



City of Freeport
Special Meeting Agenda

This meeting will be live streamed via YouTube Live and may be accessed on the City of Freeport Facebook page: <https://www.facebook.com/freeporttexas> or by visiting <https://www.youtube.com/@cityoffreeporttx8375/streams>

Monday, December 29, 2025, 6:00 PM | Council Chamber | 430 North Brazosport Blvd., Freeport, Texas 77541

In accordance with Section 551.043 of the Texas Government Code, this agenda has been posted at Freeport City Hall, and distributed to the appropriate news media within the required time frame. All meetings of the Freeport City Council are open to the public. Public participation and written comments are invited on all open session business items.

The Mayor and City Council request that cell phones be turned off or set to vibrate. Members of the audience are requested to step outside to conduct a phone conversation. The Council Chamber is wheelchair accessible and special parking is available outside the building. If special accommodation is required, please contact the City Secretary a minimum of 72 hours in advance at 979-233-3526.

1: Call to Order:

- 1A. Call to Order - Jerry Cain, Mayor
- 1B. Invocation - Councilman
- 1C. Pledges - Pledge of Allegiance to the United States; Pledge of Allegiance to the State of Texas.
- 1D. Audience Participation – Anyone who has registered to speak prior to the meeting being called to order and desires to address the City Council will be heard at this time, or during the discussion of an item listed on the agenda. These forms are located by the City Secretary. After completing the form, give it to the City Secretary. She will give it to the Mayor. The Mayor will call on you when that item is presented, once a motion has been made by Council then public participation will not be allowed. You will have four (4) minutes to make your comments regardless of the number of agenda items to be addressed.

2: Proclamations - Presentations and Updates

- 2A. Presentation on the Police Officers' and Firefighters' Civil Service Commission - Jennifer Howell, Police Chief/Assistant City Manager and Chris Motley, Fire Chief.
- 2B. Presentation on Roles of Civil Service Commission - Christopher Duncan, City Attorney

3: Business

- 3A. Consideration and possible action approving Resolution No. 2025-3014 establishing a Civil Service Commission pursuant to Chapter 143 of the Texas Local Government Code.(Dr. Danielle Kelly)
- 3B. Consideration and possible action approving Resolution No. 2025-3015 for the confirmation of City Manager's appointments to the Police Officer's and Firefighter's Civil Service Commission.(Dr. Danielle Kelly)

4: Adjournment

- 4A. Adjournment – Jerry Cain, Mayor

Items not necessarily discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

CERTIFICATE I certify the foregoing notice was posted in the official glass case at the front door of the City Hall, with 24 hours a day public access, 1201 North Avenue H., Freeport Texas, 3 business days prior to meeting. in accordance with Open Meetings Act.



Clarisa Fernandez,
City Secretary, City of Freeport, Texas





Freeport Police, Fire & EMS Civil Service Commission

What is Civil Service?

Civil Service applies to the hiring, promotions, disciplinary actions, appeals and other employment practices for covered personnel.

- Local Government Code Sec. 143.001. PURPOSE.
 - (a) The purpose of this chapter is to secure efficient fire and police departments composed of capable personnel who are free from political influence and who have permanent employment tenure as public servants.
 - (b) The members of the Fire Fighters' and Police Officers' Civil Service Commission shall administer this chapter in accordance with this purpose.

Definitions?

- Sec. 143.003. DEFINITIONS. In this chapter:
 - (1) "Civilian oversight board" means a board or office established by a municipality to practice oversight, monitoring, or investigations of fire fighters or police officers, or departments, by members of the public who are not fire fighters or police officers.
 - (1-a) "Commission" means the Fire Fighters' and Police Officers' Civil Service Commission.

Definitions?

- "Fire fighter" means a member of a fire department who was appointed in substantial compliance with this chapter or who is entitled to civil service status under Section [143.005](#) or [143.084](#).
- "Police officer" means a member of a police department or other peace officer who was appointed in substantial compliance with this chapter or who is entitled to civil service status under Section [143.005](#), [143.084](#), or [143.103](#).

Definitions?

- Sec. 143.005. STATUS OF EMPLOYEES IF CHAPTER ADOPTED. (a) Each fire fighter or police officer serving in a municipality that adopts this chapter and who has been in the service of the municipality for more than six months at the time this chapter is adopted and who is entitled to civil service classification has the status of a civil service employee and is not required to take a competitive examination to remain in the position the person occupies at the time of the adoption. (b) In a municipality that adopts this chapter, an employee of the fire department whose primary duties are to provide emergency medical services for the municipality is considered to be a fire fighter who is a member of the fire department performing fire medical emergency technology, entitled to civil service protection, and covered by this chapter.
- Sec. 143.084. CIVIL SERVICE STATUS AND PENSION BENEFITS FOR CERTAIN FIRE FIGHTERS. (a) Each fire fighter who, since December 31, 1969, has been continuously employed as a temporary employee under the provision codified as Section 143.083 has the full status of a civil service employee with all the rights and privileges granted by Section 143.005. (b) A fire fighter covered by Subsection (a) is eligible to participate in earned pension benefits. The person may buy back service credits in the pension fund in which the permanent fire fighters in the department have participated since that person's employment. The credits may be bought at a rate determined by the actuary of the affected pension fund.
- SUBCHAPTER G. PROVISIONS APPLICABLE TO MUNICIPALITY WITH POPULATION OF 1.5 MILLION OR MORE AND CERTAIN OTHER MUNICIPALITIES: Sec. 143.103. SPECIALIZED POLICE DIVISIONS.
– **NOT APPLICABLE**

What is Civil Service Commission?

- The Civil Service Commission governs the personnel processes for all Civil Service employees across all City departments (police and fire).
- It is established as required by the Texas Local Government Code 143.006 for the purpose of developing and enforcing rules regarding the selection and employment of police and fire personnel.

What is Civil Service Commission?

- Sec. 143.006. IMPLEMENTATION: COMMISSION.
 - (a) On adoption of this chapter, the Fire Fighters' and Police Officers' Civil Service Commission is established in the municipality. The chief executive of the municipality shall appoint the members of the commission within 60 days after the date this chapter is adopted. Within 30 days after the date the municipality's first full fiscal year begins after the date of the adoption election, the governing body of the municipality shall implement this chapter.
 - (b) The commission consists of three members appointed by the municipality's chief executive and confirmed by the governing body of the municipality. Members serve staggered three-year terms with the term of one member expiring each year. If a vacancy occurs or if an appointee fails to qualify within 10 days after the date of appointment, the chief executive shall appoint a person to serve for the remainder of the unexpired term in the same manner as the original appointment.

What is Civil Service Commission?

- Sec. 143.006. IMPLEMENTATION: COMMISSION.
 - (c) A person appointed to the commission must:
 - (1) be of good moral character;
 - (2) be a United States citizen;
 - (3) be a resident of the municipality who has resided in the municipality for more than three years;
 - (4) be over 25 years of age; and
 - (5) not have held a public office within the preceding three years.

What does the Commission do?

- Recommends, adopts, updates and enforces Local Rules that governs Civil Service employees in various aspects of employment, such as hiring and recruitment testing, promotions, discipline, probationary periods, etc.
- Conducts various type of appeal hearings regarding discipline, promotional exams and for other show cause-type hearings.
 - Suspension
 - Indefinite suspension (Termination)
 - Protest of testing process

Once Appointed

Sec. 143.006. IMPLEMENTATION: COMMISSION.

- (e) Initial members shall elect a chairman and a vice-chairman within 10 days after the date all members have qualified. Each January, the members shall elect a chairman and a vice-chairman.
- (f) The governing body of the municipality shall provide to the commission adequate and suitable office space in which to conduct business.

Meeting Frequency

- The Commission meets on an as needed basis. It is expected to meet on average between two and four times annually, although more frequent meetings may occur with the initial set up.
- Members are expected to attend at least 75% of scheduled meetings.

Removal of Commission Member

•Sec. 143.007. REMOVAL OF COMMISSION MEMBER.

(a) If at a meeting held for that purpose the governing body of the municipality finds that a commission member is guilty of misconduct in office, the governing body may remove the member. The member may request that the meeting be held as an open hearing in accordance with Chapter 551, Government Code.

(b) If a commission member is indicted or charged by information with a criminal offense involving moral turpitude, the member shall be automatically suspended from office until the disposition of the charge. Unless the member pleads guilty or is found to be guilty, the member shall resume office at the time of disposition of the charge.

(c) The governing body may appoint a substitute commission member during a period of suspension. If a member pleads guilty to or is found to be guilty of a criminal offense involving moral turpitude, the governing body shall appoint a replacement commission member to serve the remainder of the disqualified member's term of office.

Local Rules

- Sec. 143.008. ADOPTION AND PUBLICATION OF RULES.

(a) A commission shall adopt rules necessary for the proper conduct of commission business.

(b) The commission may not adopt a rule permitting the appointment or employment of a person who is:

- (1) without good moral character;

- (2) physically or mentally unfit; or

- (3) incompetent to discharge the duties of the appointment or employment.

(c) The commission shall adopt rules that prescribe cause for removal or suspension of a fire fighter or police officer. The rules must comply with the grounds for removal prescribed by Section 143.051.

Local Rules

•Sec. 143.008. ADOPTION AND PUBLICATION OF RULES.

(d) The commission shall publish each rule it adopts and each classification and seniority list for the fire and police departments. The rules and lists shall be made available on demand. A rule is considered to be adopted and sufficiently published if the commission adopts the rule by majority vote and causes the rule to be written, typewritten, or printed. Publication in a newspaper is not required and the governing body of the municipality is not required to act on the rule.

(e) A rule is not valid and binding on the commission until the commission:

- (1) mails a copy of the rule to the commissioner, if the municipality has an elected commissioner, and to department heads of the fire and police departments;
- (2) posts a copy of the rule for a seven-day period at a conspicuous place in the central fire and police stations; and
- (3) mails a copy of the rule to each branch fire station.

(f) The director shall keep copies of all rules for free distribution to members of the fire and police departments who request copies and for inspection by any interested person.

Local Rules

- Sec. 143.010. COMMISSION APPEAL PROCEDURE.
 - (a) Except as otherwise provided by this chapter, if a fire fighter or police officer wants to appeal to the commission from an action for which an appeal or review is provided by this chapter, the fire fighter or police officer need only file an appeal with the commission within 10 days after the date the action occurred.

Training

- Directors (Police, Fire/EMS and Human Resources) and their staff are scheduled for training in January 2026.
- The Commission will receive an initial orientation once appointed.
 - Additional training will be received closer to implementation
- City Council will receive training.

What is next?

Timeline (This is only an estimate and is subject to changes)

Phase 1: Legal and Administrative Setup

- 0-60 Days:
 - Ordinance adoption to canvas election
 - Ordinance to establish Civil Service Commission
 - Appointment of Civil Service Commission

Phase 2: Rule Development and Revision

- 60-120 Days:
 - Draft of Local Rules
 - Human Resource Integration

What is next?

Timeline (This is only an estimate and is subject to changes)

Phase 3: Policy and Operational Alignment

- 180-240 Days:
 - Policy revisions
 - Process mapping
 - Testing procedures

Phase 4: Training and Rollout

- 240-300 Days:
 - Training of staff
 - Training of Civil Service Commission
 - Policy publication

Phase 5: Full Implementation

- 360 Days:
 - Civil Service operations fully active



Questions?

CIVIL SERVICE COMMISSION

REVIEW OF ROLES

143.001 PURPOSE

- ELIMINATE POLITICAL FAVORITISM POLITICAL RETRIBUTION
- SMALLEST: SWEETWATER
- LARGEST: HOUSTON
- CHAPER 143 IS A COMPREHENSIVE STATUTE

143.003 DEFINITIONS

- COMMISSION – THREE MEMBER BOARD APPOINTED BY CITY MANAGER, CONFIRMED BY COUNCIL
- DEPARTMENT HEAD – CHIEF HOWELL; CHIEF MOTELY
- DIRECTOR – ADMINISTRATOR APPOINTED BY CIVIL SERVICE COMMISSION
- FIREFIGHTER – ONLY TRAINED IN AREAS OF FIRE FIGHTING, INVESTIGATION, COMMUNICATION, OR PREVENTION, (SECRETARIES/SUPPORT STAFF NOT INCLUDED)
- POLICE OFFICER – LICENSED COMMISSIONED

143.005 EMPLOYEES ELIGIBLE

- POLICE AND FIREFIGHTERS IN SERVICE FOR CITY FOR AT LEAST 6 MONTHS

143.006 IMPLEMENTATION

60 DAYS AFTER ELECTION – CITY MANAGER MUST APPOINT COMMISSION
IMPLEMENTATION – ON OR BEFORE OCTOBER 31, 2026

143.007 REMOVAL OF COMMISSION MEMBER

- IT'S NOT EASY, BECAUSE THE GOAL IS TO ELIMINATE POLITICS.
- MAKE CERTAIN TO APPOINT COMMISSIONERS THAT ARE NOT POLITICAL
- COUNCIL CAN REMOVE ONLY UPON A FINDING THE PERSON IS GUILTY OF CONDUCT OF OFFICE
- THIS IS A HIGH BURDEN.

WHAT DOES THE COMMISSION DO?

143.008 COMMISSION MAKES THE RULES

- THE COMMISSION ADOPTS THE RULES TO REMOVE OR SUSPEND POLICE OR FIRE
- MAJORITY VOTE OF ONLY 2

143.009 COMMISSION INVESTIGATES

- INVESTIGATE ANYTHING RELATED TO CIVIL SERVICE
 - ISSUE SUBPOENAS
 - COMPELL TESTIMONY
 - ADMINISTER OATHS
 - TAKE DEPOSITIONS OF WITNESSES OUT OF THE STATE
 - OATHS AND SUBPOENAS HOLD SAME FORCE AND EFFECT AS A STATE JUDGE
 - REFUSE TO COMPLY IS A CRIME

143.010 COMMISSION HEARS APPEALS

- ANY EMPLOYMENT ACTION UNDER THE CHAPTER CAN BE APPEALED TO THE COMMISSION
 - HIRING, FIRING, SUSPENSION, PUNISHMENT, TESTING, SENIORITY ETC.
- APPEALS ARE SAME AS COURT PROCEEDINGS WITH ATTORNEYS, SWORN TESTIMONY ETC.

143.012 DIRECTOR

- COMMISSION SHALL APPOINT A DIRECTOR
- DIRECTOR IS PAID AN AMOUNT DETERMINED BY COUNCIL

143.013 APPOINTMENT AND REMOVAL OF DEPARTMENT HEAD

- POLICE AND FIRE CHIEF ARE APPOINTED BY CITY MANAGER IF CONFIRMED BY COUNCIL
- IF POLICE OR FIRE CHIEF IS FIRED, THEY MUST KEEP THEIR JOB AS ASSISTANT POLICE OR FIRE CHIEF
- IF POLICE OR FIRE CHIEF IS FIRED FOR GOOD CAUSE, THEY CAN APPEAL TO COMMISSION.
- COMMISSION SHALL RESTORE THEM TO THE SAME CLASSIFICATION THAT THE PERSON HELD BEFORE APPOINTMENT AS CHIEF, SAME PAY AND SENORITY

143.014 APPOINTMENT AND REMOVAL OF POSITIONS BELOW CHIEF

- If the department has 4 levels or more of command, Chief can appoint each person immediately below Chief, if commission allows.
- Hiring and firing of these employees only by the Chief.
- If any of these employees are suspended for cause, commission and restore.

143.015 APPEAL TO DISTRICT COURT

- IF THE EMPLOYEE LOSES THEIR CIVIL SERVICE COMMISSION APPEAL, THEY CAN APPEAL TO DISTRICT COURT IN ANGLETON.
- THAT APPEAL IS A BRAND NEW TRIAL.
- THE CITY CANNOT APPEAL DECISION OF THE COMMISSION

143.021 COMMISSION DETERMINES STAFFING OF DEPARTMENTS

- COMMISSION DETERMINES THE CLASSIFICATIONS OF EMPLOYEES AND NUMBER OF POSITIONS.

143.022 COMMISSION REQUIRES HIRING REQUIREMENTS

- COMMISSION SETS AGE AND PHYSICAL REQUIREMENTS FOR EACH JOB, AND FOR PROMOTION
- EACH EMPLOYEE MUST TAKE MENTAL AND PHYSICAL EXAMS AS SET BY COMMISSION
- EACH EMPLOYEE SEEKING TO BE HIRED OR PROMOTED MUST EXAMINED BY A PHYSICIAN, PSYCHIATRIST OR PSYCHOLOGIST. THE COMMISSION CHOOSES AND THE CITY PAYS.

143.025 ENTRANCE EXAMINATIONS

- COMMISSION MUST PROVIDE FREE ENTRANCE EXAMINATIONS

143.026 COMMISSION MAKES HIRING DECISIONS

- COMMISSION KEEPS THE LIST OF PEOPLE ELIGIBLE TO BE HIRED
- WHEN CHIEF NEEDS A NEW EMPLOYEE, CHIEF ASKS THE COMMISSION
- CHIEF MUST GIVE THE JOB THE PERSON WITH THE HIGHEST GRADE, UNLESS GOOD REASON TO CHOOSE 2ND OR 3RD.

143.027 COMMISSION DETERMINES PROBATIONARY PERIOD

- COMMISSION DECIDES IF NEW EMPLOYEE IS PROBATIONARY FOR 6 MONTHS OR UP TO 12 MONTHS
- AFTER PROBATIONARY PERIOD, EMPLOYEE HAS FULL PROTECTION

143.029 COMMISSION ADMINISTERS PROMOTIONAL EXAMS

- COMMISSION ADMINISTERS PROMOTION EXAMS AND MUST ANNOUNCE 90 DAYS IN ADVANCE

143.032. PROMOTIONAL PROCEDURE

- COMMISSION ADOPTS RULES FOR PROMOTIONS
- DEFAULT 1 POINT PER YEAR OF SERVICE IS ADDED TO YOUR EXAM GRADE
- 70 POINTS TO PASS

143.034 COMMISSION HEARS EXAM APPEALS

- COMMISSION HEARS COMPLAINTS ABOUT EXAM OR GRADING

143.036 COMMISSION SELECTS PROMOTIONS

- COMMISSION CERTIFIES NAMES OF THOSE ELIGIBLE FOR PROMOTION

143.051 COMMISSION DETERMINES RULES FOR REMOVAL OR SUSPENSION

- COMMISSION DETERMINES EMPLOYMENT RULES WITHIN CERTAIN CATEGORIES.

143.052 COMMISSION INFORMED OF SUSPENSIONS

- CHIEF MUST INFORM COMMISSION IN WRITING WITHIN 120 HOURS OF DISCIPLINARY SUSPENSIONS

143.053. COMMISSION HEARS SUSPENSION APPEAL

- COMMISSION HEARS THE APPEAL
- ONLY REASONS PUT IN WRITING IN THE ABOVE NOTICE CAN BE CONSIDERED
- COMMISSION CAN:
 - FIRE
 - SUSPEND
 - REINSTATE

143.054 COMMISSION HEARS DEMOTION APPEALS

- COMMISSION CAN AGREE TO THE DEMOTION OR UNDO THE DEMOTION

143.056 COMMISSION REVIEWS SUSPENSION AFTER CRIMINAL CHARGES

- IF POLICE OR FIRE SUSPENDED DUE TO CRIMINAL CHARGE AND COMMISSION REVIEWS AND CAN REINSTATE UNDER SOME CIRCUMSTANCES.

143.081 COMMISSION DECIDES IF PHYSICALLY OR MENTALLY FIT

- COMMISSION DECIDES IF EMPLOYEE IS FIT TO CONTINUE EMPLOYMENT.
- COST OF PHYSICIAN, PSYCHIATRIST OR PSYCHOLOGIST IS PAID BY CITY
- IF APPEALED, COMMISSION APPOINTS A BOARD OF 3 PHYSICIANS, PSYCHIATRISTS OR PSYCHOLOGIST WHICH ARE ALL PAID FOR BY CITY

143.082 COMMISSION DETERMINES MEASUREMENTS OF JOB PERFORMANCE

- COMMISSION DEVELOPS AND IMPLEMENTS EFFICIENCY REPORTS

143.089 DIRECTOR APPOINTED BY COMMISSION MAINTAINS PERSONNEL FILES

143.127 DIRECTOR APPOINTED BY COMMISSION MONITORS GRIEVANCES

- COMMISSION APPOINTS GRIEVANCE EXAMINER AT THE THIRD STEP OF GRIEVANCE PROCEDURE
- GRIEVANCE EXAMINER CANNOT BE AFFILIATED WITH THE CITY
- COMMISSION MUST PAY THE GRIEVANCE EXAMINER
- COMMISSION HEARS GRIEVANCE AFTER GRIEVANCE EXAMINER HEARS GRIEVANCE



City Council Agenda Item #[3.A]

Title: Consideration and possible action approving Resolution No. 2025-3014 establishing a Civil Service Commission pursuant to Chapter 143 of the Texas Local Government Code.

Date: December 29, 2025

From: Dr. Danielle Kelly

Staff Recommendation: Staff recommends approval of a resolution establishing a Civil Service Commission for the City of Freeport pursuant to Chapter 143 of the Texas Local Government Code. Adoption of this resolution will formally implement the civil service system approved by the voters and provide the required governance structure for police and fire personnel matters.

Item Summary: Consideration and approval of a resolution creating a Civil Service Commission for the City of Freeport, Texas, including the appointment structure, duties, responsibilities, and effective date, in compliance with Chapter 143 of the Texas Local Government Code

Background Information: The voters of the City of Freeport approved the adoption of Chapter 143 of the Texas Local Government Code, which establishes a municipal civil service system for police officers and firefighters. Chapter 143 requires the formation of a Civil Service Commission to administer and oversee the civil service system, including hiring, promotions, disciplinary actions, and appeals. This resolution establishes the commission, defines its composition, outlines its duties, and ensures compliance with state law.

Special Considerations: Commission members must meet the eligibility requirements outlined in Section 143.006 of the Texas Local Government Code. Members and alternates are appointed by the City's Chief Executive and confirmed by City Council, with staggered three-year terms. All meetings of the commission must comply with the Texas Open Meetings Act.

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Civil Service Commission RESOLUTION

RESOLUTION NO. 2025-3014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, ESTABLISHING A CIVIL SERVICE COMMISSION PURSUANT TO CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR THE APPOINTMENT OF COMMISSIONERS; DEFINING DUTIES AND RESPONSIBILITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the voters of the City of Freeport, Texas, have approved the adoption of Chapter 143 of the Texas Local Government Code, establishing a municipal civil service system for police officers and firefighters; and

WHEREAS, Chapter 143 requires the creation of a Civil Service Commission to oversee the administration of the civil service system, including matters related to hiring, promotions, disciplinary actions, and appeals; and

WHEREAS, the City Council finds it necessary and appropriate to establish such a commission to ensure fair and equitable employment practices within the police and fire departments;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

Section 1. Establishment of Civil Service Commission

There is hereby established a **Civil Service Commission** for the City of Freeport, Texas, pursuant to Chapter 143 of the Texas Local Government Code.

Section 2. Composition

The Civil Service Commission shall consist of **three (3) members**, each appointed by the City's Chief Executive and confirmed by the City Council. Members shall serve staggered terms of **three (3) years** and must meet the eligibility requirements set forth in Section 143.006 of the Texas Local Government Code.

Section 3. Duties and Responsibilities

The Civil Service Commission shall have the powers and duties prescribed by Chapter 143, including but not limited to:

- Adopting, maintaining, and enforcing rules governing the hiring, promotion, discipline, and termination of police officers and firefighters.
- Conducting hearings and rendering decisions on appeals of disciplinary actions.
- Ensuring compliance with all applicable provisions of Chapter 143.

Section 4. Meetings

The Commission shall meet as necessary to fulfill its duties and responsibilities. Meetings shall be conducted in accordance with the Texas Open Meetings Act.

Section 5. Severability

If any provision of this resolution is found to be invalid or unconstitutional, the remaining provisions shall remain in full force and effect.

This resolution shall take effect immediately upon its passage and approval.

PASSED AND APPROVED this ____ day of _____, 2025.

CITY OF FREPORT, TEXAS

ATTEST:

By: _____
Jerry Cain, Mayor

By: _____
Clarisa Fernandez, City Secretary

ATTEST TO FORM ONLY:

By: _____
Chris Duncan, City Attorney



City Council Agenda Item #[3.B]

Title: Consideration and possible action approving Resolution No. 2025-3015 for the confirmation of City Manager's appointments to the Police Officer's and Firefighter's Civil Service Commission.

Date: December 29, 2025

From: Dr. Danielle Kelly

Staff Recommendation: Staff recommends that City Council confirm the City Manager's appointments to the Police Officers' and Firefighters' Civil Service Commission in accordance with Texas Local Government Code Chapter 143.

Item Summary: On November 4, 2025, the voters of the City of Freeport approved the adoption of Chapter 143 of the Texas Local Government Code, thereby establishing a civil service system for police officers and firefighters. Pursuant to Section 143.006, the City's Chief Executive is required to appoint three members to the Police Officers' and Firefighters' Civil Service Commission within sixty (60) days of adoption, subject to confirmation by City Council.

In compliance with statutory requirements, staff initiated a public recruitment process to solicit applications for appointment to the Civil Service Commission. Outreach included posting a recruitment flyer on the City's website, multiple social media platforms, and physical postings at City Hall and the Police Department beginning November 20, 2025. The recruitment was also shared internally with City employees and the applicable associations to encourage broad participation. Applications and resumes were accepted through December 15, 2025.

Due to the timing of the City Manager's start date, Police Chief Howell and Fire Chief Motley coordinated the initial recruitment effort and provided the City Manager with all applications and resumes received. The City Manager reviewed the submitted materials and met with the Chiefs prior to the Council meeting to discuss qualifications and statutory requirements.

After reviewing the applications received and verifying eligibility under Texas Local Government Code Chapter 143, the City Manager recommends the following individuals for appointment to the Police Officers' and Firefighters' Civil Service Commission. The recommended appointees and proposed initial staggered terms are as follows:

- **Ms. Margaret Bachman** – Initial One-Year Term
- **Mr. Kerry Moore** – Initial Two-Year Term
- **Mr. Tyrone Morrow** – Initial Three-Year Term

Background Information:

TEXAS LOCAL GOVERNMENT CODE:



Sec. 143.006. IMPLEMENTATION: COMMISSION. (a) On adoption of this chapter, the Fire Fighters' and Police Officers' Civil Service Commission is established in the municipality. The chief executive of the municipality shall appoint the members of the commission within 60 days after the date this chapter is adopted. Within 30 days after the date the municipality's first full fiscal year begins after the date of the adoption election, the governing body of the municipality shall implement this chapter.

(b) The commission consists of three members appointed by the municipality's chief executive and confirmed by the governing body of the municipality. Members serve staggered three-year terms with the term of one member expiring each year. If a vacancy occurs or if an appointee fails to qualify within 10 days after the date of appointment, the chief executive shall appoint a person to serve for the remainder of the unexpired term in the same manner as the original appointment.

(c) A person appointed to the commission must:

- (1) be of good moral character;
- (2) be a United States citizen;
- (3) be a resident of the municipality who has resided in the municipality for more than three years;
- (4) be over 25 years of age; and
- (5) not have held a public office within the preceding three years.

(c-1) Notwithstanding Subsection (c)(5), the municipality's chief executive may reappoint a commission member to consecutive terms. A commission member may not be reappointed to more than a third consecutive term unless the member's reappointment to a fourth or subsequent consecutive term is confirmed by a two-thirds majority of all the members of the municipality's governing body.

(c-2) Subsection (c)(5) does not prohibit the municipality's chief executive from appointing a former



commission member to the commission if the only public office held by the former member within the preceding three years is membership on:

- (1) the commission; or
- (2) the commission and the municipality's civil service board for employees other than police officers and firefighters through a joint appointment to the commission and board.

(c-3) Subsections (c-1) and (c-2) do not apply to a municipality with a population of 1.5 million or more.

(d) In making initial appointments, the chief executive shall designate one member to serve a one-year term, one member to serve a two-year term, and one member to serve a three-year term. If a municipality has a civil service commission immediately before this chapter takes effect in that municipality, that civil service commission shall continue as the commission established by this section and shall administer the civil service system as prescribed by this chapter. As the terms of the members of the previously existing commission expire, the chief executive shall appoint members as prescribed by this section. If necessary to create staggered terms as prescribed by this section, the chief executive shall appoint the initial members, required to be appointed under this chapter, to serve terms of less than three years.

(e) Initial members shall elect a chairman and a vice-chairman within 10 days after the date all members have qualified. Each January, the members shall elect a chairman and a vice-chairman.

(f) The governing body of the municipality shall provide to the commission adequate and suitable office space in which to conduct business.

(g) The chief executive of a municipality commits an offense if the chief executive knowingly or intentionally fails to appoint the initial members of the commission within the 60-day period prescribed by Subsection (a). An offense under this



subsection is a misdemeanor punishable by a fine of not less than \$100 or more than \$200. Each day after the 60-day period that the chief executive knowingly or intentionally fails to make a required appointment constitutes a separate offense.

(h) The chief executive of a municipality or a municipal official commits an offense if the person knowingly or intentionally refuses to implement this chapter or attempts to obstruct the enforcement of this chapter. An offense under this subsection is a misdemeanor punishable by a fine of not less than \$100 or more than \$200.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2005, 79th Leg., Ch. 475 (H.B. 150), Sec. 1, eff. June 17, 2005.

Special Considerations: Local Government Code.

Financial Impact: None.

Board or 3rd Party Recommendation: None.

Supporting Documentation:

1. Civil Service Candidates RESOLUTION
2. Civil Service Applicants 12182025

RESOLUTION NO. 2025-3015

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, RATIFYING THE CITY MANAGER'S APPOINTMENT TO THE CITY OF FREEPORT CIVIL SERVICE COMMISSION; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, Chapter 143 of the Texas Local Government Code requires the City Manager to appoint members to the City of Freeport Civil Service Commission; and

WHEREAS, the applicant meets the qualifications required by Section 143.006 of the Texas Local Government Code; and

WHEREAS, the City Manager of the City of Freeport has appointed the applicant to the City of Freeport Civil Service Commission subject to the confirmation of the City Council; and

WHEREAS, the City Council desires to confirm the appointment to the City of Freeport Civil Service Commission for the applicable term;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

Section 1. Findings

That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct and are adopted as part of this Resolution for all purposes. It is hereby found and declared that the nominee listed in Section 2 is

- (i) of good moral character;
- (ii) a United States citizen;
- (iii) a resident of the City of Freeport for more than three (3) years;
- (iv) over the age of 25 years; and
- (v) has not held a public office within the preceding three (3) years.

Section 2. Confirmation and Ratification of Appointment to City of Freeport Civil Service Commission

That the City Council does hereby confirm and ratify the appointment to the City of Freeport Civil Service Commission of the duly qualified person to the position and term as follows:

Name and Address: _____

Term (circle one): 1 – One (1) Year 2 – Two (2) Years 3 – Three (3) Years

Name and Address: _____

Term (circle one): 1 – One (1) Year 2 – Two (2) Years 3 – Three (3) Years

Name and Address: _____

Term (circle one): 1 – One (1) Year 2 – Two (2) Years 3 – Three (3) Years

Section 3. Open Meetings Act

It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

This resolution shall take effect immediately upon its passage and approval.

PASSED AND APPROVED this ____ day of _____, 2025.

CITY OF FREPORT, TEXAS

ATTEST:

By: _____
Jerry Cain, Mayor

By: _____
Clarisa Fernandez, City Secretary

ATTEST TO FORM ONLY:

By: _____
Chris Duncan, City Attorney

APPLICANTS

1. Kerry Moore
2. Kristie Moore
3. Tyrone Morrow
4. Virginia Tippen
5. Jose Hernandez
6. Flor Green
7. Ralph Frazier
8. Margaret Bachman
9. Mark Parker