once each month.

AMENDMENT H SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION H**

- YES      Shall Article III, Section 13 of the Brenham City Charter be amended by providing that the City Council shall meet within fourteen (14) days after an election, whether a regular election or runoff election, at which time Councilmembers-elect shall qualify and assume the duties of their offices?
- NO

**AMENDMENT I**

SHALL ARTICLE III, SECTION 14 OF THE BRENHAM CITY CHARTER REGARDING MAYOR AND CITY COUNCILMEMBER SALARIES BE AMENDED AS FOLLOWS?

**ARTICLE III. THE CITY COUNCIL**

**Sec. 14. - Salaries.**

The Mayor shall receive a salary of five hundred fifty ~~two hundred seventy-five~~ dollars ~~(\$550.00)~~~~(\$275.00)~~ per month and each Councilmember shall receive a salary of four hundred fifty ~~two hundred twenty-five~~ dollars ~~(\$450.00)~~~~(\$225.00)~~ per month.

AMENDMENT I SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION I**

- YES      Shall Article III, Section 14 of the Brenham City Charter be amended by providing that the Mayor's salary shall be changed from two hundred seventy-five dollars (\$275.00) per month to five hundred fifty dollars (\$550.00) per month, and each Councilmember's salary shall be changed from two hundred twenty-five dollars (\$225.00) per month to four hundred fifty dollars (\$450.00) per month?
- NO

**AMENDMENT J**

SHALL ARTICLE III, SECTION 23 OF THE BRENHAM CITY CHARTER BE AMENDED TO ADD PROVISIONS GOVERNING CONFLICTS OF INTEREST AS FOLLOWS?

**Secs. 23, 24. – Reserved Conflicts of Interest.**

The Mayor, Councilmembers and other officers and employees, with regard to any contract or other matter authorized by the City, shall comply with the Texas Local Government Code and all other applicable laws governing conflicts of interest of local public officials.

AMENDMENT J SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION J**

YES

NO

Shall Article III, Section 23 of the Brenham City Charter be amended by requiring the Mayor, City Councilmembers and other officers and employees of the City, with regard to any contract or other matter authorized by the City, to comply with the Texas Local Government Code and all other applicable laws governing conflicts of interest of local public officials?

**AMENDMENT K**

SHALL ARTICLE VII, SECTION 7 OF THE BRENHAM CITY CHARTER BE AMENDED TO REFLECT CURRENT PROCEDURES RELATED TO OFFICIAL BONDS AS FOLLOWS?

**Sec. 7. - Official bonds.**

The person exercising the duties of the City Tax Collector shall give an official bond in such sum as may be prescribed by the City ~~Manager~~Council from time to time; such bond shall be payable to the City of Brenham and shall, in each instance, be conditioned for the faithful discharge of the duties of such officer, and for the faithful accounting of all moneys, claims and things of value coming into the hands of such officer. Such bond shall be procured from some regular accredited surety company authorized to do business under the laws of the State of Texas, and the premiums to such surety company shall be paid by the City of Brenham, provided that the City Council may by ordinance, require official bonds from any other appointive officers of the City in such amounts and conditioned as they may deem best for the efficiency of the public service. All official bonds shall be surety company bonds and shall be approved by the City ~~Manager~~Council and filed and recorded with the person exercising the duties of City Secretary.

AMENDMENT K SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION K**

YES

NO

Shall Article VII, Section 7 of the Brenham City Charter be amended by providing that with regard to official bonds of certain officers of the City, the City Manager, rather than the City Council, shall determine the amounts of and approve said bonds?

**AMENDMENT L**

SHALL ARTICLE IV, SECTION 1 OF THE BRENHAM CITY CHARTER REGARDING THE CITY MANAGER'S RESIDENCY REQUIREMENT BE AMENDED AS FOLLOWS?

**Sec. 1. - Appointment; position; qualifications; removal.**

The City Council shall appoint a City Manager, who shall be the administrative head of the municipal government and shall be responsible for the efficient administration of all departments. He shall be chosen upon qualification and fitness for the exercise of his duties. He may or may not be a resident of the City of Brenham when appointed but shall establish his residence within Washington County, Texas~~the City~~ as directed by the City Council. The City Council may engage a City Manager by agreement for a term not to exceed one year; however, the City Manager is subject to removal at any time, with or without cause, by City Council.

AMENDMENT L SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

**PROPOSITION L**

- |                          |     |  |
|--------------------------|-----|--|
| <input type="checkbox"/> | YES | Shall Article IV, Section 1 of the Brenham City Charter be amended by providing that the City Manager shall establish his residence within Washington County, Texas as directed by the City Council? |
| <input type="checkbox"/> | NO  |  |

**SECTION 2.**  
**SAVINGS CLAUSE**

All provisions of any ordinance, resolution or other action of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances, resolutions or other actions shall remain in full force and effect.

**SECTION 3.**  
**SEVERABILITY**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentences and clauses and phrases remaining should any provision be declared unconstitutional or invalid.

**SECTION 4.**  
**REPEALER**

Any other ordinance or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

**SECTION 5.**  
**EFFECTIVE DATE**

This Ordinance shall become effective upon adoption and publication as required by law.

**SECTION 6.**  
**PROPER NOTICE AND MEETINGS**

It is hereby officially found and determined that the meetings at which this Ordinance was passed were open to the public as required and that public notice of the time, place and purpose of said meetings were given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.


**PASSED AND APPROVED** on its first reading the 23<sup>rd</sup> day of January, 2025.

**PASSED AND APPROVED** on its second reading the 6<sup>th</sup> day of February, 2025.



  
\_\_\_\_\_  
Atwood C. Kenjura  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Jeana Bellinger, TRMC, CMC  
City Secretary