

MINUTES OF THE MEETING FOR THE 2024 CHARTER REVIEW COMMISSION OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON SEPTEMBER 4, 2024, AT 6:00 P.M.

The meeting was called to order by Lorri Coody, City Secretary at 6:00 p.m. The following Commissioners were present for the first meeting:

Rick Faircloth	Denise Reaneau	
Simon Hughes	Ashley Hart	
Erik Robertson	Sean Anger	
Beatriz Menendez	William Walker	A1
Brian McCauley	Sharon Barclay	A3
A2		

City Staff attending the meeting were City Secretary, Lorri Coody and City Attorney, Justin Pruitt.

B. Citizens' Comments - Any person who desires to address the 2024 Charter Review Commission regarding an item on the agenda will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and Charter Review Commissioners are not allowed to discuss the subject. Each person is limited to five (5) minutes for comments to the Commission.

There were no Citizens' Comments.

C. Discussion with the City Attorney on the process involved in amending the City Charter.

City Attorney Justin Pruitt gave an overview of the process. Each meeting is subject to the Texas Open Meetings Act. He explained this process.

City Attorney Pruitt explained that according to our City Charter, City Council must appoint a Charter Review Commission at least every four (4) years.

A Charter for Texas cities is their Constitution. He explained that there are two types of Texas Cities. General Law and Home Rule Cities. Home Rule Cities are governed by a City Charter. He explained the difference between the two types of cities.

Our Charter is fairly general and similar to what most other cities in Texas follow. However, some cities have very specific, issue driven provisions. He gave an example of this type of Charter.

The Texas Constitution only allows Charter amendments every two (2) years. He explained that the Commission is created to review the Charter and make recommendations, if any, for amendments.

February 15, 2025, is the last day that any amendments can be placed on the ballot for the May 2025 Election. There were questions about the end process. It was explained that in conducting your review, you will make a report of your findings and recommended amendments to City Council. Upon receiving the recommendation for any amendments, Council has no obligation to move forward with the amendments.

The duties of the Charter Review Commission are spelled out in Section 9.14 of the Charter and include the following:

- 1) Inquire into the operation of the city government under the provisions of the Charter. To this end, public hearings may be held and the commission shall have the power to request the attendance of any officer or employee of the city and require the submission of any of the city records deemed necessary to conduct such hearing.
- 2) Propose any recommendations deemed desirable to ensure compliance with the provisions of the Charter by the several departments of the city government.
- 3) Propose, if desirable, amendments to the Charter to improve the effective application of the Charter to current conditions.
- 4) Report its finding(s) and proposed amendments, if any, to the council.

City Attorney Pruitt explained how amendments will appear on the Ballot. There were questions about agenda postings and how residents know about the meetings. City Attorney Pruitt explained that our agendas will be posted 72 hours prior to the meeting date to put residents on notice.

Following the explanation, the Commission discussed the review process and the public comment process.

There were questions about what types of changes can be made to which City Attorney Pruitt responded accordingly.

With no further discussion or questions, City Secretary, Lorri Coody called the next item on the agenda as follows:

D. Discussion with possible action concerning organizational matters, including but not limited to, Election of Officers, establishment of meeting times and places, and committee procedures.

Election of Officers

Commissioner Sharon Barclay nominated Commissioner Rick Faircloth to serve as Chairman of the Commission. With no other nominations, the vote follows:

Ayes: Commissioners Faircloth, Reaneau, Hughes, Hart, Robertson, Anger, and Menendez

Nays: None

The nomination passed.

Having been elected to serve as Chairman, Commissioner Faircloth called for nominations for the position of Vice Chairman.

Commissioner Simon Hughes nominated Commissioner Ashley Hart to serve as Vice Chair. With no other nominations, the vote follows:

Ayes: Commissioners Faircloth, Reaneau, Hughes, Hart, Robertson, Anger, and Menendez

Nays: None

The nomination passed.

Chairman Faircloth then called for discussion on the next organizational item as follows:

Meeting Schedule with Associated Items

After discussion, the following dates, times, and general meeting topics were agreed upon by the Commission:

Description of Activity	Meet Date	Time
Input from the public and Input from Staff concerning amendments to the Charter	September 25, 2024	6:00 PM
Input from City Council and begin work on Recommendation	October 9, 2024	7:00 PM
Prepare Recommendation	October 23, 2024	6:00 PM
Recommendation to City Council concerning Amendments to the Charter	November 19, 2024	6:00 PM

E. Review and consider possible amendments to the City’s current City Charter.

The Commission began a review of the Charter. City Attorney Pruitt explained that one bill was passed during the last legislative session that has come to be called the “Death Star Bill.” This Bill (HB 2127) seemed to address any Home Rule Charter stating that any area of law that the legislature has occupied would superseded any Home Rule Charter provision. The Bill has been challenged and has not yet been ruled upon. The Commission discussed how this Bill may or may not affect our City.

There was discussion about Section 1.05 and how the City pays for the construction and maintenance of City Streets. City Attorney Pruitt stated that there is a specific section in the Charter that addresses it (Section 6). He explained how bonds work and how certificates of obligation work. This section addresses the ability of Council to address funding for city services such as streets and improvements.

City Attorney Pruitt also explained the annual budget and the setting of a tax rate to support an approved budget (Section 6.02 Annual Budget). He also explained how Impact Fees work and how they support infrastructure for new development.

City Attorney Pruitt explained Section 1.07 – Eminent domain and the process for same.

Article II – The Council was reviewed and discussed. There was questions about should there be an area that is not addressed by the Charter, how would the issue be handled. City Attorney Pruitt explained that we would look to State Law for General Law Cities, Case Law, or other areas of law such as the State Constitution and Administrative Laws. The Commission discussed the wording that the Mayor Pro tem serves during the pleasure of City Council. All agreed that this wording seemed odd.

Elections were discussed and when they are held.

Article IV – Initiative, Referendum and Recall was reviewed and discussed. The petition from 2021 was discussed. The Commission wanted background information from that process and asked City Secretary, Lorri Coody to gather this information.

Article V – Administrative Organization was discussed. The role of the Assistant City Manager was discussed and whether the Charter needs to be amended to include this position. It was discussed that in the past the departments were delineated. Most members felt that it is best to not be too strict in this area; however, they would like the City Manager to address this area when he attends a future meeting.

Municipal Court was discussed as it relates to the appointment and removal of Judges. There were questions about the revenue that the Court collects and if it is enough to support the Court. The removal process was discussed.

The Commission took a short recess at 8:25 p.m. and reconvened at 8:30 p.m. with all members present.

The ability of City Council to enter into contracts was discussed. It is outlined in Section 1.03.

Article VII – Taxation was reviewed and discussed.

Article VIII – Franchise and Public Utilities was reviewed and discussed. City Attorney Pruitt explained the franchise process and gave examples of how these agreements are managed.

Article IX – Miscellaneous Provisions were reviewed and discussed. Tort Liability was discussed. City Attorney Pruitt explained the process. The six (6) month time frame was discussed. Some felt that we need to have this re-worded.

The Open Meetings Act will be followed for postings. City Attorney Pruitt explained what this means.

F. Adjourn

There being no further business on the Agenda, the meeting was adjourned at 8:49 p.m.



Lorri Coody, City Secretary