

ORDINANCE NO. 2025-15

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION AND SPECIAL ELECTION HELD ON MAY 3, 2025, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO CITY COUNCIL MEMBERS (PLACE 2, AND PLACE 3) AND SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY A PROPOSITION TO AMEND THE CITY CHARTER BY AMENDING ARTICLE V - ADMINISTRATIVE ORGANIZATION, SECTION 5.05, CITY SECRETARY, IN ORDER TO CLARIFY THAT THE CITY SECRETARY IS NOT OBLIGATED TO PERFORM DUTIES ASSIGNED BY THE CITY MANAGER; AND ORDERING THAT THE HOME RULE CHARTER IS OFFICIALLY AMENDED.

* * * * *

WHEREAS, a general municipal election was held in the City of Jersey Village, Texas, on May 3, 2025, for the purpose of electing a Mayor and Two Council Members; and

WHEREAS, a special election was held on the same day for the purpose of submitting to the qualified voters of the City of Jersey Village, Texas a proposed amendment to the Charter of the City of Jersey Village; and

WHEREAS, said election was duly and legally held in conformity with the election laws of the State of Texas, and the results of said election have been verified and returned by the proper judges and clerks; and

WHEREAS, unofficial results show a total of **835** votes were cast in such election;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS;

Section 1. The facts set forth in the preamble of this Ordinance are hereby found to be true and correct and incorporated herein for all purposes.

Section 2. The official canvass of the returns of the general election held on May 01, 2021; reflect that the following persons received the number of votes set opposite their names in the respective positions to be filled:

<u>Candidate</u>	<u>Mayor</u>	<u>Votes Received</u>
James Singleton		<u>615</u>

<u>Candidate</u>	<u>Council Member, Place 2</u>	<u>Votes Received</u>
Eric Henao		<u>189</u>
Simon Hughes		<u>639</u>

<u>Candidate</u>	<u>Council Member, Place 3</u>	<u>Votes Received</u>
Rachel Beazley		<u>403</u>
Michelle Mitcham		<u>416</u>

Section 3. The official canvass of the returns of the general election held on May 3, 2025, reflects that the following persons were duly elected to the respective positions shown:

Mayor

James Singleton

Council Member, Place 2

Simon Hughes

Council Member, Place 3

Michelle Mitcham

Section 4. The official canvass of the returns of the special election held on May 3, 2025, reflects that the following propositions received the number of votes set out following their numbers:

Proposition A

Shall the Jersey Village Charter be amended by amending Article V – Administrative Organization, Section 5.05, City Secretary, in order to clarify that the City Secretary is not obligated to perform duties assigned by the City Manager?


YES 531
NO 249

Section 5. The official canvass of the returns of the special election held on May 3, 2025, reflects that Proposition A was approved by a majority of qualified voters of the City who voted at the election held for that purpose. In accordance with Section 9.005 of the Texas Local Government Code it is hereby ordered and declared that the Home Rule Charter for the City of Jersey Village is hereby ADOPTED.

Section 6. This Ordinance shall be entered into the records of the City of Jersey Village and the Mayor shall certify to the Texas Secretary of State an authenticated copy of the Charter under the City's seal showing the approval of voters.

Section 7. A copy of the City of Jersey Village Home Rule Charter (with amendments) as adopted by the voters of the City of Jersey Village in the Special Election on May 3, 2025, is attached hereto as Exhibit "A" and incorporated herein for all purposes.

PASSED, APPROVED AND ADOPTED THIS 14th day of May 2025.


Bobby Warren, Mayor

ATTEST:


Courtney Rutherford, City Secretary



CITY OF JERSEY VILLAGE, TEXAS HOME RULE CHARTER

PREAMBLE

We, the people of the City of Jersey Village, Texas, establish this Charter as the basic law of our city to provide for continuous and effective government, with latitude for our elected officers, and with safeguards to ensure the rights and general welfare of the people.

ARTICLE I. - INCORPORATION, FORM OF GOVERNMENT AND POWERS

Sec. 1.01. - Incorporation.

The inhabitants of the City of Jersey Village, Harris County, Texas, residing within its corporate boundaries as heretofore or hereafter established, are hereby constituted and shall continue to be a municipal body politic and corporate in perpetuity under the name of the "City of Jersey Village" ("city") with such powers, privileges, rights, duties and immunities as are herein provided.

Sec. 1.02. - Form of government.

The municipal government provided by this Charter shall be known as "Council-Manager" form of government. Pursuant to the provisions of, and subject only to the limitations imposed by, the Constitution and laws of the State of Texas and by this Charter, all powers of the city shall be vested in and exercised by an elective city council ("council") which shall enact ordinances, adopt budgets, determine policies, appoint the city manager, and execute other powers and duties as prescribed in this Charter.

Sec. 1.03. - General powers.

Except as expressly limited by this Charter, the city shall have the powers granted to "Home Rule" cities by the Constitution and laws of the State of Texas, together with all of the implied powers necessary to carry into execution such granted powers, and in addition, all powers not denied to "Home Rule" cities by the Constitution or laws of the State of Texas. By way of enumeration and not limitation, the city may use a corporate seal; may sue and be sued; may contract and be contracted with; may cooperate with the government of the State of Texas or any agency or political subdivision thereof, or with the federal government or any agency thereof, to accomplish any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety or convenience of the city and its inhabitants; may acquire property within or without its corporate boundaries for any municipal purpose in fee simple or in any lesser interest or estate by purchase, gift, devise, lease or condemnation and, subject to the provisions of this Charter and the Constitution and laws of the State of Texas, may sell, lease, mortgage, hold, manage, improve or control such property as may now or hereafter be owned by it; may pass ordinances and enact such regulations as may be expedient for the maintenance of the good government, order or peace of the city or the welfare, health, morals, comfort, safety or convenience of its inhabitants. The powers hereby conferred upon the city shall include, but are not restricted to, the powers enumerated in Chapter 147, Page 307, Acts of the Thirty-third Legislature of the State of Texas, Regular Session, 1913, the same being compiled as Vernon's Ann. Civ. St. art. 1165 et seq., as heretofore or hereafter amended, all of which are hereby adopted.

In addition to the powers enumerated herein, and subject only to the limitations imposed by the Constitution and laws of the State of Texas and by this Charter, the city shall have, without the necessity of express enumeration in this Charter, each and every power which by virtue of the Constitution of the State of Texas, including but not limited to Article XI, Section 5 thereof, the people of the city are empowered by election to grant or to confer upon the city by expressly and specifically granting and enumerating the same herein. All such powers, whether expressed or implied, shall be exercised and enforced in the manner prescribed in this Charter or, when not prescribed herein, in such manner as shall be provided by ordinance of the council. Notwithstanding the foregoing provisions of this section, the enumeration of specific powers in this Charter shall not limit any powers otherwise conferred upon the city by this Charter, except insofar as a specific and contrary intention to limit the powers of the city may be expressed in this Charter.

Editor's note— For current provisions pertaining to the statutory citations in the above section, see V.T.C.A., Local Government Code Ch. 9, and other statutes referred to in V.T.C.A., Master Disposition Table.

Sec. 1.04. - Regulation of streets and public property.

The city shall have exclusive dominion, control and jurisdiction in, upon, over and under the public streets, sidewalks, alleys, public squares and public ways within the corporate boundaries of the city and in, upon, over and under all public property of the city. With respect to each and every public street, sidewalk, alley, highway, public square, public park or other public way within the corporate boundaries of the city, the city shall have the power to establish, maintain, improve, alter, abandon or vacate the same; to regulate, establish or change the grade thereof; to control or regulate the use thereof; and to abate or remove in a summary manner any encroachment thereon.

Sec. 1.05. - Street development and improvement.

The city shall have the power to develop or improve, or cause to be developed or improved, any or all public streets, sidewalks, alleys, highways and other public ways within the corporate boundaries of the city by laying out, opening, narrowing, widening, straightening, extending, lighting or establishing building lines along the same; by purchasing, condemning or taking property therefor; by filling, grading, raising, lowering, paving, repaving or repairing the same in a permanent manner; and by constructing, reconstructing, altering, repairing or realigning curbs, gutters, drains, sidewalks, culverts and other appurtenances and incidentals in connection with such development or improvement herein authorized, or any combination or part thereof. The cost of such development or improvement may be paid partly or entirely by assessments levied as a lien against the properties abutting thereon and against the owners thereof, and such assessments may be levied in any amount and under any procedure not prohibited by the laws of the State of Texas; provided, however, that no assessment shall be made against such land or owners thereof in excess of the enhancement in value of such property occasioned by such improvement.

If improvements are ordered constructed in any part of such area used or occupied by the tracks or facilities or [of] any railway or public utility, the council shall have the power to assess the whole cost of improvements in such area and the added costs of improvements in areas adjacent thereto made necessary by such use or occupancy against such railway or public utility, and shall have power by ordinance to provide for the enforcement of such assessment.

As an alternate and cumulative method of developing, improving or paving any or all public streets, sidewalks, alleys, highways and other public ways within its corporate boundaries, the city shall have the power and authority to proceed in accordance with Chapter 108, page 489, Acts of the Fortieth Legislature of the State of Texas, First Called Session, 1927, the same being compiled as Vernon's Ann. Civ. St. art. 1105, as heretofore or hereafter amended.

Editor's note— For current statutory provisions pertaining to street improvements, see V.T.C.A., Transportation Code Ch. 311 et seq.

Sec. 1.06. - Corporate boundaries and annexation.

The council shall have the power by ordinance to fix the corporate boundaries of the city and to provide for the alteration and extension of said corporate boundaries, the annexation of additional territory lying adjacent 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 any manner not inconsistent with the procedural rules prescribed by the laws of the State of Texas, including but not limited to Chapter 160, page 447, Article 1, Acts of the Fifty-eighth Legislature of the State of Texas, Regular Session, 1963, the same being the Municipal Annexation Act, compiled as Vernon's Ann. Civ. St. art. 970a, as heretofore or hereafter amended. Upon the final passage of any ordinance annexing territory, the corporate boundaries of the city shall thereafter include the territory annexed. When any additional territory has been annexed, the same shall be a part of the city; the property situated therein shall thereafter be subject to taxes levied by the city; and the inhabitants thereof shall be entitled to all of the rights and privileges of all citizens, and shall be bound by this Charter and the ordinances, resolutions, rules and regulations of the city. Upon the final passage of any ordinance detaching or disannexing territory from the city, the incorporated area of the city shall be reduced by the territory detached or disannexed.

Editor's note— For current statutory provisions pertaining to municipal annexations, see V.T.C.A., Local Government Code Ch. 43.

Sec. 1.07. - Eminent domain.

The city shall have the full right, power and authority of eminent domain where necessary or desirable to execute any power conferred upon it by this Charter or by the Constitution or laws of the State of Texas, and may condemn either private or public property whether within or without the corporate boundaries of the city for such purposes, upon payment of fair compensation for the property taken. Such power may be exercised in any manner authorized by the Constitution or laws of the State of Texas, or as may be prescribed by ordinance. The power of eminent domain hereby conferred shall include the right of the city to take the fee in the lands thus condemned. The city shall have and possess the power of eminent domain for any municipal or public purpose, even though not specifically enumerated in this Charter. .

ARTICLE II. - THE COUNCIL

Sec. 2.01. - Number, selection and term of office.

The council shall be composed of a mayor and five (5) other councilmembers, each of whom, unless sooner removed under the provisions of this Charter or the laws of the State of Texas, shall serve for a term of two (2) years or until a successor has been elected and installed. The members of the council, other than the mayor, shall be elected to and occupy a place on the council, such places being numbered One, Two, Three, Four and Five, respectively. Places One, Four and Five on the council shall be filled by majority vote each even-numbered year, and places Two and Three on the council shall be filled by majority vote each odd-numbered year. The office of mayor shall be filled by majority vote each odd-numbered year.

No person shall serve more than three (3) consecutive two-year terms as mayor, nor more than four (4) consecutive two-year terms as councilmember or a combination of mayor/councilmember. Any portion of a term served shall count as one (1) term in calculating the total number of consecutive terms served. No person who has served four (4) consecutive terms as councilmember or mayor/councilmember shall hold office as mayor within the one-year period following the said four (4) terms of service.

Sec. 2.02. - Qualifications and limitations.

Each member of the council shall be qualified to vote in city elections; shall be a resident of and have resided in the city for a continuous period of not less than one year preceding the date of election, or of appointment under Section 2.03 of this Charter; and shall not be in arrears in the payment of taxes to the city. No member of the council shall hold any other office or employment under the city government while a member of the council, nor shall any member of council hold any paid employment under the city government within two years thereafter. The council shall be the sole judge of the qualifications and election of its members.

Sec. 2.03. - Vacancies.

Vacancies on the council arising from any cause shall be filled by a vote of the council. The person appointed to fill any such vacancy shall possess all qualifications required for the office. There shall not be more than one (1) appointee on [the] council at any given time. If two (2) or more vacancies, or one (1) or more vacancies together with one (1) appointee exist at the same time, a special election shall be called to fill said vacancies and replace said appointee. However, if such vacancies occur within one hundred twenty (120) days of a regular election, such vacancies shall be filled by appointment by vote of the council. A council position filled by appointment shall be filled by election at the next city general election for the remaining year of the unexpired term or for the next full term, as the case may be. A member of the council shall be disqualified for office if the person fails to meet the qualifications of office or if the person is absent from three (3) consecutive or five (5) nonconsecutive regular council meetings per two-year term. Upon determination by vote of the council that a member of the council is disqualified for office, the office shall be vacant. No action taken by the council prior to such vote shall be invalid because of such disqualification.

Sec. 2.04. - Compensation.

The mayor and other councilmembers shall be entitled to such compensation as may be established or changed from time to time by the council; provided, however, that no implementation or increase in compensation shall take effect until approved by a majority of the voters in the next regular city election. The mayor and other councilmembers shall be entitled,

with approval by council, to reimbursement for reasonable expenses incurred in the performance of their official duties.

Sec. 2.05. - Mayor and mayor pro tem.

The mayor shall preside at all meetings of the council and shall be recognized as head of the city government for all ceremonial purposes, for the purpose of receiving service of civil process, for emergency purposes, and for military purposes; but the mayor shall have no regular administrative duties. The mayor shall perform other such duties and possess and exercise such other duty and authority as may be prescribed and conferred by the council. The mayor shall be entitled to vote only in case of a tie vote by the council. The mayor shall have no veto power.

At its first meeting following the general municipal election each year, the council shall elect one of its members as mayor pro tem, who shall hold such office during the pleasure of the council. The mayor pro tem shall act as mayor during the absence or disability of the mayor and shall have power to perform every act the mayor could perform; provided, however, that the mayor pro tem shall be entitled to vote upon all matters considered by the council. If the mayor and the mayor pro tem are absent from a meeting, the council shall elect an attending member to preside over such meeting.

Sec. 2.06. - Powers of the council.

All powers and authority which are expressly or impliedly conferred on or possessed by the city shall be vested in and exercised by the council; provided, however, that the council shall have no power to exercise those powers which are expressly conferred upon other city officers by this Charter.

Sec. 2.07. - Investigations.

The council shall have the power to investigate the official conduct of any department, agency, office, officer or employee of the city, and for such purpose shall have the power to administer oaths, subpoena witnesses, and compel the production of books, papers and other evidence material to the investigation. The council shall, by ordinance, provide penalties for contempt in failing or refusing to obey any such subpoena or to produce any such books, papers or other evidence, and shall have the power to punish such contempt in the manner provided by such ordinance.

Sec. 2.08. - Interference in administrative or personnel matters.

Neither the council nor any of its members shall instruct or request the city manager or any of the city manager's subordinates to appoint to or remove from office or employment any person. Except for the purposes of investigation under Section 2.07 of this Charter or obtaining information, the council and its members shall deal with the administrative service of the city solely through the city manager and shall not give orders to any of the city manager's subordinates, either publicly or privately.

Sec. 2.09. - Meetings of the council.

There shall be at least one regular meeting of the council each month. All meetings shall be public, except where permitted by law to be closed in whole or part to the public, and shall be held

at the city hall or other public place in the city. Special meetings may be called at any time by the city secretary upon request of the mayor, the city manager or three members of the council.

Sec. 2.10. - Rules of procedure.

The council may determine its own rules and order of business. A majority of the members of the council, excluding the mayor, shall constitute a quorum for all meetings for the transaction of all business. All actions of the council shall be by majority vote. The council may adopt such rules and prescribe such penalties as it may deem proper to enforce the attendance of its members at all regular and special meetings of the council or its committees. Minutes of all meetings of the council shall be taken and recorded, and such minutes shall constitute a public record.

Sec. 2.11. - Procedure to enact ordinances.

The council shall legislate by ordinance. The enacting clause of every ordinance shall be, "Be it ordained by the city council of the City of Jersey Village." Every ordinance enacted by the council shall be signed by the mayor, the mayor pro tem or by two members of the council and shall be filed with and recorded by the city secretary. Every ordinance shall take effect immediately upon its passage, unless otherwise provided by law or by the terms of such ordinance.

Sec. 2.12. - Publication of ordinances and other required public notices.

Except as otherwise required by law or this Charter, the city secretary shall give notice of the enactment of every ordinance imposing any penalty, fine or forfeiture for any violation of any of its provisions, and of every other ordinance required by law or this Charter to be published, by causing said ordinance, or its caption and penalty, to be published (i) at least one time within ten (10) days after passage thereof in the official newspaper of the city or (ii) by posting on the municipal bulletin board for City Council agendas at City Hall and on the city's internet website continuously for twenty (20) days after passage. Except as otherwise provided by law or this Charter, any requirement of the city council, or any board, department or official of the city, to provide notice with respect to any real or personal property, act, event, hearing, or other occurrence, by advertisement or notice, publication of such advertisement or notice on the municipal bulletin board and on the city's internet website, continuously for at least seventy two (72) hours or for such other longer time frame for advertisement or prescribed by law, if any, shall be sufficient public notice. The affidavit of publication by the publisher of such newspaper, taken before any officer authorized to administer oaths and filed with the city secretary, shall be conclusive proof of the legal publication and promulgation of such ordinance in all courts.

Sec. 2.13. - Code of ordinances.

The council shall have the power to cause all general ordinances of the city to be compiled and printed in code form. Every general ordinance enacted subsequent to such codification shall be enacted as an amendment to the code. The council shall cause all general ordinances to be codified, recodified or reprinted whenever in its discretion such is deemed desirable, or when such codification, recodification or reprinting is required by law. When adopted by the council, the printed code of general ordinances contemplated by this section shall be in full force and effect without the necessity of such code or any part thereof being published in any manner. The caption, descriptive clause or other formal parts of the ordinances of the city may be omitted without affecting the validity of such ordinances when they are published as a code.

Sec. 2.14. - Official bonds for city employees.

Such city officers and employees as the council may require shall, before entering upon the duties of their offices or employment of the city, enter into good and sufficient fidelity bonds acceptable to the council and in sums to be determined by the council, payable to the city and conditioned upon the faithful discharge of the duties of such persons and upon the faithful accounting of all monies, credits and things of value coming into the hands of such persons. Such bonds shall be signed as surety by companies authorized to do business under the laws of the State of Texas, and the premiums on such bonds shall be paid by the city.

Sec. 2.15. - Audit and examination of city books and accounts.

The council shall cause an annual audit to be made of the books and accounts of the city. At the close of each fiscal year, a complete audit shall be made by a certified public accountant, who shall be selected by the council. Such audit shall include a recapitulation of all audits made during the course of the fiscal year. All audit reports shall be filed with the council, shall be available for public inspection, and shall be made a part of the official records of the city. Such accountant shall not maintain or keep any of the city's accounts or records nor be an officer or employee of the city.

ARTICLE III. - ELECTIONS

Sec. 3.01. - Regular elections.

The regular election of members of the council to the positions to be filled on the council shall be held on the first election date authorized by state law on or after the first day of April of each year at a place or places designated by the council by ordinance. At every such election such voter shall not vote for more than one (1) candidate for each council position to be filled. Such election shall be ordered by the mayor, and in the event of the mayor's failure to order the same, the council shall make such order. In the event of the failure of the mayor and the council to so act, such election may be called by the city secretary; and in the event of the city secretary's failure to act, by the County Judge of Harris County, Texas; and in the event of the County Judge's failure to act, by the Governor of the State of Texas. The city secretary shall give such notice of the election as may be prescribed by law.

State Law reference— Uniform election dates, V.T.C.A., Election Code § 41.001.

Sec. 3.02. - Special elections.

The council may by ordinance or resolution call such special elections as are authorized by the Constitution and laws of the State of Texas or by this Charter; fix the date, time and place of holding same; and provide all means for holding such special elections; provided, however, that every special election shall be called and held as nearly as practicable according to the provisions governing regular elections.

Sec. 3.03. - Filing for office.

Any person qualified to serve under the provisions of Article II hereof may be a candidate for election to a position on the council. A person who desires to be a candidate for an elective position on the city council shall file an application with the city secretary within the time prescribed by

law. Such application shall clearly designate the desired position on the council and shall contain a sworn statement by the person that the person is fully qualified under the Constitution and laws of the State of Texas and the provisions of this Charter to hold the office sought. The names of all candidates who have filed for office shall be printed on the official ballot by position without party designations, in an order as provided by law.

Sec. 3.04. - Elections by majority and runoff elections.

At every election to fill one or more positions on the council, election to each position shall be by a majority of all the votes cast at such election for such position. In the event no candidate receives a majority of all the votes cast at such election for any such position, immediately upon declaring the official results of the election, the mayor or the council shall order a runoff election for every position to which no person was elected. The city secretary shall give notice of such runoff election as may be prescribed by law. The two candidates who received the highest number of votes for any position to which no person was elected in the election shall be voted on in the runoff election, appearing on the runoff ballot in the same order as they appeared on the ballot in the preceding election. The candidate who receives the majority of all the votes cast at such runoff election for such position shall be elected.

Sec. 3.05. - Notification and installation of elected officers.

The city secretary shall notify all persons elected to office of their election. All persons duly elected shall take office at the first meeting of the council following the runoff election, if one is required. If no runoff election is required, all of said officers shall take office at the first meeting of the council following the general election.

ARTICLE IV. - INITIATIVE, REFERENDUM AND RECALL

Sec. 4.01. - Power of initiative.

The people of the city reserve the power of direct legislation by initiative, and in the exercise of such power may propose any ordinance (except annexation ordinances, zoning ordinances, ordinances appropriating money or levying taxes, ordinances repealing zoning ordinances, or ordinances repealing ordinances appropriating money or levying taxes) not in conflict with this Charter or the Constitution or laws of the State of Texas. Any initiated ordinance may be submitted to the council by a petition signed by at least fifteen (15) percent of the qualified voters of the city.

Sec. 4.02. - Power of referendum.

The people of the city reserve the power to approve or reject at the polls any legislation enacted by the council which is subject to the initiative process under this Charter, except that ordinances authorizing the issuance of either tax or revenue bonds, whether original or refunding bonds, shall not be subject to such referendum. Prior to or within sixty (60) days after the effective date of any ordinance which is subject to referendum, a petition signed by at least fifteen (15) percent of the qualified voters of the city may be filed with the city secretary requesting that any such ordinance be either repealed or submitted to a vote of the people. When such a petition has been certified in writing as sufficient by the city secretary, the ordinance specified in the petition shall not go into effect, or further action thereon shall be suspended if it shall have gone into effect, until and unless it is approved by the voters as herein provided.

Sec. 4.03. - Form of petitions.

An initiative petition and a referendum petition shall meet the requirements for petitions of the Texas Election Code.

Sec. 4.04. - Filing, examination and certification of petitions.

Within thirty (30) days after an initiative or referendum petition is filed, the city secretary shall examine the petition and certify as to its sufficiency. The city secretary shall declare void any petition which does not have an affidavit attached thereto as required in Section 4.03 of this Article. In examining the petition, the city secretary shall write the letters "D.V." (declared void) in red ink opposite the names of signatories found not qualified. If the city secretary certifies the petition as insufficient, the city secretary shall notify the petitioner in writing. Such insufficient petition may be amended within forty-five (45) days from the date of original filing by submitting a supplementary petition upon additional papers signed and filed as provided for in the original petition. Within thirty (30) days after such amendment is filed, the city secretary shall examine the amended petition and certify as to its sufficiency. If the amended petition is then found to be insufficient, no further proceedings shall be had with regard to it. The city secretary shall report the status of any petition to the council at each regular council meeting.

Sec. 4.05. - Council consideration and submission to voters.

When the council receives an authorized initiative petition certified in writing by the city secretary to be sufficient, the council shall (a) pass the initiated ordinance without amendment within thirty (30) days after the date of presentation of written certification to the council; or (b) submit said initiated ordinance without amendment to a vote of the qualified voters of the city at a regular or special election to be held on the first election day permitted by law which is not less than thirty (30) days after the date of presentation of written certification to the council; or (c) submit to a vote of the qualified voters of the city said initiated ordinance, without amendment, and an alternative ordinance on the same subject proposed by the council. Should both such ordinances be approved by a majority of the votes cast at such election, the ordinance receiving the higher number of votes shall become effective as an ordinance of the city; the other ordinance shall be deemed rejected and shall not become effective.

When the council receives an authorized referendum petition certified in writing by the city secretary to be sufficient, the council shall reconsider the referred ordinance. If upon reconsideration such ordinance is not repealed within thirty (30) days, it shall be submitted to the qualified voters of the city at a regular or special election to be held on the first election day permitted by law which is not less than thirty (30) days after the date of presentation of written certification to the council.

Special elections on initiated or referred ordinances shall not be held more frequently than once each six months. No ordinance on the same subject as an initiated ordinance which has been defeated or on the same subject as a referred ordinance which has been approved at any election may be initiated or referred by the voters within two years from the date of such election.

Sec. 4.06. - Results of election.

Any number of ordinances may be voted on at the same election in accordance with the provisions of this article. If a majority of the votes cast is in favor of an initiated ordinance, it shall

thereupon be effective as an ordinance of the city. An ordinance thus adopted may be repealed or amended at any time after the expiration of one year by vote of the council. A referred ordinance which is rejected by a majority of the votes cast in a referendum election shall be deemed thereupon repealed. An ordinance thus rejected may be reenacted at any time after the expiration of one year by vote of the council.

Sec. 4.07. - Power of recall.

The people of the city reserve the power to recall any elected officer of the city and may exercise such power by filing with the city secretary a petition, signed by at least thirty (30) percent of the qualified voters of the city, demanding the removal of such elected officer. The petition shall be signed and verified in the manner required for an initiative petition.

Sec. 4.08. - Recall election.

The provisions of this article regulating examination, certification and amendment of initiative petitions shall apply to recall petitions. If the petition is certified in writing by the city secretary to be sufficient, the council shall order and hold an election within forty-five (45) days to determine whether such officer shall be recalled.

Sec. 4.09. - Results of recall election.

If the majority of the votes cast at a recall election are for the recall of the officer named on the ballot, the office shall be vacant and shall be filled as specified in Article II of this Charter. An officer thus removed shall not be eligible to hold elective or appointive office in the city for a period of two years from the date of such recall election.

Sec. 4.10. - Limitation on recall.

No recall petition shall be filed against an officer within six months after the person takes office, and no officer shall be subjected to more than one recall election during any one term of office.

ARTICLE V. - ADMINISTRATIVE ORGANIZATION

Sec. 5.01. - City manager.

The council shall appoint a city manager, who shall be the chief administrative and executive officer of the city. The city manager shall be chosen by the council on the basis of the person's executive and administrative training, experience and ability.

The city manager shall be appointed for an indefinite term, and may be removed at the will of the council. The decision of the council as to such appointment or removal shall be final. The city manager shall receive such compensation as may be fixed by the council. No member of the council shall, during the term for which the member is elected and for two years thereafter, be chosen as city manager.

By letter filed with the city secretary, the city manager may designate, subject to council approval, a qualified city administrative officer to be acting city manager during the city manager's temporary absences or disabilities. The council may revoke such designation at any time and appoint another person acting city manager to serve during such times; and if the city manager

fails to make such designation, the council may appoint an acting city manager to serve during such times. The council may remove an acting city manager at any time.

Sec. 5.02. - Powers and duties of city manager.

The city manager shall be responsible to the council for the efficient and economical administration of the city government. Except as otherwise provided by this Charter, the city manager shall have the authority to hire and terminate all employees of the city. The city manager may authorize the head of any department to appoint and remove subordinates in that department. Except for the purposes of investigation under Section 2.07 of this Charter or of obtaining information, the council and its members shall deal with employees through the city manager.

The city manager shall:

- (1) Prepare and submit annually to council a proposed budget and administer the budget after its adoption;
- (2) Advise the council of the financial condition and future financial needs of the city;
- (3) Recommend to the council the salaries to be paid to each appointed officer and employee of the city;
- (4) Recommend to the council in writing actions or policies the city manager considers desirable;
- (5) Attend all meetings of the council, with the right to take part in discussion but with no vote;
- (6) Administer the enforcement of all city ordinances; and
- (7) Perform all other duties directed by the council and not inconsistent with this Charter.

Sec. 5.03. - Administrative departments.

There shall be such administrative departments as are established by this Charter and as may be established by ordinance, all of which shall be under the control and direction of the city manager. The council may abolish or combine one or more departments, except that no function assigned by this Charter to a particular department, office or agency may be discontinued or, unless this Charter specifically so provides, assigned to any other.

Sec. 5.04. - Directors of departments.

At the head of each department there shall be a director. Such directors shall have supervision and control over their respective departments and may serve as chiefs of divisions within their respective departments. Two or more departments may be headed by the same individual, and the city manager may head one or more departments.

Sec. 5.05. - City secretary.

The council shall appoint a city secretary. The city secretary shall be entitled to compensation for services as established by the council and shall serve at the pleasure of the council. With approval of the council, the city secretary shall appoint assistant city secretaries in number as approved by the council. The city secretary or an assistant city secretary shall give notice of council meetings; shall keep the minutes of proceedings of council meetings; shall authenticate by

signature and record in full, in a book kept and indexed for that purpose, all ordinances and resolutions; shall hold and maintain the city seal, and affix the seal to all instruments requiring it; and shall perform other duties required by the council, this Charter or the laws of the State of Texas.

Sec. 5.06. - City attorney.

The council shall appoint an attorney, licensed to practice law in the State of Texas, to be the city attorney. The city attorney shall be entitled to compensation for services as established by the council and shall serve at the pleasure of the council. The city attorney, or other attorneys selected by the city attorney with approval of the council, shall represent the city in all litigation and other legal matters. The city attorney shall be the legal advisor to the city and counsel for the city and all its officers and departments in the conduct of city business. The council may retain special counsel at any time it deems the same appropriate or necessary.

Sec. 5.07. - Municipal court.

There is established and shall be maintained a court or courts, designated the "Municipal Court of the City of Jersey Village," for the trial of misdemeanor offenses with all powers and duties granted by the laws of the State of Texas.

The judge(s) of each court shall be appointed by the council for a term of office of two years beginning on January 1 of even-numbered years. Any such judge may be removed from office by the council for incompetency, misconduct or malfeasance. Each such judge shall be an attorney licensed to practice law in the State of Texas and shall be entitled to compensation as established by the council.

There shall be a municipal court clerk appointed by the council for a term of two years to run concurrently with the term of the judge. Such clerk and any deputy clerks appointed by the clerk, with approval of the council, shall have the power to administer oaths, make certificates, affix the seal of the court, and perform all acts usual and necessary in issuing process and conducting business of the court.

ARTICLE VI. - FINANCE

Sec. 6.01. - Fiscal year.

The fiscal year of the city shall be as established by ordinance of the council. In the event the council does not thus establish the fiscal year, the fiscal year of the city shall begin on the first day of each October and end on the last day of September of the following year. All funds collected by the city during any fiscal year, including both current and delinquent revenues, shall belong to such fiscal year and, except for funds derived to pay interest and create a sinking fund on the bonded indebtedness of the city, may be applied to the payments of expenses incurred during such fiscal year, except as provided in this Charter. Any revenues uncollected at the end of any fiscal year, and any unencumbered funds actually on hand, shall become resources of the next succeeding fiscal year.

Sec. 6.02. - Annual budget.

The annual budget must specify appropriations for capital expenditures and for expenditures directed by council for services and for the operation of the city. It must comply with fund requirements of bond covenants. City department directors and officers shall submit budget requests for the next fiscal year to and as directed by the city manager for review and consolidation. The city manager shall submit a proposed annual budget to the council at least forty-five (45) days prior to the end of each fiscal year.

Before taxes are levied, but after a public hearing or hearings, [the] council shall adopt an annual budget. [The] council may amend the proposed budget, but shall not delete or decrease appropriations required for debt service, and shall not authorize expenditures in excess of the total of estimated income plus funds available from earlier years.

If the council fails to adopt an annual budget before the start of the fiscal year to which it applies, appropriations of the last budget adopted shall be considered as adopted for the current fiscal year on a month to month, pro rata basis until the annual budget is adopted.

State Law reference— Municipal budget, V.T.C.A., Local Government Code Ch. 102.

Sec. 6.03. - Appropriations.

From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes named therein. Except as provided in this article, no funds of the city shall be expended, nor shall any obligation for the expenditure of money be incurred, except pursuant to the annual appropriation ordinance provided for in this article. At the close of each fiscal year any unencumbered balance of an appropriation shall revert to the fund from which appropriated and become available for reappropriation for the next fiscal year. The council may transfer any unencumbered appropriation balance or portion thereof from one office, department or agency to another, at any time. The city manager shall have authority, without council approval, to transfer appropriation balances from one expenditure account to another within a single office, department or agency of the city.

Sec. 6.04. - Contingent appropriation.

Provision shall be made in the annual budget for a contingent appropriation in an amount not more than ten (10) percent of the total budget. Such contingent appropriation shall be under the control of the city manager and distributed by the city manager, after approval by the council. Expenditures from this appropriation shall be made only in the event of established emergencies, and a detailed account of such expenditures shall be recorded and reported.

Sec. 6.05. - Borrowing in anticipation of property taxes.

In any fiscal year, in anticipation of the collection of the ad valorem property tax for such year, whether levied or to be levied in such year, the council may by ordinance or resolution authorize the borrowing of money, not to exceed in any fiscal year an amount equal to ten (10) percent of the budget for such fiscal year. Such borrowing shall be by the issuance of negotiable notes of the city, each of which shall be designated "tax anticipation note for the year _____" (stating the tax year). Such notes shall mature and be payable not later than the end of the fiscal year in which issued, and may be secured by the pledge of the ad valorem property taxes for such year.

Sec. 6.06. - General obligation bonds.

The city shall have the power to borrow money on the credit of the city and to issue general obligation bonds for permanent public improvements or for any other public purpose not prohibited by the Constitution and laws of the State of Texas, and to issue refunding bonds to refund outstanding bonds of the city previously issued. All such bonds shall be issued in conformity with the laws of the State of Texas.

Sec. 6.07. - Revenue bonds.

The city shall have the power to borrow money for the purpose of constructing, purchasing, improving, extending or repairing public utilities, recreational facilities or any other self-liquidating municipal function not prohibited by the Constitution or laws of the State of Texas, and to issue revenue bonds to evidence the obligation created thereby. Such bonds shall be a charge upon and payable solely from the properties, or interest therein, pledged, or the income therefrom, or both, and shall never be a debt of the city. All such bonds shall be issued in conformity with the laws of the State of Texas.

Sec. 6.08. - Sale of bonds.

No bonds (other than refunding bonds issued to refund and in exchange for previously issued outstanding bonds) issued by the city shall be sold for less than ninety-five (95) percent of par value and accrued interest. All bonds of the city having been issued and sold in accordance with the terms of this section, and having been delivered to the purchasers thereof, shall thereafter be incontestable, and all bonds issued to refund and in exchange for outstanding bonds previously issued shall, after said exchange, be incontestable.

ARTICLE VII. - TAXATION

Sec. 7.01. - Powers of taxation.

The city, for any municipal purpose, shall have the power to levy, assess and collect taxes of every type and character not prohibited by the Constitution or laws of the State of Texas.

Sec. 7.02. - Arrears of taxes offset to debt against city.

The city shall be entitled to counterclaim and offset against any debt, claim, demand or account owed by the city to any person, firm or corporation who or which is in arrears to the city for taxes, in the amount of taxes in arrears. No assignment or transfer of such debt, claim, demand or account after the said taxes are due shall affect the right of the city to so offset the said taxes against the same.

ARTICLE VIII. - FRANCHISES AND PUBLIC UTILITIES

Sec. 8.01. - Inalienability of control of public property.

The right of control and use of the public streets, highways, sidewalks, alleys, parks, public squares and public places of the city is hereby declared to be inalienable by the city, except by ordinances not in conflict with the provisions of this Charter. No act or omission by the council or any officer, employee or agent of the city shall be construed to grant, renew, extend or amend,

expressly or by estoppel or implication, any right, franchise, or easement affecting said public streets, highways, sidewalks, alleys, parks, public squares, public places or other real property, except as provided in this Charter.

Sec. 8.02. - Power to grant franchise.

The council shall have the power by ordinance to grant, renew or extend franchises of all public utilities of every character operating within the city and, with the consent of the franchise holder, to amend the same. However, no franchise shall be granted for an indeterminate term, and no franchise shall be granted for a term of more than fifty (50) years.

State Law reference— Public Utility Regulatory Act of 1995, Vernon's Ann. Civ. St. art. 1446c-O.

Sec. 8.03. - Ordinance granting franchise.

Every ordinance granting, renewing, extending or amending a public utility franchise shall be read at three regular meetings of the council prior to approval. Within ten (10) days following the first reading of the ordinance, the full text thereof shall be published in the official newspaper of the city, and the cost of such publication shall be paid by the prospective franchise holder.

Sec. 8.04. - Transfer of franchise.

No public utility franchise shall be transferred or assigned by the holder thereof except with the approval of the council expressed by ordinance.

ARTICLE IX. - MISCELLANEOUS PROVISIONS

Sec. 9.01. - Official oath.

Before entering upon the duties of their respective offices, all officers of the city shall take and subscribe the official oath prescribed in the Constitution of the State of Texas.

Sec. 9.02. - Public records.

All public records of every office, department, agency or other entity of the city shall be open to inspection by any citizen at all reasonable times; provided that any records not required by law to be available for public inspection shall not be considered public records for the purpose of this section.

Sec. 9.03. - Official newspaper.

The council shall have power to contract with, and by ordinance or resolution designate, a public newspaper of general circulation in the city as the official newspaper thereof and to continue as such until another is designated, and shall cause to be published therein all ordinances, notices and other matters required to be published by this Charter, by the ordinances of the city, or by the Constitution or laws of the State of Texas.

Sec. 9.04. - Tort liability.

Before the city shall be liable for damages for the death or personal injuries of any person or for damages to or destruction of property of any kind, which does not constitute a taking or damaging of property under Article I, Section 17, Constitution of the State of Texas, the person injured, if living, or the person's legal representatives, if deceased, or the parent or guardian of a minor child, or the owner, the owner's agent or attorney of the property damaged or destroyed, shall give the city manager notice in writing of such death, injury, damage or destruction, duly verified by affidavit, within six months after same has been sustained, stating specifically in such written notice when, where and how the death, injury, damage or destruction occurred, and the apparent extent of any such injury, the amount of damages sustained, the actual residence of the claimant by street and number at the date the claim is presented, the actual residence of such claimant for six months immediately preceding the occurrence of such death, injury, damage or destruction, and the names and addresses of all witnesses upon whom it is relied to establish the claim for damages. The failure to so notify the city manager within the time and manner specified herein shall exonerate, excuse and exempt the city from any liability whatsoever. No act of any officer, employee or agent of the city shall waive compliance, or preclude the city from requiring compliance, with the provisions of this section as to notice.

State Law reference— Notice of claim, V.T.C.A., Civil Practice and Remedies Code § 101.101.

Sec. 9.05. - Assignment, execution and garnishment.

The property, real and personal, belonging to the city shall not be liable for sale or appropriation under any writ of execution. The funds belonging to the city, in the hands of any person, firm or corporation, shall not be liable to garnishment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the city nor any of its officers, employees or agents shall be required to answer any such right of garnishment on any account whatever. The city shall not be obligated to recognize any assignment of wages or funds by any of its officers, employees, agents or contractors.

Sec. 9.06. - Security or bond not required.

It shall not be necessary in any action, lawsuit or proceeding, in which the city shall be a party, for any bond, undertaking or security to be executed on behalf of the city; but all actions, lawsuits, and proceedings shall be conducted in the same manner as if such bond, undertaking or security had been given. The city shall have all remedies by appeal, as provided by law, to all courts of this state without bond or security of any kind. For all the purposes of such actions, lawsuits, proceedings and appeals, the city shall be liable in the same manner, and to the same extent, as if the bond, undertaking or security in ordinary cases had been given and executed.

Sec. 9.07. - Personal interest in city business.

No member of the council or employee of the city shall personally engage in any business with the city nor shall have any financial interest, direct or indirect, in any commercial entity doing business with the city. The provisions of this section relating to financial interest in such commercial entity shall not apply when the ownership share of such councilmember or city employee is less than one percent of such entity. Any willful violation of this section shall constitute malfeasance in office, and any such councilmember or city employee guilty thereof shall thereby forfeit the person's position or employment. Any violation of this section with the express

or implied knowledge of the person or entity doing business with the city shall render the contract voidable by the council.

Sec. 9.08. - Health, life and accident insurance for city employees.

The council shall have the power, exercisable in its discretion, and subject to such limitations and regulations as it shall deem proper, to create, operate, amend and contract for an insurance plan or plans covering health, life and accident insurance, or any of them, for any or all city employees and their dependents, and to pay the premiums, or a portion thereof, therefor.

Sec. 9.09. - Boards, agencies and commissions.

The council shall have the authority to establish by ordinance such boards, agencies and commissions as it may deem necessary or desirable for the conduct of the city's business and the management of its affairs. The membership, authority, duties, functions and responsibilities of such boards, agencies and commissions shall be such as are specified by ordinance. The authority, duties, functions and responsibilities thus granted to and conferred on such boards, agencies and commissions shall not be incompatible with the provisions of this Charter and shall in no manner conflict with, usurp or transfer any privilege, authority, duty, function or responsibility specifically granted herein or by the laws of the State of Texas to another office, board, agency or commission of the city.

Sec. 9.10. - Judicial notice.

This Charter shall be deemed a public act; shall have the force and effect of a general law; may be read in evidence without pleading or proof; and judicial notice shall be taken hereof in all courts and places without further proof.

Sec. 9.11. - Severability clause.

If any section or part of a section of this Charter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not invalidate or impair the validity, force or effect of any other section or part of a section of this Charter.

Sec. 9.12. - Effect of headings and numeration.

All headings and numeration in this Charter for its respective articles, sections and subsections are provided for the sole purpose of convenient reference, and shall have no substantive legal effect.

Sec. 9.13. - Charter amendment.

This Charter may be amended in accordance with the Constitution and laws of the State of Texas.

Sec. 9.14. - Charter review commission.

The council shall appoint a Charter review commission ("commission") no later than July 1996 and at least every four (4) years thereafter. The commission shall consist of seven (7) members and three (3) alternate members, all to be citizens of the City of Jersey Village.

(a) Duties of the commission:

- (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.
- (b) Action by the council: The council shall receive and publish any report presented by the commission.
- (c) Term of office: The term of office of such commission shall be six (6) months or longer if extended by the council and, at the completion of such term, a report of the proceedings of the commission shall be filed with the city secretary and shall become public record.



CITY OF JERSEY VILLAGE, TEXAS

16327 Lakeview Drive, Jersey Village, TX 77040

713-466-2102 (office) 713-466-2177 (fax)

SUMMARY OF RETURNS

I, the undersigned, the presiding officer of the canvassing authority for the General and Special Election, held on the 3rd day of May 2025, Jersey Village, Texas, do hereby certify that the following is a total of all votes received by each candidate as shown by the precinct returns, with a total of **835** votes polled.

<i>Name of Candidate</i>	<i>Mail</i>	<i>Early</i>	<i>Election Day</i>	<i>Total</i>
Mayor				
James Singleton	7	409	199	615
Councilmember Place No. 2				
Eric Henao	0	144	45	189
Simon Hughes	9	404	226	639
Councilmember Place No. 3				
Rachel Beazley	3	252	148	403
Michelle Mitcham	4	293	119	416
Proposition A Shall the Jersey Village Charter be amended by amending Article V – Administrative Organization, Section 5.05, City Secretary, in order to clarify that the City Secretary is not obligated to perform duties assigned by the City Manager?				
Yes	6	368	157	531
No	0	154	95	249

DATED, this the 14th day of May 2025

Bobby Warren, Mayor City of Jersey Village



City of Jersey Village

Joint Election

Run Time2:09 PM

Run Date05/12/2025

Harris County, Texas

Joint Election

5/3/2025

Official Results

Registered Voters

835 of 738135 = 0.11%

City of Jersey Village, Mayor - Vote for none or one

Precinct	James Singleton	Cast Votes	Undervotes	Overvotes	Ballot by Mail Ballots Cast	Early Voting Ballots Cast	Election Day Ballots Cast	EV Provisional Ballots Cast	ED Provisional Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
0074	564	564	196	0	7	503	250	0	0	760	3,536	21.49%
0225	8	8	2	0	0	5	5	0	0	10	1,201	0.83%
0495	43	43	22	0	2	45	18	0	0	65	716	9.08%
0935	0	0	0	0	0	0	0	0	0	0	44	0.00%
Totals	615	615	220	0	9	553	273	0	0	835	5,497	15.19%

City of Jersey Village, Councilmember, Place 2 - Vote for none or one

Precinct	Eric Henao	Simon Hughes	Cast Votes	Undervotes	Overvotes	Ballot by Mail Ballots Cast	Early Voting Ballots Cast	Election Day Ballots Cast	EV Provisional Ballots Cast	ED Provisional Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
0074	171	586	757	3	0	7	503	250	0	0	760	3,536	21.49%
0225	0	6	6	4	0	0	5	5	0	0	10	1,201	0.83%
0495	18	47	65	0	0	2	45	18	0	0	65	716	9.08%
0935	0	0	0	0	0	0	0	0	0	0	0	44	0.00%
Totals	189	639	828	7	0	9	553	273	0	0	835	5,497	15.19%

City of Jersey Village, Councilmember, Place 3 - Vote for none or one

Precinct	Rachel Beazley	Michelle Mitcham	Cast Votes	Undervotes	Overvotes	Ballot by Mail Ballots Cast	Early Voting Ballots Cast	Election Day Ballots Cast	EV Provisional Ballots Cast	ED Provisional Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
0074	369	384	753	7	0	7	503	250	0	0	760	3,536	21.49%
0225	3	4	7	3	0	0	5	5	0	0	10	1,201	0.83%
0495	31	28	59	6	0	2	45	18	0	0	65	716	9.08%
0935	0	0	0	0	0	0	0	0	0	0	0	44	0.00%
Totals	403	416	819	16	0	9	553	273	0	0	835	5,497	15.19%

CITY OF JERSEY VILLAGE, PROPOSITION A

Precinct	YES	NO	Cast Votes	Undervotes	Overvotes	Ballot by Mail Ballots Cast	Early Voting Ballots Cast	Election Day Ballots Cast	EV Provisional Ballots Cast	ED Provisional Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
0074	482	230	712	48	0	7	503	250	0	0	760	3,536	21.49%
0225	8	1	9	1	0	0	5	5	0	0	10	1,201	0.83%
0495	41	18	59	6	0	2	45	18	0	0	65	716	9.08%
0935	0	0	0	0	0	0	0	0	0	0	0	44	0.00%
Totals	531	249	780	55	0	9	553	273	0	0	835	5,497	15.19%

*** End of report ***