

NOTICE OF SPECIAL ELECTION

TO THE REGISTERED VOTERS OF THE CITY OF BRYAN, TEXAS:

Notice is hereby given that the vote centers listed below will be open from 7:00 a.m. until 7:00 p.m. on November 3, 2020, for voting in a special election on seven (7) proposed amendments to the Bryan City Charter, listed in Exhibit A, attached hereto and made a part of this Notice of Special Election for all intents and purposes as if set forth verbatim herein. City of Bryan registered voters can vote at any of the following polling places.

LOCATIONS OF POLLING PLACES (VOTE CENTERS)

Millican Community Center, 22284 Pierce Street, Millican
College Station Utilities Meeting and Training Facility, 1603 Graham Road, College Station
Galilee Baptist Church, 804 North Logan Street, Bryan
Zion Church of Kurten, 977 North FM 2038, Kurten
Parkway Baptist Church, 1501 Southwest Parkway, College Station
College Heights Assembly of God, 4100 Old College Road, Bryan
First Baptist Church – Bryan, 3100 Cambridge Drive, Bryan
Beacon Baptist Church, 2001 East Villa Maria Road, Bryan
Bryan Ballroom, 703 Palasota Street, Bryan
Brazos County Administration Building (Sanctuary), 200 South Texas Avenue, Bryan
Rudder Tower Exhibit Hall, 401 Joe Routt Boulevard, College Station
G.W. Williams Tabernacle, 311 Waco Street/1216 Eureka Street, Bryan
Texas A&M College of Medicine, 8447 Riverside Parkway, Bryan
Lincoln Center, 1000 Eleanor, College Station
College Station City Hall, 1101 Texas Avenue, College Station
College Station ISD Administration Building, 1812 Welsh, College Station
Fellowship Freewill Baptist Church, 1228 West Villa Maria Road, Bryan
Castle Heights Baptist Church, 4504 East State Highway 21, Bryan
A&M Church of Christ – Commons and Refinery, 2475 Earl Rudder Freeway, College Station
Christ United Methodist Church, 4201 State Highway 6, College Station
Arena Hall, 2906 Tabor Road, Bryan
Brazos Center, 3232 Briarcrest Drive, Bryan
Wellborn Community Center, 4119 West Greens Prairie Road, Wellborn
Living Hope Baptist Church, 4170 State Hwy 6 South, College Station
Church of the Nazarene, 2122 East William J. Bryan Parkway, Bryan

Early voting shall be conducted by personal appearance and by mail. The period for early voting by personal appearance for the special election shall be October 13 through October 30, 2020, at the following locations:

Brazos County Administration Building (Sanctuary), 200 South Texas Avenue, Bryan, Texas
Arena Hall, 2906 Tabor Road, Bryan, Texas
Galilee Baptist Church, 804 North Logan, Bryan, Texas
College Station Utilities Meeting and Training Facility, 1603 Graham Road, College Station, Texas
Memorial Student Center, Room L504, Texas A&M University, Joe Routt Blvd., College Station, Texas

Dates and Times of Early Voting:

October 13 – October 17, Tuesday-Saturday	8:00 a.m. – 5:00 p.m.
October 19 – October 23, Monday-Friday	8:00 a.m. – 5:00 p.m.
October 24, Saturday	7:00 a.m. – 7:00 p.m.
October 25, Sunday	10:00 a.m. – 3:00 p.m.
October 26 – October 30, Monday-Friday	7:00 a.m. – 7:00 p.m.

Applications for mail ballots must be received by 5:00 p.m., on October 23, 2020, addressed to Brazos County Election Administrator's Office, 302 East 24th Street, Bryan, Texas 77803; telephone 979-361-5770; fax 979-361-5779; email thancock@brazoscountytexas.gov.

Issued this 11th day of August, 2020.

Andrew Nelson, Mayor, City of Bryan
On Behalf of the Bryan City Council

EXHIBIT A
SPECIAL CHARTER AMENDMENT ELECTION
NOVEMBER 3, 2020
PROPOSED CITY CHARTER AMENDMENTS

PROPOSITION NO. 1

Shall Section 6 of the Bryan City Charter entitled “Contracts and Purchases” be amended to allow the City Council to set the amount below which the City Manager may reject bids without first having to appear before the City Council of the City of Bryan?

There is no cost to the City should this Charter amendment be approved by the voters.

PROPOSITION NO. 2

Shall Section 5(d) and Section 7(g) of the Bryan City Charter entitled, respectively, “City Council: Terms; Limitation on Consecutive Terms” and “Elections: Staggered Three-Year Terms” be amended so that members of City Council have terms of four years, to match the four-year terms of Brazos County and College Station officials, and to provide that once two full terms have been served, a Councilmember must lay out two years unless running for Mayor?

The adoption of this Charter amendment would eliminate general elections for Councilmembers in odd numbered years, which each cost approximately \$50,000.

PROPOSITION NO. 3

Shall Section 3 of the Bryan City Charter entitled “Annexation of Territory” be amended to reflect State legislation enacted in 2019 that severely curtails annexation authority, particularly without the consent of the property owners?

There is no cost to the City should this Charter amendment be approved by the voters.

PROPOSITION NO. 4

Shall Section 16(a) of the Bryan City Charter entitled “Utilities; Streets, Avenues, Alleys and Highways; Public Works. (a) Power to Own” be amended to allow, but not require, the City to own and operate fiber broadband internet?

It is estimated the cost for the City of Bryan to build out a network to offer broadband internet services is approximately \$125 million with estimated annual gross revenues of \$21 million after ten years.

PROPOSITION NO. 5

Shall Section 5(c)(1) and Section 7(f) of the Bryan City Charter entitled, respectively, “City Council: (c) Qualifications” and “Elections: (f) Residency Requirements” be amended to require that a person be a resident of the City of Bryan city limits and their single member district for one year to be eligible to run for office?

There is no cost to the City should this Charter amendment be approved by the voters.

PROPOSITION NO. 6

Shall Section 9(d) of the Bryan City Charter entitled “Ordinances. (d) Effective Date” be amended to correct a non-substantive lettering typographical error that cites the incorrect provision pertaining to when city ordinances go into effect?

There is no cost to the City should this Charter amendment be approved by the voters.

PROPOSITION NO. 7

Shall Section 16(n) of the Bryan City Charter entitled “Utilities; Streets, Avenues, Alleys and Highways; Public Works. Power to Grant Franchises” be amended to include the authority of the City to enter into contracts regarding solid waste?

The estimated annual revenue to the City should this proposition pass is \$70,000.

PROPOSED CHARTER AMENDMENTS SUBSTANTIVE TEXT CHANGES

Only the sections or paragraphs proposed for amendment are presented below. Sections and paragraphs not included in this exhibit remain unchanged.

Sec. 3. Annexation of Territory.

The City Council shall have power by ordinance to fix, alter, and extend the boundaries of the city and to annex additional territory lying adjacent to the city, ~~with or without the consent of the inhabitants in the territory annexed~~ in accordance with State law. Public hearings shall be held and notices to the public provided in accordance with State law relative to annexation by municipalities. Upon the final passage of an annexation ordinance, the boundaries of the city shall include the territory annexed by the ordinance. When any additional territory is annexed, it shall be a part of the city, and bear its pro rata part of the taxes levied by the city, and the inhabitants shall be citizens of the city and shall be bound by the acts, ordinances, resolutions, and regulations of the city.

Sec. 5. City Council.

(c) Qualifications. The councilmembers shall:

- (1) be resident citizens of the city for one year.

(d) Terms; Limitations on Consecutive Terms

- (1) Councilmembers and the mayor shall serve terms of ~~three~~ four years or until their successors have been elected and duly qualified.

(6) In order to transition from three-year terms to four-year terms with general elections being held in even numbered years, the following transition plan is approved:

Councilmembers representing Single Member District Five and At Large, Place 6, will hold over in office for one year from 2021 to 2022. In 2022, the Single Member District Five and At Large, Place 6, Councilmembers will be elected to two-year terms. Beginning in 2024, the Single Member District Five and At Large, Place 6, Councilmembers will be elected to four-year terms.

Beginning in 2022, the Mayor and Councilmembers Single Member Districts One and Two will be elected to four-year terms.

In 2023, Single Member Districts Three and Four Councilmembers will hold over in office for one year from 2023 to 2024. Beginning in 2024, Single Member Districts Three and Four Councilmembers will be elected to four-year terms.

Sec. 6. Contracts and Purchases.

Except as provided in this subsection, all contracts or purchases must be made in compliance with competitive bidding or competitive proposal requirements established by state law. The City Council may, by ordinance, set a figure above which any contracts or purchases must be approved in advance by the City Council and set a figure below which the City Manager may reject all bids submitted for any contract for which competitive bidding or competitive proposals are required. The manner of giving notice of contracts as provided by ordinance shall be controlling to the extent permitted by state law. All contracts and purchases shall be handled in a manner to obtain the best value for the city.

Sec. 7. Elections

(f) **Residency Requirements.** To become a candidate for the City Council from a single member district (places 1, 2, 3, 4, or 5), a person must have resided continuously within that district for at least ~~six months~~ one year immediately preceding ~~the deadline for filing for a place on the ballot~~ election day. A councilmember elected from a single member district must remain a resident of that district throughout the term of office. To become a candidate for mayor or City Councilmember place 6, a person must have resided continuously within the city for at least ~~six months~~ one year immediately preceding ~~the deadline for filing for a place on the ballot~~ election day and remain a resident of the city throughout the term of office.

(g) **Staggered ~~Three~~ Four-year Terms.** The mayor and councilmembers shall be elected for ~~three~~ four-year staggered terms or until their successors are elected and qualified.

Sec. 9. Ordinances.

(d) **Effective Date.** All ordinances not required to be published under Subsection ~~(d)~~ (c) shall go into effect immediately upon final passage.

Sec. 16. Utilities; Streets, Avenues, Alleys and Highways; Public Works.

(a) **Power to Own.** The city, at this time owning and operating its water, electric, and sewer systems, shall have the power to own, maintain, extend, construct, and reconstruct its water, electric, broadband internet services and sewer systems, within or outside the city limits.

(n) **Power to Grant Franchises.** The City Council may by ordinance grant franchises for the use and occupancy of streets, avenues, alleys, and other public grounds belonging to or under the control of the city, to a fiber company, telecommunication company, cable company, electric light or power company, railway, gas, waterworks, water systems, solid waste, or other public utility.

(Language proposed to be deleted from the City Charter is indicated by strike through. Language proposed to be added to the City Charter is underlined.)