



CITY OF SEABROOK CIVIL SERVICE RULES AND REGULATIONS

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Effective: October 30, 2011

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forces of the United States of America and who has received a DD-214 that reflects an honorable discharge. A person who receives a discharge other than honorable is not eligible for consideration of the application of military points provided for herein.

§ 143.005. STATUS OF EMPLOYEES IF CHAPTER ADOPTED

A Police Officer who has been in the service of the Department for at least six months as of May 7, 2011 who has acquired the status of a civil service employee upon adoption of civil service by the City without the requirement to pass a competitive examination to remain in the position the person occupied at the time of the adoption.

§ 143.006. IMPLEMENTATION: COMMISSION

(1) **APPOINTMENT, VACANCY AND TERM OF COMMISSIONERS**

There is hereby established the Commission which shall consist of three (3) members to be initially appointed by the City Manager and such appointment shall be confirmed by the City Council before any such appointments shall be effective. The initial Commission shall consist of three (3) Commissioners. One Commissioner shall be appointed for a one (1) year term, one Commissioner for a two (2) year term, and one Commissioner for a three (3) year term. Thereafter, the term of each Commissioner shall be for three (3) years, or until a successor is appointed, confirmed and qualified. Any vacancies in said Commission caused by death, resignation, or otherwise, or by failure of any appointee to qualify within ten (10) days after appointment, shall be filled in the manner hereinabove specified and such appointment shall be for the remainder of the unexpired term in the same manner as the original appointment.

(2) **QUALIFICATIONS FOR COMMISSIONERS**

A person appointed to the Commission must:

- a) Be of good moral character;
- b) Be a United States citizen;
- c) Be a resident of the municipality who has resided in the municipality for more than three years;
- d) Be over 25 years of age; and
- e) Not have held a public office within the preceding three years (other than prior service on the Commission).

(3) **CHAIR AND VICE-CHAIR**

The Commissioners shall, within ten (10) days after the qualification of the membership and annually thereafter during the month of January, elect a Chair and a Vice-Chair. When vacancies of members of the Commission occur, the replacement of Chair and Vice-Chair will be handled as follows: 1) in the event of a vacancy in the Chair position, the Vice-Chair will assume the role of Chair and an interim election will be held to elect a new Vice-Chair; 2) in the event of vacancy of the Vice-Chair position, an interim election will be held to fill that office.

(3) **RESPONSIBILITIES**

The Commission, acting in compliance with Chapter 143, has the authority to adopt, publish and enforce Rules relating to:

- a) The proper conduct of Commission business meetings;
- b) The proper conduct of examinations for entry level and promotional eligibility;

- c) The proper conduct of appeals of testing and examination scoring;
- d) The prescribed cause or causes for the removal or suspension of a civil service employee;
- e) The procedures for the hearing of disciplinary appeals concerning suspensions without pay, indefinite suspensions, promotional bypass; or recommended demotions; or administrative review of written promotional examination questions; and
- f) Such other matters reasonably related to the selection, promotion and discipline of civil service employees, not otherwise vested in the discretionary or managerial authority of the City Council, City Manager, Chief of Police, or Director.

(4) **QUORUM**

Two members for the Commission constitute a quorum sufficient to conduct meetings and hearings or reviews. In the absence of the third member, no action shall be approved, adopted or affirmed unless both Commissioners agree. A split vote of two Commissioners will not approve, adopt or affirm an agenda item for any appellant who has the burden of proof.

(5) **MEETINGS**

Meetings of the Commission will be scheduled as needed to conduct the business of the Commission. The Commission shall conduct its meeting in such place as designated by the posted Notice of Meeting. The Commission shall conduct all meetings in compliance with the provisions of Section 551.001 et seq. of the Government Code (Open Meetings Act).

A meeting shall be called by the Director at the request of the Chair, or at the written request of any two (2) Commissioners. Notice of Meeting of the Commission shall be given by the Director to the Commissioners at least seventy-two (72) hours preceding the day of the meeting, except in case of emergency or urgent public necessity, in which case two (2) hours notice shall be given in accordance with the provisions of the Government Code. The Director shall also give the same notice to the Chief of Police and shall see that the Notice of Meeting is posted.

In all matters of procedure not controlled by the provision of the Local Government Code, the order of business and conduct of meeting shall be in conformity with Robert's Rules of Order. The Commission may, by majority vote, make Rules of procedure for the administration of Chapter 143 of the Local Government Code. The Chair may alter the order of business at his/her discretion.

The Director shall assist the Chair in preparing the agenda for a Commission meeting. Any Commissioner may place an item on the agenda with a written notice to the Director prior to the time of posting.

§ 143.007. REMOVAL OF COMMISSIONER

- (1) A Commissioner may tender his or her resignation in writing at any time to the City Manager. A Commissioner may be removed from office by the City Council for misconduct in office or otherwise in accordance with Chapter 143.