

Dan Bochsler, Chair
Edwina Miller, Vice-Chair
Jessie Sweet, Committee Member
Tracy Torma, Committee Member
Mattie Jackson, Committee Member
Jodi Davis, Committee Member
Marilyn Ester-Barnes, Committee Member
Cotrina Davis, Committee Member

Teresa Herrera, City Manager
April Jackson, City Secretary
Rezzin Pullum, City Attorney



**NOTICE OF MEETING
CHARTER REVIEW COMMITTEE
October 28, 2024
10:00 A.M.
City Hall Conference Room
504 N. Queen Street
Palestine, Texas**

Zoom Link:

<https://us02web.zoom.us/j/89652133777?pwd=dylJHgxHLmT8UipGOBPClax5fPPDs.1>

Meeting ID: 896 5213 3777
Passcode: 936665

One tap mobile
+13462487799,,89652133777#,,,,*936665# US

Note: when you are joining a Zoom meeting by phone, you can use your phone's dial pad to enter the commands *6 for toggling mute/unmute and *9 to "raise your hand." [Learn more here.](#)

Follow us live at: facebook.com/palestinety/

A. CALL TO ORDER

B. PROPOSED CHANGES OF AGENDA ITEMS

C. PUBLIC COMMENTS

Any citizen wishing to speak during public comments regarding an item on or off the agenda may do so during this section of the agenda. All comments must be no more than five minutes in length. Any comments regarding items, not on the posted agenda may not be discussed or responded to by the Committee. Members of the public may join via Zoom or in person.

D. CONFLICT OF INTEREST DISCLOSURES

E. APPROVAL OF MINUTES

1. Consider approval of minutes from the September 9, 2024, meeting.

F. DISCUSSION AND ACTION ITEMS

1. Discussion and possible action regarding Section 6.2. - Term and removal of city manager, Article VII. - Budget, and Article VIII. - Officers and Employees.

G. ADJOURNMENT

I certify that the above Notice of Meeting was posted on the outdoor bulletin board at the main entrance to City Hall, 504 N. Queen Street, Palestine, Texas, in compliance with Chapter 551 of the Texas Government Code on **Friday, October 25, 2024, at 8:30 a.m.**

A handwritten signature in blue ink that reads "April Jackson". The signature is fluid and cursive, with the first name "April" and last name "Jackson" clearly distinguishable.

April Jackson, City Secretary

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA) PERSONS IN NEED OF SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, CONTACT THE CITY SECRETARY'S OFFICE VIA EMAIL AT citysecretary@palestine-tx.org or 903-731-8414.

Charter Review Committee - Special Meeting

E. 1.

Meeting Date: 10/28/2024

Submitted By: April Jackson, City Secretary

SUMMARY

Consider approval of minutes from the September 9, 2024, meeting.

RECOMMENDED ACTION

Staff recommends approval of minutes.

CITY MANAGER APPROVAL

Attachments

September 9, 2024, Minutes

THE STATE OF TEXAS §
COUNTY OF ANDERSON §
CITY OF PALESTINE §

The Charter Review Committee of the City of Palestine convened in a Regular Meeting on Monday, September 9, 2024, at 10:00 a.m., in the City Hall Conference Room, 504 N. Queen Street, Palestine, Texas, with the following people present: Dan Bochsler, Jessie Sweet, Mattie Jackson, and Jodi Davis. Committee Members Edwina Miller, Tracy Torma, Marilyn Ester-Barnes, and Cotrina Davis were absent.

Staff present: City Manager Teresa Herrera, City Secretary April Jackson, and City Attorney Rezzin Pullum.

CALL TO ORDER

With a quorum present, Chair Dan Bochsler called the meeting to order at 10:13 a.m.

PROPOSED CHANGES TO AGENDA ITEMS

There were no proposed changes to agenda items.

PUBLIC COMMENTS

There were no public comments.

CONFLICT OF INTEREST DISCLOSURES

No action was taken.

APPROVAL OF MINUTES

1. Consider approval of minutes from the August 12, 2024, meeting.

Motion by Committee Member Jodi Davis, seconded by Committee Member Mattie Jackson, to approve the item as presented. Upon vote, the motion carried 4-0.

DISCUSSION AND ACTION ITEMS

1. Discussion and possible action regarding Section 4.2. – Selection, Section 4.5. – Qualifications, Section 4.8. – Vacancies, Section 4.9. – Rules of Procedure, and Section 4.10. – Open Meetings.

ARTICLE IV. THE CITY COUNCIL; ORGANIZATION, POWERS

- **Section 4.5(c) – Qualifications.**

Discussion was held on whether to consider delinquent indebtedness to state agencies; no changes were proposed for this section.

- **Section 4.8. – Vacancies.**

Section 4.8(a) – The allotted time to fill a vacancy by appointment was revised from ten to thirty days.

Section 4.8(b) – City Attorney Rezzin proposed the following language be added as a new subsection to address the request for a resign-to-run provision: If any of the officers named herein shall announce their candidacy, or shall, in fact, become a candidate, in any General, Special or Primary Election, for any office of profit or trust under the laws of this State or the United States other than the office then held, such announcement or such candidacy shall constitute an automatic resignation of the office then held, and the vacancy thereby created shall be filled pursuant to law in the same manner as other vacancies for such office are filled.

- **Section 4.9. – Rules of procedure.**

Staff recommended deleting the language “in a book kept for that purpose,” as all minutes are being kept electronically.

Discussion was held regarding the requirement to have four affirmative votes from Council to adopt any ordinance, resolution, appointment, or other official action and the challenge of the requirement when there are absences or vacancies on Council. The Committee recommended no changes to the section.

2. Discussion and possible action regarding Article V. – Elections and Article VI. – Council-Manager Form of Government.

ARTICLE V. ELECTIONS.

- **Section 5.1. – Elections generally.**

Staff recommended deleting the language “on the first Saturday in May or” to be consistent with frequent changes made by the state and deleting the word “special” throughout the section.

- **Section 5.2. – Regulation of elections.**

The Committee recommended the following revision to clarify the power to make regulations: Upon the appointment, municipal elections may be conducted by election authorities such as the County not inconsistent with this charter or with any regulations made by the council or the laws of the State of Texas.

- **Section 5.4. – Official Ballot.**

Staff recommended revising the requirement that ballots be printed at least 20 days prior to the date of any general or special election and instead requiring ballots be printed in accordance with state law.

- **Section 5.5. – Election by majority.**

Staff recommended this section be revised as follows due to the state determining the dates required for runoff elections: At any regular or special municipal election, the candidate who shall have received the majority of votes cast for any office in such elections shall be declared elected. In the event, there is no majority or a tie makes it impossible to determine the winning candidate or candidates, the council shall cause to be held a runoff election between the two candidates receiving the most votes, ~~not more than 30 days~~ in accordance with state law. ~~after canvass of the special or regular election. The candidates can agree on an alternate method in case of a tie vote.~~

- **Section 5.9. – Taking office.**

The Committee recommended removing the term “general.”

ARTICLE VI. COUNCIL-MANAGER FORM OF GOVERNMENT

- **Section 6.2. – Term and removal of city manager.**

The Committee discussed adding additional provisions for removing a city manager based on the City Charter from Texarkana. The City Attorney recommended the following requirement: The Council shall notify the City Manager of its intent to consider removal of the City Manager. The City manager shall have the opportunity to request a public hearing on their removal within 14 days of the notice Council’s intent to remove.

- **Section 6.3. – Powers and duties of city manager.**

Staff proposed removing the requirement that the City Manager attend all meetings of the Council as there are times that it is not applicable.

- **Section 6.4. – Boards, commissions, and committees.**

Committee members recommended the following provision be added: The entire Council shall receive all applications for Boards, Commissions, and Committees in advance of an appointment.

ITEMS FOR PLACEMENT ON FUTURE AGENDAS

Chair Dan Bochsler requested the continued review of Sections 6.2, Article VII, and Article VIII at the next meeting.

ADJOURN

With no other business to come before the Committee, the meeting was adjourned at 11:52 a.m.

PASSED AND APPROVED THIS 15TH DAY OF OCTOBER, 2024.

DAN BOCHSLER, CHAIRMAN

ATTEST:

APRIL JACKSON, CITY SECRETARY

DRAFT