

State of Texas

County of Brazoria

City of Freeport-Civil Service Commission

BE IT REMEMBERED, that the Freeport Civil Service Commission of the City of Freeport, Texas met on Wednesday, April 1, 2026, at 6:00P.M. at the Freeport Council Chamber located at 430 North Brazosport Blvd., Freeport Texas for the purpose of considering the following agenda items:

Civil Service Commissioners:

Tyrone Morrow, Chairman
Jose Hernandez, Vice Chairman
Kerry Moore

Staff:

Danielle Kelly, DPA, City Manager,
Christopher Duncan, City Attorney
Toby Cohen, IT Director
Jennifer Howell, Police Chief
Christopher Motley, Fire Chief
Jared Miller, Freeport Police Department

Visitors:

Call to Order:

Chairman Morrow called the meeting of the Freeport Civil Service Commission to order at 6:01P.M. on April 1, 2026.

Invocation:

Chairman Morrow led the Invocation.

Pledge:

Chairman Morrow led the Pledge of Allegiance to the United States and the Pledge of Allegiance to the State of Texas.

Discussion with any attending Public Service Employees (Fire Department, Police Department, Emergency Medical Services) regarding:

- **Entry-Level Hiring and eligibility expectations**
- **Promotional eligibility requirements expectations**
- **Seniority calculations expectations**
- **Disciplinary actions and appeals procedures expectations**
- **Hearing process and timelines expectations**

Patrol Corporal Jared Miller from the police department approached to speak. He first requested that it be placed on record that no one would be ridiculed or disciplined for participating in the discussion. Chairman Morrow confirmed this, stating that the meeting was being offered without fear of employees being disciplined, retaliated against, or having adverse action taken against their employment status. Corporal Miller opened by praising Chief Howell as a phenomenal leader and noted they had worked past road bumps. He observed that the agenda included TPCA (Texas Police Chiefs Association) items and asked about the commission's intent to match those standards. Chairman Morrow explained that the commission wanted to make decisions in the best interest of police officers, firefighters, and EMS personnel. While he acknowledged that Chief Howell and the city have policies and procedures, they were looking across the spectrum at other agencies and rules before making decisions. He emphasized they wanted input from both leadership and staff. Corporal Miller stressed the importance of administrators attending commission meetings, noting that Chief Howell was currently at the TPCA conference gathering information about civil service matters. He highlighted Chief Howell's extensive involvement with TPCA, including serving on the accreditation committee, women's executive leadership committee, and as an affiliate representative for the South Texas Police Chiefs Association. He emphasized that nobody in the department knows TPCA better than Chief Howell. Corporal Miller made a strong point about the commission's authority, stating the Commission is the council of the civil service and that civil service takes the politics out of it and literally takes the politicians out of the game. He said that administrators should be present at meetings and that the commission should make those decisions. Regarding entry-level hiring, Corporal Miller suggested there should be both minimum and maximum age requirements, referencing DPS's age limit of either 45 or 55. He noted the requirement to be 21 to carry a firearm and suggested implementing restrictions on both ends of the age spectrum. Corporal Miller emphasized the need for assessment centers in promotion processes, stating that scoring highest on a test does not necessarily make someone the most qualified candidate. He stressed the importance of being fair and firm across all processes. Corporal Miller suggested a minimum of two weeks before a hearing could be held after discipline is imposed, allowing time for the appeal process. He emphasized the importance of not rushing but also not taking excessive time, as speed could cause important details to be missed. City Attorney Chris Duncan clarified the statutory timeframes, noting that when disciplinary action is taken, it must be put in writing with documentation within approximately 48 hours. The Civil Service Board then has about 30 days to hold a hearing, though they could schedule it sooner if needed. Commissioner Moore clarified the timeline: 48 hours for notification of pending investigation, 72 hours to appeal after being served with disciplinary findings. Corporal Miller suggested 7-10 business days as a reasonable timeframe for the commission to work, acknowledging that everyone has lives outside of work. He suggested a minimum of two years with the department internally at Freeport for promotional eligibility, not just two years of experience elsewhere. Corporal Miller described their current promotion system as using a point-based assessment that includes oral boards, written exams, years with the department, previous experience, and certifications like intermediate, advanced, or master peace officer licenses. He noted that their recent sergeant's promotion was about as fair as it gets, with him being beaten by four points by

someone with more time and experience. Corporal Miller stated he would continue attending meetings to provide input and asking if the commission had any questions to take back to officers. Chairman Morrow thanked him for his participation and vulnerability in speaking before the city manager and commission.

Chairman Morrow, Commissioner Hernandez, and Commissioner Moore all emphasized their commitment to creating a politically-free, fair process for public safety personnel. Chairman Morrow drew on his 42+ years of law enforcement experience, including work in civil service systems, stating their goal was to ensure the system does not break the backs of the men and women serving while maintaining appropriate consequences for mistakes.

Citizen Comments

There were no Citizen Comments.

Approval of Meeting Minutes for March 18, 2026.

A motion was made by Vice Chairman Hernandez to approve meeting minutes for March 18, 2026 as written, seconded by Commissioner Moore with all present and voting “Aye” 3-0. The commission unanimously approved the motion.

Discussion and possible action regarding the review of Article V- Promotion.

- **5.01 Eligibility for Promotion**
- **5.02 Determination of Adequate Pool for Police Department Promotional Examinations**
- **5.03 Source List for Promotional Examinations**
- **5.04 Military Accommodation**
- **5.05 Review and Appeal of Promotional Examination**
- **5.06 Police Department Promotional Eligibility List**
- **5.07 Removal from Eligibility List for Promotion**
- **5.08 Appointment and Removal of Person Classified Immediately Below**

Department Head

Chairman Morrow explained that they were conducting discussion and review only, not taking action. They were using Alvin's civil service rules as a baseline template while also examining other cities' approaches. He noted that as they reviewed each item, they needed to ensure the language was neutral to represent both police and fire departments rather than being written primarily for law enforcement.

5.01 Eligibility For Promotion

City Manager Dr. Danielle Kelly confirmed that physical examinations are required for hiring but was unsure about promotional requirements.

Chairman Morrow suggested that psychological fitness should also be evaluated for promotions, drawing from his experience where annual physicals helped identify stress-related health issues early and determined work-related injury claims.

City Attorney Christopher Duncan raised questions about cost and implementation, noting different options: annual evaluations, promotion-only evaluations, or situation-based evaluations when supervisors or coworkers identify concerns. He emphasized the need for consistent approaches across all circumstances.

Vice Chairman Hernandez inquired about the content of mental examinations. Chairman Morrow explained they look for antisocial behaviors, aggression issues, and conditions like PTSD that could affect job performance or endanger fellow officers. City Attorney Christopher Duncan added that standardized psychological tests can identify conditions like bipolar disorder or schizophrenia and assess whether candidates are too aggressive or not aggressive enough. Vice Chairman Hernandez expressed concern about what to do if problems are detected during promotional examinations since the person is already an employee. Chairman Morrow explained that typically a treatment plan is developed in collaboration with medical professionals, and if a psychologist determines it is not appropriate timing for promotion, the person remains on the promotional list but is bypassed until they show improvement.

City Manager Dr. Danielle Kelly noted that Chief Howell had responded via text that officers do not take an annual physical with doctors but do complete physical agility courses twice a year. New hires require psychological, physical, and drug screenings per state requirements, with renewal required after 180+ days of non-employment.

Commissioner Moore questioned the necessity and cost of psychological exams for promotions, especially given the expense noting they cost \$800-900 in the 1980s, likely much more now.

The commission decided to rely on the existing twice-yearly physical agility testing for police officers, with Chairman Morrow asking about similar requirements for fire department personnel.

Commissioner Moore noted that psychological issues can often be detected during oral examination boards when candidates become standoffish or struggle to answer questions, particularly if they have been through traumatic incidents.

The commission discussed item B, which requires that police officers or firefighters not be eligible for lieutenant promotion if they have been separated and subsequently reemployed without meeting the four-year requirement. This led to discussion about requiring time in each rank before promotion.

Chairman Morrow explained that jumping ranks could create angst and animosity if someone with only four years and no supervisory experience could bypass sergeants to become lieutenant. He advocated walking through each rank and spending minimum time to learn job tasks.

City Attorney Christopher Duncan warned about unintended consequences in smaller departments, noting that with only 12-15 fire department employees, strict requirements might result in only one eligible candidate or no qualified candidates. He suggested considering point systems rather than absolute requirements to provide flexibility while still rewarding loyalty and experience.

The commission agreed that on item 5.01 (b) to be at least a two-year minimum time in rank with an option to have an exception when no one meets the standard, potentially using a point system for those situations.

Item C was noted as specifying that probationary time does not count toward service years for promotion eligibility.

5.02 Determination Of Adequate Pool For Police Department Promotional Examinations

The commission reviewed requirements for at least three qualified officers desiring to take promotional examinations. Given their earlier discussion about small departments, they agreed the same exception rules from 5.01B would apply.

Item B addresses situations with inadequate pools by opening examinations to additional officers, while Item C handles situations where no candidates pass, requiring subsequent examinations open to additional officers.

City Attorney Christopher Duncan clarified that if no one internally qualifies, they can go outside the agency under Chapter 143 to recruit law enforcement officers from the region.

Item D requires letters of intent to take promotional examinations, submitted within 10 working days of posting, which the commission considered standard language.

5.03 Source List For Promotional Examinations

Chairman Morrow noted this section would require consultant input to identify third-party providers for promotional examinations and assessment centers. The goal is to take the process outside the police agency for fairness and objectivity, ensuring no one has access to information beforehand.

City Attorney Christopher Duncan agreed to research examination center recommendations.

5.04 Military Accommodation

The commission reviewed requirements for accommodating personnel on active duty during promotional examinations per Chapter 143.032. This would require proctored testing at military locations to ensure fairness while honoring military service.

5.05 Review And Appeal Of Promotional Examination

The commission reviewed detailed appeal procedures, including:

- Candidates' rights to examine their tests, scores, grading, and source materials
- Written appeal requirements within five business days during normal business hours (8:00 AM to 4:30 PM)
- Specific identification and basis requirements for challenged questions
- Hearing procedures allowing all affected applicants to present evidence
- Commission receipt of appeals, questions, and source references

The commission discussed three possible outcomes for appealed questions:

1. Sustained - answer key remains as reported
2. Overruled - commission designates another answer, accepting multiple correct answers
3. Eliminated - question removed entirely from scoring

City Attorney Duncan explained that professionally designed, established tests would have these issues worked out beforehand, recommending use of long-established tests to avoid problems.

The commission discussed various scoring calculation methods provided in the rules and agreed these covered different potential test types.

Item G requires posting corrected eligibility lists within 24 hours at city hall, police department, and fire department locations. The commission agreed to extend this to 48 hours for more reasonable processing time.

5.06 Police Department Promotional Eligibility List

Chairman Morrow noted that current rules base promotion solely on written examination scores plus years of service but expressed concern that written tests alone should not determine promotions since some people are good test-takers but may lack other job skills. He advocated assessment centers to evaluate real-world job functions like de-escalation techniques, paperwork prioritization, supervisory skills, and managerial abilities. City Attorney Christopher Duncan agreed to research assessment center language and capabilities from other cities.

5.07 Removal From Eligibility List For Promotion

The commission reviewed grounds for removing candidates from eligibility lists:

- Loss of required qualifications
- Declining appointments
- Three rejections by the chief with commission failure to overturn
- Failure to pass required medical examinations

5.08 Appointment And Removal Of Person Classified Immediately Below Department Head

The commission discussed provisions allowing chiefs to appoint department members to positions like deputy chief, with such appointments serving at the chief's pleasure while the person retains their civil service classification.

City Attorney Christopher Duncan noted organizational chart decisions about assistant positions would likely be council decisions, and clarified that terminated chiefs may still have rights to civil service hearings even if they cannot be reinstated to the chief position.

Discussion and possible action regarding the review of Article VI - Compensation.

- **6.01 Generally**
- **6.02 Longevity Pay**
- **6.03 Working Out of Classification**
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Chairman Morrow clarified that compensation decisions are city council and city manager issues, not commission issues. The commission's role is to understand compensation and classification frameworks to make informed decisions.

6.01 Generally

Dr. Kelly noted that a comprehensive compensation survey by an outside agency had been completed and would be part of the upcoming budget process.

6.02 Longevity Pay

This section was referenced but not discussed in detail.

6.03 Working Out Of Classification

This section was referenced but not discussed in detail.

Chairman Morrow made a personal observation that one public safety agency (police) has a robust compensation system while another (fire) does not appear to have the same level of structure, steps, and benefits, noting this doesn't appear equitable or fair from an outside perspective.

Discussion on the position classification and salaries for the Fire Department positions.

Fire Chief Christopher Motley presented a detailed memorandum covering fire department position classifications and compensation history. He outlined current positions: Fire Chief (1), Deputy Chiefs (2 - one specialty EMS coordinator/fire marshal), Fire Captain (budgeted but not staffed), Fire Lieutenant (3), Driver Operator (assignment pay position), Firefighter (12), and Administrative Assistant (1 non-classified position). Chief Motley explained the compensation history, noting inconsistency over time until former City Manager Ken Maltby aligned fire and EMS compensation with law enforcement minimums. Under former City Manager Jeff Pynes, a step raise matrix system was implemented to address early-career turnover and later adjusted for long-term tenure. In 2021, under City Manager Tim Kelty, the fire department's pay matrix was removed while police retained theirs. Fire transitioned to a general city employee increase model of 1.5% base with potential 1.5% performance increase, though actual increases averaged 2.5-2.7%. Chief Motley identified current challenges including: Lack of routine salary surveys, limited progression structure, reduced transparency in career advancement and ongoing

recruitment and retention difficulties. He noted that despite requesting mid-salary adjustments in 2023 to reach \$55,000 from \$48,548.06, no adjustment occurred until the current budget year's 3% increase, while police received 8% for step raises. Many former employees have moved to other agencies where they now serve in advanced roles with higher certifications. Chief Motley explained position rationales: deputy chief positions require disciplinary authority per local government code and are salaried; driver operator positions were created due to expensive equipment costs around \$960,000 for first truck and provide backup supervision when lieutenants are off duty.

Discussion on the position classification and salaries for the Police Department positions.

Discussion on the TPCA (Texas Police Chiefs Associations) Accreditation Standards for the Police Department (how these rules match the Chapter 143 Civil Service Standards).

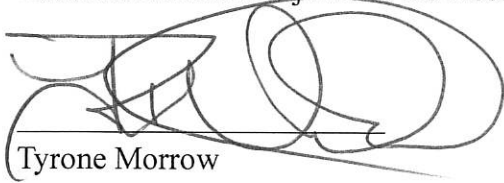
Discussion with the Fire Department to see if they have similar accreditations standards similar to what the TPCA has that match the rules of Chapter 143 Civil Service Standards.

Fire Chief Christopher Motley provided extensive information about fire service accreditation, noting no statewide agency in Texas directly mirrors TPCA's accreditation model for Fire and EMS. However, fire service utilizes nationally recognized accreditation programs through the Center for Public Safety Excellence and its Commission on Fire Accreditation International. These programs evaluate agencies on governance, administration, operations, training, and community risk reduction. The Texas Fire Chiefs Association promotes best practices similar to TPCA, incorporating National Fire Protection Association standards and Insurance Service Office (ISO) evaluations. Chief Motley explained ISO's Public Protection Classification system, which evaluates departments (50%), water supply (40%), and emergency communications (10%). The Texas Fire Chiefs Association provides leadership development and credentialing through their Chief Fire Officer program. Chief Motley noted he has completed the Texas Fire Chiefs Association program and holds their diploma. One deputy chief has completed the program, and the new deputy chief/fire marshal will eventually participate. He has applied to the Center for Public Safety Excellence but has not completed the process. He emphasized that these accreditation programs do not replace statutory laws but support the transparency that Chapter 143 civil service provides. Fire service accreditation includes voluntary programs that cost money, with most departments ranked Class 1-3 in PPC classifications typically participating in these standards. Chief Motley also submitted additional documentation about physical agility testing and hiring processes, including candidate acknowledgment forms, contingent job offers, and third-party validated online examinations requiring 70% or above scores.

Adjourn:

A motion was made by Commissioner Moore to adjourn, seconded by Vice Chairman Hernandez.

Chairman Morrow adjourned the meeting at 7:49P.M.

A handwritten signature in black ink, appearing to read 'Tyrone Morrow', written over a horizontal line. The signature is stylized with large loops and a prominent 'M'.

Tyrone Morrow
Chairman, Freeport Civil Service Commission