

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Charter Review Commission met on Thursday, November 10th, 2022, at the Freeport City Hall, 3rd floor Conference Room, 200 W. 2nd Street, Freeport, TX for the purpose of considering the following agenda items:

Charter Review Members: Melanie Oldham
 Shonda Marshall
 Ana Silbas
 Sam Reyna
 Sandra Barbree

City Council Liaison: Brooks Bass, Mayor
City Manager: Tim Kelty
City Attorney: David Olson, Interim
City Secretary: Betty Wells

Call to Order.

Melanie Oldham opened the meeting at 6:00 p.m.

Consideration and possible action on the approval of Charter Review meeting minutes from October 18, 2022.

On a motion by Sam Reyna, seconded by Melanie Oldham, with all present voting “Aye”, the Charter Review Commission unanimously approved the Charter Review Commission meeting minutes from October 18th, 2022.

Consideration and possible action on final redline, and recommendations of Charter changes to present to Council.

Charter Review Commission Members Melanie Oldham, Shonda Marshall, Ana Silbas, Sam Reyna and Sandra Barbree, along with City Manager Tim Kelty and Interim City Attorney David Olson, discussed the following recommended changes to the Charter:

Article 3. Governing Body

Section 3.01. Number, Selection and Term- The recommended change for this section is to have the Council and Mayor elected for three (2) year terms instead of two (3) year terms--due to confusion around the wording of the initial ballot proposition and questions around effectiveness. On a motion by Sam Reyna, seconded by Melanie Oldham, with 2 “Ayes” and 3 “Nays”, the motion failed to pass.

Section 3.02. Qualifications- The recommended change for this section is to have a proposition that authorizes City Council the ability to correct all spelling and grammar errors. On a motion by Sandra Barbree, seconded by Ana Silbas, with all present voting “Aye”, the motion passed unanimously.

Section 3.06. Vacancies- The recommended change for this section is to have a proposition that ensures consistency with term, Texas Constitution and Texas Election Code. On a motion by Sandra Barbree, seconded by Melanie Oldham, with 4 “Ayes” and 1 “Nay”, the motion passed.

Furthermore, regarding a vacancy with less than 12 months of the unexpired term remaining, City Council should be granted the authority to appoint an individual to the vacant seat. On a motion by Ana Silbas, seconded by Sandra Barbree, with all present voting “Aye”, the motion passed unanimously.

Section 3.07. Powers of the City Council (p) (q)-the recommended change for this section is to have a proposition on the ballot to authorize City Council to update all references to current State law. On a motion by Sandra Barbree, seconded by Ana Silbas, with all present voting “Aye”, the motion passed unanimously.

Section 3.11. Procedure for Passing Ordinances-The recommended change for this section is grant the authorization to City Council to update all references to City Clerk to now read City Secretary. The previous motion made in section 3.02-Qualifications will address this issue.

Furthermore, there is an additional recommended change for this section to authorize City Council the ability to make all references to persons or positions gender neutral. On a supplemental motion by Shonda Marshall to include gender neutrality in the proposition dealing with spelling, grammar and clerical errors, seconded by Sandra Barbree, with all present voting “Aye”, the motion passed unanimously.

Section 3.014. Audit and Examination of City Books and Accounts-The recommended change for this section is to have a fiscal audit annually in accordance with State law rather than the current twice a year audits without notice. On a motion by Sandra Barbree, seconded by Sam Reyna, with all present voting “Aye”, the motion passed unanimously.

Article 4. Administrative Services

Section 4.02. Department of Police (a)- The recommend change for this section is to put in place a residency requirement for the Chief of Police and Chief of Fire Department. The residency change would require the Chief of Police & Chief of Fire to reside within 30 miles from the City of Freeport. On a motion by Sam Reyna, seconded by Shonda Marshall, with 4 “Ayes” and 1 “Nay”, the motion passed.

Section 4.07. Department of Health and Sanitation Office- The recommended changes for this section is to have a proposition to have a city contracted health officer advise the City of Freeport on public health matters. On a motion by Sandra Barbree, seconded by Sam Reyna, with all present voting “Aye”, the motion passed unanimously.

Section 4.08. Fire and E.M.S Department-The recommended change was addressed in section 4.02.

Article 5. Nominations and Elections

5.08. Oath of Office-The recommended change for this section is to correct spelling and grammar, which has already been addressed.

Section 5.10. Limitation on Consecutive Terms of Office- The recommended change for this section includes revising the term requirements if City Council chooses to put a proposition on the ballot to change back to two-year terms.

Article 6 Recall of Officers

Section 6.03. Form of Recall Position- The recommended change for this section involves correcting spelling and grammar, which would be addressed by the motion in Article 3 -Section 3.02.

Section 6.04. Various Papers Constituting Petition- The recommend change for this section is adopt State/Federal law which allows 180 days to gather signatures. On a motion by Sam Reyna, seconded by Sandra Barbree, with all present voting “Aye”, the motion passed unanimously.

Article 8. Municipal Planning and Zoning

8.03. Planning Commission (d) (5)- The recommended change for this section is to change the wording of “slum districts” to “substandard structures”, which is a more commonly used. On a

motion by Sandra Barbree, seconded by Ana Silbas, with all present voting “Aye”, the motion passed unanimously.

Article 11. General Provisions

Section 11.02. Personal Interest- The recommended change for this section is to have a proposition to update wording to be in compliance and consistent with State law. On a motion by Ana Silbas, seconded by Sandra Barbree, with all present voting “Aye, the motion passed unanimously.

Section 11.07. Special Provisions Covering Damage Suits-The recommended change for this section is to bring it to be in compliance with Texas Torts Claim Act. On a motion by Shonda Marshall, seconded by Melanie Oldham, with all present voting “Aye, the motion passed unanimously.

Section 11.10. Interim Municipal Government-The recommended change for this section is to delete it from the Charter, through an amended motion regarding the original motion to correct spelling and grammar—to add obsolete provisions. On a motion by Sandra Barbree, seconded by Melanie Oldham, with all present voting “Aye”, the motion passed unanimously.

Section 11.12. Amending the Charter- The recommended change for this section is to update it to current State law. No additional motion is needed.

Section 11.14. Submission of Charter to Voters-The recommended change for this section is to delete it from the Charter as it is an obsolete amendment. No additional motion is needed.

Adjourn.

On a motion by Sandra Barbree, seconded by Melanie Oldham, with all present voting “Aye”, the meeting adjourned at 6:54 p.m.



Chairperson Melanie Oldham
Charter Review Committee



Secretary Ana Silbas
Charter Review Committee