



**SEABROOK CHARTER REVIEW COMMISSION
NOTICE OF MEETING
TUESDAY, MAY 21, 2024 - 4:00 PM**

For city information visit www.seabrooktx.gov
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NOTICE IS HEREBY GIVEN THAT THE SEABROOK Charter Review Commission WILL HOLD A MEETING ON **Tuesday, May 21, 2024 AT 4:00 PM** IN THE CITY HALL CITY COUNCIL CHAMBERS, 1700 1ST STREET, SEABROOK, TEXAS, **TO DISCUSS, CONSIDER, AND IF APPROPRIATE, TAKE ACTION** WITH RESPECT TO THE ITEMS LISTED BELOW. **ALTHOUGH THIS IS NOT A SEABROOK CITY COUNCIL MEETING, MEMBERS OF THIS BODY MAY ATTEND AND A QUORUM OF THIS BODY MAY BE PRESENT.**

1. PUBLIC COMMENTS AND ANNOUNCEMENTS

At this time the Commission will listen to any member of the audience on any subject matter whether or not that item is on the agenda. All comments are limited to a maximum of four minutes for each speaker. In accordance with the Open Meetings Act, Commission Members may not discuss or take action on any item that has not been posted on the agenda. When your name is called, please state your name and address clearly before making your comments. Thank you.

2. NEW BUSINESS

2.1 Approve the minutes of the May 7, 2024 Charter Review Commission meeting

2.2 Review, discuss, and if appropriate, take action on Seabrook City Charter, Article III, "The City Manager." City Manager, Gayle Cook, may participate in the discussion on Article III to share information with the Charter Review Commission on historical perspective, best practices, and suggested amendments, if any.

2.3 Review, discuss, and if appropriate, take action on Seabrook City Charter, Article IV, "Administrative Departments." Deputy City Manager Sean Landis and City Secretary Rachel Lewis may participate in the discussion on Article IV to share information with the Charter Review Commission on historical perspective, best practices, and suggested amendments, if any.

3. OLD BUSINESS

3.1 Consider and take all appropriate action on any additional review of previously examined Seabrook City Charter Articles I and II, as necessary.

4. ROUTINE BUSINESS

4.1 Establish future meeting dates and agenda items.

THE CHARTER REVIEW COMMISSION RESERVES THE RIGHT TO HEAR ANY OF THE ABOVE DESCRIBED AGENDA ITEMS THAT QUALIFY FOR AN EXECUTIVE SESSION IN AN EXECUTIVE SESSION BY PUBLICLY ANNOUNCING THE APPLICABLE SECTION NUMBER OF THE OPEN MEETINGS ACT, (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE) THAT JUSTIFIES EXECUTIVE SESSION TREATMENT.

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR OTHER ACCOMMODATIONS OR INTERPRETIVE SERVICES, MUST BE MADE, 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (281) 291-5663 OR CITYSEC@SEABROOKTX.GOV FOR FURTHER INFORMATION.

I certify that this notice was posted on the bulletin board on or before Friday, May 17, 2024 at 5:00 p.m. and that this notice will remain posted until the meeting has ended.

Rachel Lewis, TRMC





**MEETING MINUTES
MAY 7, 2024**

**SEABROOK CHARTER REVIEW COMMISSION
MEETING**

The Charter Review Commission meeting was called to order at 4:00pm by Chairman Croce. Those present were Andrew Croce, Michael DeHart, Elaine Renola, and Ann Wacker.

1. PUBLIC COMMENTS AND ANNOUNCEMENTS

There were no citizen comments

2. NEW BUSINESS

2.1 Approve the minutes of the April 30, 2024 Charter Review Commission meeting.

Motion:	To Approve
Made By:	Charter Review Commission Member Renola
Seconded By:	Charter Review Commission Member Croce
Vote:	Passed unanimously by all present

2.2 Discuss and take all appropriate action on Article I, Sections 1.01 through 1.09 of the City of Seabrook Charter.

Commission members discussed Article I, Sections 1.01 through 1.09 of the City of Seabrook Charter. No recommendations were made.

2.3 Discuss and take all appropriate action on Article II, Sections 2.01 through 2.15 of the City of Seabrook Charter.

Commission members discussed Article II, Sections 2.01 through 2.15 of the City of Seabrook Charter.

- Section 2.01 - The Commission discussed the legal meaning of "terms" and determined that this would be discussed further and in more detail.
- Members discussed recommendations received from Councilmember Hefner. The recommendations included a review of term limits, terms, and rules of procedure for the Mayor and Council.
- Section 2.05 - The Commission stated they would review this section regarding "removal from office" and discuss it further at a later date.

3. ROUTINE BUSINESS

3.1 Establish future meeting dates and agenda items.

City Secretary Rachel Lewis informed the Commission the next meeting was set for May 21, 2024 at 4:00 p.m.

Motion:	To Adjourn
Made By:	Charter Review Commission Member Croce
Seconded By:	Charter Review Commission Member DeHart
Vote:	unanimously by all present

ARTICLE III. - THE CITY MANAGER

Section 3.01. - Appointment and qualifications.

The Council shall, by an affirmative vote of four or more members appoint a City Manager who shall be the chief administrative official of the City and who shall be responsible to the Council for administration of all affairs of the City. The City Manager shall be appointed solely upon the basis of executive and administrative qualifications and need not, when appointed, be a resident of the City; however, he or she shall become a resident of the City within six (6) months after appointment unless otherwise specifically excused by the Council. The City Manager shall not be appointed for a definite term, but shall serve at the pleasure of the Council.

(Charter Election of 5-8-2010)

Section 3.02. - Compensation.

The City Manager shall receive compensation as may be fixed by contract if one is so in place; if no contract is in place then by the Council according to his or her qualifications and experience. He or she shall be bonded at City expense.

(Election of 5-7-2005)

Section 3.03. - Removal of City Manager.

The Council may remove the City Manager by an affirmative vote of four or more members. At least thirty (30) days before such removal shall become effective, the Council shall by majority vote of its members adopt a resolution providing for removal of the City Manager and stating the reasons therefor. Immediately upon adoption, a copy of the resolution shall be given to the City Manager. Within five (5) days of adoption of the resolution, the City Manager may request in writing a public hearing which must be granted by the Council and shall be held not earlier than ten (10) days nor later than twenty (20) days after the filing of such request. Within five (5) days of the public hearing, the Council by majority vote of its members shall reaffirm or rescind the resolution for removal. By the resolution, the Council may suspend the City Manager immediately from duty, but shall in any case cause to be paid him or her forthwith any unpaid balance of his or her accrued salary and one month's salary as severance pay following adoption of the resolution. If a contract is in effect, then the terms of the contract for severance pay shall rule.

(Election of 5-7-2005; Charter Election of 5-8-2010)

Section 3.04. - Powers and duties of City Manager.

The City Manager shall be the chief administrative and executive officer of the City. He or she shall be responsible to the Council for the administration of all City affairs placed in his or her charge by or under this Charter. He or she shall have the following powers and duties:

- (a) Appoint and remove all department heads, direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by law.
- (b) Attend all Council meetings and shall have the right to take part in discussion but may not vote.
- (c) See that all laws, provisions of this Charter and acts of the Council, subject to enforcement by him or her or by officials subject to his or her direction and supervision, are faithfully executed.
- (d) Prepare the budget annually and submit it to the Council and be responsible for its administration after adoption.
- (e) Submit to the Council and make available to the public a complete report of the finances and administrative activities of the City as of the end of each fiscal year.
- (f) Make such other reports as the Council may require concerning the operation of City departments, offices and agencies subject to his or her direction and supervision.
- (g) Keep the Council fully advised as to the financial condition and future needs of the City and make such recommendations to the Council concerning the affairs of the City as he or she deems desirable.
- (h) Perform such duties as may be prescribed by this Charter or may be required by the Council, not inconsistent with this Charter.

Section 3.05. - Acting City Manager.

The City Manager, within sixty (60) days after taking office, shall designate by letter filed with the City Secretary, a qualified administrative official of the City to perform the duties of the City Manager in his or her absence or disability. Such designation shall be subject to approval by Council. No member of Council shall serve as Acting City Manager. From time to time the City Manager may remove and/or appoint another Acting City Manager. In the event of failure of the City Manager to make such designation, the Council may by resolution appoint an official of the City to perform the duties of the City Manager until he or she shall return or his or her disability shall cease.

ARTICLE IV. - ADMINISTRATIVE DEPARTMENTS

Section 4.01. - Administrative departments, offices, and agencies.

There shall be such offices and departments of the City as are established by this Charter and as may be established by ordinance, all of which, unless otherwise provided in this Charter, shall be under the control and direction of the City Manager. The Council may abolish or combine one or more offices or one or more departments and may define, assign, or transfer duties of any such offices or departments of the City from one office or department to another by ordinance.

a) *General Provisions:*

- (1) The Council may create or establish departments, offices, or agencies in addition to those provided by this Charter and may prescribe the functions and duties of such departments, offices, and agencies.
- (2) The Council may abolish, redesignate, or combine any of the departments, offices, or agencies it has established.
- (3) The Council shall take none of the foregoing actions until the recommendations of the City Manager are heard by the Council.

- b) *Direction and Supervision:* Except as provided in Article II, Section 4.02, "*City Secretary*"; Article IV, Section 4.02, "*City Attorney*"; and Article IX, "*Courts*" of this Charter, all departments, offices, and agencies of the City shall be under the direction and supervision of the City Manager and shall be administered by officials appointed by and subject to the direction and supervision of the City Manager. The City Manager may, with the consent of Council, serve as the head of one or more City departments, offices, or agencies, or appoint one person as the head of two or more of them.

(Election of 5-7-2005; Charter Election of 5-9-2015)

Section 4.02. - City Secretary.

The Council shall appoint a City Secretary by an affirmative vote of four or more members. The City Secretary reports to, and is responsible to the City Council. The City Secretary shall give notice of all Council meetings; keep the journal of the Council proceedings; authenticate by his or her signature and record in a book kept for the purpose, all ordinances and resolutions, and perform such other duties as required by this Charter, by ordinance, or by the Council. The City Secretary shall be provided an office in the city hall sufficient to maintain the records entrusted to the City Secretary's care and shall be entitled to a seat at the Council table at all official meetings.

- a) The City Secretary, or the city secretary's designee, shall:

- (1)

Attend all official meetings of the Council and shall keep, in a record provided for that purpose, accurate minutes of the proceedings of the Council; provided, however, only the captions of duly enacted ordinances and resolutions shall be recorded in the minutes.

- (2) Be the custodian of all municipal records of the Council.
- (3) Recommend to the Council rules and regulations to be adopted by ordinances to protect the safety and security of the municipal records.
- (4) Hold, maintain, and affix the city seal to all instruments requiring such seal.
- (5) Administer oaths in any matter pertaining to municipal affairs.

An affirmative vote of four or more councilmembers is required for removal of the City Secretary.

(Charter Election of 5-9-2015)

Editor's note— A Charter election held on May 9, 2015, added a new § 4.02 to read as set out herein, and renumbered the former §§ 4.02—4.05 as §§ 4.03—4.06.

Section 4.03. - City Attorney.

- a) *Appointment and Qualifications:* The City Council shall appoint by an affirmative vote of four or more Councilmembers, a competent, duly qualified and licensed attorney practicing in the State of Texas who shall serve as the City Attorney.
- b) *Duties of the City Attorney:* The City Attorney shall be required to:
 - 1) Serve as the legal advisor to the Council and to the City Manager;
 - 2) Represent the City in litigation and legal proceedings; and
 - 3) Review and provide opinions as requested by the Council or by the City Manager on contracts, legal instruments, and ordinances of the City.
- c) *Limitation:* This Section shall not be a constraint upon the right of the Council to retain special counsel at any time that the Council may deem necessary and appropriate.
- d) *Removal:* The City Attorney may be removed for any reason by an affirmative vote of four or more Councilmembers.

(Charter Election of 5-9-2015)

Note— See note at § 4.02.

Section 4.04. - Boards, commissions, and committees.

The Council shall create, establish, or appoint, as may be required by law, circumstance, or this Charter, those Boards, Commissions, and Committees which are deemed necessary to carry out the functions and obligations of the City. The Council shall prescribe the purpose, composition, function, duties, and

accountability, of each Board, Commission, and Committee, where such are not prescribed by law or this Charter. All such appointees shall be residents of the City of Seabrook, Texas. Each such appointment shall be for a three (3) year term unless restricted by law, the Charter or restricted to a shorter term by the Council.

(Charter Election of 5-9-2015)

Note— See note at § 4.02.

Section 4.05. - Oath of office.

Every appointive official of the City, and every member appointed to a Board, Commission, or Committee under the provisions of this Charter, before entering upon the duties of the office, shall take and subscribe to the appropriate oath or affirmation prescribed in Article XI of this Charter and adhere to the Ethics Ordinance of the City as required by Article XI, Section 11-23. Each such oath or affirmation shall be filed and kept in the office of the City Secretary.

(Charter Election of 5-8-2010; Charter Election of 5-9-2015)

Note— See note at § 4.02.

Section 4.06. - Personnel system.

- (a) *Merit Principle:* Appointments and promotions of all City employees and appointive administrative officials shall be made solely on the basis of merit demonstrated by examination or other evidence of competence.
- (b) *Personnel Rules:* Personnel rules shall be prepared by the City Manager and presented to the Council which may by ordinance adopt them with or without amendment. The adopted rules shall govern the equitable administration of the personnel system of the City and shall provide for the following requirements, among others:
 - (1) A pay benefit plan for all City personnel;
 - (2) A plan for working hours, attendance regulation, and provision for sick and vacation leave;
 - (3) Procedures for the hearing and adjudication of grievances; and
 - (4) Other practices and procedures necessary to the equitable administration of the personnel system of the City.
- (c) *Submission:* The City manager shall prepare personnel policies. The Council shall adopt such policies with or without amendment. The personnel policies shall be reviewed as required. The rules shall be published, with copies to all department heads, employees and Members of the Council. All recommended changes must be approved by the Council prior to implementation.

(Election of 5-7-2005; Charter Election of 5-8-2010; Charter Election of 5-9-2015)

Note— See note at § 4.02.