

The City of Galena Park

City Commission Meeting

Date: February 26, 2015

A special meeting of the City Commission of the City of Galena Park was held at City Hall in the Council Chambers, Thursday at 4:00 P.M. on February 26, 2015.

Present were:	Esmeralda Moya	Mayor
	Danny Simms	Commissioner
	Lois Killough	Commissioner
	Maricela Serna	Commissioner
	Juan Flores	Commissioner
	Mayra Gonzales	City Secretary
	Robert Pruet	City Administrator
	Jim DeFoyd	City Attorney
	Mr. John Hightower	Special Counsel

Mayor Moya called the meeting to order.

Mayor Moya called on Commissioner Danny Simms for the invocation.

Mayor Moya read item #3- Receive and discuss report from the Charter Review Committee appointed by city council on recommendations for amendments to the city charter. Mr. Joseph Thibodeaux the Chairman of the Charter Review Committee stated to the council that it had been a pleasure serving on the committee. Mr. Thibodeaux stated that the committee worked hard and had a lot of input on the amendments they are trying to bring forth the council to upgrade the charter and once again he would like to thank them. Commissioner Simms stated to Mr. Thibodeaux that he has read the amendments and he can tell the thought and the effort that went into it.

Item # 4- Discuss and possible action to determine whether city council, on its own motion, should submit any or all of the following proposed charter amendments to the voters for their approval at an election to be held for that purpose:

Mr. Jim DeFoyd the City Attorney read the 22 propositions aloud:

- 1) Change the designation of the City's governing body from "City Commission" to "City Council";
- 2) Establish a Department of Community Development to oversee the City's development, planning, and building code enforcement activities;
- 3) Establish a Fire Department and the offices of Fire Chief and Fire Marshal and prescribe the qualifications and duties for those offices;
- 4) Establish a Police Department and the office of Police Chief and prescribe the qualifications and duties for that office;
- 5) Add a provision for resolving conflicts between charter provisions adopted in the same election;

- 6) **Change the terms of office of the Mayor and Council Members from two years to three years; provide for staggered terms of office; and to provide for term limits;**
- 7) **Provide rules for determining when a position on the governing body becomes vacant or is forfeited, for the removal of members of the governing body for misconduct, and for filling vacancies that occur;**
- 8) **Provide that the City Council shall set the compensation of its members;**
- 9) **Provide for the duties and term of the office of Mayor Pro Tem;**
- 10) **To permit the City Council to conduct meetings in public buildings other than City Hall in certain circumstances;**
- 11) **To require that the City Council adopt reasonable procedures to permit citizens to speak on matters of public concern during its meetings;**
- 12) **To require that any action by the city council on a proposed ordinance or resolution be taken by roll call vote;**
- 13) **Provide for a city manager form of government where the city council appoints a qualified professional to manage the day-to-day operations of the City, to create the office of City Manager, and to prescribe the duties and responsibilities of the city manager;**
- 14) **Provide for the appointment of a city attorney and to prescribe the duties and qualifications of the city attorney;**
- 15) **Provide for the establishment of a municipal court and to provide for the appointment of municipal judges;**
- 16) **Define the powers of the Mayor;**
- 17) **Provide for Council oversight of the City and City Manager;**
- 18) **Require Council Member's signatures on vetoes and deleting obsolete provisions;**
- 19) **Provide for rules against the hiring of employees who are closely related to members of the city council;**
- 20) **Provide the City's citizens with the rights of initiative and referendum and recall;**
- 21) **Provide the City's citizens with the right to petition for the amendment of the charter;**
- 22) **Provide for the appointment every five years of a charter review commission**

Mr. John Hightower, Special Counsel, stated to the Council that they had the power on their own motion to call an election and the committee only made recommendations to the council. Mr. Hightower stated that it was the council's decision on what amendments they choose to accept.

Commissioner Killough stated that herself and some of the other council members have reviewed the amendments and in effort to make it shorter on the ballot they have decided to take some of the amendments off.

Commissioner Killough moved to approve on the ballot the following:

- 1) Change the designation of the City's governing body from "City Commission" to "City Council";
- 2) Establish a Department of Community Development to oversee the City's development, planning, and building code enforcement activities;
- 3) Establish a Fire Department and the offices of Fire Chief and Fire Marshal and prescribe the qualifications and duties for those offices;
- 4) Establish a Police Department and the office of Police Chief and prescribe the qualifications and duties for that office;
- 5) Add a provision for resolving conflicts between charter provisions adopted in the same election;
- 6) Change the terms of office of the Mayor and Council Members from two years to three years; provide for staggered terms of office; and to provide for term limits;
- 7) Provide rules for determining when a position on the governing body becomes vacant or is forfeited, for the removal of members of the governing body for misconduct, and for filling vacancies that occur;
- 10) To permit the City Council to conduct meetings in public buildings other than City Hall in certain circumstances;
- 11) To require that the City Council adopt reasonable procedures to permit citizens to speak on matters of public concern during its meetings;
- 13) Provide for a city manager form of government where the city council appoints a qualified professional to manage the day-to-day operations of the City, to create the office of City Manager, and to prescribe the duties and responsibilities of the city manager;
- 16) Define the powers of the Mayor;
- 17) Provide for Council oversight of the City and City Manager;
- 18) Require Council Member's signatures on vetoes and deleting obsolete provisions;
- 19) Provide for rules against the hiring of employees who are closely related to members of the city council;
- 20) Provide the City's citizens with the rights of initiative and referendum and recall;
- 21) Provide the City's citizens with the right to petition for the amendment of the charter;
- 22) Provide for the appointment every five years of a charter review commission

Commissioner Killough stated that would eliminate:

- 8) Provide that the City Council shall set the compensation of its members;
- 9) Provide for the duties and term of the office of Mayor Pro Tem;
- 12) To require that any action by the city council on a proposed ordinance or resolution be taken by roll call vote;
- 14) Provide for the appointment of a city attorney and to prescribe the duties and qualifications of the city attorney;
- 15) Provide for the establishment of a municipal court and to provide for the appointment of municipal judges;

Commissioner Killough stated that they would like to change the wording on proposition # 20 to allow more time for the city secretary. Commissioner Killough stated Certificate of City Secretary: from within 10 days after petition is filed to be changed to within 20 business days after the petition is filed. Commissioner Killough also stated where it states within 5 days after an amended petition is filed to be changed to within 10 business days after an amended petition is filed. Mayra Gonzales, City Secretary, asked if there is a law that states that it must be done within five days. Mr. Hightower stated the council can make the rules for the city, because there is no state requirement for a referendum.

Commissioner Serna stated that she would like to amend the motion to add proposition

- 14) Provide for the appointment of a city attorney and to prescribe the duties and qualifications of the city attorney;

Commissioner Killough asked Mr. DeFoyd if his position was covered by Ordinance. Mr. Defoyd stated that the city can hire anybody it chooses to be the city attorney. Mr. Hightower stated that some cities do have provisions that they have in their charter.

Commissioner Killough moved to accept proposition:

- 14) Provide for the appointment of a city attorney and to prescribe the duties and qualifications of the city attorney;

Commissioner Flores, 2nd .

Commissioner Simms asked Commissioner Killough why they did not accept proposition

- 8) Provide that the City Council shall set the compensation of its members;

Commissioner Killough stated that the compensation was already in the charter and it was a contentious subject. Commissioner Flores stated that city council can always bring that up when they want to.

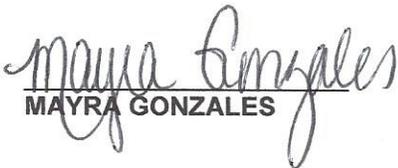
Mayor Moya called for the Vote for discussion and possible action to determine whether city council, on its own motion, should submit any or all of the following proposed charter amendments to the voters for their approval at an election to be held for that purpose. 5 Ayes... Motion Carried.

Item # 5- Discuss and Possible action on:

An Ordinance of the City of Galena Park, Texas, ordering a Special City Election for May 9, 2015, for the purpose of submitting to the qualified voters of the City certain proposed amendments to the existing Home Rule Charter of the City; stating the proposed amendments to the City Charter to be voted upon at such election; providing the form of the ballot at such election; making other provisions related to the subject of this ordinance and providing details relating to the holding of such election. Commissioner Flores moved to approve an Ordinance of the City of Galena Park, Texas, ordering a Special City Election for May 9, 2015, for the purpose of submitting to the qualified voters of the City certain proposed amendments to the existing Home Rule Charter of the City; stating the proposed amendments to the City Charter to be voted upon at such election; providing the form of the ballot at such election; making other provisions related to the subject of this ordinance and providing details relating to the holding of such election. Commissioner Flores moved to approve an ordinance ordering a Special City Election for May 9, 2015, for the purpose of submitting to the qualified voters of the City certain proposed amendments to the existing Home Rule Charter of the City. Commissioner Simms, 2nd...Vote: 4 Ayes... 1 Nay (Mayor Moya)

Commissioner Simms made a motion to adjourn the meeting. Commissioner Killough, 2nd ...Vote: 5 Ayes... Motion Carried.

Meeting adjourned: 4:15 P.M.


MAYRA GONZALES


APPROVED