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**CITY OF SEABROOK
ORDINANCE NO. 2020-15**

**REVISION TO PERSONNEL POLICY
DOT-DRUG AND ALCOHOL POLICY AND DRUG AND ALCOHOL POLICY**

AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, AMENDING THE CITY OF SEABROOK “PERSONNEL POLICIES”, CHAPTER 7 “BEHAVIOR AND CONDUCT”, SECTION 1 “ALCOHOL AND DRUG USE/ABUSE” BY REPLACING THE SECTION WITH SECTION 1A -“DOT - DRUG AND ALCOHOL POLICY” AND SECTION 1B – “DRUG AND ALCOHOL POLICY” MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, the City Manager is charged under Section 3.04 of the City Charter to be responsible to the City Council for the administration of all City affairs placed under his/her charge by Charter or Council, specifically including to direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by Charter or by law; and

WHEREAS, the City Charter, Section 4.06 “Personnel System” provides that the City Manager shall prepare personnel rules which may be adopted, with or without amendment by Ordinance of City Council; and

WHEREAS, the City of Seabrook “Personnel Policies” requires updates and amendments to the “Alcohol and Drug Use/Abuse” policy by replacing it with “DOT- Drug and Alcohol” policy and “Drug and Alcohol” policy; and

WHEREAS, the “DOT-Drug and Alcohol” policy will establish guidelines and procedures to administer drug and alcohol screening program for city employees who hold commercial driver’s license (CDL) as part of their job duties and are subject to drug and alcohol testing as required by Department of Transportation (DOT) and the Federal Motor Carrier Safety Administration (FMCSA). Attached hereto as Exhibit “A”, pending City Council review; and

WHEREAS, the “Drug and Alcohol” policy will establish guidelines and procedures to administer drug and alcohol screening for employees in an effort to provide an alcohol and drug-free, healthful, and safe workplace. Attached hereto as Exhibit “B”, pending City Council review; and

WHEREAS, the City Council of the City of Seabrook, Texas deems it is in the public’s interest to accept the amendment proposed and adoption of the Personnel Policy with this revision;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS:

SECTION 1. FINDINGS.

The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are adopted by the City Council and made a part of hereof for all purposes.

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SECTION 2. ADOPTION.

The “Personnel Policies” of the City of Seabrook, Chapter 7 “Behavior and Conduct,” Section 1, “Alcohol and Drug Use/Abuse” is hereby amended by replacing Section 1 under said Chapter with Section 1A – “DOT – Drug and Alcohol Policy” and Section 1B – “Drug and Alcohol Policy” specifically delineated in Exhibit “A” and Exhibit “B”, attached hereto and incorporated by reference for all purposes; and

SECTION 3. SEVERABILITY.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 4. NOTICE

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on the first reading this 2nd day of June, 2020.

PASSED, APPROVED and ADOPTED on the second reading this _____ day of _____, 2020.

BY: _____
Thomas G. Kolupski
Mayor

ATTEST:

BY: _____
Robin Lenio, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney