

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Charter Review Commission met on Thursday, November 21, 2019, at the Freeport City Hall, 1st floor Code Department Office, 200 West 2nd Street, Freeport Texas for the purpose of considering the following agenda items:

Charter Review Members: Sandra Barbree
Amy Carrales
Donna Hayes
Ana Silbas
Rita Cundieff

Staff: Tim Kelty, City Manager Absent
Betty Wells, City Secretary
Stephanie Russel-Assistant City Manager
Chris Duncan, City Attorney
Brooks Bass, City Council Liaison

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Call to Order.

Sandra Barbree opened the meeting at 6:02 p.m.

Consideration and possible action on the approval of Charter Review meeting minutes from October 3, 2019.

On a motion by Amy Carrales, seconded by Rita Cundieff, with all present voting “Aye”, the Charter Review Commission unanimously approved the Charter Review Commission meeting minutes from October 3, 2019.

Discuss the review of Charter sections 10 through the end of the Charter.

Assistant City Manager Stephanie Russell, City Attorney Chris Duncan, City Council Liaison Brooks Bass and the Charter Review Members discussed Sections 10-the end of the Charter.

10.01 Powers of the City: No recommendations.

10.02 Franchise Power of City Council:

10.04 Right of Regulation

10.03 Franchise Value Not to be Allowed:

10.05 Regulations of Rates and Service:

Sections 10.01-10.05 Brooks Bass said that he feels that these sections are fine and do not need change. He asked do we want to come back and specifically define franchises that we can have control over. Chris Duncan said that he has these sections marked, he believes that the thought was to change Public Utility to clarify what we mean by “Public Utility” and needs to speak with Mr. Kelty.

10.06 Grant not to be Exclusive Assistant Stephanie Russell said that this needs to be revised or removed completely.

10.07 Consent of Property Owners No recommendations.

10.08 Extensions No recommendations

10.09 Other Conditions No recommendations.

10.10 Accounts of Municipally-Owned Utilities No recommendations.

10.11 Sales of Water, Sewer and Any Other Services No recommendations.

11.01 Publicity of Records This needs to be changed to “In Accordance with State Law.”

11.011 Selection of Newspaper for Publication Chris Duncan said in this section he recommends removing “Or permitted.”

11.02 Personal Interest Chris Duncan and Stephanie Russell recommends changing the language to mirror State Law in this section.

11.03 Drilling Operations Chris Duncan recommends the removal of the first sentence in this section.

11.04 Nepotism No recommendations.

11.05 Provisions Relating to Assignment, Execution and Garnishment Chris Duncan, Stephanie Russell and Brooks Bass said that this may need to be revised after compared to State Law.

11.06 City Not Required to Give Security or Executive Bond Chris Duncan said that he will make sure that this complies with State Law.

11.07 Special Provisions Covering Damage Suits Chris Duncan said that this must comply with State Law. The present Charter states that within thirty days. State Law says it must happen within six months. Stephanie Russell said to clean up, or completely remove.

11.08 Severability Clause It is recommended that this section title be corrected from “Separability” to “Severability.”

11.09 Effect of this Charter on Existing Law No recommendations.

11.10 Interim Municipal Government No recommendations.

11.11 Applicability of General Laws No recommendations.

11.12 Amending the Charter No recommendations.

11.13(c) Charter Review Commission Chris Duncan said there was discussion, but nothing was recommended on this section.

11.14 Submission of Charter to Voters Stephanie Russell recommends that this section be changed. City Secretary to mail Charter to each qualified voter needs to be removed. This needs to be in accordance with State Law.

11.15 Gender Neutral Provision No recommendations.

Next Charter date will be on December 9, 2019 at 6:00 p.m.

Adjourn

On a motion by Donna Hayes, seconded by Amy Carrales, with all present voting “Aye”, the meeting adjourned at 6:49 p.m.

Chairperson Sandra Barbree

Charter Review Committee

Secretary Betty Wells

Charter Review Committee