

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF LAKE JACKSON

BE IT KNOWN that the Charter Review Commission of the City of Lake Jackson met on Monday, October 18, 2021 at 4:30 P.M. Lake Jackson City Hall with the following in attendance:

Will Brooks

Brad Whitehead

Jesse Glatz

Bill Yenne

Ariel Lara

Modesto Mundo, City Manager

Sherri Russell, City Attorney

APPROVAL OF MINUTES – October 4, 2021

On motion by Mr. Whitehead, second by Mr. Glatz with all present members voting “aye”, the October 18, 2021 minutes were approved as presented.

DISCUSSION AND COMMENTS WITH CITY ATTORNEY SHERRI RUSSELL

Ms. Russell researched if the final reports needed to be published and found that they do not need to happen because it would cost way too much. She also briefly mentioned the removal of “county clerk of Brazoria County” and shared that the county no longer wanted the budget. There was discussion to wait to review the sections that had questions for Ms. Russell, so that they go in order.

DISCUSS, REVIEW AND SUMMARIZE PROPOSED AMENDMENTS

Mr. Brooks suggested they review the “proposed changes” and decipher what will be added or removed from the table.

1.04

- Line 5 – change ‘metes and bounds of the territory sought to be eliminated from the city and shall contain a plat designating such territory so that the same can be definitely ascertained; and when said ordinance has been duly passed...’
 - Ms. Russell shared that this change doesn’t need to occur because it will cause dis-annexation
- change “and” to “or”
 - Will read out as “...The city or shall contain...”
 - Add to proposed changes

2.01

- Previous discussion of why the mention of being sued is in the charter.
 - Do not add to changes

3.01

- Inconsistent wording of “councilman” and “councilmember”
 - Ms. Russell suggested to change “councilman” to “councilmember” in general throughout the text. Mr. Glatz asked if this change must be taken to the voters because both terms are used throughout the charter. Ms. Russell stated that if they sent this as a change, the editors would

reject, charter must submit this as a vote to change.

- Regarding subsection (G) there was previous discussion of its relevance and possibly removing it.
 - Mr. Glatz stated that this subsection is outdated and suggested to leave it alone for now. He suggested that the ADHOC Charter could decipher if it needs to be removed.
 - Mr. Yenne mentioned that subsection (G) could serve as a historical purpose, but Mr. Whitehead stated he doesn't agree that it has any background purpose.
 - Ms. Lara stated that she believes it should be cleaned up now.
 - Mr. Glatz asked Ms. Russell if they could combine the outdated sections and take to the voters to see if they could be removed.

3.06

- Regarding mayoral vacancy
 - Mr. Glatz questioned Ms. Russell if the Mayor Pro-Tem would step in if the mayor left
 - Mr. Yenne stated that in the past when a mayor left, council picked someone that wasn't even on the board
 - Ms. Russell stated that the Mayor Pro-Tem could step up to finish the term, if the mayor decided to step down from the position but suggested, "The mayor must be chosen from city council in the event there is vacancy in the mayor's role."
- Subsection (D) regarding mayoral vacancy was suggested to be added to the table the phrasing will be, "If a vacancy occurs in the mayor's position, the city council will select a member of city council to serve out the term of the mayor."

3.09

- Line 6 - "circulation to city of Lake Jackson..." add "issue of newspaper and/ or official city website" for the publication of the ordinances.
 - Recommend adding clarification that city council meetings will be posted on the city's website as well if it was already approved.

3.11

- Line 3- "no ordinance should be finally passed until it has been fully read" to "until it's caption has been read"
 - To comply with current practice of reading the ordinance caption, rather than the full ordinance at each meeting.

3.12

- Bonds for City Officials - Review current practice.
 - Discussion to check with TML (Texas Municipal League) if this language and bonds are covered. Answer determines if this moves forward to the voters.
 - Also covers section 9.17, and anywhere bonds are mentioned.

4.05

- change all "he/ him/ his" pronouns
 - can be removed from table and add a footnote

4.06

Section "D" sanitary code / Eliminate all of section "D"

- Remove section “D” and have appropriate health codes adopted by council in the code of ordinances.
- This will allow council and staff to keep any health and sanitary codes current. They will be able to update without having to amend the charter.
- Keep A, B, C and drop section D (1-7), E would become D.

5.03

- “Councilmen” to “councilmember”
 - This will be covered in general.
- “V.T.C.A.” is not spelled out
 - ask editor to spell it out once, or add note at the beginning
 - Ms. Russell stated that this doesn’t need to go to elections

6.02

- The board discussed and questioned if they should increase the number of petitioners as the census increases.
 - Agreed on no changes

7.10

- Remove this section from the charter.
- Editor will note if section 7.11 moves up

9.02

- Rename last sentence of (J)
- Discussion of eliminating the sentence.
- Agreed to leave the detail summary/ (No changes)

9.11

- Remove “county clerk of Brazoria County” and adding “available online/city website.”
- Editor will word as needed, “...and/ or available on the city’s official website.”

9.17

- Suggestion to add “can contract this to Brazoria County.”
 - The city can elect to contract stated duties to the Brazoria County tax office, or another appropriate entity.

11.06

- Remove the word “whatever” when section discusses garnishment of accounts
 - Ms. Russell will ask the editor to remove wording because she doesn’t think it needs to be voted on.

11.08

- V.T.C.A. for reference
 - This was previously discussed. Remove from table.

11.12

- Gender terminology:
Already on the list from Section 3 as a recommended change.
 - Previously discussed as well. Resolution was to add footnote.

AFFIRM NEXT MEETING DATE AND DRAFT AGENDA

Mr. Yenne and Mr. Brooks discussed what the ADHOC Charter would do and how this was brought up. There was discussion of how the legality of wording is necessary but cleaning up the Charter would be beneficial to better comprehend.

Discussion of writing a summary together by November 1, 2021.

Have the table restructured to have the agreed changes added to the final report.

ADJOURN

On motion by Mr. Brooks second by Mr. Yenne to adjourn meeting with all present members voting “aye”, the meeting adjourned at 5:46 p.m.

These minutes read and approved this _____ day of November 2021.

Will Brooks, Chairman

Ariel Lara, Secretary