

## CHARTER PROPOSITIONS

### PROPOSITION A – Vacancies on the Council

Shall the River Oaks Home Rule Charter be amended to permit a vacancy on the council to be filled by special election or by city council appointment in the event there is less than twelve (12) months remaining on the unexpired term and to delete obsolete provisions, by revising Section 3.13?

#### What will be the effect if Proposition A passes?

- ❖ The Texas Constitution requires that a vacancy in a three year term be filled within 120 days of the vacancy by special election unless the home rule charter provides for the option of appointing a person to fill the vacancy if there is less than one year remaining on the term.
- ❖ If Proposition A is approved by the voters, the city council will have the option of appointing a successor or calling a special election in the event there is a vacancy on the council with less than one year remaining on the term.
- ❖ The revision also clarifies the role of the mayor pro tem in the event of a vacancy in the office of mayor, without a change in substance.

### PROPOSITION B – City Manager Form of Government

Shall the River Oaks Home Rule Charter be amended to provide for city manager form of government by adding Section 1.03 “Form of Government;” revising Section 3.03 “Duties and Powers of Mayor;” adding Section 3.14 “Interference in Administrative Matters;” and revising Chapter 4 “Administration” in its entirety to provide for the qualifications, compensation, term, removal and duties of the city manager, city secretary, department heads and city attorney?

#### What will be the effect if Proposition B passes?

- ❖ River Oaks will change from a “Mayor-Council” to a “Council-Manager” form of government.
- ❖ A city manager will be appointed by the city council to be the chief administrative officer of the city instead of the Mayor.
- ❖ The city council will deal with city employees through the city manager.
- ❖ The mayor will preside over meetings and be the head of government for ceremonial purposes.
- ❖ The city council will have direct oversight of the performance of the city manager and have the right to terminate the manager.
- ❖ The city manager will appoint the city secretary and department heads.
- ❖ The council will retain power over the establishment of departments.

## **PROPOSITION C – Quorum**

Shall the River Oaks Home Rule Charter be amended to provide that a quorum of the city council is three (3) council place members, not counting the mayor, by adding Section 3.10(b), and revising Section 3.12?

### **What will be the effect if Proposition C passes?**

- ❖ Currently the charter provides that a quorum is a majority of the “city council.”
- ❖ The city council is defined as “the mayor and five council persons” in Section 3.01 of the charter, thereby requiring that four members constitute a quorum.
- ❖ The mayor only votes in the event of a tie.
- ❖ If Proposition C is approved by the voters, three council members, without regard to the mayor, will constitute a quorum and be subject to the Texas Open Meetings Act.

## **PROPOSITION D – Employee as Candidate**

Shall the River Oaks Home Rule Charter be amended to delete Section 7.07(b) prohibiting an employee from becoming a candidate as it is contrary to state law?

### **What will be the effect if Proposition D passes?**

- ❖ There will be no change because Section 150.041 of the Texas Local Government Code supersedes Section 7.07(b) of the charter.