

The City of Galena Park

City Commission Meeting

Date: June 30, 2015

A regular meeting of the City Commission of the City of Galena Park was held at City Hall in the Council Chambers, Tuesday evening at 3:00 P.M. on June 30, 2015.

Present were:	Esmeralda Moya	Mayor
	Danny Simms	Commissioner
	Lois Killough	Commissioner
	Maricela Serna	Commissioner
	Juan Flores	Commissioner
	Mayra Gonzales	City Secretary
	Robert Pruett	City Administrator
	Jim DeFoyd	City Attorney

Mayor Moya called the meeting to order.

Mayor Moya stated that they will start with the Lord's Prayer

Mayor called for comments from audience.

A citizen stated that he was surprised that the meeting was set at 3:00 p.m. The citizen stated that a lot of people were working and they couldn't come in and will like the future meetings to be at 6:00 p.m.

Mr. Robert Clowers, a citizen, stated that at the last council meeting several citizens raised the issue concerning the city administrator/ manager position. Mr. Clowers stated that he also wanted to clear his view about the city ordinance. Mr. Clowers stated there are two basic types of home rule charter, one is the Mayor and Council home rule charter, which Galena Park has, two is the council and manager rule charter which Jacinto City has. In 1946 the citizens of Galena Park by majority vote approved our current Mayor and Council Home Rule Charter. The Charter has been amended twice, once in 1963 and another in 1979; this is the Charter and it is a legal binding document as Commissioner Killough has stated several times. Mr. Clowers stated that for years he has expressed his proposition in concern with the legality of the ordinance that created the position of Administrator and Manager with the City Attorney and others. Mr. Clowers stated they have always disagreed with him and they still do. Mr. Clowers stated it is his believe that this ordinance is illegal and violates the current City Charter. This ordinance converts the Charter to a Council Manager home rule charter, which violates the current Charter. Mr. Clowers stated if you read the ordinance it is a double to Jacinto City Charter, both are the same, the only difference is our Ordinance has Administrator and Jacinto City has Manager. Mr. Clowers stated Webster's dictionary defines Administrator as a Manager of an organization and Webster's dictionary also defines the word similar to mean the same as another. For instance K-9 is another way of saying dog, poultry is another way of saying chicken, and Administrator is another way of saying manager. One of the similar of Administrator is manager and one of the similar for manager is Administrator. Mr. Clowers stated the word manager and administrator mean the same and the commissioners all agree with him and so stated in writing. Article 9 is the Administrative Provision of the Charter, Article 9, and Section 17 of the current City Charter does not give the City Commission the authority or right to create an office of City Administrator/ Manager by ordinance, the city attorney had always relied on Article 9, Section 17 the second paragraph to support his position. Section 17 only authorizes the City Commission to create offices by ordinance such as Police Chief, Fire Chief, Fire Marshall, Civil Defense Director, City Judge or

associated of City Judge. Mr. Clowers stated by law the City commission cannot amend the City Charter by ordinance only in election in the majority if the votes by the citizens of Galena Park can amend the Charter. An election was held May 2015, the city attorneys and others attempted to amend article 8, section 6 of our current Charter by changing the governing by its name from city commission to city council. Mr. Clowers stated amendment number one was sadly defeated, in the same election and attempted was made by the city attorney and others to amend article 9 section 16 by adding paragraph 16-A, which to provide for a Manager Form City Government amendment ten was sadly defeated also. You can put lipstick on a pig, but it is still a Pig. For all of the above reasons I believe that the city attorney should advice the City Commission to adhere to the current city charter and refill the ordinance and eliminate the position of city administrator/ manager. Thank you for your time and your attention.

Item #4- Consider approving the minutes of special meeting on May 29, 2015. Commissioner Serna moved to approve the minutes of special meeting on May 29, 2015. Commissioner Flores 2nd....Vote: 5 Ayes... Motion Carried

Item #5- Consider ratifying accounts payable from May 29, 2015 through June 26, 2015. Commissioner Serna moved to approve the accounts payable from May 29, 2015 through June 26, 2015. Commissioner Killough, 2nd...Vote: 5 Ayes... Motion Carried.

Item #6- Consider approving the assignment letter from LJA Engineering for engineering services for a survey along 17th St. and Crown St. Commissioner Killough moved to approve the letter from LJA Engineering for engineering services for a survey along 17th St. and Crown St. Commissioner Simms, 2nd...Vote: 5 AyesMotion Carried.

Item #7- Consider approving resolution R06-2015- Adopting the Harris County Multi-Hazard Mitigation Plan. Jim DeFoyed read out loud. Commissioner Simms makes a motion to accept as presented. Commissioner Flores 2nd... Vote 5 Ayes... Motion Carried.

Item #8- Consider approving the 2015 EMS local projects grant and budget amendment increasing the ems equipment budget to \$36,991.00. Commissioner Serna moved to approve the 2015 EMS local projects grant and budget amendment increasing the EMS equipment budget to \$36,991.00. Commissioner Flores, 2ndVote: 5 Ayes...Motion Carried.

Item #9- Consider Approving Ordinance 2015-10 amending the personnel ordinance providing for severance package benefits for long term employees. Jim Defoyd read the ordinance out loud. Commissioner Simms moved to approve Ordinance 2015-10 amending the personnel ordinance providing for severance package benefits for long term employees. Commissioner Serna, 2nd...Vote. Mayor Moya stated that she was not satisfied with ordinance and asked Mr. Defoyd if it is in accordance with the state law. Mr. DeFoyd response yes. Mayor Moya also stated that she isn't satisfied with the certain long term employees; so it is not offered to everyone just the heads of the departments and asked Mr. Defoyd if that meant the heads that are mentioned in the charter, because the city administrator is not in the charter. Mayor Moya stated that it is very similar to the contract that the council wanted to pass in the executive meeting. Commissioner Killough stated to Mr. Defoyd that it was moved and second. Mayor Moya stated that it was still on the floor for discussion. Commissioner Simms moved to approve Ordinance 2015-10. Commissioner Serna 2nd.... Commissioner Killough stated to Mayor Moya that she needed to call for a vote. Mayor Moya stated she wanted the citizens to know and wanted to put it on record and check to see if it was in accordance with state law. Commissioner Killough stated since the Mayor will not call for the vote. Mayor Moya stated that she is still there and when she is ready she will call vote for the vote. Commissioner Killough stated that she needed to call for the vote. Commissioner Killough stated that they were ready. Mayor Moya stated that they will wait until

she is done. Commissioner Killough stated that they were ready. Mayor Moya stated that they will check to see if it is in accordance with state law and they will advise the citizens. 4 Ayes... 1 Nay (Mayor Moya)...Motion Carried. Commissioner Simms stated that was the first vote the Mayor had casted in the entire meeting. Mayor Moya stated that if he read the minutes he would see that there were plenty of more votes that she has had and he should read the minutes before he comments.

Item #10- Consider changing the employment status of Haylein Alanis from full time to part time-water department. Commissioner Killough moved to approve the employment status of Haylein Alanis from full time to part time-water department. Commissioner Flores 2nd, Vote: 5 Ayes... Motion Carried. Mayor Moya stated to Commissioner Simms this is when she cast her vote for his information. Commissioner Simms stated thank you.

Item #11- Consider approving the full time employment of Anette Trevino- Water Department. Commissioner Killough moved to approve the full time employment of Anette Trevino- Water Department. Commissioner Simms, 2nd...Vote: 5 Ayes. Motion Carried.

Item #12- Consider approving the part time employment of Joshua Sturgeon- Grounds Department. Commissioner Flores moved to approve the part time employment of Joshua Sturgeon- Grounds Department. Commissioner Serna 2nd...Vote: 5 Ayes...Motion Carried.

Item #13-Consider approving the part time summer employment of Raquel Sosa and Sebastian Rodriguez- Lifeguards. Commissioner Killough moved to approve the part time summer employment of Raquel Sosa and Sebastian Rodriguez- Lifeguards. Commissioner Simms 2nd, Vote: 5 Ayes... Motion Carried

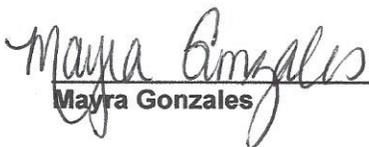
Item #14- Consider approving the termination of Juan Torres-Police Department. Commissioner Simms moved to approve the termination of Juan Torres-Police Department. Commissioner Serna 2nd Vote: Mayor Moya stated that she cannot agree with this because she does not even know why he was terminated. Commissioner Killough stated that it was under appeal and they cannot discuss it. Mayor Moya stated she was telling them why she cannot approve it. Vote: 4 Ayes...1 Nay (Mayor Moya)... Motion Carried. Mayor Moya stated to Commissioner Simms her vote was No. Commissioner Simms stated thank you he did not know he was taking the minutes. Mayor Moya stated no, but he should be reading them. A citizen stated that Commissioner Simms cannot read.

Mayor Moya asked for announcements.

Mr. Pruettt stated that the city would be having the 4th of July fireworks and weather permit they start on time. Commissioner Serna stated that during the day they will have a soccer tournament and other activities including hot dogs. Commissioner Flores stated they would be having a kickball tournament, music in the little league field along with movie night.

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

Meeting adjourned at 3:33 p.m.



Mayra Gonzales



APPROVED