

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Charter Review Commission met on Tuesday, October 18th, 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: Sandra Barbree (Absent)
Ana Silbas
Melanie Oldham
Shonda Marshall
Sam Reyna

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

Visitors: Ruben Renobato
Nicole Miereles
Olson & Olson Attorney

Call to Order.

Melanie Oldham opened the meeting at 6:03 p.m.

Consideration and possible action on the approval of Charter Review meeting minutes from October 26, 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 6th, 2022.

Discuss and review Charter Articles 10-11.

Charter Review Commission reviewed Articles 10-11 individually to present comments and questions. In Article 10, Charter review members did not recommend any changes. However, there were clarifications given pertaining to questions presented by Charter Review members regarding franchises and public utilities—i.e. garbage services and water services.

In Article 11, Section 11.01, it was made clear that publication in the newspaper is consistent with State law. Furthermore, there are certain items which can be posted on the City’s website as many residents are utilizing the internet. It was made clear that it is a requirement for election notices to be published in multiple languages. However, general City of Freeport business does not have to be published in multiple languages. In Section 11.02, the Texas Legislature has since struck the Common Law Standard (First Sentence in section) and has adopted Chapter 171. Therefore, this section is inconsistent and provides difficulty in applying –should adopt Chapter 171 standard by a ballot measure.

In Section 11.03-, cities are able to regulate drilling operations but authority is somewhat limited by Texas and United States Constitution. In Section 11.07- A 30 day provision could be struck down –but a 6 month provision in the Tort Claims Act will be upheld in the court system. Section 11.10 and 11.14 is not needed anymore –there is no harm in leaving them in the charter. In Section 11.12, preclearance/pre-approval no longer exists according to the Supreme Court.

The next charter meeting is scheduled for November 10th, 2022 to review and discuss recommendations. With the last meeting set for November 15, 2022 for final action.

Adjourn

On a motion by Sam Reyna, seconded by Shonda Marshall with all present voting “Aye”, the meeting adjourned at 6:55 p.m.



Chairperson Melanie Oldham
Charter Review Committee



Secretary Ana Silbas
Charter Review Committee