

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, December 29, 2025 at 6:00 PM at the Freeport Council Chamber located at 430 North Brazosport Blvd., Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Jerry Cain
Councilman Jeff Pena
Councilman Jarvis Davis
Councilman George Matamoros-Not Present
Councilman Winston Rossow

Staff: Danielle M. Kelly, DPA, City Manager
Jennifer Howell, Police Chief/Assistant City Manager
Chris Duncan, City Attorney
Clarisa Fernandez, City Secretary
Toby Cohen, IT Director
Donna Fisher, Human Resource Director
Chris Motley, Fire Chief
Crystal Busch, Executive Administrative Assistant
Corey Brinkman, Police Captain
Juanita Cardozo, Police Department
Craig Graham, Police Lieutenant

Visitors:	Virginia Tippen	Pamela Dancy
	Margaret Bachman	Manning Rollerson
	Ron Bachman	Tyrone Morrow
	Sam Reyna	Ralph Frazier

Call to Order:

Call to Order - Jerry Cain, Mayor

Mayor Cain called the special city council meeting of the Freeport City Council to order at 6:01P.M. on December 29, 2025, declaring a quorum was present.

Invocation - Councilman

Councilman Rossow led the Invocation.

Pledges - Pledge of Allegiance to the United States; Pledge of Allegiance to the State of Texas.

Councilman Rossow led the Pledge of Allegiance to the United States and the Pledge of Allegiance to the State of Texas.

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.

Manning Rollerson stated that although he originally felt he did not have much to say, he chose to come forward because he knew he needed to speak. He explained that he had been asked several times to consider serving on the Citizens Board; however, he felt that would not be a good fit for him. He said this was due to past history involving his family and local officers, which he believed would cause him to be biased. He emphasized that such bias would not be fair to the City or to the officers, and he did not want to be unfair to anyone. Mr. Rollerson then urged the City, as it forms the board, to make it as diverse as possible. He stated that Freeport has lacked diversity for a long time and expressed that he was glad to see that the current Council is now diverse, noting that this is a good change from the past. He went on to ask the City of Freeport to focus on developing its communities, particularly through housing development. He stressed that Freeport needs more housing and described housing as one of the strongest sources of tax income for the City. He noted that many homes in the community are old and referenced an example of his daughter's residence, where he said sewer issues were severe and had continued despite repeatedly informing the property owner. He stated that residents often have no choice but to rent such properties because there are limited housing options within the City. Mr. Rollerson encouraged the City to consider building more communities that would attract more families, expand the workforce, and generate additional tax revenue. He stated that the City must focus on growth and moving forward rather than living in the past. He emphasized the importance of leaving past events behind and addressing the present and future, stating that it is time to move forward into 2026 and move away from an atmosphere of conflict.

Sam Reyna resides at 2002 North Avenue G. Mr. Reyna expressed that the selection of Ms. Margaret Bachman and Mr. Tyrone Morrow to serve as members of the Civil Service Commission was the right decision. He thanked Dr. Kelly and stated that both individuals are of good moral character and are citizens of Freeport, which he said should be a requirement. Mr. Reyna stated that all appointed members to City commissions and boards should be citizens of Freeport, with the exception of the EDC and the Main Street Historical Commission. He referenced a statement made on December 18 by Councilman Jeff Pena, quoting him as saying, "We have had the hardest problems filling these boards. Why do we want to limit the pool of good people willing to serve?" Mr. Reyna explained that he believed Councilman Pena was referring to appointing non-citizens of Freeport to these boards. Mr. Reyna asserted that the issue is not a lack of volunteers, but rather that, in his view, individuals do not want to volunteer as long as the Councilmember representing Ward A remains on the Council. Mr. Reyna stated that Ms. Margaret Bachman currently serves as an alternate on the Board of Adjustment and that when there was an opening for a new member, she volunteered to become an appointed member. He said that instead of appointing her, the Council appointed someone from outside Freeport, such as Lake Jackson, rather than a Freeport resident. Mr. Reyna stated that he and Nicole Mireles are volunteers. He said Ms. Mireles serves on the Board of Adjustment, and he serves on the Charter Review Commission. He stated that Councilman Pena recently wanted both him and Ms. Mireles removed due to an unethical complaint, which he believed was submitted by William Nelson, whom Mr. Reyna said is not a citizen of Freeport. Mr. Reyna questioned why the Council would address a complaint from someone who does not live in Freeport. He stated that, to date, he and Ms. Mireles had not been informed whether Mr. Nelson was the complainant or what the allegations were. Mr. Reyna stated that the Council never provided him or Ms. Mireles with a copy of the complaint, details of the allegations, or the name of the complainant. He said Councilman Matamoros asked the Council to provide the complaint information, but said they were still waiting. Mr. Reyna stated that he believed there was a lack of transparency within the governing body. He explained that he ultimately received the information that day, but only after submitting a request for public information. He expressed that the information should have been provided to him when the matter was placed on the agenda for discussion and possible action, and he stated that he should not have had to file a public information request to obtain it. Mr. Reyna stated that he and Ms. Mireles are willing to accept a majority vote by Council if they are not reappointed; however, he asked Council to reconsider removing them based on what he described as false allegations. He stated that after May, there would be an influx of volunteers for the City's commissions and boards. Mr. Reyna

concluded by wishing the members of Council and citizens in attendance a Merry Christmas and extending best wishes for 2026.

Proclamations - Presentations and Updates

Presentation on the Police Officers' and Firefighters' Civil Service Commission - Jennifer Howell, Police Chief/Assistant City Manager and Chris Motley, Fire Chief.

Police Chief Jennifer Howell and Fire Chief Chris Motley presented the attached presentation titled "Exhibit A".

Councilman Pena said he was curious about what recourse a patrolman or officer would have if an officer felt they were being wrongfully disciplined or wrongfully investigated. He referenced the previous City Manager, Lance Petty, and stated that investigations had been weaponized against officers in the past. Councilman Pena asked what options an officer would have to expose such abuse, seek legal relief, or obtain advocacy on their behalf if something similar were to occur again. He then revised his question, clarifying that he wanted to know what recourse an officer would have if the Chief were the one initiating the wrongful discipline. Police Chief Jennifer Howell explained that if an officer, using the example of "Officer John Smith" received a disciplinary action such as a three-day suspension and did not believe the punishment was appropriate or believed the alleged violation did not occur, the officer would have two primary options. The officer could appeal the suspension to the Civil Service Commission, or the officer could elect arbitration. She explained that if the officer appealed to the Civil Service Commission, all related documents and records would be provided to the Commission for review. The Commission would then determine whether sufficient evidence existed to show that the officer committed the cited policy violations and whether the discipline imposed such as the three-day suspension was appropriate for the violation. She further explained that if the officer elected arbitration, the City would pay for one-half of the arbitration costs. The officer's legal association typically CLEAT or TMPA would cover the remaining half. The American Arbitration Association would provide a list of seven potential arbitrators. The City would be allowed to strike three names, and the employee would also be allowed to strike three names. The remaining name would serve as the arbitrator. She noted that the arbitrator would not have any association with Freeport and could even be located in another state, since the arbitration process is nationwide. Councilman Pena asked for clarification regarding the appeal process when an officer chooses to appeal a disciplinary action to the Civil Service Commission. He said, using a calendar month, stating that on day one, an officer is notified of a three-day suspension, on day two the officer weighs available options, and on day three the officer applies and decides to move forward with the commission appeal. Councilman Pena then asked what the timetable and process would be from the moment the officer decides to appeal to the commission, including whom the officer would notify and how soon the commission would respond by convening an actual meeting. Chief Howell stated that the full process had not yet been fully laid out. She explained that this was one of the areas staff hoped to learn more about during an upcoming training session. She noted that some procedural items may be established through local rules, while other requirements are strictly outlined in the Texas Local Government Code. She indicated she did not want to speak definitively on details that had not yet been confirmed. Fire Chief Chris Motley then stated that the code includes spelled-out parameters requiring the commission to respond within a certain number of days after receiving notice of an appeal. Chief Motley explained that an employee generally has ten days to respond and submit an appeal to the commission, and that this action begins the timeline for the commission to move forward with the required process and assessments. Councilman Pena then restated the ten-day timeframe, initially referring to it as ten days to appeal the decision of the commission. Chief Motley and Chief Howell clarified that the ten-day period applies to appealing the suspension or disciplinary action itself, rather than appealing a decision of the commission, so there can be certain steps in that process as they said that are set up by local rules. Councilman Pena stated that he understood the Civil Service Commission would define the structure for response times and availability would likely be a factor as well, since there are no set meeting dates throughout the year other than what he believed might be a minimal number of meetings, such as three or

four annually. Chief Howell clarified that there is not actually a minimum required number of meetings and that three or four meetings per year is simply what is commonly seen. She explained that, in practical terms, appeals may occur infrequently. She stated that over the course of her career, only two individuals had been suspended, meaning only two individuals might have potentially appealed. She noted that it is possible there could be a full twelve-month period without any disciplinary matter being appealed to the commission. She said if desired, local rules could be established to require the commission to meet at least once or twice a year; however, those decisions were still under consideration. Chief Motley stated they still have required benchmarks once an appeal is received, and the timeline begins at the point the appeal is submitted. He stated he did not recall the exact time requirements but emphasized that the commission must acknowledge and act upon an appeal and cannot simply wait until the next quarterly meeting or delay action beyond required timelines. Councilman Pena then stated that he was curious about the information presented in the PowerPoint, noting that it was useful and provided a basic structure of what the City is walking into with the commission process. Councilman Pena stated that he was trying to understand the Civil Service Commission framework from what he described as the main pillars of the structure. He said the appeal process was a key component and emphasized that he believed the commission's responsibility in the appeal process was especially important because it is largely the reason the City is establishing the commission. He noted that many officers had been upset in the past due to what he referred to as shenanigans. He wanted to ensure the process moving forward was clearly understood. Chief Howell stated that the appeal process details will be established through local rules and will be part of the training process for the commission. Councilman Pena continued by noting that, as he reviewed the structure, he saw that the commission would also have administrative responsibilities and regular housekeeping duties. He then asked, from an overall standpoint, who would serve as the point person for the Police Department from the City's side. He asked whether that role would fall to the Police Chief, the commission itself, or the chair of the commission. Councilman Pena said he was curious to know at what point the Police Chief would become disempowered, if at all, and when the commission would take over the lead in the process. Chief Howell explained that the commission process is not intended to disempower the Police Chief. She stated that Chief Motley and her would continue to perform their normal roles, and supervisors would still issue discipline as appropriate for the situation. She explained that disciplinary actions involving suspension or higher, including what was described as indefinite suspension or termination, are the actions that become appealable either to the Civil Service Commission or through arbitration. She said the Chief is not disempowered; rather, the commission serves as a separate body to review whether the discipline was handled properly, using correct protocols and conducted with integrity. Chief Motley noted that this represents an appeal process, and it was clarified that the existing appeal process currently goes through the City Manager. He explained that under the civil service system, appeals would instead go to the Civil Service Commission. The commission would review the documented information, hear both sides, and proceed from there. Chief Howell explained that under the current system, the appeal process generally begins with the department head, as it does for all departments in the City. She stated that if an employee brings forward information the department head was not previously aware of, it could result in the department head reconsidering the discipline. She noted that the department head even has the authority to overturn his or her own decision regarding a suspension or termination if circumstances warrant. Chief Howell explained that under the City's current appeal process, if an employee presents additional information after discipline has been issued, the department head may consider whether the new information changes the original decision. Chief Howell stated that if the employee does not provide any new information that would cause her to view the matter differently, she would stand by her decision. Chief Howell then stated that, under the current process used across all City departments, the next step after the department head's final determination is for the matter to be appealed to the City Manager. She clarified that this is the structure currently in place citywide. Chief Howell explained that the implementation of the Civil Service Commission would change that appeal structure. She stated that once she makes the disciplinary determination under the new system, the City Manager would no longer be involved in the appeal process. Instead, any appeal would proceed through either the Civil Service Commission or arbitration. Councilman Pena stated that he did not want the discussion to get too far off topic, but said the matter was germane because he wanted to ensure the public clearly understood how the

civil service process would work. He emphasized that it was especially important for the candidates being considered for the Civil Service Commission to understand what they were volunteering for, and he noted that there is no better time than the present to learn more about the responsibilities involved. Councilman Pena asked how an employee, police officer, or firefighter currently appeals a disciplinary decision. He stated that he understood the first step in the current process is for the employee to go to the department head, but he asked whether Human Resources is typically involved as well. Chief Howell explained that the appeal process generally involves the department head, and that Human Resources is usually present during that discussion. She noted that, in some cases particularly when the matter involves termination, the City Attorney may also be involved. The employee is given the opportunity during that process to present any new evidence or information and ask the department head to reconsider the disciplinary decision. Councilman Pena then asked how that would change once civil service is fully implemented later in the coming year. He asked what the employee's first option or recourse would be under civil service and whether the employee would still go to the manager and HR. Chief Howell stated under the civil service system, the appeal would go strictly either to the Civil Service Commission or through arbitration. Councilman Pena asked who would serve as the point of contact to facilitate arbitration and whether that responsibility would fall to the commission. Chief Motley stated that the commission would serve that role, and that once the process is initiated, it is filed with the commission and the department would no longer have involvement at that point. Councilman Pena then offered an example, describing a disgruntled firefighter who believes they were falsely disciplined and wants to appeal the disciplinary action. He asked, from a practical standpoint, who the employee would contact, who would be copied on correspondence, and whether the City Manager or City Attorney would be part of that communication. Chief Howell stated that the process would be laid out in the local rules, so employees would know exactly how to proceed. Councilman Pena asked whether the process is universal or whether each civil service commission draws it up differently. Chief Motley explained that there is generally a uniform process already established for civil service procedures. He stated that the process is largely consistent, and when certain situations or details are not specifically covered within the standard rules, the commission has the ability to make decisions to address those gaps through local rules. Chief Motley further stated that he had pulled an example document from the City of Forny as a reference and noted that the City had reviewed several similar examples. He explained that the wording in these documents is generally consistent from City to City unless local-level circumstances have impacted the process or resulted in variations. He emphasized that the overall process follows the civil service requirements outlined in the Texas Local Government Code. Councilman Pena stated that his second question concerned compensation packages and the pay matrix. He noted that the City has had multiple conversations over the last year regarding compensation and asked who would be the quarterback in those discussions moving forward. He said it appeared that a different set of eyes and ears might be involved in those conversations going forward and asked for clarification on what the process would look like, specifically in relation to the pay matrix. Councilman Pena clarified that he was referring to overall compensation for both the Police Department and Fire Department, acknowledging that the two are currently handled separately. He stated that, during recent budget cycles, many officers have expressed that the Police compensation matrix is outdated and needs to be revisited, and he noted that the Police Chief had also expressed similar concerns. Councilman Pena asked whether this is something the City should address now, or whether it should wait until civil service is fully enacted and commissioners are in place. He asked how any matrix update would be facilitated by the City moving forward, including the roles of Council, department chiefs, and the Civil Service Commission. Chief Howell stated that compensation would remain a budgeted item that ultimately comes to Council through the annual budget process. Chief Motley emphasized that the commission was not connected to collective bargaining and this was only about the key things that covered: discipline, promotion, setting those dates and following those basic rules on appeals. Councilman Pena then confirmed his understanding that compensation is not contemplated by the commission at any time or in any capacity. Chief Howell stated that compensation and pay matrix matters would continue to follow the City's normal budget process and would still be brought forward to Council for consideration. Councilman Pena stated that the compensation matrix for police officers had been discussed during the most recent budget cycle, and he said he was unsure why the City was not actively addressing it

at that time and why the issue appeared to be delayed until the next budget cycle. He stated that he had been given the impression that the delay was because civil service would have a more direct driving role in the process through the commissioners. Councilman Pena said he initially thought that reasoning made sense, but he wanted to ensure he clearly understood the situation. He stated that if the Civil Service Commission has no role in compensation, then he wanted to confirm that he could begin pushing, as a Councilmember, for the compensation matrix to be addressed sooner rather than later. Chief Howell explained that a major concern was the additional expenses associated with implementing civil service and the fact that the City did not yet know what those costs would be. She stated that, compared to simultaneously setting up a new matrix and evaluating potential salary changes, the City wanted to first gain a better understanding of civil service-related expenses. Councilman Pena stated that one issue that had become clear was how dramatically the budgets for the Police Department and Fire department could be affected due to the high costs associated with civil service costs he said were not fully contemplated, understood, or even known prior to civil service being placed on the ballot. He stated that because of these new cost factors, the City now has to evaluate the matrix not only based on general compensation needs but also in relation to the costs of civil service and how the City will structure its overall budget. Chief Howell stated that regardless of whether the City adopted civil service or not, the goal from the department perspective was still to change the matrix. She stated that the matrix has been viewed as inadequate since they arrived and provides little incentive for employees to remain with the department during the first five to seven years. She explained that, during the budget process, her understanding was that updating the matrix was a project Council wanted to be worked on for the next budget year due to the additional expenses it would bring, as well as the significant administrative and financial impacts. Those impacts include changes to finance calculations, adjustments to pay categories, modifications to the pay differences between steps, the possibility of implementing a matrix system for the Fire department, and discussion about whether the entire City might eventually move toward a step-based matrix system. Councilman Pena concluded by stating that there was a lot to digest from the discussion that evening and reiterated that he wanted to ensure his specific questions were fully answered by the Chiefs during their portion of the presentation.

Councilman Davis thanked the presenters. He said that since the last meeting, he had been reflecting on the comments he made previously, noting that there had been a lot of unknowns, which was why he had not wanted to vote at that time. He stated that he appreciated the time and effort that had gone into putting the presentation together for both the Council and the community, and he thanked the Chiefs for providing it. Councilman Davis stated that the presentation was a start and that it provided the type of information he had requested to help begin understanding the process. However, he also acknowledged that there remains a long list of unknowns still ahead. He reiterated his appreciation for the initial step and said that, at this point, the City is moving forward and must continue learning as the process develops. Councilman Davis referenced questions posed earlier by Councilman Pena, particularly the question about whether the commission process would depower the chiefs. He said he understood that aspect of the discussion. Police Chief Jennifer Howell stated that she did not view the commission process as depowering the chiefs. Instead, she described it as a checks and balance system. Councilman Davis stated that, in his view, the process does not depower the Chiefs, but rather it reduces the authority of the City and the City Manager in disciplinary matters and in the City's overall involvement in department discipline decisions. Councilman Davis also referenced the discussion regarding the compensation matrix. He stated that he believed the new civil service procedures and their cost impacts would likely push the timeline back on addressing the matrix because the City will need to go through a year of implementing the process and evaluating how costs change under civil service. He stated that by the end of the fiscal year, the City should have a clearer understanding of the financial impacts and will know it all by then. He again expressed appreciation for the work being done and said he hoped the City would continue providing information and updates, acknowledging that there will be more to learn moving forward. He stated that since the Chiefs would be attending conferences and training, he hoped the City would remain transparent and that everyone could learn together. Chief Howell provided explaining that civil service requires a civil service attorney, which is separate from the City Attorney. She stated that these attorneys specialize solely in civil service work. She explained that in discussing the topic with several

of these individuals, they were also trying to gather cost estimates associated with civil service implementation, and these attorneys are also the ones who typically facilitate training. She stated that the earliest available training that could be offered was possibly at the end of February, and that February, April, and May had all been mentioned as potential training months. She stated that Chief Motley and her hoped to attend an initial training and then, once clearer information was established, schedule additional training in the spring. She stated that whether that training would occur in a workshop format or during a regular council meeting would be up to the Council.

Councilman Pena asked whether the training being referenced was the same training that the commissioners would be attending or whether it would be separate training just for the chiefs. Police Chief Jennifer Howell clarified that the City would conduct separate training sessions: one specifically for the Council, one specifically for the commissioners, and one specifically for staff. Councilman Pena then asked whether staff training would also include officers and fire department personnel. Chief Howell responded and confirmed that it would. It was also stated that the training is facilitated through the civil service attorneys. Councilman Pena asked whether the civil service training is strictly provided through the individual attorneys that had been referenced. Chief Howell stated, based on what had been found so far, that is currently the case. She clarified that this does not mean there are no other training options available, but in speaking with other cities, the consistent feedback received has been referrals back to certain civil service attorneys.

Mayor Cain said regarding training for Council and the Civil Service Commission, it would be conducted by someone outside of the City organization. Police Chief Jennifer Howell confirmed. She stated that the City's goal is to secure a trainer with the most experience someone who is truly a subject-matter expert in civil service. Mayor Cain acknowledged that this was important. Mayor Cain then asked another question, stating that they were not sure whether it was an option, but wanted to know if one or more commission members could attend the training that City staff plans to attend in January, or whether that training is limited based on title or role. Chief Howell stated she would need to research the matter and did not know the answer at that time. Fire Chief Chris Motley noted that they believed they had seen at least one commissioner listed in the training information, suggesting that it might be open to commission members. However, he also noted that availability and scheduling could be a factor depending on the commission members' ability to attend. Mayor Cain stated that he would like the City to find out whether commission members could attend, and said that if attendance is allowed, the City should reach out to members of the commission. Chief Howell stated she would still verify that information, explaining that they were uncertain and wanted confirmation. Mayor Cain stated that when people attend trainings or meetings, different individuals often pick up different pieces of information. Mayor Cain stated that, in his opinion, the more people who attend training, the more beneficial it will be for the City because more information can be retained and shared.

Councilman Pena asked when and where the training would take place. Police Chief Jennifer Howell stated that it would be held in Waco, and the dates were confirmed as January 28 through January 30, during the last week of January. Councilman Pena asked whether Council could also attend that training. Chief Howell indicated that the speaker believed it might be possible for both Council and commission members to attend but stated that they would need to double-check to confirm eligibility. Councilman Pena stated that the more training and education the Council receives throughout the process, the better prepared the Council will be. He emphasized that the sooner Council can participate in training, the better, and that any training made available to those who will have a meaningful role in the civil service process should include Council participation as well.

Presentation on Roles of Civil Service Commission - Christopher Duncan, City Attorney

City Attorney Chris Duncan presented the attached presentation titled "Exhibit B".

Councilman Davis thanked City Attorney Chris Duncan for the review and all the information he brought

forward to the Council about this situation.

Councilman Rossow asked if the officers had to make a 60 on the test. City Attorney Chris Duncan said they would have to make a 70.

Mayor Cain said he had questions about the proposed director position, specifically whether the role must be a full-time employee. He noted that if, after the first year, the commission is only expected to meet three or four times per year, assuming everything runs smoothly in the City of Freeport, he questioned what the director would be doing during a standard 40-hour work week. City Attorney Chris Duncan stated that the commission would likely meet more often than three or four times per year because the commission's responsibilities extend beyond disciplinary appeals. He explained that the commission is involved every time someone is hired in a way that requires commission action and noted that many police departments experience significant turnover involving hiring and separations. He stated that while there may only be one or two suspension appeal hearings in a given period, there are also additional responsibilities such as grievances, promotions, and hiring matters. Mr. Duncan said he estimated that the director could be performing many of the Human Resources functions associated with the police and fire departments. Police Chief Jennifer Howell said based on the research conducted and conversations with other cities, the director is generally an employee within the Human Resources department often the HR Director or another HR staff member. She noted that most of the cities they had researched use an HR employee in that role, though a few cities have made different appointments. As an example, she stated she had seen some cities assign the role to the City Secretary. However, she emphasized that the majority of cities researched have placed the position within Human Resources. Mr. Duncan clarified that the decision on who serves as director is not made by the Council or staff, but rather is determined by the Civil Service Commission. Mayor Cain stated that, based on the typical city model described, it seemed unlikely that cities would hire someone specifically as a brand-new full-time employee solely for that director position. Chief Howell noted that the commission ultimately makes that decision. However, she stated that staff intends to gather as many examples as possible from different cities and provide those examples to the commission so that they can see how other municipalities have structured the role. She stated that staff plans to share examples from multiple cities such as Alvin, Pearland, and cities more comparable in size to Freeport like Santa Fe so the commission can consider different options and follow a path that best fits Freeport's needs. Mayor Cain stated that while he understood the concept of civil service and the desire to remove political influence from the police department, Council must also look out for the City's interests. He expressed concern that, in the long run, the structure could create potential headaches, particularly financially. He stated that it could become a costly endeavor, especially when factoring in the potential need for doctors, lawyers, psychiatrists, psychologists, and other professional services. He stated that although the costs may be significant, the citizens of Freeport asked for civil service, and therefore the City must proceed accordingly.

Councilman Pena stated he wanted to follow up on the question that had just been asked regarding the Civil Service Director position. He said he had two points to add, emphasizing that if the City wants to avoid as many headaches as possible, it may be feasible if not necessary to consider different approaches to that role. He prefaced his comments by noting that every city is different and that municipalities may adopt civil service under different circumstances. Councilman Pena stated that given the specific circumstances that brought Freeport to civil service particularly that the citizens voted for it the City could even consider outsourcing the director role so that it is not filled by an in-house employee. He said this raised a broader question about how busy the director position would actually be. Councilman Pena then pointed out that the police department has a hiring need due to attrition and asked how many open positions currently exist. He referenced the budget cycle discussions, noting that the department had previously been short approximately five or six positions. Police Chief Jennifer Howell stated that while two officers had recently graduated from the academy, the department still had three open positions remaining. Councilman Pena acknowledged the three openings and asked, historically, how many openings typically exist on a monthly or quarterly basis. He stated that it seemed the department has often been understaffed over the last several years and asked

whether that was accurate. Chief Howell stated that when she arrived, there were approximately six or seven openings, which was described as the highest point in vacancy levels at that time. Councilman Pena stated that this demonstrates the department is constantly turning the wheel of interviewing and hiring, and he noted that this function alone could keep the director position busy due to how time-consuming recruiting and hiring can be. Chief Howell explained that the director would essentially serve as the secretary to the Civil Service Commission, meaning the director would be responsible for posting agendas, maintaining meeting minutes, and keeping up with records and documentation related to the commission's work. Councilman Pena then asked whether the City was familiar with any third-party Human Resources services that could provide a role like this or assist with those duties. Chief Howell indicated that none were known and that she had not heard of any City using a third-party service for this type of civil service director function. Councilman Pena acknowledged that third-party HR companies exist but noted he was asking whether any cities had actually implemented such an approach. Chief Howell stated that she had not seen any City structure that way. She stated she does have a list of civil service agencies and that several weeks prior, a notice had been posted in the Texas Police Chiefs Association bulletin reaching out to civil service agencies across the state. The notice requested information, including local rules, in order to cast as broad a net as possible and gather as much information as possible for Freeport's implementation and planning. Councilman Pena stated that he was thinking about how the City can achieve the highest level of objectivity and fairness for everyone.

Pamela Dancy stated that she wanted to be careful about how she expressed her concerns so it did not come across negatively. She referenced the issues that had occurred involving the police department and stated that most citizens did not really know what was happening at the time. She recalled that a group had come forward to discuss forming a union, and she said that personally she supports anything related to strengthening the police department, including vests, ammunition, and video equipment. However, she stated that she did not vote in favor of the civil service measure. She explained that her reason was not because she was against the police, but because she did not have enough knowledge about what she was voting for, even though "police" was on the ballot. She stated that she chose not to vote because she felt uninformed. Ms. Dancy said that at the previous meeting, the chiefs came forward and stated they did not fully know what was going on, which reinforced her belief that citizens voted for something without truly understanding it. She used the analogy that the City got the cart but did not know what size horse would be needed to pull it. She then asked whether the City Charter would need to be amended or addressed as part of implementing civil service. City Attorney Chris Duncan explained that the Charter is generally considered the constitution or highest law of the City, but that charter provisions are established by voter approval. He stated that because the citizens voted to create the civil service commission and civil service procedures, civil service requirements would prevail in the event there is any conflict between the charter and civil service provisions. Ms. Dancy then asked whether the commissioners make the rules or whether there is a standard set of rules that comes with the union. Mr. Duncan asked whether she meant whether the commission writes the rules or whether union rules are applied. He explained that the commission consists of three commissioners, not one, and that the answer depends on which rules are being discussed. He stated that major procedures such as notice requirements, appeal timelines, and the authority of the commissioners are already established by law and are required. However, the commission does adopt additional rules, including local rules related to job requirements, discipline rules, and other specifics. He noted that there may be some limited ability to adjust certain statutory procedures through local rules, but most procedures are mandatory. Ms. Dancy then asked whether the police chief's existing rules would combine with the commission's rules. Police Chief Jennifer Howell explained that the police department, fire department, and City all have policies and procedures, and those policies will be updated to conform with Chapter 143 and any local rules adopted by the commission. Ms. Dancy then asked about the testing process, noting that tests had been mentioned by both the presenters and the chief. She asked whether the tests were standard. Mr. Duncan explained that tests are determined by the commission, and while there are standard tests that can be selected, there are also many available options. He stated that the chief had referenced three specific books and related tests, and that adopting a standard test based on existing books would be a logical and easy

approach. However, he noted that the commission could choose different testing options, including selecting a company that provides alternative tests. Chief Howell clarified that hiring tests are generally standard, but that for promotional testing, a different test must be used each time. She explained that this is why the three books were referenced, and that different books are used for different promotional tests. Ms. Dancy asked whether that is how the City currently operates, and Chief Howell responded that the department does not use books specifically, but does create a different test for every promotion process. Chief Howell explained that a new test is used so that someone who was not eligible previously does not gain an advantage by already knowing the prior test content. She stated that the same concept would apply under civil service. Fire Chief Chris Motley stated that the City has been using third-party testing for over ten years and that the testing is monitored outside of the station and graded externally. Ms. Dancy then asked about other cities that had been mentioned specifically asking if Alvin and another referenced City were in a union. Chief Howell stated that Alvin, Santa Fe, and Pearland are civil service cities and are among the closest agencies to Freeport that operate under civil service. Ms. Dancy noted that those cities have larger populations than Freeport, and that was confirmed. Ms. Dancy then asked about legal appeals, referencing the possibility of the process going to Angleton and asking who pays for that. Mr. Duncan explained that if an employee goes through the full civil service process and is dissatisfied with the commission's ruling, the employee can file a lawsuit in district court. He stated that under the system, employees must complete the administrative process before they are allowed to file suit. Ms. Dancy asked who pays for the lawsuit. Mr. Duncan stated that the employee must pay and would need to hire an attorney. Ms. Dancy asked whether, when a new employee applies to the police or fire department, the chiefs still get to interview applicants or whether hiring goes directly to the civil service process. Chief Howell said that they would still interview applicants, but that it would occur later in the process. She explained that civil service requires hiring based on ranking and that the number-one ranked candidate is selected first, which was stated to be consistent with how the City currently handles promotions and hiring. Chief Howell explained that if the number-one candidate is not selected, they must articulate a specific reason for not choosing that individual. Ms. Dancy stated that it sounded like the system was taking authority away from the chiefs, and she expressed hope that would not be the case. She asked whether the process would remove authority from the chiefs. Chief Howell indicated that it was not viewed as taking authority away because the department still has the ability to disqualify a candidate if a disqualifying issue is revealed during a background investigation, and that this functions similarly under civil service and the current process. Mr. Duncan added that the chiefs currently have a grading procedure that likely includes intangible factors beyond seniority and test grades. He explained that under civil service, the process becomes strictly based on objective factors such as testing scores and seniority, and that intangible considerations such as productivity or leadership qualities would be eliminated from the ranking process. The commission would determine who is ranked number one, number two, and so on, based on the established scoring system. Chief Howell stated that the commission could choose to adopt an assessment center approach, but even then, the process would have strict guidelines and would have to rely on measurable, tangible scoring rather than subjective qualities. Ms. Dancy then asked regarding the expected salary for the director position. She clarified she meant the full-time director. Mr. Duncan stated that the salary is not known because the commission decides who they want to hire, and compensation would depend on the individual selected and what they charge. He explained that if the commission selects someone who is already a City employee, there may be no additional cost. However, if the commission wants to hire someone external and that individual requires compensation, the commission would bring the request to Council to approve the amount.

Ralph Frazier stated he had a question regarding the qualifications for the director position, specifically asking what the qualifications would be, including educational requirements. He asked whether the City would post a job on the website or whether any individual could simply volunteer for the role, using the example of a construction worker applying to be director. He stated that the public needs to know what the requirements are and what educational background is expected. He asked whether the director must have a law enforcement background or whether the commission could select anyone off the street simply because they like them, stating that such an approach would not be fair. City Attorney Chris Duncan explained that

the City Manager, along with the City Council, appoints the Civil Service Commission. He then stated that the commission hires the director. He said the law does not contain specific requirements for the director position, and therefore, the commission decides what requirements they want for the job. Police Chief Jennifer Howell stated that there are, in fact, specifications outlined in the Local Government Code regarding the director position. She stated that, according to statute, a person appointed as director must meet the same requirements as someone appointed to the commission. She stated the director may be a commission member, a municipal employee, or another person. She also noted that the governing body determines the salary. Mr. Duncan stated there are no specific educational or experience requirements included in the statute. Mr. Frazier then asked whether the director would need to have an HR background, since they had been told the director may perform HR-type functions. Mr. Duncan clarified that the statute only requires the director to meet the basic eligibility standards for commission appointment, which includes not having disqualifying criminal history, but does not require any specific experience or education. He then stated that this means the City and the community will need to rely on the commission to make sound decisions. Mr. Duncan stated that the commissioners will have significant authority and must be trusted to make good choices in selecting a qualified director. Mr. Frazier then asked how the City would get applications out and how the word would be spread that a director position is needed. Mr. Duncan explained that advertising and outreach for the director position would be up to the commission and stated that the commission would likely work with the City to publish and distribute the posting. Chief Howell added a clarification and explained that under civil service, Chief Howell and Chief Motley do not currently have civil service protections, since they did not rise into their department head roles through a civil service system. She stated that if a chief were removed under the current structure, they would not have an appeal process. However, she explained that once civil service is enacted and a future chief is promoted through civil service ranks such as a captain being promoted to chief, then that individual would receive civil service protections and could potentially be demoted back down. Chief Howell stated that if the City were to remove her from her position as chief, she would not have an appeal process available, and Chief Motley would not have an appeal process either. Mr. Duncan stated that he did not find language in the statute. He noted that while the statute references an appeal process when a department head is removed. Chief Howell said only if, once enacted in civil service, this applies and that individual is promoted into the department head role through the civil service system. Chief Howell stated that this clarification was provided by a civil service attorney and confirmed by other civil service directors. She explained that once civil service is in place, future chiefs who rise through the civil service ranks and are promoted into the chief position would then receive those protections and would have an appeal process available if removed from the department head role. She stated this goes on to the question she had regarding a possible change in the charter because of that.

David Thornton asked whether members of the Civil Service Commission receive pay, specifically asking if commissioners are paid or placed on a salary. City Attorney Chris Duncan stated that the commissioners do not receive pay. Councilman Pena asked whether commissioners could give themselves a salary and provide themselves a stipend, and if that were something they attempted to request, whether Council would have to approve it. Mr. Duncan stated that he did not know the answer because the statute does not specifically address that question.

Business

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

City Manager Dr. Danielle Kelly stated that the voters of the City of Freeport approved the adoption of Chapter 143 of the Texas Local Government Code in the November election, thereby establishing a municipal civil service system for police officers and firefighters. She explained that, as a result of that approval, the City must now form a Civil Service Commission to administer and oversee the civil service system. Dr. Kelly stated that the civil service system will cover key areas including hiring, promotions,

disciplinary actions, and appeals. She explained that the purpose of the resolution under consideration is to formally establish the commission, define its composition, outline its duties, and ensure that the City remains in compliance with applicable state law.

A motion was made by Councilman Pena to approve Resolution No. 2025-3014 establishing a Civil Service Commission pursuant to Chapter 143 of the Texas Local Government Code, seconded by Councilman Davis with discussion that followed.

Councilman Pena stated that the item being considered represents the formal resolution required to implement what the voters approved. Mayor Cain confirmed and said yes.

Mayor Cain called the motion to a vote with all present and voting "Aye" 4-0. The Council unanimously approved the motion.

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.

City Manager Dr. Danielle Kelly stated that, in compliance with statutory requirements, City staff initiated a public recruitment process to solicit applications for appointment to the Civil Service Commission. She explained that recruitment outreach included posting a flyer on the City's website, multiple social media platforms, and placing physical postings at City Hall and the Police Department beginning November 20, 2025. She stated that the recruitment was also shared internally with City employees and with the applicable associations in order to encourage broad participation. Dr. Kelly stated that applications and resumes were accepted through December 15, 2025. She explained that, due to the timing of her start date, Police Chief Howell and Fire Chief Motley coordinated the initial recruitment effort and subsequently provided her with all applications and resumes that were received. Dr. Kelly stated that she reviewed the submitted materials and met with both chiefs prior to the Council meeting on December 15 to discuss applicant qualifications and the statutory requirements. She stated that after reviewing the applications and verifying eligibility under Texas Local Government Code Chapter 143, she recommended the following individuals for appointment to the Police Officers and Firefighters Civil Service Commission, along with the proposed staggered initial terms: Ms. Margaret Bachman for an initial one-year term, Mr. Kerry Moore for an initial two-year term, and Mr. Tyrone Morrow for an initial three-year term.

Councilman Davis made a request for Council to enter executive session to consult with the attorney. Mayor Cain then asked if anyone opposed going into executive session and, hearing no opposition, announced that Council would recess into executive session.

Mayor Cain said the executive session would be held for consultation with the attorney. Mayor Cain indicated that the attorney confirmed the stated purpose was sufficient.

The Regular Session closed at 8:01P.M. and the Council entered into Executive Session.

The Executive Session ended at 8:42P.M. and the Council went back into Regular Session.

Mayor Cain stated that Dr. Kelly had recommended the following initial appointees and staggered terms: Ms. Margaret Bachman for an initial one-year term, Mr. Kerry Moore for an initial two-year term, and Mr. Tyrone Morrow for an initial three-year term.

A motion was made by Councilman Pena to deny that nomination, seconded by Councilman Davis with all present and voting "Aye" 3-1. The Council approved the motion. Councilman Rossow voted "Nay".

City Manager Dr. Danielle Kelly stated that she recommended Mr. Moore for the one-year term, Mr. Hernandez for the two-year term, and Mr. Morrow for the three-year term.

A motion was made by Councilman Pena to approve, seconded by Councilman Davis with all present and voting "Aye" 3-1. The Council approved the motion. Councilman Rossow voted "Nay".

Adjournment

Adjournment – Jerry Cain, Mayor

A motion was made by Councilman Pena to adjourn the meeting, seconded by Councilman Rossow with all present and voting "Aye" 4-0. Mayor Cain adjourned the meeting at 8:45P.M.



Jerry Cain, Mayor



Clarisa Fernandez, City Secretary

“Exhibit A”



Freepoint 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?

"EXHIBIT B"

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
 - COMPEL 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 OF 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 TO 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