



**AGENDA
REGULAR MEETING
FREEPORT CITY COUNCIL
TUESDAY, SEPTMEBER 7, 2021 at 6:00 P.M.**

Mayor:

Brooks Bass

Council Members:

Jeff Pena
Jerry Cain
Mario Muraira
Troy Brimage

City Manager:

Timothy Kelty

THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON TUESDAY, THE 7TH DAY OF SEPTEMBER, 2021, AT 6:00 P.M., AT THE FREEPORT, POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD FREEPORT TEXAS

YOU MAY JOIN THE PUBLIC MEETING REMOTELY BY TELECONFERENCE BY DIALING:

(425) 436-6312 AND USING ACCESS CODE 5678901#

OR

AUDIO VISUAL CONFERENCE CALL USING:

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International dial-in numbers: https://fccdl.in/i/council_mtg_090721

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https://join.freeconferencecall.com/council_mtg_090721

enter access code 5678901# and the online meeting code is: council_mtg_090721.

OR

Visit the App Store or Google Play to download FreeConferenceCall. Enter the phone number, access code and online code listed above to view the meeting.

REMOTE PARTICIPANTS WILL NOT BE ABLE TO ADDRESS COUNCIL DIRECTLY. COMMENTS FROM REMOTE PARTICIPANTS MUST BE SENT VIA EMAIL TO publiccomments@freeport.tx.us ANY TIME PRIOR TO, OR DURING THE MEETING ALL COMMENTS RECEIVED WILL BE READ ALOUD INTO THE RECORD.

THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:

CALL TO ORDER: *The Mayor will call the meeting to order, declare a quorum if present, and declare notices legally posted pursuant to Open Meetings Act.*

INVOCATION AND PLEDGE OF ALLEGIANCE: (Council Member)

CITIZENS' COMMENTS:

Members of the public are allowed to address the City Council at this time, and must include name and address. *Note*, specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open meetings Act unless said notice appears herein. The public is reminded that there is a (4) minute time limit as approved by City Council on June 21, 2010.

PRESENTATIONS/ANNOUNCEMENTS: Announcements by Mayor, City Council and/or Staff.

CONSENT AGENDA:

Consent Agenda items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately

1. Consideration and possible action on the approval of City Council meeting minutes from August 16, 2021. **(Wells)**
2. Consideration of approving the road closure for the Brazosport High School Homecoming Parade. **(Garivey)**
3. Consideration of approving the road closure for the Texas Navy Day. **(Strahan)**
4. Consideration and possible action to approve Resolution No. 2021-2704 the annual review and revision of the investment policy. **(Ezell)**

COUNCIL BUSINESS – REGULAR SESSION:

5. **Public Hearing:** Public Hearing and possible action on replat on Minter Subdivision a combination of Lots 56 and 57, Block 4 of the Bar X Ranch Subdivision Section 5 recorded in Volume 16, page 195-198 of the Brazoria County Plat Records situated in the Asa Mitchell Survey Abstract 97, Brazoria County, Texas. July 2021. **(Rivas)**
6. **Public Hearing:** Public Hearing Regarding FY 2021-2022 Proposed Budget. **(Ezell)**

7. Consideration of an Ordinance No. 2021-2637 Adopting FY2021-2022 Budget. **(Ezell)**
8. **Public Hearing:** Public Hearing Regarding the FY 2021-2022 Tax Rate **(Ezell)**
9. Consideration and Possible Action Regarding an Ordinance No. 2021-2638 Establishing a Tax Rate for the 2021 Tax Year. **(Ezell)**
10. Ratification of Increased Property Tax Revenues Reflected in the Fiscal Year 2021-2022 Adopted Budget. **(Ezell)**
11. Consideration and possible action to approve Resolution No. 2021-2703 authorizing the application to the Texas General Land Office (GLO) Beach Maintenance Reimbursement (BMR) Program and designating the City Manager as the official with full authority to act for the purpose of the program. **(Ezell)**
12. Consideration and Possible action on Resolution No. 2021-2705 amending the City of Freeport Personnel Policy regarding quarantine restrictions for Police, Fire and Detention Facility employees. **(Ezell)**
13. Consideration and possible action approving Ordinance No. 2021-2635 amending the offering of health benefits coverage to City of Freeport Retirees. **(Ezell)**
14. Consideration and possible action regarding Ordinance No. 2021-2636 requiring an electrical inspection prior to renewing expired electrical service. **(Rivas)**
15. Consideration and possible action approving Resolution No. 2021-2702 amending the Master Fee Schedule for electrical inspection for reactivation of service. **(Rivas)**
16. Consideration and possible action approving Resolution No. 2021-2706 for the Grant Application for the Freeport Police Departments, Radio Console Upgrade Grant. **(Garivey)**
17. Consideration and possible action on designating a representative and an alternate to the Houston-Galveston Area Council General Assembly for the year 2021. **(Kelty)**

WORK SESSION:

18. **The City Council may deliberate and make inquiry into any item listed in the Work Session.**
 - A. Mayor Brooks Bass announcements and comments.
 - B. Councilman Pena Ward A announcements and comments.
 - C. Councilman Cain Ward B announcements and comments.
 - D. Councilman Muraira Ward C announcements and comments.
 - E. Councilman Brimage Ward D announcements and comments.
 - F. City Manager Tim Kelty announcements and comments.
 - G. Updates on current infrastructure.
 - H. Update on reports / concerns from Department heads.

CLOSED SESSION:

19. Executive Session regarding a.) (Potential Litigation) consultation with city attorney, b.) (Deliberations about Real Property), O.A. Fleming, and East End, c.) (Personnel Matters) City Manager Annual Evaluation in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Sections 551.071, 551.072, 551.074.

COUNCIL BUSINESS – REGULAR SESSION:

ADJOURNMENT:


20. Adjourn.

Items not necessarily discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

ACCESSIBILITY STATEMENT This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (979) 233-3526.

CERTIFICATE I certify the foregoing notice was posted in the official glass case at the rear door of the City Hall, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, before 6:00 p.m. in accordance with Open Meetings Act.



Betty Wells, City Secretary,
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, August 16, 2021 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council:

- Mayor Brooks Bass
- Councilman Jeff Pena
- Councilman Jerry Cain Absent
- Councilman Mario Muraira
- Councilman Troy Brimage

Staff:

- Tim Kelty, City Manager
- Betty Wells, City Secretary
- Cathy Ezell, Finance Director
- Chris Duncan, City Attorney
- Lance Petty, Public Works Director
- Henry Rivas, Interim Building Official
- Giselle Hernandez, Financial Analyst
- Laura Tolar, Special Events Coordinator, Via Teleconference
- Robert Cramer, Teleconference
- Chris Motley, Fire Chief
- LeAnn Strahan, Destinations Director
- Jessie Dyson, Freeport Fire/EMS
- Kris Vierra, Freeport Fire/EMS
- Abdiel Martinez, Freeport Fire/EMS
- Parker Jones, Freeport Fire/EMS
- Blaine Redwine, Freeport Fire/EMS
- Ray Garivey, Freeport Police Chief

Visitors:

David McGinty	Manning Rollerson
Pam Dancy	Jerry Meeks
Sandra Barnett	Kenny Hayes
Tommy Pearson	Landis Adams
Melanie Oldham	Gina Adams
Brian Bruce	John Hatmaker
Sabrina Brimage	

Visitors, Via Teleconference:

Nicole Mireles	Paul Crow
Vander Williams	Lila Diehl

Call to order.

Mayor Bass called the meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation was led by City Manager Tim Kelty, Pledge was led by Councilman Brimage.

CITIZENS' COMMENTS:

Members of the public are allowed to address the City Council at this time, and must include name and address. Note, specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open meetings Act unless said notice appears herein. The public is reminded that there is a (4) minute time limit as approved by City Council on June 21, 2010.

Tommy Pearson spoke of the pumps over by Superior Fab, he said that the pumps have had problems for the seven years that he has lived in the City. He said that there has been floods and pumps not working. He said a pump has been missing for years. He said that we need to get rid of the rental pumps and replace it with a pump. He said this has been a problem for a long time, and we need to get it taken care of.

Kenneth Hayes, 414 Mystery Harbor spoke to council about the pop box on the levy that needs to be removed. He also asked about the VIC being moved back to the original building. Mr. Hayes said that the first workshop meeting that we had over the budget, the Health Insurance for the City Employees was discussed, he said that Councilman Pena made a comment that the city should reach out to the industry partners, and get them to help pay for the insurance coverage because the air pollution is what is hurting our people. Mr. Hayes said this is a dangerous statement to be made by one of our City Councilmembers in public.

Pamela Dancy spoke to council about the flooding that occurs on her property when it rains. She said this has been going on forever, she said that Band-Aids are just being put on this problem, it is not being fixed. She said that she is a tax payer and the City Council has failed her. She spoke of the pump issues and asked how hard is it to put a camera into the pipe.

Manning Rollerson spoke to council about the 5th Circuit Court ruling and the East End of Freeport. He said that Council always fails them. Mr. Rollerson spoke about the pump issue in the city.

Melanie Oldham, 922 West 5 spoke to council about infrastructure, pumps and the 2.6 million in COVID money, she said that this money can be used for things, such as bonuses for employees. She asked if council is still considering the rehab on the Heritage House, and if the city has considered a new Community Center. She said that she thinks the money for Heritage House should be used for the rehab on City Hall. She spoke about the VIC, streets and drainage.

Ms. Gloria Molina spoke to council about having to pay a water bill that was left by a tenant. Mr. Duncan said that she can speak with Mr. Kelty about this issue, because council cannot discuss something that is not on the agenda. She said that she has spoken with Mr. Kelty, Darla Autry and Councilman Muraira.

Councilman Muraira said that he has advised her that there is a grant that is available to help with this bill.

Mayor Bass said that we cannot discuss this here. She can bring it up as citizen comments, or ask to be placed on an upcoming agenda.

PRESENTATIONS/ANNOUNCEMENTS: Announcements by Mayor, City Council and/or Staff.

Presentation for employee of the month, for the month of July 2021.

City Manager presented employee of the month for the month of July 2021 to Firefighter James Parker Jones.

CONSENT AGENDA:

Consideration and possible action on the approval of City Council meeting minutes from August 2, and August 6, 2021.

Consideration and possible action approving Resolution No. 2021-2700 approving the recommendation of the Employee Benefits Trust in regard to the award of the Employee Health Insurance Contract.

Consideration of approving Resolution No. 2021-2701 by the City of Freeport Designating Authorized Signatories for Contractual Documents and Documents for Requesting Funds Pertaining to the Community Development Block Grant – Disaster Recovery Program (CDBG-DR) Contract Number 20-065-050-C158.

Councilman Pena asked a question about this item. Ms. Ezell said that this is the Grant for the Bar Screen replacement, she said that the paperwork through the GLO has to be updated with her information so that she can sign for the financial side. She said that there are issues of the draw of funds on the grant.

Item No. 5, Consideration and possible action approving Ordinance No. 2021-2635 amending the offering of health benefits coverage to City of Freeport Retirees was pulled from the consent agenda and tabled by Mayor Bass.

On a motion by Councilman Brimage, seconded by Mayor Bass, with all present voting “Aye” 4-0 Council unanimously approved items No. 2, 3 and 4 on the Consent Agenda.

COUNCIL REGULAR AGENDA:

Consideration and possible action approving Resolution No. 2021-2698 amending the Social Media Policy.

City Manager Tim Kelty presented to council the possible action approving Resolution No. 2021-2698 amending the Social Media Policy. He said that this was tabled last meeting because Mayor Bass and Councilman Brimage were not present. Mr. Kelty said that there has been no change in what is being proposed. He said that this gives the city better control of the content and message that gets put on social media, he said this item had been developed with the input from and at the request of Councilman Pena, and that it is consistent and in line with the city’s vision identified in the City’s Strategic Community Plan adopted in 2019. Mr. Kelty said that Communication Manager position who would be responsible for administering the policy is included in the budget FY2021-2022.

Councilman Brimage said that in his opinion the city is not ready for a Communication Manager and it wasn't needed. He said we have good people that run these departments, who are successful in what they do. He said that we can't afford to pay an insurance policy, and we can't fix the flooding problems, but we are talking of adding a Communication Manager? He said that he does not understand this.

Councilman Muraira said that he agrees with this Amending the Social Media Policy and approving a Communication Manager position.

Councilman Pena said that this position should cover more than just the Social Media. Mr. Kelty said that the monitoring of social media is just a small portion of what this position will do. Mr. Kelty said that it will be in charge of creating flyers, newsletters, developing official press release and help with marketing the community and communication with the public. Councilman Pena said that Freeport is so far behind, we needed this position yesterday. He said that when other Councilmembers speak, he respects their time, and he would appreciate the same respect. He said during the freeze, it would have been nice to have something like this to build hope.

On a motion by Councilman Pena, seconded by Councilman Muraira, with all present and voting 2-2, the item was not approved. Councilman Pena and Councilman Muraira voted "Aye". Mayor Bass and Councilman Brimage voted "Ney".

Consideration of and action on setting the City of Freeport proposed 2021 tax rate, setting public hearing (if necessary), and directing staff to publish the Notice of Proposed 2021 Tax Rate.

Finance Director, Cathy Ezell presented to council the City of Freeport proposed 2021 tax rate, setting public hearing (if necessary), and directing staff to publish the Notice of Proposed 2021 Tax Rate. She said that we have to adopt the tax rate as part of the budget. She said that the legislature changed how we do everything. She said that the rate decided on tonight is the proposed tax rate. Ms. Ezell said when we come back on the next meeting we can go less, but not more.

Mayor Bass asked to define debt. Ms. Ezell said it is the amount of Bond money that was borrowed and promised to be paid back by the property tax rate.

Councilman Pena asked if this tax rate is the overall property tax rate? Ms. Ezell said yes.

On a motion by Councilman Brimage to propose a tax rate of .61, with an M&O rate of .506691 and a debt rate of .103309, which is 5.3% over the NNR rate, of which \$2,767,965 is General Fund M&O Revenue, and impacts the budget by \$89,208; and, scheduling a Public Hearing on the Tax Rate, Tuesday September 7, 2021 at 6 PM, seconded by Mayor Bass, with all present voting "Aye" 3-0 council unanimously approved the City of Freeport proposed 2021 tax rate, setting public hearing, and directing staff to publish the Notice of Proposed 2021 Tax Rate.

Mayor Bass "Aye"

Councilman Brimage "Aye"

Councilman Pena "Aye"

Councilman Cain was not present.

Councilman Muraira was not present.

Discussion of Fiscal Year 2021-2022 Budget.

Finance Director Cathy Ezell said that this is the proposed budget. She said that there have been no changes since the last Budget Discussion. Ms. Ezell said that there are two items that are up in the air from the last Budget Workshop, she said the expansion of the roads over the levy to the 2nd Street Boat Ramp for \$150,000.00, and adding additional parking at this boat launch, for \$100,000.00. She said no consensus had been reached when these items were brought up.

Councilman Pena asked when will we hold the last Budget Workshop? Ms. Ezell said this is the last one prior to the meeting schedule for adoption. Councilman Pena said that he wishes we would have had an independent Workshop. City Manager Tim Kelty said that there is time to make changes before the next meeting. Councilman Pena said that the budget to date, is a hodgepodge approach to allocate these funds, without any particular vision.

Councilman Muraira said that he would like to see the funds that are set for the Heritage House, be moved to the Velasco Community House. He said that he would like a facelift on this building. He said that he would like to see if we can consider \$50,000-\$200,000 for the Velasco Community House.

City Manager asked Council if there is consensus on the two items of widening of the road at the 2nd Street Boat Ramp, and additional parking, at this location. He also asked if the Velasco Community House rehab is to be added, he asked if there are any other projects that council would like to see added to this budget.

Mayor Bass said that Mr. Kelty is looking for guidance on the budget.

Consideration and possible action regarding Ordinance No. 2021-2636 requiring an electrical inspection prior to renewing expired electrical service.

There was an online comment on this item asking why this did not go to Planning and Zoning Commission before City Council, the Planning Commission has been against this and has voted it down in the past.

An online statement was agreeing with Councilman Brimage on the Social Media Policy, they commented when there are streets that need repair and the flooding through the city, we do not need this new position of Communication Manager.

Interim Building Official, Henry Rivas presented to council Ordinance No. 2021-2636 requiring an electrical inspection prior to reconnection if the service had been disconnected for more than 3 months. He said that currently the city does safety inspections on all reconnections at no charge. This Ordinance will allow for the setting of a fee for the city's inspection.

Mayor Bass asked if there are laws or codes to enforce this? Mr. Rivas said that there is no fee on the safety inspection. Mayor Bass asked if there are codes that can be enforced if someone has an unsafe electrical breaker box. Mr. Rivas said that there is the National Electrical Code. He said that we will not know this if we are not called out to inspect.

Councilman Brimage said that he thinks we should charge the landlord, not the tenant.

Councilman Pena asked what the Fire Chief's opinion is on this? Chief Motley said that there were issues in the past. He said that he doesn't have current information on hand. He said that this is a good preventative safety measure.

Councilman Brimage asked if electricity is turned off, the property must have an electrical inspection before power can be turned back on. Mr. Rivas said yes.

This item was tabled by Mayor Bass.

Consideration and possible action approving Resolution No. 2021-2702 amending the Master Fee Schedule with fee for electrical inspection for reactivation of service.

This item was tabled.

WORK SESSION:

Mayor Bass asked that Gina Adams with the BCHC to stand, he spoke of the Sisterhood Signing Agreement with Altamira, Mexico. He said that Ms. Adams and the BCHC were the ones to get this started. He said that he wants to thank her for all of the hard work put into this.

Councilman Pena said that he was elected because he has new ideas, he speaks up and he is not interested in how things have been done, but in doing things that have not been done. He said that he got elected because of the changes he did on the EDC, cleaning up bad contracts, and bad deals. He said that he took his oath very seriously. He said that when he thinks about the air and the quality of it, here in Freeport he said that maybe he has just not inhaled enough of the fumes, because he still has he wits and he will still impose the questions that others may fear. Councilman Pena asked Mr. Petty for an update on Ave A and Velasco. Mr. Petty said the shipment came in today, once the rain stops we will start laying in on the roadway. Councilman Pena asked Mr. Petty about the intersection at Ave A and Velasco, he said that there was a red light there and it was removed. Councilman Pena asked if we need stop signs at this location. Mr. Petty said that we can look at putting a flashing light here. Councilman Pena asked if the street and sidewalk schedule has been compiled? Mr. Kelty said that he will get this put together for him. Councilman Pena said that the sidewalk in front of the river by the boat ramp and continuing to Velasco Bridge. The next one is by Sweet T's. He said that he is curious about the sidewalk by city hall, he said it is pristine. He said across the street these sidewalks are not pristine. He also spoke of the health services and insurance and saving money, he said why don't we check into testing our employees for smoking, and offer maybe lower premiums. Councilman Pena spoke of the Bill Fish Classic, he said that he knows that Councilman Brimage hosted this event. He is curious how many people came to the city for this? Councilman Brimage said he did not have an exact number but it was the largest ever. He said that there were 31 boats, at least 300-400 people at Riverplace, he said that there was not enough room for seating. Councilman Pena said that he wants to make sure we are looking at promoting our events.

Councilman Brimage said that Dale Lindsey at 1402 North Ave O said that he has bulky trash that needs to be picked up, he said that it has been out for three weeks. Councilman Brimage asked that Mr. Kelty reach out to Jaime with Waste Connections and get this picked up. He said that the ditch at Zapata needs to be cleaned out as well, he asked that Mr. Kelty contact Mr. Lindsey. Councilman Brimage said that the Velasco Lodge has a leak on their side, and the owner wants to repair the leak himself. He asked that Mr. Meeks go and speak with him. He said the ditch behind Superior Fabrication is overgrown, he said this needs to be taken care of. He spoke of the school road, it looks like they are going pretty high, and it is going to push the water into the driveway. He said that it looks like the same thing is going to happen at Ave A in front of Superior Fab. Councilman Brimage, asked that Ms. Pam Dancy's house be taken

care of. He said that this is a problem, he said please address this problem. Councilman Brimage said that this is an emergency situation. Mayor Bass said that we need to get this ditch mowed, we own it we need to take care of it.

Update on reports / concerns from Department heads

Fire Chief Motley told council that CHI Brazosport is on diversion, Angleton UTMB is on diversion, he said stay healthy. He said that COVID is the chief complaints. He said that we need to monitor the hurricane season.

Police Chief Garivey said that Officer Fernandez got a grant for \$127,000.00 for new radios.

City Manager Tim Kelty introduced Brian Bruce with Veolia.

CLOSED SESSION:

There was no Executive Session.

Executive Session regarding a.) (Potential Litigation) consultation with city attorney b.) (Deliberations about Real Property), O. A. Fleming, and East End, c.) (Personnel Matters) City Manager annual evaluation in accordance with Government Code Annotated, Chapter 551, Sections 551.071, 551.072, 551.074.

REGULAR SESSION

Adjourn

On a motion by Councilman Brimage, seconded by Councilman Pena, with all present voting "Aye", Mayor Bass adjourned the meeting at 8:55 P.M.

Mayor Brooks Bass
City of Freeport, Texas

City Secretary, Betty Wells
City of Freeport, Texas



City Council Agenda Item # 2

Title: Request for the road closure of West Second Street for 2021-2022 Brazosport High School Homecoming Parade

Date: September 7, 2021

From: Captain Danny Gillchrist

Staff Recommendation:

Brazosport High School Homecoming Parade Committee is requesting the complete closure of West 2nd Street from the 900 block of West Second Street 1800 Block of West Second Street from 5:00pm till 6:30pm

Item Summary:

Annual Homecoming and Bon-Fire Parade for Brazosport High School

Background Information:

Brazosport High School has been having their Parade and Bon-Fire for 20 years. BISD Police Department is handling the parade, and the Freeport Police Department will assist in blocking Intersections and traffic control.

Special Considerations: None

Financial Impact: None

Board or 3rd Party recommendation: None

Supporting Documentation:

Brazosport High School is scheduled for their Annual Home Coming Parade and Bon-Fire for Wednesday, September 15,2021. The parade route will start in the 900 block of Second Street, in front of On the River Restaurant and Beech street, traveling west bound down Second Street to Exporter Drive, in the 1600 block of West Second Street. The parade will be escorted by the Brazosport Independent School District Police Department. The Freeport Police Department will assist BISD on blocking the intersections along the parade route. The Parade will start staging at 5:00 PM, and promptly kick off at 5:30 PM. Chief Garivey has waived the fee for the parade permit.



Date: July 26, 2021
To: City of Freeport
From: Ian White, Principal
CC: Brandy Labban, Senior Class Assistant Principal
Re: Homecoming Parade

City of Freeport,

At this time I would like to ask the City of Freeport to allow and assist us with the student homecoming parade of the Brazosport High School. On Wednesday, September 15, 2021. I along with several faculty, staff, parents, students, and community members will be in attendance. We would like the parade to start at approximately 5:30 p.m. The parade will start at On the River and end at the Brazosport High School softball and baseball field vicinity.

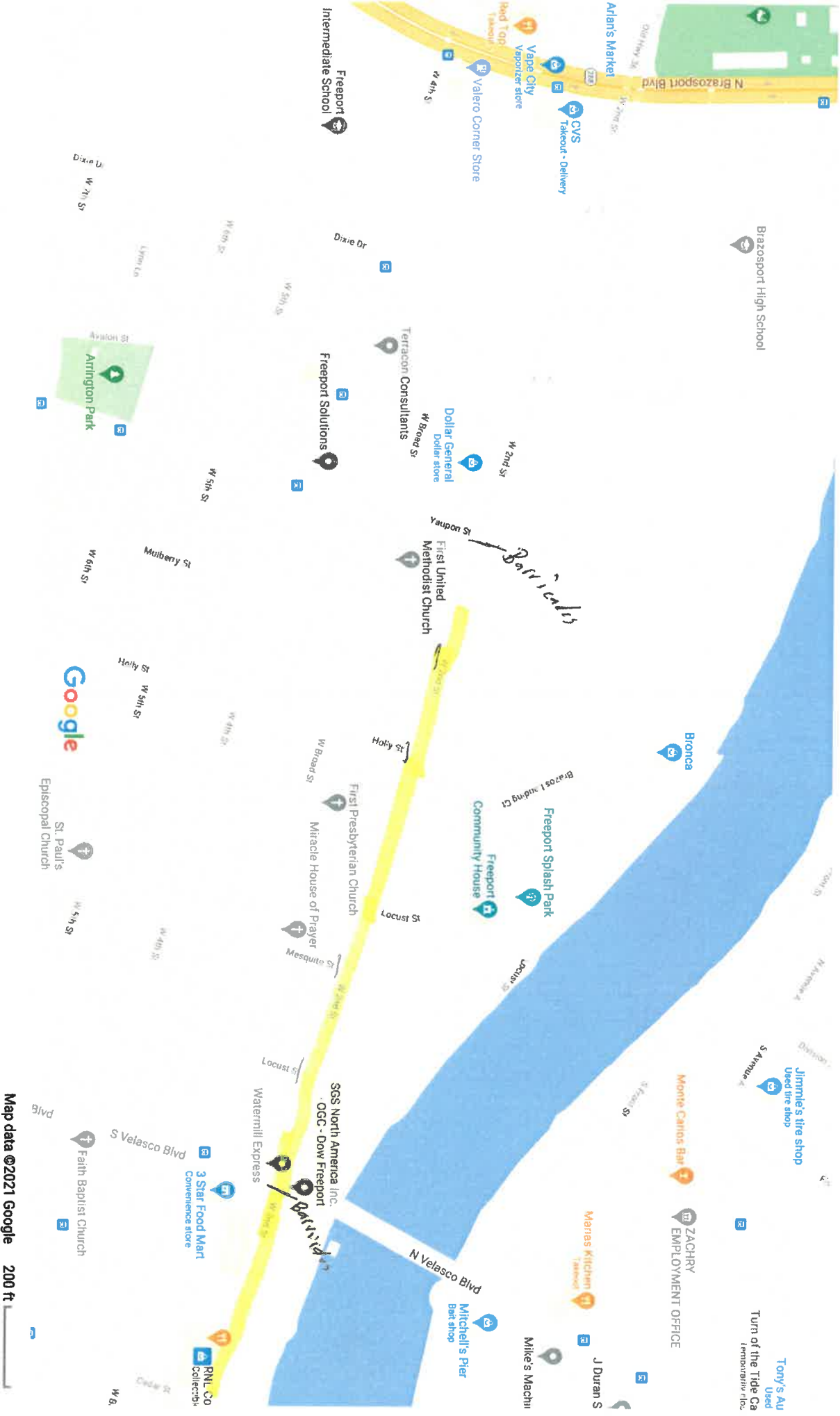
On behalf of myself and Brazosport High School I thank you for your continued assistance with this yearly tradition. The students and the entire Exporter family greatly appreciate you and the City of Freeport.

If you have any questions or concerns I can be reached at 979-730-7260.

Sincerely,

Ian White

Ian White
Principal
Brazosport High School



Map data ©2021 Google 200 ft



City Council Agenda Item # 3

Title: Texas Navy Day - Road Closures & Artillery Demonstrations

Date: September 7, 2021

From: LeAnn Strahan, Destinations Director

Staff Recommendation:

Staff recommends approval of the requested road closures in reference to the Texas Navy Day event scheduled for Saturday, September 18, 2021.

Item Summary:

The Freeport Historical Museum is hosting Texas Navy Day at the Freeport Historical Museum on Saturday, September 18, 2021 from 10:00am – 2:00pm. The program is scheduled to include several guest speakers discussing historical topics related to the Texas Navy, and a light lunch will be served to participants. James Glover from the Stephen F. Austin-Munson Historical County Park will conduct a period cannon fire demonstration to end the program.

Road closures are requested to ensure guest safety from vehicular traffic and cannon fire demonstration (black powder only). We request to block the 300 block of E. Park Ave. at Broad and 4th St. from 8:30am-2:00pm. In addition, we request temporary roadblocks on 4th Street at E. Park and W. Park from 1:30-2:00pm for the cannon fire demonstration.

Background Information:

This is an annual event that originated here in Freeport with the Daughters of the Republic of Texas; they first started having Texas Navy events here in the 1950s. We were encouraged by Texas Navy Association members to return the event back to Freeport in 2019.

Created to educate residents about Texas naval history, Texas Navy Day includes a program that provides information about the role of the navy in the Texas Revolution and other monumental moments and commemorates historic events with living historians.

Special Considerations

Staff will be on site from 1:30-2:00 pm to remove the temporary roadblocks on 4th Street if necessary, to allow Fire/EMS to respond to emergency calls.

Financial Impact: N/A

Board or 3rd Party recommendation: N/A

Supporting Documentation:

Map – Requested Road Closures
Texas Navy Day flyer

*Join us
for*

TEXAS

NAVY DAY

**September 18th
2021**

Learn about the
Navy that shaped
The Republic of
Texas

FREEPORT HISTORICAL
MUSEUM
& VISITOR CENTER



979-233-0066

311 E. Park Avenue - Freeport, TX



ROAD CLOSED FOR CANNON FIRE ONLY

W Park Ave

W Park Ave

W Park Ave

W 4th St

W 4th St

ROAD CLOSED

ROAD CLOSED

ROAD CLOSED FOR CANNON FIRE ONLY

E Park Ave

E Park Ave

E Park Ave

E Park Ave

E 4th St

Freeport Museum and Visitor Center

E Broad St



City Council Agenda Item # 4

Title: Consider a Resolution Amending the Investment Policy change the list of approved investment officers to the employee's position title.

Date: September 7, 2021

From: Cathy Ezell, Finance Director

Staff Recommendation:

Staff recommends approval of the Resolution.

Item Summary:

Staff proposes amending Exhibit "A" of the City's Investment Policy to list the investment officers by position rather than the name of employee and position held.

Background Information:

The purpose of City's Investment Policy is to provide direction for investing the funds of the City of Freeport and to comply with Chapter 2256 of the Texas Government Code ("Public Funds Investment Act"), which requires each entity to adopt a written investment policy regarding the investment of its funds and any funds under its control. The investment policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management of the City's funds.

Financial Impact: N/A

Supporting Documentation:

Resolution

RESOLUTION NUMBER 2021-2704

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, AMENDING THE INVESTMENT POLICY TO DESIGNATE THE LIST OF AUTHORIZED INVESTMENT OFFICERS TO BE IDENTIFIED BY THEIR RESPECTIVE POSITIONS OR TITLES WITH THE CITY OF FREEPORT; CONTAINING A PREAMBLE, FINDINGS OF FACT AND AN EFFECTIVE DATE.

WHEREAS, Chapter 2256 of the Texas Government Code, commonly known as the "Public Funds Investment Act," requires the City to adopt an Investment Policy and Qualified Broker/Deal List by rule, order, ordinance or resolution; and

WHEREAS, the City Council must approve any amendments to such Investment Policy; and

WHEREAS, the proposed amendment to the Investment Policy, a copy of which is attached hereto as Exhibit "A," complies with the Public Funds Investment Act, as amended, and authorizes the investment of City funds in safe and prudent investments; and

WHEREAS, the City Council hereby finds that the proposed Amended Investment Policy should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, THAT:

Section 1. The facts and statements contained in the preamble are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Exhibit C, Approved Broker/Dealers, Financial Institutions and Investment Pools, of the City of Freeport's Investment Policy is hereby amended as attached hereto as "Exhibit A".

Section 3. This Resolution shall become effective immediately upon its passage.

DULY PASSED, APPROVED AND ADOPTED on this the _____ day of September 2021.

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

Betty Wells, City Secretary
City of Freeport, Texas

APPROVED AS TO FORM AND CONTENT:

Christopher Duncan, City Attorney
City of Freeport, Texas



City of Freeport, Texas Investment Policy

Revised
September 7, 2021

City Freeport Investment Policy

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I. Policy

It is the policy of the City Freeport (the “City”) to administer and invest its funds in a manner that will preserve the principal and maintain the liquidity while meeting the daily cash flow requirements of the City. The City will conform to all federal, state and local statutes, rules and regulations governing the investment of the City’s funds.

Not less than annually, City Council shall adopt a written instrument by resolution stating that it has reviewed the Investment Policy and investment strategies and that the written instrument so adopted shall record any changes made to the Investment Policy or investment strategies.

II. Purpose

The purpose of this policy is to provide direction for investing the funds of the City of Freeport and to comply with Chapter 2256 of the Texas Government Code (“Public Funds Investment Act”), which requires each entity to adopt a written investment policy regarding the investment of its funds and any funds under its control. The investment policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management of the City’s funds.

III. Scope

This investment policy applies to the safekeeping and investing of all financial assets of the City. These funds are accounted for in the City's Annual Financial Report and include all financial assets of all funds managed by the City, including but not limited to tax revenues, charges for services, bond proceeds, interest income, loans and funds received by the City where the City performs a custodial function. However, this policy does not apply to the assets administered for the benefit of the City by outside agencies under deferred compensation programs or other retirement programs.

IV. General Objectives

The primary objectives, in priority order, of the City’s investment activities shall be safety, liquidity, and yield:

- A. **Safety** – Safety of the principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to minimize credit risk and interest rate risk.
 - i. **Credit Risk and Concentration of Credit Risk** – The City will minimize credit risk, the risk of loss due to the failure of the security issuer or backer, and concentration of credit risk, the

risk of loss attributed to the magnitude of investment in a single issuer, by:

- Limiting investments to the safest types of securities,
- Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the City will do business, and;
- Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

ii. **Interest Rate Risk** – The City will manage the risk that the market value of securities in the portfolio will fail due to changes in general interest rates, by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity,
- Investing operating funds primarily in shorter-term securities, money market mutual funds, or similar investment pools, and;
- Diversify maturities and stagger purchase dates to minimize the impact of market movements over time.

B. **Liquidity** – The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands. Furthermore, since all possible cash demands cannot be anticipated, a portion of the portfolio will be invested in money market mutual funds or local government investment pools that offer same-day liquidity for short-term funds. Additionally, securities held in the portfolio will have active secondary or resale markets.

C. **Public Trust** – All participants in the City’s investment process shall seek to act responsibly as custodians of the public trust. Investment officials shall avoid any transaction that might impair public confidence in the City’s ability to govern effectively.

D. **Yield** – The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The core of investments is restricted to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed.

E. **Investments held to Maturity** - Securities shall not be sold prior to maturity with the following exceptions:

- 1) A security with declining credit may be sold early to minimize loss of principal.
- 2) Liquidity needs of the portfolio require that the security be sold.

City Council will be informed promptly in the event that a security is sold prior to maturity.

V. **Standards of Care**

F. **Prudence** – The standard of prudence to be used by investing officials shall be the "prudent person" rule. This rule states that "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The determination of whether an investing official has exercised prudence with respect to an investment decision shall be applied in the context of managing an overall portfolio rather than a consideration as to the prudence of a single investment.

Investment officials acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that deviations from expectations are reported in a timely fashion and appropriate action is taken to control unfavorable developments.

G. **Ethics and Conflicts of Interest** – Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution and management of the investment program, or that could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City any material interests in financial institutions that conduct business with the City. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. (See Exhibit B.)

Furthermore, an investment official who has a personal business relationship with an organization seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An investment official who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required

under this subsection must be filed with the Texas Ethics Commission and the City Council.

- H. **Delegation of Authority** – Authority to manage the City's investment program is granted to the Investment Officer (s) as listed in Exhibit A. Responsibility for the operation of the investment program is hereby delegated to the Investment Officer, who shall act in accordance with established procedures and internal controls for the operation of the investment program consistent with this investment policy. This policy includes explicit delegation of authority to persons responsible for investment transactions. (See Exhibit A) No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Investment Officer. The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate activities of subordinate officials.
- I. **Training** – Investment officials must complete at least 10 hours of investment training within 12 months of taking office or assuming duties and shall attend an investment training session not less than once in a two-year period and receive not less than 8 hours of instruction relating to investment responsibilities. The City shall provide the training through courses and seminars offered by professional organizations and associations to insure the quality and capability of the City's investment personnel making investment decisions in compliance with Public Funds Investment Act (PFIA). Professional organizations and associations that may provide investment training included the Government Treasurer's Organization of Texas, the University of North Texas, the Government Finance Officers Association of Texas, or the Texas Municipal League.
- J. **Internal Controls** – The Investment Officer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (a) the cost of a control should not exceed the benefits likely to be derived and (b) the valuation of costs and benefits requires estimates and judgments by management.

VI. Safekeeping and Custody

- A. **Authorized Broker/Dealers and Financial Institutions** – The Investment Officer will maintain a list of financial institutions and security broker/dealers authorized to provide investment services (Exhibit C) to the City. This list shall be reviewed, revised as necessary and adopted at least annually.

Any person or business entity wishing to be listed as authorized to provide investment services will be required to provide a certification stating the firm has received, read and understood the Entity's investment policy and agree to comply with the policy (Exhibit D). Authorized firms may include primary dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (Uniform Net Capital Rule), and qualified depositories. All investment providers, including financial institutions, banks, money market mutual funds, and local government investment pools, must sign a certification acknowledging that the organization has received and reviewed the Entity's investment policy and that reasonable procedures and controls have been implemented to preclude investment transactions that are not authorized by the Entity's policy. No security, even if otherwise authorized by this policy, may be acquired from an investment provider who has not complied with this requirement.

No securities may be acquired from entities not qualified under this section.

- B. Competitive Purchasing** – The City's policy requires competitive quotes for all individual security purchases and sales except for a) transactions with money market mutual funds and local government investment pools; b) treasury and agency securities purchased at issue through an approved broker/dealer or financial institution; and c) exceptions approved by the Investment Officer on a case by case basis. These exceptions will take into consideration the investment type, maturity date, amount to be invested, and disruption to the City's investment strategy.

Quotes may be accepted orally, in writing, electronically or in any combination of these methods.

- C. Delivery vs. Payment** – All trades apart from investment pools and mutual funds will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds. Securities and collateral will be held in the City's name by a third-party custodian as evidenced by safekeeping receipts of the institution with which the securities are deposited.

VII. Suitable and Authorized Investments

- A. Eligible Investments** – Assets of the City may be invested in the following instruments described below. All these investments are authorized by the Public Funds Investment Act. Only those instruments listed in this section are authorized.

1. Obligations of the United States of America, its agencies and instrumentalities
 2. Certificates of Deposit issued by a depository institution that has its main office or a branch in Texas. The certificate of deposit must be guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor and secured by obligations in a manner and amount as provided by law. In addition, certificates of deposit obtained through a depository institution which are fully collateralized under a pledge agreement approved by the City are authorized investments.
 3. No-load Money Market Mutual Funds that 1) are registered and regulated by the Securities and Exchange Commission, 2) have a dollar weighted average stated maturity of 90 days or less, 3) seek to maintain a net asset value of \$1.00 per share and 4) are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service.
 4. Local Government Investment Pools, authorized by a separate resolution, which meet the requirements of Chapter 2256.016 of the Public Funds Investment Act and are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service.
- B. Collateralization** – Collateralization will be required on all funds on deposit with a depository bank, other than investments. To anticipate market changes and provide a level of security for all funds, the collateralization level will be one hundred two percent (102%) of market value of principal and accrued interest on the deposits, less an amount insured by the FDIC.

Securities pledged as collateral will be held in the City's name by an independent third party with whom the City has a current custodial agreement. The Investment Officer is responsible for entering into collateralization agreements with third party custodians in compliance with this Policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relation to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained. Collateral shall be reviewed at least quarterly to assure that the market value of the pledged securities is adequate.

- C. Existing Investments** – Any investment currently held that does not meet the guidelines of this policy, but were authorized investments at the time of purchase, is not required to be liquidated; however, the City

shall take all prudent measures consistent with this Investment Policy to liquidate an investment that does not or no longer qualifies as an authorized investment.

VIII. Investment Parameters

- D. Diversification** – The investments shall be diversified by security type and institution. Except for U.S. Treasury securities and authorized pools, the City will diversify the entire portfolio to comply with the investment strategy; however, in no case shall any single investment transaction be more than five-percent (5%) of the entire portfolio.
- E. Maximum Maturities** – To the extent possible, the City shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than three (3) years from the date of purchase. The composite portfolio will have a weighted average maturity of 365 days or less. This dollar weighted average maturity will be calculated using the stated final maturity dates of each security.

IX. Investment Strategies

The City maintains separate portfolios for individual funds or groups of funds that are managed according to the terms of this Policy and the corresponding investment strategies listed in Exhibit E. The investment strategy for portfolios established after the annual Investment Policy review and adoption will be managed in accordance with the terms of this Policy and applicable agreements until the next annual review when a specific strategy will be adopted.

The City maintains a pooled fund group that is an aggregation of the majority of City funds including tax receipts, enterprise fund revenues, fine and fee revenues, as well as some, but not all, bond proceeds, and grants. This portfolio is maintained to meet anticipated daily cash needs for City operations, capital projects and debt service.

The objectives of this portfolio are to ensure safety of principal; ensure adequate investment liquidity; limit market and credit risk through diversification; and attain the best feasible yield in accordance with the objectives and restrictions set for in this Policy.

X. Reporting

- F. Methods** – The Investment Officer shall prepare an investment report at least quarterly, including a management summary that provides an analysis of the status of the current investment portfolio and

transactions made over the last quarter. This management summary will be prepared in a manner consistent with the requirements of Section 2256.023 (Internal Management Reports) of the PFIA, and that will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the City Council.

- G. **Annual Audit** - The City's external independent auditor shall formally review the quarterly reports, compliance with this policy, and internal management controls over investments in conjunction with the annual financial audit. The results of the review will be reported to the City Council.

- H. **Performance Standards** - The investment portfolio shall be managed in accordance with the objectives specified in this policy (safety, liquidity, and yield). The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. The Investment Officer shall determine whether market yields are being achieved by comparing the portfolio market yield to the three (3) month U.S. Treasury Bill, the six (6) month U.S. Treasury Bill and the two (2) year U.S. Treasury Note.

- I. **Marking to Market** - The market value of the portfolio shall be calculated at least monthly and a statement of the market value of the portfolio shall be issued at least quarterly. The market value of each investment shall be obtained from an independent source such as the Wall Street Journal, a reputable brokerage firm or security pricing service and reported on the investment reports.

XI. Record Retention

Records related to the City's investment activities will be maintained as recommended by the *Texas State Library Municipal Records Manual*. The Investment Officer, in conjunction with the City Secretary is responsible for filing and storing records of investment activity.

Exhibits

EXHIBIT A

List of Authorized Investment Officers

City of Freeport City Manager

City of Freeport Finance Director

City of Freeport Financial Analyst

EXHIBIT B

Statement of Ethics and Conflicts of Interest

Investment officials for the City Freeport shall refrain from personal business relationships with business organizations that could conflict with the proper execution of the investment program, or which could impair their ability to make partial investment decisions. This would only apply to personal business relationships with business organizations that have been approved by City Council to conduct investment transactions with the City.

An investment official is considered to have a personal business relationship with a business organization if:

- (1) The investment official owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business.
- (2) Funds received by the investment official from the business organization exceed 10 percent of the investment official's gross income for the previous year.
- (3) The investment official has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment official.

I do hereby certify that I do not have a personal business relationship with any business organization approved to conduct investment transactions with the City Freeport, nor am I related within the second degree by affinity or consanguinity, as determined under Chapter 573, to an individual seeking to sell an investment to the Freeport as of the date of this statement.

City of Freeport
Investment Official

Signature

Date

Printed Name

Title

EXHIBIT C

Approved Broker/Dealers, Financial Institutions and Investment Pools

Broker/Dealers

Financial Institutions

Texas Gulf Bank, N.A. (Primary Depository)

U.S. Bank, N.A.

Investment Pools

TexPool

EXHIBIT D

Certification by Broker/Dealers and Financial Institutions

(date)

City of Freeport, Texas
Attn: Finance
200 W. 2nd Street
Freeport, TX 77541

Dear Ms. Russell:

This certification is executed on behalf of the City of Freeport, Texas (the Investor) and _____ (the Business Organization), pursuant to the Public Funds Investment Act, Chapter 2256, Texas Government Code, (the Act) in connection with investment transactions conducted between the Investor and Business Organization.

The undersigned Registered Principal of the Business Organization hereby certifies on behalf of the Business Organization that:

1. The undersigned is a Registered Principal of the Business Organization offering to enter an investment transaction with the Investor (Note: as such terms are used in the Public Funds Investment Act, chapter 2256, Texas Local Government Code) and;
2. The Registered Principal of the Business Organization has received and reviewed the Investment Policy furnished by the Investor and;
3. The Registered Principal of the Business Organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the Business Organization and the Investor that are not authorized by the Investor's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the investor's entire portfolio or requires and interpretation of the subjective investment standards.

Registered Principal

Broker Assigned to the Account

Signed By: _____

Printed Name: _____

Title: _____

Date: _____

EXHIBIT E

Investment Strategy

The City of Freeport's investment portfolio will be designed and managed to ensure that it will meet all the requirements established by the City's investment policy and the Public Funds Investment Act. The overall investment strategy outlined in the investment policy has been further refined in this investment strategy statement by the following fund types.

Operating Funds:

Operating Funds generally have greater cash flow needs than other funds types. The operating fund portfolio may consist of any approved investment type with the understanding that the financial requirements of the operating funds will dictate the maturity dates of the investment. At utmost importance is the preservation and safety of the investment principal.

Additionally each investment will be viewed for its liquidity and marketability of the investment if the need arises to liquidate the investment before maturity. The final determining factors for the investment strategy will be the diversification of the investment portfolio and the yield of the investment.

To achieve short-term needs of one (1) to one hundred and eighty (180) days, funds will be invested in approved investment pools. For longer-term needs of six (6) months to five (5) years, funds will be invested in approved investments with objectives prioritized as follows:

- 1) understanding the suitability of the investment to the financial requirements of the City of Freeport;
- 2) preservation and safety of principal;
- 3) liquidity;
- 4) marketability of the investment if the need arises to liquidate the investment before maturity;
- 5) diversification of the investment portfolio; and
- 6) yield.

Debt Service Funds:

The debt service requirements are semi-annual, thus allowing the investment strategy to mirror debt obligation payment dates. The strategy for debt service funds allows greater flexibility since the actual requirements are known into the future. Investments will still meet the adopted policies; however, planning maturity dates to match debt requirement dates will be the primary objective.

The investment instruments will be primarily in approved investment types with maturities at six or twelve months established to match debt requirement dates. Shorter-term investment may be used to meet these objectives and longer-term investments may be used when fund balance reserves exceed one year's debt service requirements.

To achieve this strategy the following objectives are prioritized to evaluate investment opportunities:

- 1) understanding the suitability of the investment to the financial requirements of the City Freeport;
- 2) preservation and safety of principal;
- 3) yield;
- 4) marketability of the investment if the need arises to liquidate the investment before maturity;
- 5) diversification of the investment portfolio; and
- 6) liquidity.

Capital Improvement Funds:

Bond proceeds can be invested over the life of the project; however, the exact disbursement of the funds is not always known. The investment objective of the capital improvement funds is to schedule maturities to maximize investment earnings while preserving principle. The key to an effective strategy is to be aware of the project needs and match maturities to the period funds are needed.

The investment objective for capital projects funds is still to match investment maturities with funding needs. As short-term needs are recognized investment maturities will be moved into approved investment pools to meet financial requirements. Longer-term needs will be invested with the following objectives as prioritized for capital improvement funds:

- 1) understanding the suitability of the investment to the financial requirements of the City of Freeport;
- 2) preservation and safety of principal;
- 3) diversification of the investment portfolio;
- 4) yield;
- 5) liquidity; and
- 6) marketability of the investment if the need arises to liquidate the investment before maturity.

Reserve Funds:

Certain reserve funds have been established as required by bond covenants. The investment objective is to invest reserve funds to the extent that maturities are established to the limit of the investment policy or to the end of the bond requirements whichever is shorter.

The overall investment strategy for reserve funds will not rely on investment pools; however, the use of pools is not prohibited. Longer-term investment objectives are prioritized as follows:

- 1) understanding the suitability of the investment to the financial requirements of the City of Freeport;
- 2) diversification of the investment portfolio;
- 3) preservation and safety of principal;
- 4) yield;
- 5) liquidity; and
- 6) marketability of the investment if the need arises to liquidate the investment before maturity.



City Council Agenda Item # 5

Title: Public Hearing: Minter subdivision A combination of lots 56 and 57, Block 4 of the Bar X Ranch Subdivision Section 5 Recorded in Volume 16, page 195-198 of the Brazoria County Plat Records situated in the Asa Mitchell Survey Abstract 97 Brazoria County, Texas July 2021

Date: September 7, 2021

From: Henry Rivas Interim Building Official

Staff Recommendation:

Approve the replat, located in the city ETJ

Item Summary:

Hold public hearing and upon closing of public hearing consider action to approve Replat.

Background Information:

The property owner is requesting that the city allow them to combine 2 lots to form one lot. In an effort to combine the HOA fee into one. The lots are 56 and 57, Block 4 of the Bar X Ranch section 5

Special Considerations:

Approve the replat, located in the city ETJ

Financial Impact:

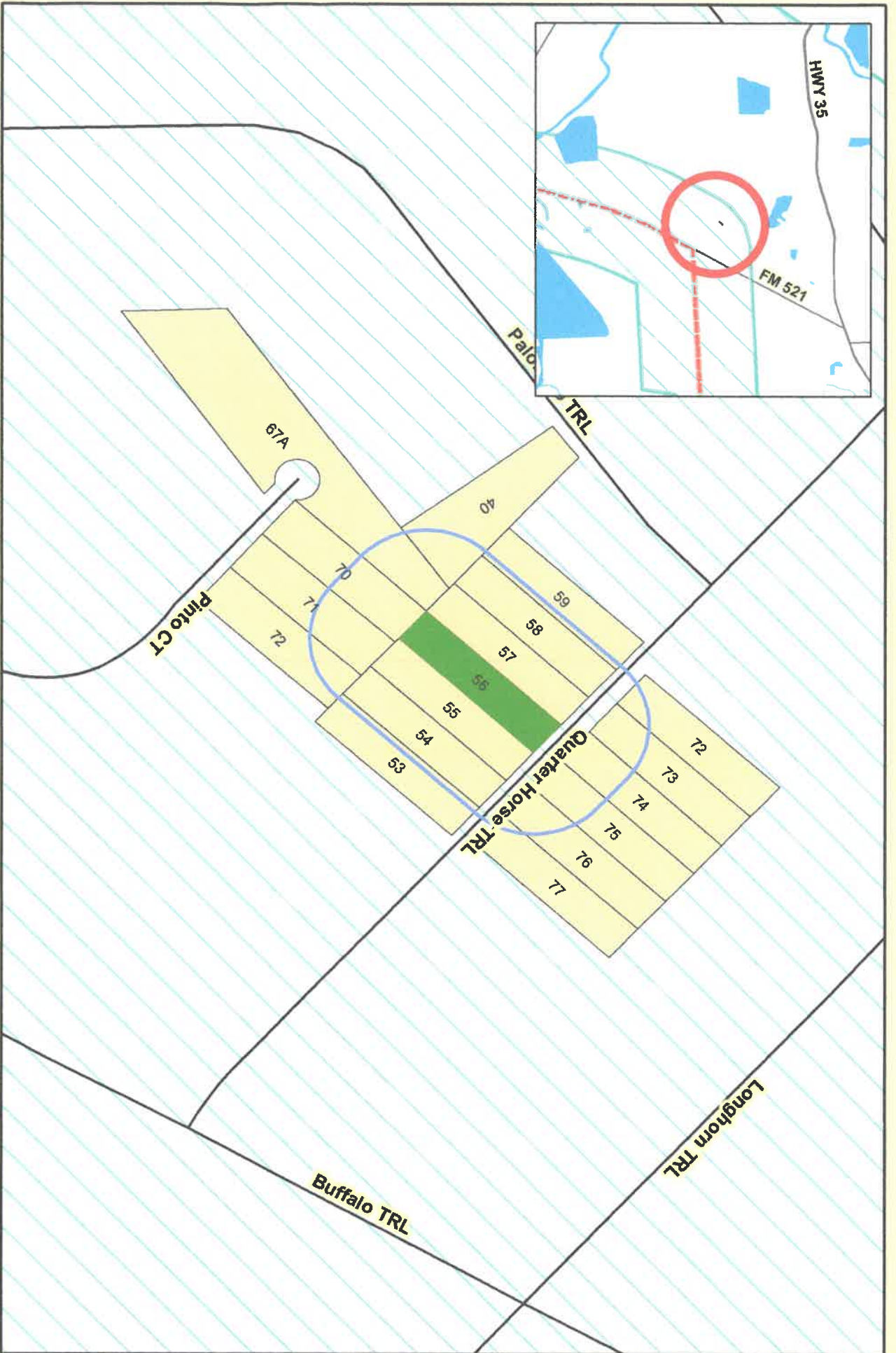
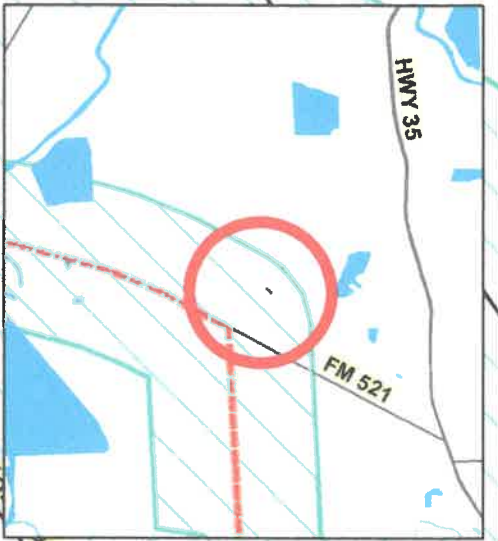
None

Board or 3rd Party recommendation:

None

Supporting Documentation:

Copy of Plat and all associated paperwork.



Legend

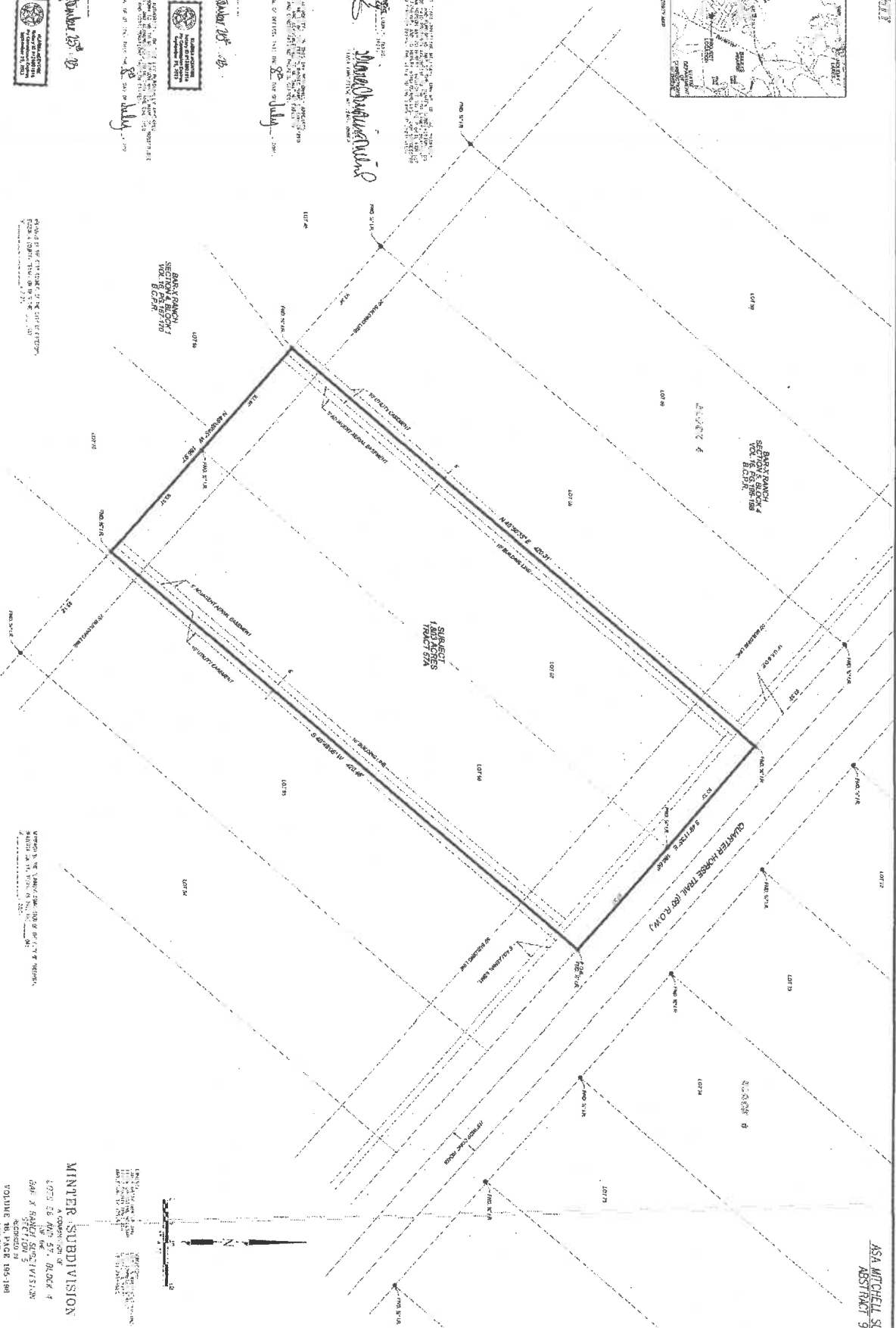
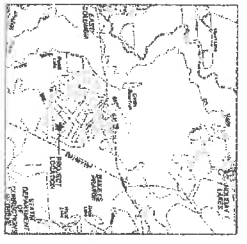
- 184790
- 200' Buffer
- Roads
- Water
- Buffered Parcels
- City Limit
- City of Frisport ETJ

Replat Property Location Map

Property ID 184790

0 87.5 175 350 525 700 Feet

Author: Laura Tolar
 Document Path: S:\GIS Data\184790
 minter replat 200ft w template 072821.mxd



Deborah Lamb
 10/10/12
 10/10/12
 10/10/12

John N. Nix
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John N. Nix
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Charles J. Mitchell
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SECTION 4
 BLOCK 4
 BANK RANCH
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SECTION 4
 BLOCK 4
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 BLOCK 4
 BANK RANCH
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SECTION 4
 BLOCK 4
 BANK RANCH
 10/10/12

Doyle & Wachsmeyer, Inc.
 Surveying and Mapping Geospatial
 454 WEST 11TH STREET
 FORT WORTH, TEXAS 76102
 (817) 335-1111

MINTER SUBDIVISION
 A CORP. OF TEXAS
 10/10/12

BRAZORIA COUNTY, TEXAS
 10/10/12



City Council Agenda Item # 6

Title: Public Hearing Regarding FY2021-2022 Proposed Budget

Date: September 7, 2021

From: Cathy Ezell, Finance Director

Staff Recommendation:

N/A

Item Summary:

On August 2, 2021, the City Manager presented a proposed budget for the Fiscal Year 2021-2022 which was filed with the City Secretary and posted on the City website as required by Local Government Code Section 102.005.

The adjustments identified below have been made from the originally proposed budget under the General Fund.

Revenue:

- Property Tax Revenue was updated to reflect the Certified Estimate and calculations for the addition of new revenue from new property to the tax roll - \$200,000.

Expenditures:

- Increased the transfer to the Facilities CIP Fund for repairs to the radio system in the Fire Department - \$11,665.

The overall net impact of these changes to the General Fund is an increase in revenues and an increase in.

Changes in Expenditures from original Proposed Budget:

Fund	FY2021-2022 Proposed Budget	Adjustments	FY2021-2022 Adopted Budget
General Fund			
Administration	1,900,908	-	1,900,908
Municipal Court	239,074	-	239,074
Police/Animal Control	4,979,157	-	4,979,157
Fire/Emergency Management	1,401,566	-	1,401,566
EMS	927,740	-	927,740
Streets/Drainage	1,431,147	-	1,431,147
Service Center	224,033	-	224,033
Beach Maintenance	21,500	-	21,500
Garbage	931,000	-	931,000
Building	358,099	-	358,099
Code Enforcement	420,845	-	420,845
Library	42,500	-	42,500
Parks	1,281,966	-	1,281,966
Recreation	620,027	-	620,027
Sr. Citizen's Commission	10,250	-	10,250
Golf Course	1,172,103	-	1,172,103
Historical Museum	427,491	-	427,491
Emergency Management	-	-	-
General Fund Total	16,399,407	-	16,399,407
Water/Sewer Fund	5,898,913	-	5,898,913
Other Funds			
Capital Debt Service	800,522	-	800,522
Court Security	23,400	-	23,400
Court Technology	11,400	-	11,400
Hotel/Motel	30,250	-	30,250
TIRZ	-	-	-
State Narcotics	15,000	-	15,000
Facilities CIP	1,508,750	11,665	1,520,415
Vehicle & Equipment Fund	1,361,400	-	1,361,400
Streets & Drainage CIP	425,000	-	425,000
Information Technology Fund	122,000	-	122,000
2020 Cert of Obligation	2,823,000	-	2,823,000
2021 Cert of Bond Fund	3,000,000	-	3,000,000
Other Funds Total	10,120,722	11,665	10,132,387
Total Expenditures	32,419,042	11,665	32,430,707
Transfers	4,198,848	11,665	4,204,513
Grand Total Budget	36,611,890	23,330	36,635,220

Background Information:

Per Section 102.006 of the Local Government Code, the City must hold a public hearing on the proposed budget. Any person may attend and may participate in the hearing. The governing body shall set the hearing for a date occurring after the 15th day after the date the proposed budget is filed with the municipal clerk but before the date the governing body makes its tax levy. Notice of this hearing was made in compliance with Section 102.005(b) of Local Government Code.

Special Considerations:

N/A

Financial Impact:

The Proposed Budget has been updated to utilize a tax rate of \$0.61 which increases tax revenue by approximately \$89,000 and maintains current service levels throughout all departments. At this time, the Proposed General Fund Budget has expected excess revenues over \$2,261,295. This excess plus reserves are being used to fund \$3, 751,815 in one-time capital expenditures. The General Fund is budgeted to have \$4,099,852 in reserves at the end of FY2021-2022. The total Budget (which includes all Funds) is approximately \$36.6 million.

Board or 3rd Party recommendation:

N/A

Supporting Documentation:

N/A



City Council Agenda Item # 7

Title: Consideration of an Ordinance Adopting FY2021-2022 Budget

Date: September 7, 2021

From: Cathy Ezell, Finance Director

Staff Recommendation:

Staff recommends approval of the Ordinance with any final changes Council may want.

Item Summary:

Per section 102.007 of the Texas Local Government Code, at the conclusion of the public hearing, the governing body of the municipality shall take action on the proposed budget. A vote to adopt the budget must be a record vote. Upon final adoption, the budget shall be in effect for the fiscal year. As required by law, once approved, any final changes will be made and the Budget Cover Page will be updated based upon the County's calculation worksheet with the following statement: "This budget will raise more revenue from property taxes than last year's budget by an amount of \$556,876, which is a 17.3 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$487,939." A copy of the budget, as finally adopted, will be filed with City Secretary and the County Clerk of Brazoria County. The final budget will also be made available on the City's website.

Background Information:

On August 2, 2021, the City Manager presented to the City Council a proposed budget for the fiscal year 2022 which was filed with the City Secretary and posted on the City website as required by Local Government Code Section 102.005. Additionally, a notice as required by Section 102.006 of the Local Government Code, was published to conduct a public hearing on such budget on September 7, 2021. During such hearing all citizens and taxpayers of the City had the right to be present and to be heard, and those who requested to be were heard.

Any final amendments to the budget requested by Council may be made at this meeting. As part of any motion to approve the budget those amendments could be included.

Special Considerations:

Per Section 9.11 of the City's Charter, "the budget shall be finally adopted not later than fifteen (15) days prior to the beginning of the fiscal year and should the City Council fail to so adopt a budget, the then existing budget together with its tax levying ordinance and its appropriation ordinance shall be deemed adopted for the ensuing fiscal year. If delayed by a situation beyond control of the City it shall be acted on as soon as practicable."

Financial Impact:

The proposed Ordinance appropriates expenditures for the fiscal year beginning October 1, 2021 through September 30, 2022.

Supporting Documentation:

Ordinance

ORDINANCE NO. 2021-2637

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, APPROVING AND ADOPTING THE ANNUAL GOVERNMENTAL AND PROPRIETARY FUNDS BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; APPROVING ITEMIZED APPROPRIATIONS AND DISBURSEMENTS FOR CITY OPERATIONS FOR SUCH FISCAL YEAR AS REFLECTED IN SUCH BUDGET; AUTHORIZING TRANSFERS; MAKING SPECIFIC FINDINGS; PROVIDING A SEVERANCE CLAUSE AND REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Freeport, Texas, (hereinafter sometimes "the City") is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, under Section 102.001(b) of the Local Government Code, because the City has a City Manager form of government, the City Manager is the budget officer of the City municipality and under Section 102.002 of said Code and Chapter 9 of said Charter, the City Manager is required to prepare a proposed annual budget for the municipality and, under Section 102.03(a) of said Code and Chapter 9 of said Charter, is required to file the same with the City Secretary before the 30th day before the date the governing body of the municipality makes its tax levy for the fiscal year; and,

WHEREAS, on August 2, 2021, the City Manager presented to the City Council a proposed budget of the expenditures of the City of Freeport for the fiscal year 2022 and the proposed budget was filed with the City Secretary and posted on the City website as required by Local Government Code Section 102.005; and

WHEREAS, pursuant to notice as required by Section 102.006 of the Local Government Code, on September 7, 2021, a public hearing on such budget was held in the Council Chambers, at which hearing all citizens and taxpayers of the City had the right to be present and to be heard, and those who requested to be heard were heard; and

WHEREAS, the City, in accordance with law, posted the proposed Budget on its internet website and made the same available for inspection by any person, and held public hearings regarding the proposed Budget as required by the City Charter, and provided notice of such public hearings, and during several public hearings on the Budget, all interested persons were given the opportunity to be heard for or against any item contained in said Budget, and all said persons were heard, after which each of said public hearing was closed; and

WHEREAS, the City Council has considered the proposed budget and has made such changes therein as in the City Council's judgment were warranted by law and were in the best interest of the citizens and taxpayers of the City; and

WHEREAS, such changes are described in Exhibit A.

WHEREAS, under Chapter 9 of said Charter, the governing body of the municipality is required to adopt a budget not later than fifteen (15) days prior to the beginning of the fiscal year.

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

Section 1. The facts contained in the preamble of this ordinance above are true and correct.

Section 2. In accordance with the provisions of Local Government Code Section 102. 007, the City Council hereby approves and adopts the budget described above, the same as shown in Exhibit A, all of which are attached and incorporated herein. The City Secretary is hereby directed to place on such budget and to sign an endorsement reading as follows: " The Original Annual Budget of the City of Freeport, Texas, for Fiscal Year 2021-2022" and to keep such budget on file in her office as a public record. In addition, in accordance with Section 102. 009 (d), Texas Local Government Code, the City Secretary is hereby directed to file a true copy of the approved Budget in the offices of the county clerks of the counties in which the City is located, to post this approved Budget on the City's internet website, and to make such approved budget available for public inspection by any interested persons.

Section 3. The FY2021-2022 Budget for operations shall be administered as follows:

a. The Council may transfer any unencumbered appropriation balance or portion thereof from one department, or fund to another, at any time.

b. The City Manager shall have authority, without Council approval, to transfer appropriation balances from one expenditure account to another within a department.

c. At any time in any fiscal year, the Council may, pursuant to Article XI, section 9.14 of the City Charter, make emergency appropriations to meet a pressing need for public expenditure, for other than regular or recurring requirements, to protect the public health, safety or welfare. Such appropriation shall not be more than 5% of the total annual budget; however, the 5% may only be allocated annually under the condition the "undesignated" reserve/contingency funds in general revenue does not exceed eight million dollars. All reserve/contingency funds may only be used with the specific consent of the City Council for unforeseen contingencies by the City Manager.

Section 4. That the Beginning Fund Balance reflected in the budget for each fund for which a Budget is adopted shall be adjusted to be the amount of the Ending Fund Balance for Fiscal Year 2020-2021 as reflected in the final Comprehensive Annual Financial Report for Fiscal Year 2020-2021 upon publication. The revised Beginning Fund Balance shall thereafter be used to calculate the Fiscal Year 2021-2022 Ending Fund Balance.

Section 5. That the budget for Fiscal Year 2021-2022 shall be increased for valid outstanding encumbrances at the conclusion of Fiscal Year 2020-2021. Said increased appropriations shall be equal to the outstanding and valid encumbrances and shall be recorded in the appropriate accounts.

Section 6. All ordinances and resolutions, and parts of ordinances and resolutions in conflict herewith, are hereby repealed.

Section 7. A copy of the final approved budget shall be filed with the City Secretary and posted on the website in accordance with Local Government Code Section 102.008.

Section 8. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

Section 9.

On the following motion by _____ and seconded by _____, the above and foregoing ordinance was passed and approved by roll call vote as follows:

Councilmember Ward A – Jeff Pena

___ voted in favor of the motion ___ voted against the motion

Councilmember Ward B – Jerry Cain

___ voted in favor of the motion ___ voted against the motion

Councilmember Ward C – Mario Muraira

___ voted in favor of the motion ___ voted against the motion

Councilmember Ward D – Troy Brimage

___ voted in favor of the motion ___ voted against the motion

Mayor - Brooks Bass

___ voted in favor of the motion ___ voted against the motion

___ voted in favor of the motion

___ voted against the motion

___ were absent

Motion _____

This ordinance shall be effective from and after its passage and the annual budget adopted hereby shall be in effect for the Fiscal Year of the City beginning October 1, 2021 and ending September 30, 2022.

PASSED AND ADOPTED this _____ day of September 2021.

Brooks Bass, Mayor

ATTEST:

Betty Wells, City Secretary

APPROVED AS TO FORM AND CONTENT:

Chris Duncan, City Attorney

EXHIBIT "A"
City of Freeport FY2021-2022 Adopted Budget

Fund	FY2021-2022 Proposed Budget	Adjustments	FY2021-2022 Adopted Budget
General Fund			
Administration	1,900,908	-	1,900,908
Municipal Court	239,074	-	239,074
Police/Animal Control	4,979,157	-	4,979,157
Fire/Emergency Management	1,401,566	-	1,401,566
EMS	927,740	-	927,740
Streets/Drainage	1,431,147	-	1,431,147
Service Center	224,033	-	224,033
Beach Maintenance	21,500	-	21,500
Garbage	931,000	-	931,000
Building	358,099	-	358,099
Code Enforcement	420,845	-	420,845
Library	42,500	-	42,500
Parks	1,281,966	-	1,281,966
Recreation	620,027	-	620,027
Sr. Citizen's Commission	10,250	-	10,250
Golf Course	1,172,103	-	1,172,103
Historical Museum	427,491	-	427,491
Emergency Management	-	-	-
General Fund Total	16,399,407	-	16,399,407
Water/Sewer Fund	5,898,913	-	5,898,913
Other Funds			
Capital Debt Service	800,522	-	800,522
Court Security	23,400	-	23,400
Court Technology	11,400	-	11,400
Hotel/Motel	30,250	-	30,250
TIRZ	-	-	-
State Narcotics	15,000	-	15,000
Facilities CIP	1,508,750	11,665	1,520,415
Vehicle & Equipment Fund	1,361,400	-	1,361,400
Streets & Drainage CIP	425,000	-	425,000
Information Technology Fund	122,000	-	122,000
2020 Cert of Obligation	2,823,000	-	2,823,000
2021 Cert of Bond Fund	3,000,000	-	3,000,000
Other Funds Total	10,120,722	11,665	10,132,387
Total Expenditures	32,419,042	11,665	32,430,707
Transfers	4,198,848	11,665	4,204,513
Grand Total Budget	36,611,890	23,330	36,635,220

NOTE: Expenses for the Employee Benefit Fund is not included in the Citywide Total above to avoid duplication of the amounts shown as part of the General and Utility Fund budgets that are transfers to this fund for services.



City Council Agenda Item # 8

Title: Public Hearing Regarding Proposed Property Tax Rate for the 2021 Tax Year

Date: September 7, 2021

From: Cathy Ezell, Finance Director

Staff Recommendation:

N/A

Item Summary:

A tax rate of \$0.60 per \$100 valuation has been proposed for adoption. This hearing is the only public hearing required.

Background Information:

A tax rate of \$0.60 per \$100 valuation has been proposed for adoption. This rate is higher to the No-New Revenue rate and lower than the Voter Approval and De Minimis rates. This rate exceeds the No-New Revenue rate, and state law requires that one public hearing be held by the governing body before adopting the proposed tax rate. The tax rate can be adopted on the same day as the public hearing.

Line	Description of Rate	Total Rate	M & O Rate	Debt Rate	% Over NNR	General Fund (M&O) Revenue	Budget Impact from M&O Rate
1	No New Revenue Tax Rate*	0.579024	0.475715	0.103309		\$2,598,748	-\$80,009
2	No New Revenue M&O Rate**	0.59367	0.490361	0.103309	2.5%	\$2,678,757	\$0
3	Last Year's Tax Rate	0.615859	0.515255	0.103309	6.0%	\$2,814,748	\$135,991
4	Voter Approval Tax Rate	0.610832	0.507523	0.103309	5.6%	\$2,772,510	\$93,753
5	<i>Proposed Rate</i>	0.61	0.506691	0.103309	5.3%	\$2,767,965	\$89,208
6	<i>Budget Rate</i>	0.60	0.496691	0.103309	3.7%	\$2,712,894	\$34,137

The No New Revenue Tax rate is the tax rate at which the City will not receive any additional revenue on the re-evaluation of property, but will received the new revenue generated from new property on the tax roll. The Voter Approval Rate is the tax rate at which the City will receive 3.5% of increased revenue from the re-evaluation of property plus any new property added to the

tax roll. Any rate over the Voter Approval Rate will require the City to hold an election on the property tax rate.

Special Considerations: N/A

Financial Impact:

Taxes owed under any of the above rates can be calculated as follows:

$$\text{Property Tax Amount} = (\text{Rate}) \times (\text{Taxable Value of Property}) / 100$$

Board or 3rd Party recommendation: N/A

Supporting Documentation:

- Notice of 2021 Tax Year Proposed Property Tax Rate for the City of Freeport
- Worksheet for Determination of Steps Required for Adoption of Tax Rate

2021 Tax Rate Calculation Worksheet

Date: 08/03/2021 12:45 PM

Taxing Units Other Than School Districts or Water Districts

CITY OF FREEPORT

979-871-0107

Taxing Unit Name

Phone (area code and number)

200 W 2nd Street, Freport, TX 77541

www.freeport.tx.us

Taxing Unit's Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the No-New-Revenue (NNR) tax rate and Voter-Approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School Districts without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

No-New-Revenue Tax Rate Worksheet

Amount/Rate

<p>1. 2020 total taxable value. Enter the amount of 2020 taxable value on the 2020 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17).¹</p>	<p>\$521,068,717</p>
<p>2. 2020 tax ceilings. Counties, cities and junior college districts. Enter 2020 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2020 or a prior year for homeowners age 65 or older or disabled, use this step.²</p>	<p>\$0</p>
<p>3. Preliminary 2020 adjusted taxable value. Subtract Line 2 from Line 1.</p>	<p>\$521,068,717</p>
<p>4. 2020 total adopted tax rate.</p>	<p>\$0.615859/\$100</p>
<p>5. 2020 taxable value lost because court appeals of ARB decisions reduced 2020 appraised value. A. Original 2020 ARB values:</p>	<p>\$0</p>

B. 2020 values resulting from final court decisions:	\$0
C. 2020 value loss. Subtract B from A. ³	\$0
6. 2020 taxable value subject to an appeal under Chapter 42, as of July 25.	
A. 2020 ARB certified value:	\$0
B. 2020 disputed value:	\$0
C. 2020 undisputed value. Subtract B from A. ⁴	\$0
7. 2020 Chapter 42 related adjusted values Add Line 5C and Line 6C.	\$0
8. 2020 taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$521,068,717
9. 2020 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2020. Enter the 2020 value of property in deannexed territory. ⁵	\$0
10. 2020 taxable value lost because property first qualified for an exemption in 2021. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2021 does not create a new exemption or reduce taxable value.	
A. Absolute exemptions. Use 2020 market value:	\$364,704
B. Partial exemptions. 2021 exemption amount or 2021 percentage exemption times 2020 value:	\$5,783,043
C. Value loss. Add A and B. ⁵	\$6,147,747
11. 2020 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2021. Use only properties that qualified in 2021 for the first time; do not use properties that qualified in 2020.	
A. 2020 market value:	\$0
B. 2021 productivity or special appraised value:	\$0
C. Value loss. Subtract B from A. ⁷	\$0
12. Total adjustments for lost value. Add lines 9, 10C and 11C.	\$6,147,747
13. 2020 captured value of property in a TIF. Enter the total value of 2020 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which 2020 taxes were deposited into the tax increment fund. ⁸ If the taxing unit has no captured appraised value in line 18D, enter 0.	\$3,092,317
14. 2020 total value. Subtract Line 12 and Line 13 from Line 8.	\$511,828,653
15. Adjusted 2020 total levy. Multiply Line 4 by Line 14 and divide by \$100.	\$3,152,142
16. Taxes refunded for years preceding tax year 2020. Enter the amount of taxes refunded	\$10,969

by the taxing unit for tax years preceding tax year 2020. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2020. This line applies only to tax years preceding tax year 2020. ⁸	
17. Adjusted 2020 levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰	\$3,163,111
18. Total 2021 taxable value on the 2021 certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. ¹¹ A. Certified values: B. Counties: Include railroad rolling stock values certified by the Comptroller's office: C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: D. Tax increment financing: Deduct the 2021 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2021 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. ¹² E. Total 2021 value. Add A and B, then subtract C and D.	\$601,925,066 \$0 \$0 \$6,396,040 \$595,529,026
19. Total value of properties under protest or not included on certified appraisal roll. ¹³ A. 2021 taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹⁴ B. 2021 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about, but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. ¹⁵ C. Total value under protest or not certified: Add A and B.	\$32,076,763 \$0 \$32,076,763
20. 2021 tax ceilings. Counties, cities and junior colleges enter 2021 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2020 or a prior year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$0
21. 2021 total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷	\$627,605,789

22. Total 2021 taxable value of properties in territory annexed after Jan. 1, 2020. Include both real and personal property. Enter the 2021 value of property in territory annexed. ¹⁸	\$0
23. Total 2021 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2020. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2020, and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2021. ¹⁹	\$81,323,143
24. Total adjustments to the 2021 taxable value. Add Lines 22 and 23.	\$81,323,143
25. Adjusted 2021 taxable value. Subtract Line 24 from Line 21.	\$546,282,646
26. 2021 NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰	\$0.579024/\$100
27. COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the 2021 county NNR tax rate. ²¹	

¹Tex. Tax Code Section 26.012(14)

²Tex. Tax Code Section 26.012(14)

³Tex. Tax Code Section 26.012(13)

⁴Tex. Tax Code Section 26.012(13)

⁵Tex. Tax Code Section 26.012(15)

⁶Tex. Tax Code Section 26.012(15)

⁷Tex. Tax Code Section 26.012(15)

⁸Tex. Tax Code Section 26.03(c)

⁹Tex. Tax Code Section 26.012(13)

¹⁰Tex. Tax Code Section 26.012(13)

¹¹Tex. Tax Code Section 26.012,26.04(c-2)

¹²Tex. Tax Code Section 26.03(c)

¹³Tex. Tax Code Section 26.01(c) and (d)

¹⁴Tex. Tax Code Section 26.01(c)

¹⁵Tex. Tax Code Section 26.01(d)

¹⁶Tex. Tax Code Section 26.012(6)(b)

¹⁷Tex. Tax Code Section 26.012(6)

¹⁸Tex. Tax Code Section 26.012(17)

¹⁹Tex. Tax Code Section 26.012(17)

²⁰Tex. Tax Code Section 26.04(c)

²¹Tex. Tax Code Section 26.04(d)

²²Reserved for expansion

²³Tex. Tax Code Section 26.044

²⁴Tex. Tax Code Section 26.0441

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations
2. **Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The Voter-Approval tax rate for a county is the sum of the Voter-Approval tax rates calculated for each type of tax the county levies. In most cases the Voter-Approval tax rate exceeds the No-New-Revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Voter-Approval Tax Rate Worksheet	Amount/Rate
28. 2020 M&O tax rate. Enter the 2020 M&O tax rate.	\$0.517532/\$100
29. 2020 taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$521,068,717
30. Total 2020 M&O levy. Multiply Line 28 by Line 29 and divide by \$100.	\$2,696,697
31. Adjusted 2020 levy for calculating NNR M&O rate.	
A. M&O taxes refunded for years preceding tax year 2020 Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2020. This line applies only to tax years preceding tax year 2020.	\$8,954
B. 2020 taxes in TIF Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2021 captured appraised value in Line 18D, enter 0.	\$26,891
C. 2020 transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0.	\$0
D. 2020 M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function.	\$-17,937
E. Add Line 30 to 31D.	\$2,678,760
32. Adjusted 2021 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$546,282,646
33. 2021 NNR M&O rate (unadjusted). Divide Line 31E by Line 32 and multiply by \$100.	\$0.490361/\$100
34. Rate adjustment for state criminal justice mandate.²³	
A. 2021 state criminal justice mandate: Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose.	\$0

<p>B. 2020 state criminal justice mandate: Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies.</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100.</p> <p>D. Enter the rate calculated in C. If not applicable, enter 0.</p>	<p>\$0</p> <p>\$0/\$100</p> <p>\$0/\$100</p>
<p>35. Rate adjustment for indigent health care expenditures.²⁴</p> <p>A. 2021 indigent health care expenditures: Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2020 and ending on June 30, 2021, less any state assistance received for the same purpose.</p> <p>B. 2020 indigent health care expenditures: Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state assistance received for the same purpose.</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100.</p> <p>D. Enter the rate calculated in C. If not applicable, enter 0.</p>	<p>\$0</p> <p>\$0</p> <p>\$0/\$100</p> <p>\$0/\$100</p>
<p>36. Rate adjustment for county indigent defense compensation.²⁵</p> <p>A. 2021 indigent defense compensation expenditures: Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2020 and ending on June 30, 2021, less any state grants received by the county for the same purpose.</p> <p>B. 2020 indigent defense compensation expenditures: Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state grants received by the county for the same purpose.</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100.</p> <p>D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100.</p> <p>E. Enter the lessor of C and D. If not applicable, enter 0.</p>	<p>\$0</p> <p>\$0</p> <p>\$0/\$100</p> <p>\$0/\$100</p> <p>\$0/\$100</p>
<p>37. Rate adjustment for county hospital expenditures.²⁶</p> <p>A. 2021 eligible county hospital expenditures: Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2020 and ending on June 30, 2021.</p> <p>B. 2020 eligible county hospital expenditures: Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2019 and ending on June 30, 2020.</p>	<p>\$0</p> <p>\$0</p>

C. Subtract B from A and divide by Line 32 and multiply by \$100.	\$0/\$100
D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100.	\$0/\$100
E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.	\$0/\$100
38. Rate adjustment for defunding municipality. This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code 26.0444 for more information.	\$0
A. Amount appropriated for public safety in 2020. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year	\$0
B. Expenditures for public safety in 2020. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year.	\$0/\$100
C. Subtract B from A and divide by Line 32 and multiply by \$100.	
D. Enter the rate calculated in C. If not applicable, enter 0.	\$0/\$100
39. Adjusted 2021 NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	\$0.490361/\$100
40. Adjustment for 2020 sales tax specifically to reduce property values. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in 2020 should complete this line. These entities will deduct the sales tax gain rate for 2021 in Section 3. Other taxing units, enter zero.	
A. Enter the amount of additional sales tax collected and spent on M&O expenses in 2020, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent.	\$0
B. Divide Line 40A by Line 32 and multiply by \$100.	\$0
C. Add Line 40B to Line 39.	\$0.490361
41. 2021 voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08. - or - Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.	\$0.507523/\$100
D41. Disaster Line 41 (D41): 2021 voter-approval M&O rate for taxing unit affected by disaster declaration. If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval	\$0/\$100

<p>tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of</p> <ol style="list-style-type: none"> 1. the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or 2. the third tax year after the tax year in which the disaster occurred. <p>If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08.²⁷ If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).</p>	
<p>42. Total 2021 debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that:</p> <ol style="list-style-type: none"> (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year and (4) are not classified in the taxing unit's budget as M&O expenses <p>A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here.²⁸ Enter debt amount.</p>	\$656,806
B. Subtract unencumbered fund amount used to reduce total debt.	\$0
C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none)	\$0
D. Subtract amount paid from other resources.	\$0
E. Adjusted debt. Subtract B, C, and D from A.	\$656,806
43. Certified 2020 excess debt collections. Enter the amount certified by the collector. ²⁸	\$0
44. Adjusted 2021 debt. Subtract Line 43 from Line 42E.	\$656,806
45. 2021 anticipated collection rate.	
A. Enter the 2021 anticipated collection rate certified by the collector. ²⁹	
B. Enter the 2020 actual collection rate	101.30%
C. Enter the 2019 actual collection rate	107.79%
D. Enter the 2018 actual collection rate	101.30%
E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. ³¹	103.95%
	101.30%
46. 2021 debt adjusted for collections. Divide Line 44 by Line 45E	\$648,377
47. 2021 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$627,605,789
48. 2021 debt tax rate. Divide Line 46 by Line 47 and multiply by \$100.	\$0.103309/\$100

49. 2021 voter-approval tax rate. Add Lines 41 and 48.	\$0.610832/\$100
D49. Disaster Line 49 (D49): 2021 voter-approval tax rate for taxing unit affected by disaster declaration. Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.	\$0.000000/\$100
50. COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the 2021 county voter-approval tax rate.	

²³Tex. Tax Code Section 26.044

²⁴Tex. Tax Code Section 26.0441

²⁵Tex. Tax Code Section 26.0442

²⁶Tex. Tax Code Section 26.0443

²⁷Tex. Tax Code Section 26.042(a)

²⁸Tex. Tax Code Section 26.012(7)

²⁹Tex. Tax Code Section 26.012(10) and 26.04(b)

³⁰Tex. Tax Code Section 26.04(b)

³¹Tex. Tax Code Section 26.04(h),(h-1) and (h-2)

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Additional Sales and Use Tax Worksheet	Amount/Rate
<p>51. Taxable Sales. For taxing units that adopted the sales tax in November 2020 or May 2021, enter the Comptroller's estimate of taxable sales for the previous four quarters.²⁰ Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2020, enter 0.</p>	\$0
<p>52. Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue.³³</p> <p>Taxing units that adopted the sales tax in November 2020 or in May 2021. Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95.³⁴</p> <p>- or -</p> <p>Taxing units that adopted the sales tax before November 2020. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.</p>	\$0
<p>53. 2021 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i>.</p>	\$627,605,789
<p>54. Sales tax adjustment rate. Divide Line 52 by Line 53 and multiply by \$100.</p>	\$0/\$100
<p>55. 2021 NNR tax rate, unadjusted for sales tax.³⁵ Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i>.</p>	\$0.579024/\$100
<p>56. 2021 NNR tax rate, adjusted for sales tax.</p> <p>Taxing units that adopted the sales tax in November 2020 or in May 2021. Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November 2020.</p>	\$0.579024/\$100
<p>57. 2021 voter-approval tax rate, unadjusted for sales tax.³⁶ Enter the rate from Line 49, Line D49 (disaster), or Line 50 (counties), as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i>.</p>	\$0.610832/\$100
<p>58. 2021 voter-approval tax rate, adjusted for sales tax. Subtract Line 54 from Line 57.</p>	\$0.610832/\$100

³¹Reserved for expansion

³⁴Tex. Tax Code Section 26.041(d)

³²Tex. Tax Code Section 26.041(d)

³⁵Tex. Tax Code Section 26.04(c)

³³Tex. Tax Code Section 26.041(i)

³⁶Tex. Tax Code Section 26.04(c)

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Voter-Approval Protection for Pollution Control Worksheet	Amount/Rate
59. Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³⁷ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ³⁸	\$0
60. 2021 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$627,605,789
61. Additional rate for pollution control. Divide Line 59 by Line 60 and multiply by \$100.	\$0/\$100
62. 2021 voter-approval tax rate, adjusted for pollution control. Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	\$0.610832/\$100

³⁷Tex. Tax Code Section 26.045(d)

³⁸Tex. Tax Code Section 26.045(i)

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate before the unused increment rate for the prior three years.³⁹ In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the unused increment rate for that year would be zero.

The difference between the adopted tax rate and voter-approval tax rate is considered zero in the following scenarios:

- a tax year before 2020; and⁴⁰
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a);⁴¹ or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval.⁴²

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴³

Unused Increment Rate Worksheet	Amount/Rate
63. 2020 unused increment rate. Subtract the 2020 actual tax rate and the 2020 unused increment rate from the 2020 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$0.013100
64. 2019 unused increment rate. Subtract the 2019 actual tax rate and the 2019 unused increment rate from the 2019 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$0
65. 2018 unused increment rate. Subtract the 2018 actual tax rate and the 2018 unused increment rate from the 2018 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$0
66. 2021 unused increment rate. Add Lines 63, 64 and 65.	\$0.013100/\$100
67. 2021 voter-approval tax rate, adjusted for unused increment rate. ²³ Add Line 66 to one of the following lines (as applicable): Line 49, Line D49(disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax) or Line 62 (taxing units with pollution control).	\$0.623932/\$100

³⁹Tex. Tax Code Section 26.013(a)

⁴⁰Tex. Tax Code Section 26.013(c)

⁴¹Tex. Tax Code Section 26.0501(a) and (c)

⁴²Tex. Tax Code Section Local Gov't Code Section 120.007(d), effective Jan. 1, 2022

⁴³Tex. Tax Code Section 26.063(a)(1)

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.⁴⁴

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.⁴⁵

De Minimis Rate Worksheet	Amount/Rate
68. Adjusted 2021 NNR M&O tax rate. Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i>	\$0.490361/\$100
69. 2021 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$627,605,789
70. Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 69 and multiply by \$100.	\$0.079667
71. 2021 debt rate. Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$0.103309/\$100
72. De minimis rate. ²³ Add Lines 68, 70 and 71.	\$0.673337/\$100

⁴⁴Tex. Tax Code Section 26.012(8-a)

⁴⁵Tex. Tax Code Section 26.063(a)(1)

SECTION 7: Voter-Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.⁴⁶

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.⁴⁷

NOTE: This section will not apply to any taxing units in 2021. It is added to implement Senate Bill 1438 (87th Regular Session) and does not apply to a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a declared disaster in 2020, as provided for in the recently repealed Tax Code Sections 26.04(c-1) and 26.041(c-1).

In future tax years, this section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago.

In future tax years, this section will also apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Emergency Revenue Rate Worksheet	Amount/Rate
<p>73. 2020 adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i>.</p>	N/A
<p>74. Adjusted 2020 voter-approval tax rate. Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line.</p> <p>If a disaster occurred in 2020 and the taxing unit calculated its 2020 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2020 worksheet due to a disaster, enter the 2020 voter-approval tax rate as calculated using a multiplier of 1.035 from Line 49.</p> <p>- or -</p> <p>If a disaster occurred prior to 2020 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2020, complete the separate <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> to recalculate the voter-approval tax rate the taxing unit would have calculated in 2020 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the year(s) following the disaster.⁴⁸ Enter the final adjusted 2020 voter-approval tax rate from the worksheet.</p> <p>- or -</p> <p>If the taxing unit adopted a tax rate above the 2020 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.</p>	N/A
<p>75. Increase in 2020 tax rate due to disaster. Subtract Line 74 from Line 73.</p>	N/A
<p>76. Adjusted 2020 taxable value. Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i>.</p>	N/A
<p>77. Emergency revenue. Multiply Line 75 by Line 76 and divide by \$100.</p>	N/A

78. Adjusted 2021 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	N/A
79. Emergency revenue rate. Divide Line 77 by Line 78 and multiply by \$100. ⁴⁹	N/A
80. 2021 voter-approval tax rate, adjusted for emergency revenue. Subtract Line 79 from one of the following lines (as applicable): Line 49, Line D49(disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 67 (taxing units with the unused increment rate).	N/A

⁴⁶Tex. Tax Code Section 26.042(b)

⁴⁷Tex. Tax Code Section 26.042(f)

⁴⁸Tex. Tax Code Section 26.042(c)

⁴⁹Tex. Tax Code Section 26.042(b)

⁵⁰Tex. Tax Code Section 26.04(c-2) and (d-2)

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-New-Revenue tax rate

As applicable, enter the 2021 NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax). \$0.579024/\$100

Indicate the line number used: 26

Voter-Approval tax rate

As applicable, enter the 2021 voter-approval tax rate from: Line 49, Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 67 (adjusted for unused increment), or Line 80 (adjusted for emergency revenue). \$0.623932/\$100

Indicate the line number used: 67

De minimis rate

If applicable, enter the de minimis rate from Line 72. \$0.673337/\$100

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in Tax Code.⁵⁰

print here KRISTIN BULANEK

Printed Name of Taxing Unit Representative

sign here Kristin Bulanek

Taxing Unit Representative

Digitally signed by Kristin Bulanek

Date: 2021.08.03 12:46:52 -05'00'

Date

Notice About 2021 Tax Rates

Property Tax Rates in CITY OF FREEPORT

This notice concerns the 2021 property tax rates for CITY OF FREEPORT. This notice provides information about two tax rates used in adopting the current tax year's tax rate. The no-new-revenue tax rate would impose the same amount of taxes as last year if you compare properties taxed in both years. In most cases, the voter-approval tax rate is the highest tax rate a taxing unit can adopt without holding an election. In each case, these rates are calculated by dividing the total amount of taxes by the current taxable value with adjustments as required by state law. The rates are given per \$100 of property value.

This year's no-new-revenue tax rate:	\$0.579024/\$100
This year's voter-approval tax rate:	\$0.623932/\$100

To see the full calculations, please visit www.brazoriacountytx.gov for a copy of the Tax Rate Calculation Worksheet.

Unencumbered	Fund	Balance
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The following estimated balances will be left in the unit's accounts at the end of the fiscal year. These balances are not encumbered by a corresponding debt obligation.

Type of Fund	Balance
Maintenance & Operations	4,000,344
Interest & Sinking	49,723

Current	Year	Debt	Service
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The following amounts are for long-term debts that are secured by property taxes. These amounts will be paid from upcoming property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
All Series	533,403	118,403	5,000	656,806
Total required for 2021 debt service				\$656,806
- Amount (if any) paid from funds listed in unencumbered funds				\$0
- Amount (if any) paid from other resources				\$0
- Excess collections last year				\$0
= Total to be paid from taxes in 2021				\$656,806
+ Amount added in anticipation that the unit will collect only 101.30% of its taxes in 2021				\$-8,429
= Total debt levy				\$648,377

This notice contains a summary of actual no-new-revenue and voter-approval calculations as certified by Kristin Bulanek, Brazoria County Tax Assessor-Collector on August 19, 2021.



City Council Agenda Item # 9

Title: Consideration and Possible Action Regarding an Ordinance Establishing a Tax Rate for the 2021 Tax Year.

MOTION MUST BE – I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.600000, WHICH IS EFFECTIVELY A 3.62% PERCENT INCREASE IN THE TAX RATE.

Date: August 30, 2021

From: Cathy Ezell, Finance Director

Staff Recommendation:

Staff recommends approval of the ordinance. This year's proposed tax rate does exceed the No-New Revenue Tax Rate. Therefore; a motion to adopt the proposed ordinance does require the language about "tax increase" as stated in 26.05(b) of Property Tax Code.

Item Summary:

A tax rate of \$0.60 per \$100 valuation has been proposed for adoption. This rate is higher to the No-New Revenue rate and lower than the Voter Approval and De Minims rates. As a result, City is not required to hold an election to seek voter approval of the rate.

Background Information:

On August 16, 2021, Council proposed a proposed a tax rate of \$0.61 per \$100 valuation for adoption on Tuesday, September 7, 2021.

Line	Description of Rate	Total Rate	M & O Rate	Debt Rate	% Over NNR	General Fund (M&O) Revenue	Budget Impact from M&O Rate
1	No New Revenue Tax Rate*	0.579024	0.475715	0.103309		\$2,598,748	-\$80,009
2	No New Revenue M&O Rate**	0.59367	0.490361	0.103309	2.5%	\$2,678,757	\$0
3	Last Year's Tax Rate	0.615859	0.515255	0.103309	6.0%	\$2,814,748	\$135,991
4	Voter Approval Tax Rate	0.610832	0.507523	0.103309	5.6%	\$2,772,510	\$93,753
5	Proposed Rate	0.61	0.506691	0.103309	5.3%	\$2,767,965	\$89,208
6	Budget Rate	0.60	0.496691	0.103309	3.7%	\$2,712,894	\$34,137

Special Considerations:

Council must adopt the tax rate before Sept. 30 or 60 days after receiving the certified appraisal roll, whichever date is later. Additionally, the deadline to approve a tax rate for consolidated tax bill is September 20, 2021.

Financial Impact:

Taxes owed under any of the above rates can be calculated as follows:

$$\text{Property Tax Amount} = (\text{Rate}) \times (\text{Taxable Value of Property}) / 100$$

Supporting Documentation:

Ordinance

ORDINANCE NUMBER 2021-2638

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, ESTABLISHING A TAX RATE FOR EACH \$100.00 VALUATION OF TAXABLE PROPERTY FOR THE 2021 TAX YEAR; LEVYING ALL TAXES FOR SAID CITY FOR SUCH TAX YEAR; ALLOCATING SUCH TAXES FOR CERTAIN MUNICIPAL PURPOSES THEREIN ENUMERATED; ORDERING THAT SUCH TAXES BE ASSESSED AND COLLECTED; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

WHEREAS, the City of Freeport, Texas, (hereinafter sometimes "the City") is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code, respectively; and,

WHEREAS, Section 6.22 (c), Texas Tax Code, authorizes the governing body of a taxing unit to require the county in which said unit is located to assess and collect the taxes such unit imposes in the manner in which the county assesses and collects its taxes; and,

WHEREAS, Section 26.05 of the Texas Property Tax Code provides that the governing body of each taxing unit shall adopt a tax rate for the current tax year before the later of September 30 or the 60th day after the date the certified appraisal roll is received by the taxing unit; and

WHEREAS, county taxes in Brazoria County, Texas, are assessed and collected by the Brazoria County Tax Assessor-Collector; and,

WHEREAS, Section 6.23 (a)(3) of the Texas Tax Code, provides that the county assessor and collector of taxes shall, if so required by a taxing unit, assess and collect the taxes of said unit; and,

WHEREAS, heretofore the City Council, being the governing body thereof, adopted a resolution requesting and requiring the Assessor and Collector of Taxes for Brazoria County to assess and collect the ad valorem taxes levied by the City; and,

WHEREAS, under the provisions of Section 26.05 (b) of the Tax Code, the tax rate must be set by ordinance, resolution or order which, if the rate exceeds the no-new-revenue maintenance and operations tax rate, must be adopted by a motion with a record vote of the governing body of the City, such motion must be made in the form prescribed in Section 26.05 (b), at least sixty (60) percent of the members of the governing body are required to vote in favor of the motion to adopt such ordinance, resolution or order and, if the ordinance, resolution or order sets a tax rate that, if applied to the total taxable value, will impose an amount of taxes to fund maintenance and operation expenditures of the City that exceeds the amount of taxes imposed for that purpose in the preceding year, additional requirements regarding the contents of such ordinance, resolution or order and the giving of notice of the home page of any Internet website operated by the City must be met; and,

WHEREAS, Section 26.05 (d) of the Tax Code, the City is only required to conduct a public hearing and satisfy the notice and voting requirements of Section 26.06 and Section 26.065 of the Tax Code where the proposed tax rate will exceed the lower of the voter approval tax rate or the no-new-revenue tax rate calculated as provided in said code.

WHEREAS, such Section further provides that where the tax rate consists of two components (one which will impose the amount of taxes needed to pay the unit's debt service and the other which will impose the amount of taxes needed to fund maintenance and operation expenditures of the unit for the next year); and

WHEREAS, the proposed tax rate for the current tax year of the City of Freeport, Texas, consists of two such components, a tax rate of **\$0.103309** for debt service and a tax rate of **\$0.496691** to fund maintenance and operation expenditures; and

WHEREAS, a budget appropriating revenue generated by the collection of ad valorem for the use and support of the municipal government of the City of Freeport has been proposed by the Freeport City Council as required by Title Four (4), Section 102.009 of the Local Government Code; and

WHEREAS, it is necessary and appropriate for the City Council to adopt the 2020 Tax Rate for the City of Freeport, Texas.

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

Section 1. Findings of Fact

The City Council hereby makes the following findings:

- (1) The Chief Appraiser of the Brazoria County Appraisal District furnished to the Assessor and Collector of Taxes for Brazoria County, Texas, a Certified Estimate of Taxable Value of the City for the 2020 tax year on the 21st day of July, 2021.
- (2) The Assessor and Collector of Taxes calculated the No New Revenue, Voter Approval, and De Minimis tax rates for such tax year, being \$0.579024, \$0.610832, and \$0.673337, respectively, per \$100.00 valuation.
- (3) On the 16th day of August, City Council made a motion which was seconded proposing to adopt a tax rate of \$0.61 per \$100.00 valuation for the 2021 tax year.
- (4) There is outstanding indebtedness for which an interest and sinking fund must be provided from ad valorem taxes and taxes must be levied as provided below to provide a general fund for current expenses and the general improvement of the City

and its property, and to meet the revenue requirements of the budget for the City's 2021-2022 fiscal year.

- (5) On the 1st day of September, 2021 a Notice of 2021 Tax Year Proposed Property Tax Rate for the City of Freeport was published in The Facts.

Section 2. Appraisal Roll Accepted and Adopted

The City Council of the City hereby accepts and adopts the Certified Appraisal Roll for the City furnished to the Assessor and Collector of the City by the Brazoria County Appraisal District and which is incorporated herein by reference.

Section 3. Tax Rate for Interest and Sinking Fund

The City Council of the City hereby orders, determines and establishes that the tax rate for each \$100.00 valuation of taxable property within the City for the interest and sinking fund shall be \$0.103309 the tax year 2021.

Section 4. Tax Rate for Maintenance and Operations

The City Council of the City hereby orders, determines and establishes that the tax rate for each \$100.00 valuation of taxable property within the City to provide a general fund for maintenance and operation expenses of the City shall be \$0.496691 for the tax year 2021.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.29% AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY - \$20.92, Ten and Eighty-four/100 Dollars.

Section 5. Internet Website

The City Secretary shall cause the following to be included on the homepage of the City website:

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.29 AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY -20.92.

Section 6. Tax Levy, Assessment and Collection

Ad valorem taxes for the tax year 2021 are hereby levied and shall be assessed and collected as herein above set forth by the City as the ad valorem tax for said year, to-wit: a total tax of \$0.60 on each \$100.00 valuation of taxable property situated in the City.

Section 7. Severance Clause

Any section or provision of this ordinance found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction is hereby declared to be severable from the remainder of this ordinance which shall remain in full force and effect.

Section 8. Effective Date

This ordinance shall be effective from and after its passage and adoption.

PASSED AND ADOPTED this _____ day of September, 2021.

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

Betty Wells, City Secretary
City of Freeport, Texas

APPROVED AS TO FORM AND CONTENT:

Chris Duncan, City Attorney
City of Freeport, Texas



City Council Agenda Item # 10

Title: Ratification of Increased Property Tax Revenues Reflected in the Fiscal Year 2021-2022 Adopted Budget

Date: September 7, 2021

From: Cathy Ezell, Finance Director

Staff Recommendation:

Staff recommends Council ratify the increased property tax revenues reflected in the FY2021-2022 Adopted Budget.

Item Summary:

Pursuant to Section 102.007 of the Texas Local Government Code, adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tax Code, or other law.

Background Information:

The FY2021-2022 Budget includes more property tax revenues than FY2020-2021, therefore; Council must take a separate vote to ratify increased property tax revenues that are reflected in a budget. The ratification is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tax Code.

Special Considerations:

N/A

Financial Impact:

N/A

Board or 3rd Party recommendation:

N/A

Supporting Documentation:

N/A



City Council Agenda Item # 11

Title: Consideration of approving Resolution Authorizing the Application to the Texas General Land Office (GLO) Beach Maintenance Reimbursement (BMR) Program and Designating the Assistant City Manager as the Official with Full Authority to Act for Purposes of the Program.

Date: September 7, 2021

From: Cathy Ezell, Finance Director

Staff Recommendation:

Staff recommends approval of the Resolution.

Item Summary:

The GLO Beach Maintenance Reimbursement Program is now accepting applications for Fiscal Year 2021-2022. The application requires a resolution to authorize the application for program funds and declare an official with full authority to act for purposes of the program.

Background Information:

The Beach Maintenance Reimbursement Fund Program, administered by the GLO, allocates approximately \$750,000 per year to help communities keep their beaches maintained. That's about \$8.5 million over the last 10 years. Contracts are renewable annually. The City has participated in the GLO Beach Cleaning and Maintenance Assistance Program since FY2012-2013.

Special Considerations: N/A

Financial Impact: The City has received over \$78,000 in reimbursement from the program since FY2012-2013. This year's reimbursement was \$9,174.92.

Board or 3rd Party recommendation: N/A

Supporting Documentation:

Resolution

RESOLUTION 2021-2703

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, AUTHORIZING THE APPLICATION TO THE TEXAS GENERAL LAND OFFICE BEACH MAINTENANCE REIMBURSEMENT PROGRAM AND DESIGNATING THE ASSISTANT CITY MANAGER AS THE OFFICIAL WITH FULL AUTHORITY TO ACT FOR PURPOSES OF THE PROGRAM.

WHEREAS, the Beach Maintenance Reimbursement Fund Program, administered by the Texas General Land Office, allocates funding each year to help communities keep their beaches maintained; and,

WHEREAS, the City Council finds it in the best interest of the citizens to apply for State Assistance in Cleaning and Maintaining Public Beaches; and,

WHEREAS, the Beach Maintenance Fund Program requires a resolution authorizing the application for funds and designation of an official to act with full authority for purpose of the program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS;

Section 1. The facts and statements contained in the preamble are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. That the application for program funds for State Assistance in Cleaning and Maintaining Public Beaches is hereby authorized.

Section 3. That Finance Director Catherine Ezell shall be vested with full authority to act for purpose of the Program.

Section 4. That any and all fees collected by reimbursement shall be utilized only and specifically for the program of beach maintenance.

Section 5. This Resolution shall become effective immediately upon its passage.

DULY PASSED, APPROVED AND ADOPTED on this _____ day of _____, 2021.

Brooks Bass, Mayor

ATTEST:

APPROVED AS TO FORM:

Betty Wells, City Secretary

Christopher Duncan, City Attorney



City Council Agenda Item # 12

Title: Consider a Resolution Amending the City of Freeport Policy Handbook Chapter 8 – Attendance and Leave Policy adding Section 8.13 Police, Fire, and Detention Officers Paid Quarantine Leave Policy.

Date: September 7, 2021

From: Cathy Ezell, Finance Director

Staff Recommendation:

Staff recommends approval of the Resolution.

Item Summary:

The City is required to develop and adopt a establishing a Police, Fire, and Detention Officer Paid Quarantine Leave Policy set forth by House Bill 2073. This resolution if passed will be retroactive to June 15, 2015.

Background Information:

In 2021, the State Legislature, passed House Bill 2073. This Bill requires the City to create paid quarantine leave for the following employees:

- Peace Officers
- Jailers/Detention Officers
- Fire Fighters
- Emergency Medical Technicians

This paid leave would not count against the sick, vacation or other leave time provided. The City would also pay for any lodging, medical expenses, transportation, and other costs associated with quarantine for the employees above. The attached policy sets forth the guidelines for this leave.

Financial Impact: N/A

Supporting Documentation:

Resolution

RESOLUTION 2021-2705

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, ADOPTING A POLICE, FIRE AND DETENTION OFFICER PAID QUARANTINE LEAVE POLICY AND APPROVING ITS ADDITION TO THE PERSONNEL POLICY HANDBOOK.

WHEREAS, the City of Freeport values police, fire and detention officers working to protect the citizens of our city; and

WHEREAS, among the many risks of harm faced by these employees, the City of Freeport recognizes the unique risks posed to their health presented by the high potential for exposure a communicable disease while on duty; and

WHEREAS, the City of Freeport seeks to create a specific policy to govern quarantine leave with pay to care for our police, fire, and detention officers that ordered to quarantine or isolate by the employee's supervisor or the political subdivision's health authority due to the possible or known exposure to a communicable disease while on duty.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS;

SECTION 1. POLICE, FIRE, AND DETENTION OFFICERS PAID QUARANTINE LEAVE POLICY. The City Council of the City hereby approves and adopts the Police, Fire, and Detention Officers Paid Quarantine Leave Policy attached hereto as Exhibit "A" and approves its addition to the Personnel Policy, which shall take affect as of June 15, 2021.

SECTION 2. PROPER NOTICE AND MEETING. It is hereby found and determined that the meeting at which this resolution was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

Read, passed and adopted the _____ day of _____, 2021.

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

APPROVED AS TO FORM:

Betty Wells, City Secretary
City of Freeport

Christopher Duncan, City Attorney
City of Freeport

POLICE, FIRE AND DETENTION OFFICERS PAID QUARANTINE LEAVE POLICY
Section 8-13 – Personnel Policy

This policy is in accordance with Texas House Bill 2073, signed into law on June 15, 2021.

EFFECTIVE DATE

June 15, 2021

AFFECTED POSITIONS

This Policy applies to persons employed by, appointed by, or elected the following positions of a Texas political subdivision.

- Peace Officers
- Jailers/Detention Officers
- Fire Fighters
- Emergency Medical Technicians

POLICY

Employees in the above positions who, if **ordered** by the employee's supervisor or the political subdivision's health authority to quarantine or isolate due to a possible or known exposure to a communicable disease **while on duty** is eligible for

- A. all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits for the duration of the leave, AND
- B. reimbursement for reasonable costs related to the quarantine, including lodging, medical care, and transportation.

Lodging may not be more than 15 miles outside the Freeport City limits or the employees last known residential address on file with Human Resources unless there is a declared emergency or extreme circumstances prevent such proximity and the location is approved by the City Manager, or where local lodging is not available.

All lodging and meals shall be reimbursed up to the published Texas State Comptroller's hotel and per diem rates for the year in which the quarantine occurs.

Any employee exposed to a communicable disease while on duty must report such exposure **immediately** to the supervisor on duty. Failure to immediately report the exposure shall result in disciplinary action.

Date of Quarantine - the date of quarantine shall begin no less than 3 days after the direct exposure has completely ceased with an infected person in accordance with the public health authority guidelines.

Isolation - exclusion from all persons to person contact except necessary healthcare professionals and necessary first responders.

Quarantine - a period of time recommended by public health authorities that is intended to minimize person to person contact during the incubation period of the specific communicable disease from the work force and other acquaintances, strangers, and family and friends when possible.

Employees who are quarantined are expected to refrain from social gatherings, travel, or other activity during this time.

For the purposes of this policy, a positive test shall be an approved test by the Center for Disease Control (CDC) that is taken from a licensed and credible state or private laboratory group.

PROCESS

If an employee reports an exposure to a Communicable Disease, the employee will be sent home to obtain a test. The test shall be taken within the CDC's or Texas Department of State Health Services recommended time frame for the disease in question. If the employee refuses to test, this policy shall not apply, and the benefits of this policy are void.

Employees who test positive for the disease must quarantine as directed by the local public health official and may be placed in an off-duty status.

All test results must be provided to Human Resources to qualify for benefits. An employee who refuses to test or share test results shall reimburse the City for the cost of all benefits paid to them while under quarantine.

To protect the health and safety of employees, employees must report all circumstances regarding their exposure, who they have been in contact with, testing, quarantining, isolation, and/or other activity in a completely accurate and timely manner to Human Resources in order to attempt contact tracing. Failure to do so may result in administrative investigation and/or disciplinary action up to and including termination of employment.

REMOTE WORK

While under quarantine and pending test results, employees who have the tools and capability of working remotely based on their job duties may be asked to do so by the Department Director.



City Council Agenda Item # 13

Title: An Ordinance of The City of Freeport, Texas, Containing A Preamble; Amending the offering of health benefits coverage to City of Freeport Retirees, repealing all ordinances in conflict; Containing Savings Clauses; Containing A Severance Clause; And Providing That This Ordinance Shall Take Effect and Be in Force from And After Its Passage and Adoption.

Date: September 7, 2021

From: Cathy Ezell, Finance Director

Staff Recommendation:

Staff recommends approval of the ordinance.

Item Summary:

This ordinance would change the number of consecutive years an employee is required to work to obtain health insurance benefits from 8 to 15.

Background Information:

Currently a person must work for the City for five consecutive years to be eligible for retiree health insurance benefits. The proposed ordinance will change the five consecutive years to fifteen consecutive years worked for a retiree to be eligible for retiree health insurance. This change would be retroactive.

Special Considerations:

There had been discussion and consideration of this benefit previously and there was concern that while only one retiree was presently taking advantage of this benefit, that there may be current employees that had dedicated a significant portion of their careers to the city who could be looking forward to this option, and that it was not fair to strip that away. The currently recommended ordinance increases the length of tenure with the city to reflect this sentiment. Dedicating at least 15 years of their working careers to the City of Freeport is significant commitment by an individual and worthy of consideration of the continuation of this benefit.

Financial Impact:

The restructuring of the health insurance benefits would help better manage plan future increases in health insurance premiums.

Board or 3rd Party recommendation: N/A

Supporting Documentation: Ordinance

ORDINANCE NO. 2021-2635

AN ORDINANCE AMENDING THE PROVISION OF HEALTH BENEFITS COVERAGE TO CITY OF FREEPORT RETIREES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Freeport adopted Ordinance No. 2014-2073 to provide health benefits coverage to its retirees;

WHEREAS, the City of Freeport established an Employee Benefits Trust pursuant to Texas Local Government Code Chapter 172, Texas Government Code Chapter 791, and the Texas Trust Code to provide health benefits coverage for employees and retirees and dependents of employees and retirees, of Texas political subdivisions under an Employee Benefits Trust;

WHEREAS, the City of Freeport desires to provide health benefits coverage to its retirees through the Trust.

WHEREAS, the City of Freeport desires to select a plan of benefits for its retirees to be provided by Employee Benefits Trust; and

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS THAT:

SECTION 1: The foregoing recitals are incorporated into this Ordinance as findings of fact.

SECTION 2: The City of Freeport hereby elects to change the previously adopted definition of "retiree" under the health benefits coverage for its retirees through the City's Employee Benefits Trust.

SECTION 3: The City of Freeport hereby adopts the following definition of "retiree" for purposes of this ordinance:

An employee who is under 60 years of age and has been covered by TMRS (Texas Municipal Retirement System) for at least 20 years, or an employee who is 60 years of age or older and has been covered by TMRS for at least 5 years. In addition, the employee must also work for the City of Freeport for a period of fifteen continuous years to be qualified as a retiree for purposes of this ordinance.

SECTION 4: The Employee Benefits Trust provides that the Board of Trustees may adopt rules and regulations which may amend this plan in the future. Other coverage's will be as established annually by the Employee Benefits Trust Board of Trustees.

SECTION 5: This ordinance will apply to all individuals retiring or who have retired from the City of Freeport.

SECTION 6: This ordinance may be repealed or modified at any time.

SECTION 7: All existing City of Freeport ordinances in conflict with the provisions of this Ordinance are repealed to the extent of the conflict.

SECTION 8: It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 9: This Ordinance shall be effective immediately upon its passage.

PASSED AND APPROVED on this _____ day of September, 2021.

Betty Wells, City Secretary
City of Freeport, Texas

Brooks Bass, Mayor
City of Freeport, Texas

APPROVED AS TO FORM:

Christopher Duncan, City Attorney
City of Freeport, Texas

Retiree Ordinance/Resolution

STATE OF TEXAS

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COUNTY OF Brazoria

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ORDINANCE NO. 2014-2073

AN ORDINANCE AUTHORIZING THE OFFERING OF HEALTH BENEFITS COVERAGE TO *City of Freeport* RETIREES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the *City of Freeport* desires to provide health benefits coverage to its retirees;

WHEREAS, TML MultiState Intergovernmental Employee Benefits Pool (IEBP) is a health risk pool established pursuant to Texas Local Government Code Chapter 172, Texas Government Code Chapter 791, and the Texas Trust Code to provide health benefits coverage for employees and retirees and dependents of employees and retirees, of Texas political subdivisions under an Interlocal Agreement;

WHEREAS, the *City of Freeport* is currently offering health benefits coverage through IEBP pursuant to Interlocal agreement and Chapter 172 of the Texas Local Government Code, both of which would allow the extension of benefits to retirees of the *City of Freeport*;

WHEREAS, the *City of Freeport* desires to provide health benefits coverage to its retirees through IEBP and that the cost for such coverage be paid for **by the** *City of Freeport* to a maximum of \$750 per month; Any additional amount will be the responsibility of the retiree.

WHEREAS, the *City of Freeport* desires to select a plan of benefits for its retirees to be provided by IEBP; and

WHEREAS, providing retiree coverage under IEBP Interlocal Agreement is in the best interest of the *City of Freeport*, its retirees, and the public generally;

BE IT ORDAINED BY THE CITY COUNCIL OF THE *City of Freeport*, Texas THAT:

SECTION 1: The foregoing recitals are incorporated into this Ordinance as findings of fact.

SECTION 2: The *City of Freeport* hereby elects to provide health benefits coverage to its retirees through IEBP under the Pool's Interlocal Agreement.

SECTION 3: The *City of Freeport* hereby adopts the following definition of "retiree" for purposes of this ordinance:

An employee who is under 60 years of age and has been covered by TMRS (Texas Municipal Retirement System) for at least 20 years, or an employee who is 60 years of age or older and has been covered by TMRS for at least 5 years. The employee must also work for the City of Freeport for a period of eight continuous years and meet the definition of retiree for purposes of this ordinance.

SECTION 4: The *City of Freeport* hereby adopts the following benefit plans to be provided to its retirees through IEBP:

Pg. 839

- *The medical plan adopted for retirees which are provided for in the IEBP Pre Sixty-Five Retiree Pool Plans.*

SECTION 5: The Interlocal Agreement in effect between the City of Freeport and IEBP provides that the Board of Trustees may adopt rules and regulations which may amend this plan in the future. Other coverage's will be as established annually by the TML MultiState Intergovernmental Employee Benefits Pool Board of Trustees.

SECTION 6: This ordinance will only apply to individuals retiring after its effective date or to employees, which retired under a previous ordinance. For individuals retiring after the effective date of this ordinance to qualify they must enroll for this coverage within thirty (30) days of their retirement. This benefit will terminate when the retiree attains age 65.

SECTION 7: This ordinance may be repealed or modified at any time, but will remain in effect for any employee retiring while it is In effect.

SECTION 8: The City Secretary is hereby ordered to enter a copy of this Ordinance in the City minutes.

SECTION 9: All existing *City of Freeport* ordinances in conflict with the provisions of this Ordinance are repealed to the extent of the conflict.

SECTION 10: It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 11: This Ordinance shall be effective immediately upon its passage.

PASSED AND APPROVED this 18 day of September, 2014.

MAYOR

Francis

ATTEST:

C. J. L. - Vfle
City Secretary

STATE OF TEXAS

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COUNTY OF Brazoria §

ORDINANCE NO. 2014:-2073

AN ORDINANCE AUTHORIZING THE OFFERING OF HEALTH BENEFITS COVERAGE TO *City of Freeport* RETIREES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the *City of Freeport* desires to provide health benefits coverage to its retirees;

WHEREAS, TML MultiState Intergovernmental Employee Benefits Pool (IEBP) is a health risk pool established pursuant to Texas Local Government Code Chapter 172, Texas Government Code Chapter 791, and the Texas Trust Code to provide health benefits coverage for employees and retirees and dependents of employees and retirees, of Texas political subdivisions under an Interlocal agreement;

WHEREAS, the *City of Freeport* is currently offering health benefits coverage through IEBP pursuant to Interlocal agreement and Chapter 172 of the Texas Local Government Code, both of which would allow the extension of benefits to retirees of the *City of Freeport*;

WHEREAS, the *City of Freeport* desires to provide health benefits coverage to its retirees through IEBP and that the cost for such coverage be paid for **by the City of Freeport to a maximum of \$750 per month; Any additional amount will be the responsibility of the retiree.**

WHEREAS, the *City of Freeport* desires to select a plan of benefits for its retirees to be provided by IEBP; and

WHEREAS, providing retiree coverage under IEBP Interlocal Agreement is in the best interest of the *City of Freeport*, its retirees, and the public generally;

BE IT ORDAINED BY THE CITY COUNCIL OF THE *City of Freeport*, Texas THAT:

SECTION 1: The foregoing recitals are incorporated into this Ordinance as findings of fact.

SECTION 2: The *City of Freeport* hereby elects to provide health benefits coverage to its retirees through IEBP under the Pool's Interlocal Agreement.

SECTION 3: The *City of Freeport* hereby adopts the following definition of "retiree" for purposes of this ordinance:

An employee who is under 60 years of age and has been covered by TMRS (Texas Municipal Retirement System) for at least 20 years, or an employee who is 60 years of age or older and has been covered by TMRS for at least 5 years. The employee must also work for the City of Freeport for a period of eight continuous years and meet the definition of retiree for purposes of this ordinance.

SECTION 4: The *City of Freeport* hereby adopts the following benefit plans to be provided to its retirees through IEBP:

- *The medical plan adopted for retirees which are provided for in the IEBP Pre Sixty-Five Retiree Pool Plans.*

SECTION 5: The Interlocal Agreement in effect between the City of Freeport and IEBP provides that the Board of Trustees may adopt rules and regulations which may amend this plan in the future. Other coverage's will be as established annually by the TML MultiState Intergovernmental Employee Benefits Pool Board of Trustees.

SECTION 6: This ordinance will only apply to individuals retiring after its effective date or to employees, which retired under a previous ordinance. For individuals retiring after the effective date of this ordinance to qualify they must enroll for this coverage within thirty (30) days of their retirement. This benefit will terminate when the retiree attains age 65.

SECTION 7: This ordinance may be repealed or modified at any time, but will remain in effect for any employee retiring while it is in effect.

SECTION 8: The City Secretary is hereby ordered to enter a copy of this Ordinance in the City minutes.

SECTION 9: All existing *City of Freeport* ordinances in conflict with the provisions of this Ordinance are repealed to the extent of the conflict.

SECTION 10: It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 11: This Ordinance shall be effective immediately upon its passage.

PASSED AND APPROVED this 14 day of September, 2014.

MAYOR Norma Moreno Garcia

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ATTEST:

0 Secretary
City Secretary



City Council Agenda Item # 14

Title: Consideration and possible action on an Ordinance requiring an electrical inspection prior to renewing expired electrical services.

Date: September 7, 2021

From: Henry Rivas, Interim Building Official

Staff Recommendation:

Staff recommends approval of this ordinance

Item Summary:

This ordinance requires that prior to an electricity service provider activating a new service, or reactivating existing service after 3 months without power, the property owner shall be required to have the service pass inspection by the City's electrical inspector and be issued a permit.

Background Information:

This ordinance stems from the practice where the power company would call the city for an inspection prior to reenergizing a service that had been dormant for any period. Up to this point the city has provided this service without charge.

The inspection is a life safety issue in that when a service is idle or dormant for an extended period of time, the service can be illegally altered, vandalized, or deteriorate over time, and pose a safety risk if energized without being inspected.

Special Considerations:

None.

Financial Impact:

If adopted the staff is proposing to set a fee of \$35 per inspection

Board or 3rd Party recommendation:

N/A

Supporting Documentation:

Ordinance

ORDINANCE NO. 2021-2636

AN ORDINANCE AMENDING SECTION 151.28 – CONNECTION WITH ELECTRICAL SERVICE, PREREQUISITE, OF THE CODE OF ORDINANCES OF THE CITY OF FREEPORT, TEXAS, AS PART OF CHAPTER 151 - ELECTRICAL REGULATIONS; REQUIRING AN ELECTRICAL INSPECTION BY THE CITY BUILDING OFFICIAL PRIOR TO RENEWING EXPIRED ELECTRICAL SERVICE; CONTAINING A PREAMBLE; MAKING IT AN OFFENSE FOR VIOLATION OF THIS ORDINANCE; CONTAINING A PENALTY CLAUSE AND THAT EACH AND EVERY OCCURRENCE SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING A SEVERANCE CLAUSE; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AND PROPERLY PUBLISHED FOR HEARING AS REQUIRED BY LAW AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

WHEREAS, the City of Freeport, Texas is charged with the responsibility to inspect and ensure safe and proper building procedures within the city limits through a permit/inspection process; and

WHEREAS, the City Council specifically finds that idle, unused electrical service can be illegally altered, tampered with or deteriorate, during extended periods of disuse or abandonment and that such periods of disuse or abandonment presents a serious danger to the safety of the community at large when such a system is connected to electrical service:

WHEREAS, the City may establish by ordinance, general rules and regulations governing permit and inspection of electrical systems and circuits within its corporate in order to promote the health, safety, morals or general welfare of the City and to promote the safe, orderly and healthful development of the City; and

WHEREAS, the City Council has determined, based upon the findings stated above, that the regulations established by the Ordinance are necessary for the good government, peace and order the City; and

WHEREAS, City Council finds that this Ordinance was adopted at a meeting which was open to the public and preceded by proper notice, as required by Chapter 551 of the Texas Local Government Code (the Open Meetings Act).

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

Section 1. The findings and recitations set out in the preamble to this ordinance are found to be true and correct and they are hereby adopted by the City Council and made part hereof for all purposes.

Section 2. Chapter 151, of the Code of Ordinances of the City Section 151.28 is hereby amended and shall read as follows:

§ 151.28 CONNECTION WITH ELECTRICAL SERVICE; PREREQUISITE.

(A) **New Construction:** It shall be unlawful for any electrical supply agency operating in the city to furnish current to any new building, tent, structure, or outdoor wiring of any kind, nature, or description, without first obtaining a clearance from the City Electric Inspector, stating that such wiring is approved and a permit has been issued for the use of current.

(B). Vacated Buildings/Structures

1. When any commercial building is vacated, the electric supply provider shall remove their meter and not reinstall the meter until the City Electric Inspector shall inspect the building and issue a permit.

2. When any non-commercial building is vacated and without electrical service for a period of three (3) months, the electric supply provider shall not re-connect electrical service until the City Electric Inspector shall inspect the building and issue a permit.

3. The owner of the property is responsible to pay a permit fee for the above electrical inspection as set forth in the current Master Fee Schedule, as amended. It shall be

unlawful for a building owner, to fail to pay the above permit fee upon presentation by the City and such fee shall be the responsibility of the building owner, even if the building is occupied by a tenant.

(C). **Penalty:** An offense under this Section is a Class C misdemeanor, punishable by a fine upon conviction not to exceed \$2000. Proof of culpable mental state is expressly waived. Each and every occurrence of violation of this ordinance shall constitute a separate offense, which offense is considered a daily offense.

(D). **Nuisance** – Violation of this Section is also considered a Nuisance, and the City may seek additional civil remedies to abate said nuisance including but not limited to removal by the City and imposition of a lien and other damages, and injunctive relief, after proper notice and hearing.

Section 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgement or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Section 4. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

Section 5. This ordinance shall take effect and be in force from and after the descriptive caption of this ordinance has been published twice in the Brazosport Facts.

READ, PASSED AND ADOPTED this ____ day of _____, 2021.

Brooks Bass, Mayor

ATTEST:

Betty Wells, City Secretary

APPROVED AS TO FORM ONLY:

Christopher Duncan, City Attorney



City Council Agenda Item # 15

Title: Consideration and possible action on a Resolution amending the master fee schedule adding a fee for electrical inspection prior to reactivation of service.

Date: September 7, 2021

From: Henry Rivas, Interim Building Official

Staff Recommendation:

Staff recommends approval of this Resolution

Item Summary:

This resolution establishes a \$35 inspection fee for electrical inspections required prior to reactivation of service for a service that has been dormant and inactive for a period of 3 months or more

Background Information:

This ordinance stems from the practice where the power company would call the city for an inspection prior to reenergizing a service that had been dormant for a period. Up to this point the city has provided this service without charge.

The inspection is a life safety issue in that when a service is idle or dormant for an extended period of time, the service can be illegally altered, vandalized, or deteriorate over time, and pose a safety risk if energized without being inspected.

Special Considerations:

None.

Financial Impact:

\$35 per inspection. In the past the city has usually done 1 to 4 of these inspections a month.

Board or 3rd Party recommendation:

N/A

Supporting Documentation:

Resolution

RESOLUTION NO. 2021-2702

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS AMENDING THE MASTER FEE SCHEDULE FOR ASSESSING RATES AND FEES AND CHARGES FOR SERVICES PROVIDED BY CITY DEPARTMENTS, USE OF CITY PROPERTY, AND PURCHASE OF CERTAIN GOODS PROVIDED BY THE CITY; SPECIFICALLY AMENDING BUILDING/PERMIT FEES TO ESTABLISH AN ELECTRICAL INSPECTION FEE FOR INSPECTION PRIOR TO REACTIVATION OF SERVICE; AUTHORIZING THE CITY CLERK TO MAINTAIN THE MASTER RATE SCHEDULE AND RECOMMEND ADJUSTMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR A FINDING OF PROPER MEETING AND NOTICE.

WHEREAS, the City Council of the City of FREEPORT, Texas ("City") seeks to provide for reasonable fees and charges for services provided by City departments, use of City property, and purchase of certain goods provided by the City in order to recoup the cost of conducting municipal business on the public's behalf without unduly relying on taxes; and

WHEREAS, the City Council finds that the Code of Ordinances of the City of FREEPORT, Texas ("Code") contains rates and fees throughout the Code and desires to consolidate all City rates and fees to provide a single and convenient location for a list of all rates and fees charged by the City through a Master Rate Schedule; and

WHEREAS, by Ordinance No. 2019-2597 the City Council of the City authorized the establishment and maintenance of a Master Fee Schedule; and

WHEREAS, the City Council has determined that the public welfare would be best served by maintaining and amending Building/Permit Fees in the Master Fee Schedule establishing an electrical inspection fee for inspection prior to reactivation of service;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

SECTION 1. FEES. Pursuant to the provisions of its Code of Ordinances, as amended by Ordinance No. 2019-2597, the City Council of the City hereby amends the Master Fee Schedule with the rates and fees attached hereto as Exhibit "A".

SECTION 2. EFFECTIVE DATE. This resolution and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect on the date of passage and upon execution by the mayor and city secretary as set forth below.

SECTION 3. PROPER NOTICE AND MEETING. It is hereby found and determined that the meeting at which this resolution was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

Read, passed and adopted the _____ day of August, 2021.

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

Betty Wells, City Clerk
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Christopher Duncan, City Attorney
City of Freeport, Texas

Exhibit A

\$100,001.00 to \$500,000.00	\$1,045.00 for the first \$100,000.00 plus \$5.90 for each additional \$1,000.00, or fraction thereof to and including \$500,000.00
\$500,001.00 to 1,000,000.00	\$3,395.45.00 for the first \$500,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,888.40 for the first \$1,000,000.00 plus \$3.35 for each additional \$1,000.00, or fraction thereof
General	
Re-inspection (after 2nd failed inspection)	\$25.00
Re-activation of Electrical Service Inspection	\$35.00
Starting a Project Without a Permit	Double Permit Fee
House Moving	\$100.00
Signs (sq. ft of Marquee)	\$25.00 + \$0.25 / sq. ft.
Clearing and Dirt Work	\$50.00
Fire Alarm	\$100.00
Open Burning	\$25.00 + Prior Written Permission from City
Floodplain	\$50.00
Drilling Permit (112.16)	\$100.00
Change of Location (Drilling) (112.18)	\$50.00
Specific Use Permit	\$150.00 + Actual Cost (publication & notification)
Variance Request	\$150.00 + Actual Cost (publication & notification)
Rezoning of Property	\$150.00 + Actual Cost (publication & notification)
Demolition	
Residential	\$50.00
Residential Electrical	
Electrical (New Construction / Alterations / Renovations / Remodels)	\$0.04 / sq. ft. / min \$50.00
Service Change Out or Panel replacement	\$25.00
Temporary Pole	\$25.00
Residential Plumbing	



City Council Agenda Item # 16

Title: Consideration approving Resolution No. 2021-2706 for Grant Application for the Freeport Radio Console Upgrade Grant.

Date: September 7, 2021

From: Chief Raymond Garivey

Staff Recommendation: Staff recommends the approval by Council of the FY22 – Edward Byrne Memorial Justice Assistance Grant Program titled Portable Radio Upgrade Grant# 4265301 and approving the City Manager as the grantee’s authorized official.

Item Summary: Approval of grant to fully fund the purchase, configuration and replacement of end of life portable radios used by officers of the Freeport Police Department.

Background Information: This grant proposal is for funding to purchase 33 portable radios to replace currently used Motorola APX6000 radios. These radios are over eight years old and this particular model of radio has been listed as end of life by the manufacturer as of December 31, 2019. Due to their age and heavy use many of these radios are beginning to fail and need constant repairs and service. Further, the extended support period offered by the manufacturer for these radios expires December 31, 2023. After this extended support period ends these radios will no longer be repaired or supported by the manufacturer.

Special Considerations:

Financial Impact: Total cost of this project is \$124,989.51 and is within the allowable grant funding limit for this Justice Assistance Grant. Project starts October 1st 2021 and is budget neutral, funds are reimbursed by the State after project completion.

Board or 3rd Party recommendation:

Supporting Documentation:

Resolution,

Funding Announcement Criminal Justice Program, FY2022. Grant packet for Portable Radio Console Upgrade Grant# 4265301, APX 6000 AN Radio Models End of Support Notice.

RESOLUTION NO. 2021-2706

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDINGS OF FACT; AUTHORIZING THE CITY MANAGER TO APPLY TO THE OFFICE OF THE GOVERNOR, FOR THE GRANT FOR RADIO CONSOLE UPGRADE, AND AGREEING TO CERTAIN CONDITIONS IN CONNECTION WITH SUCH GRANT; CONTAINING A SEVERANCE CLAUSE; PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY.

WHEREAS, the City of Freeport, Texas, hereinafter "the City," is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, the Local Government Code and the Home Rule Charter of the City authorize the City Council thereof to adopt the provisions of this Resolution; and,

WHEREAS, the City Council of the City of Freeport finds it in the best interest of and to benefit the health, safety, and welfare of the citizens of Freeport, that the Radio Console Upgrade Grant and the conditions container therein, be adopted for the 2021 year.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

First, that the City Council of the City approves submission of an application to the Office of the Governor, for a Grant for the Radio Console Upgrade.

Second, that the City Council of the City designates The Freeport City Manager as the grantee's authorized official.

Third, that the authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City.

Fourth, the City agrees that in the event of loss or misuse of the Office of the Governor Funds, the City assures that the funds will be returned to the Office of the Governor in full.

Fifth, in the event any section or provision of this resolution is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this resolution and such remaining sections and provisions shall remain in full force and effect.

Sixth, this resolution shall take effect and be in force from and after its passage and adoption.

Seventh, the original of this resolution, after execution and attestation, shall be maintained by the City Secretary in the permanent records of the City.

READ, PASSED AND ADOPTED this _____ day of _____, 2021.

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

Betty Wells, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Christopher Duncan, City Attorney,
City of Freeport, Texas



Office of the Governor, Public Safety Office Criminal Justice Division Funding Announcement: *Criminal Justice Grant Program, FY2022*

Purpose

The purpose of this announcement is to solicit applications for projects that promote public safety, reduce crime, and improve the criminal justice system.

Available Funding

Federal Funds are authorized under 34 U.S.C. §10152 Edward Byrne Memorial Justice Assistance Grant Program (JAG). JAG funds are made available through a Congressional appropriation to the U.S. Department of Justice, Bureau of Justice Assistance. All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.

Eligible Organizations

Applications may be submitted by state agencies, public and private institutions of higher education, independent school districts, Native American tribes, councils of governments, non-profit corporations (including hospitals and faith-based organizations), and units of local government, which are defined as a non-statewide governmental body with the authority to establish a budget and impose taxes.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).

Application Process

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding. For more instructions and information, see *eGrants User Guide to Creating an Application*, available [here](#).

Key Dates

Action	Date
Funding Announcement Release	12/14/2020
Online System Opening Date	12/14/2020
Final Date to Submit and Certify an Application	02/11/2021 at 5:00pm CST
Earliest Project Start Date	10/01/2021

Project Period

Projects must begin on or after 10/01/2021 and may not exceed a 12-month project period.

Funding Levels

Minimum: \$10,000

Maximum: None

Match Requirement: None

Standards

Grantees must comply with standards applicable to this fund source cited in the State Uniform Grant Management Standards ([UGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.

Eligible Activities and Costs

Funding may be used to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for **criminal justice purposes**, including for any one or more of the following:

1. Law enforcement;
2. Prosecution;
3. Crime Prevention;
4. Corrections and community corrections;
5. Reentry; and
6. Assessment and Evaluation;

Note: "Criminal Justice Purposes" is defined as activities pertaining to crime prevention, control, or reduction, or the enforcement of the criminal law, including, but not limited to, police efforts to prevent, control, or reduce crime or to apprehend criminals, including juveniles, activities of courts having criminal jurisdiction, and related agencies (including but not limited to prosecutorial and defender services, juvenile delinquency agencies and pretrial service or release agencies), activities of corrections, probation, or parole authorities and related agencies assisting in the rehabilitation, supervision, and care of criminal offenders, and programs relating to the prevention, control, or reduction of narcotic addiction and juvenile delinquency.

Safe Policing for Safe Communities Area of Emphasis. The Bureau of Justice Assistance (BJA) has encouraged state and local jurisdictions to support projects which incorporate elements of the [President's Executive Order on Safe Policing for Safe Communities \(EOSPSC\)](#). The EOSPSC seeks to enhance law enforcement practices and build community engagement through:

- Officer credentialing
- Usage of community-support modeling
- Implementation of improved use-of-force policies and procedures
- Retention and recruitment of high-performing officers
- Confidential access to mental health services for officers

- Programs aimed at relationship-building between law enforcement and communities
- Supporting non-profit organizations that focus on improving stressed relationships between officers and communities

Eligibility Requirements

1. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Beginning January 1, 2021, counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90 percent of convictions and other dispositions within five business days to the Criminal Justice Information System at the Department of Public Safety.

2. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted. Note: UCR is transitioning from summary reporting to NIBRS only in 2021. Applicants are encouraged to transition to NIBRS as soon as possible in order to maintain their grant eligibility.
3. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security (“DHS”) to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency’s custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2022 or the end of the grant period, whichever is later.

4. Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <https://fedgov.dnb.com/webform>).
5. Eligible applicants must be registered in the federal System for Award Management (SAM) database located at <https://sam.gov/>.

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

Prohibitions

Grant funds may not be used to support the unallowable costs listed in the [Guide to Grants](#) or any of the following unallowable costs:

1. Construction, renovation, or remodeling;
2. Medical services;
3. Security enhancements or equipment for non-governmental entities not engaged in criminal justice or public safety;
4. Non-law enforcement vehicles or equipment for government agencies that are for general agency use;
5. Equipment, supplies, and other direct costs associated with processing DNA evidence;
6. Costs associated with implementing the National Incident-Based Reporting System (NIBRS) (agencies seeking funds for NIBRS projects should apply for funding under the NIBRS funding announcement);
7. Activities or costs in support of Operation Border Star (agencies seeking such funding should apply under the PSO Local Border Security funding announcement).
8. Law enforcement equipment that is standard department issue;
9. Transportation, lodging, per diem or any related costs for participants, when grant funds are used to develop and conduct training for outside participants;
10. Items listed on the [Byrne JAG Prohibited Expenditure Category A and B List](#);
11. Rifle-resistant body armor (NIJ Compliant Type IIIA and below is eligible); and
12. Any other prohibition imposed by federal, state or local law or regulation.

Selection Process

1. For eligible local and regional projects:
 - a. Applications will be forwarded by PSO to the appropriate regional council of governments (COG).
 - b. The COG's criminal justice advisory committee will prioritize all eligible applications based on State priorities, identified community priorities, cost and program effectiveness.
 - c. PSO will accept priority listings that are approved by the COG's executive committee.

- d. PSO will make all final funding decisions based upon eligibility, approved COG priorities, reasonableness of the project, availability of funding, and cost-effectiveness.
2. For state discretionary projects, applications will be reviewed by PSO staff members or a review group selected by the executive director. PSO will make all final funding decisions based on eligibility, reasonableness, availability of funding, and cost-effectiveness.

Contact Information

For more information, contact the eGrants help desk at eGrants@gov.texas.gov or (512) 463-1919.

[Print This Page](#)

Agency Name: Freeport, City of
Grant/App: 4265301 **Start Date:** 10/1/2021 **End Date:** 9/30/2022

Project Title: Portable Radio Upgrade
Status: Pending OOG Review

Eligibility Information

Your organization's Texas Payee/Taxpayer ID Number:
17460008893004

Application Eligibility Certify:

Created on: 1/26/2021 10:13:57 AM By: David Fernandez

Profile Information

Applicant Agency Name: Freeport, City of
Project Title: Portable Radio Upgrade
Division or Unit to Administer the Project: Police Department Technology Unit
Address Line 1: 430 N Brazosport Blvd
Address Line 2:
City/State/Zip: Freeport Texas 77541-3802
Start Date: 10/1/2021
End Date: 9/30/2022

Regional Council of Governments(COG) within the Project's Impact Area: Houston-Galveston Area Council
Headquarter County: Brazoria
Counties within Project's Impact Area: Brazoria

Grant Officials:

Authorized Official

Name: Tim Kelty
Email: tkelty@freeport.tx.us
Address 1: 200 W 2nd st
Address 1:
City: Freeport, Texas 77541
Phone: 979-233-3526 Other Phone:
Fax:
Title: Mr.
Salutation: Mr.
Position: City Manager

Financial Official

Name: Stephanie Russell
Email: srussell@freeport.tx.us
Address 1: 200 W. 2nd Street
Address 1:
City: Freeport, Texas 77541
Phone: 979-871-0107 Other Phone: 979-233-3526
Fax: 979-233-8867
Title: Ms.
Salutation: Ms.
Position: Finance Director

Project Director

Name: David Fernandez
Email: dfernandez@freeport.tx.us
Address 1: 430 N Brazosport Blvd
Address 1:
City: Freeport, Texas 77541
Phone: 979-871-0157 Other Phone:

Fax:
Title: Mr.
Salutation: Officer
Position: Patrol

Grant Writer

Name: David Fernandez
Email: dfernandez@freeport.tx.us
Address 1: 430 N Brazosport Blvd
Address 1:
City: Freeport, Texas 77541
Phone: 979-871-0157 Other Phone:
Fax:
Title: Mr.
Salutation: Officer
Position: Patrol

Grant Vendor Information

Organization Type: Unit of Local Government (City, Town, or Village)
Organization Option: applying to provide services to all others
Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID): 17460008893004
Data Universal Numbering System (DUNS): 182748061

Narrative Information

Introduction

The purpose of this funding is to support projects that promote public safety, reduce crime, and improve the criminal justice system.

The funding announcement, located on the [eGrants Calendar](#) page, describes the organization types, activities, and costs that are eligible under the announcement. The PSO's [eGrants User Guide to Creating an Application](#) guides applicants through the process of creating and submitting an application in eGrants. Information and guidance related to the management and use of grant funds can be found in the The PSO's Guide to Grants, located on the [PSO Resource for Applicants and Grantees webpage](#).

Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

Constitutional Compliance

Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

Information Systems

Applicant assures that any new criminal justice information systems will comply with data sharing standards for the Global Justice XML Data Model and the National Information Exchange Model.

Bulletproof Vests

Applicant assures that if it plans to purchase body armor with grant funds, that it has adopted a mandatory wear policy and that all vests purchased have been tested and found to comply with the latest applicable National Institute of Justice (NIJ) ballistic or stab standards. Additionally, vests purchased must be American-made.

Criminal History Reporting

Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the *Texas Code of Criminal Procedure, Chapter 66*. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Beginning January 1, 2021, counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90 percent of convictions and other dispositions within five business days to

the Criminal Justice Information System at the Department of Public Safety. Click [here](#) for additional information from DPS on this new reporting requirement.

Uniform Crime Reporting (UCR)

Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted. Note: UCR is transitioning from summary reporting to NIBRS only in 2021. Applicants are encouraged to transition to NIBRS as soon as possible in order to maintain their grant eligibility.

DNA Testing of Evidentiary Materials

When funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS) by a government DNA lab with access to CODIS.

Interoperable Communications

Funds to support emergency communications activities must ensure compliance with the FY 2018 SAFECOM Guidance on Emergency Communications Grants; adherence to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band; and are fully coordinated with the full-time [Statewide Interoperability Coordinator \(SWIC\)](#) for Texas.

Twelve-Step Programs

Grant funds may not be used to support or directly fund programs such as the Twelve Step Program which courts have ruled are inherently religious. PSO grant funds cannot be used to support these programs, conduct meetings, or purchase related materials.

Program Income

Applicant agrees to comply with all federal and state rules and regulations for program income and agrees to report all program income that is generated as a result of the project's activities. Applicant agrees to report program income through a formal grant adjustment and to secure PSO approval prior to use of the program income. Applicant agrees to use program income for allowable costs and agrees to expend program income immediately after PSO's approval of a grant adjustment and prior to requesting reimbursement of funds.

Deduction Method - Program income shall be deducted from total allowable costs to determine the net allowable costs. Program income shall be used for current costs unless PSO authorizes otherwise. Program income which the grantee did not anticipate at the time of the award shall be used to reduce the PSO award and grantee match rather than to increase the funds committed to the project.

Asset Seizures and Forfeitures - Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (e.g., law enforcement entity).

National Instant Background Check System (NICS)

Entities receiving funds under this solicitation that are to generate or upgrade court dispositions or other records that are relevant to National Instant Background Check System (NICS) determinations must have a system in place to ensure that all such NICS-relevant dispositions or records that are generated or upgraded are made available in timely fashion to state repositories/databases that are accessed by NICS.

Body-Worn Cameras (BWCs)

Applicant assures that if it plans to purchase body-worn cameras with grant funds, that it has adopted adequate policies and procedures related to BWC equipment usage, data storage and access, privacy considerations and training. The certification form related to BWC policies and procedures can be found [here](#).

Certification of Compliance with 8 U.S.C 1373 and 1644

Applicant assures that it complies with 8 U.S.C. § 1373 & 1644. Applicant may be required to submit written assurances and/or certifications to this effect prior to award issuance. The Public Safety Office (PSO) will notify applicants if this becomes a requirement and provide the federally required form(s) and/or template(s).

Compliance with State and Federal Laws, Programs and Procedures

Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2022 or the end of the grant period, whichever is later.

Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE)

Please explain and describe any policies or practices your jurisdiction may have related to whether, when, or how employees may communicate with DHS or ICE. Include information on how each policy or practice complies with 8 U.S.C. 1373. Upload a copy of any written policies onto the Upload.Files Tab. Enter "N/A" below if your agency does NOT have any policies or practices regarding communication with DHS or ICE. The Freeport Police department has a signed memorandum from the Chief of Police stating that the department will participate fully in all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security.

Civil Rights Liaison

A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with PSO and with the federal Office of Justice Programs.

Enter the Name of the Civil Rights Liaison:

Brenda Ferguson

Enter the Address for the Civil Rights Liaison:

200 W 2nd st Freeport, TX 77541

Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999 x9999]:

(979) 233-3526

Overall Certification

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the PSO Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.

I certify to all of the application content & requirements.

Project Abstract :

Our proposal is for funding to purchase portable radios to replace currently used Motorola APX6000 radios. These radios are over eight years old and this particular model of APX radios have been listed as end of life by the manufacturer as of December 31, 2019. Further, the extended support period offered by the manufacturer for these radios expires December 31, 2023. After this extended support period ends these radios will no longer be repaired or supported by the manufacturer.

Problem Statement :

Currently, the Freeport Police Department has 33 APX6000 radios assigned to officers that fall under the end of life announcement. These portable radios serve as a primary means of communication between officers and our dispatch center. Additionally, it's the primary means of communication between our officers and adjacent agencies during mutual aid incidents. These radios have been in service since 2013 making them over 8 years old. Due to their age and heavy use many of these radios are beginning to fail and are needing constant service. On December 31, 2019 Motorola announced that the model of the APX6000 series of radios our agency uses have reached their end of life and service support is ending December 31, 2023. This announcement means that Motorola will make reasonable efforts to repair damaged or malfunctioning radios up to the service support end date. After this date Motorola will

no longer repair or support these radios. This leaves us in a situation where we could have multiple officers without radios due to an inability to repair and lack of funding to purchase new radios.

Supporting Data :

The City of Freeport is awash with high potential threats and hazards. Freeport is approximately 15 square miles in size, located approximately 50 miles south of Houston, and has a population of nearly 14,000. Freeport is positioned directly on the Gulf Coast, with three miles of beachfront and has one of the world's most expansive chemical complex encompassing 32 separate refineries. Some of these sites are the largest of their kind in the world, housing millions of tons of extremely hazardous and volatile chemical substances. Since we are on the coastline, hurricanes are another common large-scale threat to the area. Freeport is also home to the Port of Freeport that has thousands of commercial vehicles traveling to and from on a weekly basis. These vehicles can only get to and exit from this port by way of the City of Freeport. The city also is the primary responding agency to the Strategic Petroleum Reserve (SPR) site at Bryan Mound, which is immediately adjacent to Freeport. Clearly, the city is a target rich environment and the FBI has even issued bulletins mentioning credible threats to the area. In addition to protecting these key critical assets and responding to over 30,000 calls-for-service, the Freeport Police Department dispatches EMS services for the City of Surfside. In addition, we have mutual aid agreements to provide assistance to another dozen agencies. Accordingly, our proposal is not only critical to our city, it is also vitally important to these other jurisdictions. Our project proposal addresses and mitigates the following problems identified in the latest version of the BRAZORIA COUNTY COMMUNITY PLAN: In the section labeled LAW ENFORCEMENT ISSUES – Priority # 3 Need to upgrade training and equipment for emergency responders, Priority# 4 Rising cost of equipment and support and Priority # 9 Need additional communications within the County and fire department dispatching.

Project Approach & Activities:

An experienced project manager from the agency along with a senior field technician from the selected vendor will be dedicated to this project. Both have already worked together to ensure the requested proposal will address the described problem of replacing end of life equipment with newer technologies. Once approved the project manager will work in concert with the Communications Department for the Brazoria County Sheriff's Office, to oversee the programming and testing of the new equipment.

Capacity & Capabilities:

The Freeport Police Department has a full-time sworn staff of 33 officers, 18 civilians, and responds to approximately 30,000 calls-for-service annually. Within this staff there is a member who is responsible for the implementation and sustainment of all technology projects. In addition, the agency has funds allocated annually for the repair/replacement of technologies. Also, the department has ongoing contacts and agreements with outside service companies to assist when needed. Collectively, between these various capabilities (internal staff, outside vendors and funding), a host of technology projects have been successfully started and supported, many of which were complex in design. Accordingly, we have every reason to believe these capabilities will be successfully marshaled to implement and maintain this project.

Performance Management :

The goal of this project is to improve public/officer safety operations. The objective of this project is to replace end of life, end of support equipment with newer supported equipment. We will measure the performance of this grant by replacing old equipment and successfully testing the equipment. If this performance measure is successful, the output (replace end of life, end of support equipment) will be achieved and the new equipment will be put into service. At the same time the overall goal of the project (improve public/officer safety) will be achieved by providing updated equipment. Further, new equipment with active support and maintenance agreements will minimize the chances of extended radio downtime.

Target Group :

Our target group is the entire population of Freeport (14,000). Additionally, the City of Freeport provides various public safety services to other cities in Brazoria County, via contracts and mutual aid agreements. The citizens and the agencies from these neighboring cities will benefit from this project.

Evidence-Based Practices:

In addition, as stated above in our Problem Statement, our current end of life equipment has the potential to cause needless downtime in the event of equipment failures due to lack of support and spare parts. These extended downtimes will cause interoperability issues, along with delays in both critical information and public safety services. However these shortcomings can be mitigated by the installation of newer more capable systems that have

maintenance agreements and service contracts, as demonstrated by several publicly available websites: <https://www.hsaj.org/articles/153>, <https://www.policemag.com/341159/radios-your-lifeline-is-evolving>, and <https://www.ncjrs.gov/pdffiles1/nij/212978.pdf>.

Project Activities Information

Introduction

This section contains questions about your project. It is very important for applicants to review their funding announcement for guidance on how to fill out this section. Unless otherwise specified, answers should be about the EXPECTED activities to occur during the project period.

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
Law Enforcement	100.00	Project to replace end of life radio equipment by purchasing new equipment that's supported by the manufacturer

CJD Purpose Areas

PERCENT DEDICATED	PURPOSE AREA	PURPOSE AREA DESCRIPTION
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Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
Equipment or technology: Individuals/operators equipped	33
General Law Enforcement or Public Safety: Arrests resulting from grant.	0
Targeted Investigation: Criminal cases resulting in arrest.	0
Targeted Investigation: Grant-funded investigations carried out by the unit/division	0
Training or professional development: Individuals provided	0
Training or professional development: Individuals received	0
Training, professional development, or technical assistance: Hours provided	0
Training, professional development, or technical assistance: Hours received	0

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
-----------------	--------------

Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL
-----------------------	--------------

Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL
------------------------	--------------

Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a [resolution](#) that contains the following:

1. Authorization by your governing body for the submission of the application to the Public Safety Office (PSO) that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update the PSO should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to PSO.

Upon approval from your agency's governing body, upload the [approved](#) resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

Contract Compliance

Will PSO grant funds be used to support any contracts for professional services?

Select the appropriate response:

- Yes
- No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

Enter a description for monitoring contract compliance:

Lobbying

For applicant agencies requesting grant funds in excess of \$100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?

Select the appropriate response:

- Yes
 No
 N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

Select the appropriate response:

- Yes
 No
 N/A

Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:

10/1/2021

Enter the End Date [mm/dd/yyyy]:

9/30/2022

Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:

Enter the amount (in Whole Dollars \$) of Federal Grant Funds expended:

337072

Enter the amount (in Whole Dollars \$) of State Grant Funds expended:

58627

Single Audit

Applicants who expend less than \$750,000 in federal grant funding or less than \$750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a PSO grant. However, PSO may require a limited scope audit as defined in 2 CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of \$750,000 or more, or state grant funding of \$750,000 or more during the most recently completed fiscal year?

Select the appropriate response:

- Yes
 No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit:

Equal Employment Opportunity Plan

Compliance

The EEOP certification information must be submitted to the Office of Civil Rights, Office of Justice Programs through their on-line [EEOP Reporting Tool](#). For more information and guidance on how to complete and submit the federal EEOP certification information, please visit the US Department of Justice, Office of Justice Programs website at <https://ojp.gov/about/ocr/eeop.htm>.

Type I Entity

Defined as an applicant that meets one or more of the following criteria:

- has less than 50 employees;
- is a non-profit organization;
- is a medical institution;
- is an Indian tribe;
- is an educational institution, or
- is receiving a single award of less than \$25,000.

Requirements

- The applicant agency is exempt from the requirement to prepare an EEOP because it is a Type I Entity as defined above, pursuant to 28 CFR 42, subpart E;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the applicant must submit EEOP Certification information the Office for Civil Rights (OCR) to claim the exemption from developing an EEOP.

Type II Entity

Defined as an applicant that meets the following criteria:

- has 50 or more employees, and
- is receiving a single award of \$25,000 or more, but less than \$500,000.

Requirements

- The applicant agency is required to formulate an EEOP in accordance with 28 CFR 42.301, subpart E;
- the EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP is available for review by the public and employees or for review or audit by officials of OOG, OOG's designee, or the Office of Civil Rights, Office of Justice Programs, U.S. Department of Justice, as required by relevant laws and regulations;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services;
- the applicant must submit EEOP information to the Office for Civil Rights (OCR) to claim the exemption from submitting an EEOP to OCR; and
- the EEOP is required to be on file with the applicant agency.

Enter the name of the person responsible for the EEOP and the address of the office where the EEOP is filed:
Brenda Ferguson; 200 W 2nd St. Freeport, TX 77541

Type III Entity

Defined as an applicant that is NOT a Type I or Type II Entity.

Requirements

- The EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP has been submitted to the Office of Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice and has been approved by the OCR, or it will be submitted to the OCR for approval upon award of the grant, as required by relevant laws and regulations; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the applicant must submit EEOP information to the Office for Civil Rights (OCR).

Certification

Based on the definitions and requirements above, the applicant agency certifies to the following entity type:

- Type I Entity
 Type II Entity
 Type III Entity

Debarment

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:

- I Certify
 Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

FFATA Certification

Certification of Recipient Highly Compensated Officers

The Federal Funding Accountability and Transparency Act (FFATA) requires Prime Recipients (CJD) to report the names and total compensation of each of the five most highly compensated officers (a.k.a. positions) of each sub recipient organization for the most recently completed fiscal year preceding the year in which the grant is awarded if the subrecipient answers **YES** to the **FIRST** statement but **NO** to the **SECOND** statement listed below.

In the sub recipient's preceding completed fiscal year, did the sub recipient receive: (1) 80 percent or more of its annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; AND (2) \$25,000,000 or more in annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements?

Select the appropriate response:

- Yes
 No

Does the public have access to information about the compensation of the senior executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986?

Select the appropriate response:

- Yes
 No

If you answered **YES** to the **FIRST** statement and **NO** to the **SECOND** statement, please provide the name and total compensation amount of each of the five most highly compensated officers (a.k.a. positions) within your agency for the current calendar year. If you answered NO to the first statement you are NOT required to provide the name and compensation amounts. NOTE: "Total compensation" means the complete pay package of each of the sub recipient's compensated officers, including all forms of money, benefits, services, and in-kind payments (see SEC Regulations: 17 CCR 229.402).

Position 1 - Name:

Position 1 - Total Compensation (\$):

0

Position 2 - Name:

Position 2 - Total Compensation (\$):

0

Position 3 - Name:

Position 3 - Total Compensation (\$):

0

Position 4 - Name:

Position 4 - Total Compensation (\$):

0

Position 5 - Name:

Position 5 - Total Compensation (\$):

0

Fiscal Capability Information

Section 1: Organizational Information

*** FOR PROFIT CORPORATIONS ONLY ***

Enter the following values in order to submit the application

Enter the Year in which the Corporation was Founded: 0

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status: 01/01/1900

Enter the Employer Identification Number Assigned by the IRS: 0

Enter the Charter Number assigned by the Texas Secretary of State: 0

Enter the Year in which the Corporation was Founded:

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status:

Enter the Employer Identification Number Assigned by the IRS:

Enter the Charter Number assigned by the Texas Secretary of State:

Section 2: Accounting System

The grantee organization must incorporate an accounting system that will track direct and indirect costs for the organization (general ledger) as well as direct and indirect costs by project (project ledger). The grantee must establish a time and effort system to track personnel costs by project. This should be reported on an hourly basis, or in increments of an hour.

Is there a list of your organization's accounts identified by a specific number (i.e., a general ledger of accounts)?

Select the appropriate response:

Yes

No

Does the accounting system include a project ledger to record expenditures for each Program by required budget cost categories?

Select the appropriate response:

Yes

No

Is there a timekeeping system that allows for grant personnel to identify activity and requires signatures by the employee and his or her supervisor?

Select the appropriate response:

Yes

No

If you answered 'No' to any question above in the Accounting System section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 3: Financial Capability

Grant agencies should prepare annual financial statements. At a minimum, current internal balance sheet and income statements are required. A balance sheet is a statement of financial position for a grant agency disclosing assets, liabilities, and retained earnings at a given point in time. An income statement is a summary of revenue and expenses for a grant agency during a fiscal year.

Has the grant agency undergone an independent audit?

Select the appropriate response:

Yes

No

Does the organization prepare financial statements at least annually?

Select the appropriate response:

- Yes
- No

According to the organization's most recent Audit or Balance Sheet, are the current total assets greater than the liabilities?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Financial Capability section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 4: Budgetary Controls

Grant agencies should establish a system to track expenditures against budget and / or funded amounts. Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:

a) Total funds authorized on the Statement of Grant Award?

- Yes
- No

b) Total funds available for any budget category as stipulated on the Statement of Grant Award?

- Yes
- No

If you selected 'No' to any question above under the Budgetary Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Section 5: Internal Controls

Grant agencies must safeguard cash receipts, disbursements, and ensure a segregation of duties exist. For example, one person should not have authorization to sign checks and make deposits.

Are accounting entries supported by appropriate documentation (e.g., purchase orders, vouchers, receipts, invoices)?

Select the appropriate response:

- Yes
- No

Is there separation of responsibility in the receipt, payment, and recording of costs?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Internal Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Budget Details Information

Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%

Equipment	Radio and Accessories	(33) Radios - serve as the primary means of communication between dispatch and emergency personnel (Police, Fire, Mutual Aid radio channels) includes all required hardware, chargers, modules and licensing(\$3,790.97 per Radio)	\$124,989.51	\$0.00	\$0.00	\$0.00	\$124,989.51	33
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Source of Match Information

Detail Source of Match/GPI:

DESCRIPTION	MATCH TYPE	AMOUNT
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Summary Source of Match/GPI:

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Budget Summary Information

Budget Summary Information by Budget Category:

CATEGORY	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
Equipment	\$124,989.51	\$0.00	\$0.00	\$0.00	\$124,989.51

Budget Grand Total Information:

OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
\$124,989.51	\$0.00	\$0.00	\$0.00	\$124,989.51

Condition Of Fundings Information

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Funds	Hold Line Item Funds
<p>Resolution: Applications from nonprofit corporations, local units of governments, and other political subdivisions must submit a resolution electronically using the 'Upload' function in the eGrants system. The resolution must contain the following:</p> <ul style="list-style-type: none"> • Authorization by your governing body for the submission of the application to OOG that clearly identifies the name of the project for which funding is requested; • A commitment to provide all applicable matching funds; • A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update OOG should the official change during the grant period.); and • A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to OOG. 	<p>3/11/2021 2:10:08 PM</p>		<p>Yes</p>	<p>No</p>
<p>Compliance with State and Federal Laws, Programs and Procedures: Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible grantees/applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code. Each local unit of government and institution of higher education that operates a law enforcement agency must download, complete and then return the CEO/Law Enforcement Certifications and Assurances Form certifying compliance with federal and state immigration enforcement requirements.</p>	<p>3/11/2021 2:10:20 PM</p>		<p>Yes</p>	<p>No</p>
<p>This grant must be administered by the Police Department, Sheriff's Office, Constable Precinct, or other Law Enforcement Division/Department within the grantee organization as submitted in the original application. Deviation from the approved budget or project scope requires prior authorization from the Public Safety Office. Failure to comply with this requirement could result in the termination of your grant.</p>	<p>7/27/2021 5:15:48 PM</p>		<p>No</p>	<p>No</p>

You are logged in as **User Name:** dkfernandez

APX™ 6000

"AN" RADIO MODELS

END-OF-SUPPORT NOTICE

OVERVIEW

In 2016, the APX 6000 family (APX 6000, APX 6000Li, APX 6000XE, APX 5000, and SRX2200) evolved to support newer technologies. These enhancements required a revision in hardware from an "AN" model suffix to a "BN" model suffix.

The purpose of this notification is to inform customers of an end of support of the APX 6000 family AN, or legacy, radio models on December 31, 2019. The APX 6000 family legacy models are no longer orderable. The APX 6000 family can continue to be purchased on the BN, or "Enhanced," models listed below.

END-OF-SUPPORT DATE:

To align with 5-year support: December 31, 2021 (or while supplies last).

NEW FEATURE REQUEST/DEVELOPMENT:

To conclude December 31, 2019.

REPLACEMENT PRODUCT:

The APX 6000 family BN models are available for order. They offer the same features, functionalities and options as the APX 6000 legacy AN models, but with new features for an evolving customer need.

HARDWARE IMPACT:

Be advised that product repair support of the AN models is dependent on the availability of replacement parts. Motorola will make commercially reasonable efforts to repair products until the end of their respective support dates. Aftermarket product support will be available for the APX 6000 family AN radio models via commercially reasonable efforts through Customer Fulfillment Centers (CFC).

SOFTWARE IMPACT:

New features and enhancements will no longer be offered on AN models after December 31, 2019. The BN models do not share the same codeplugs as the AN models. There will be no additional new features developed on the AN models after December 31st, 2019.



MOTOROLA SOLUTIONS

MODELS/OPTIONS END-OF-SUPPORT

Listed below are the APX 6000/XE/Li models –

APX 6000 MODELS

END-OF-SUPPORT RADIO MODEL	DESCRIPTION	REPLACEMENT RADIO MODEL
H98UCD9PW5AN, H98UCD9PW5_N	APX 6000 7/800 MHZ MODEL 1.5 PORTABLE	H98UCD9PW5BN
H98UCF9PW6AN, H98UCF9PW6_N	APX 6000 7/800 MHZ MODEL 2.5 PORTABLE	H98UCF9PW6BN
H98UCH9PW7AN, H98UCH9PW7_N	APX 6000 7/800 MHZ MODEL 3.5 PORTABLE	H98UCH9PW7BN
H98KGD9PW5AN, H98KGD9PW5_N	APX 6000 VHF MHZ MODEL 1.5 PORTABLE	H98KGD9PW5BN
H98KGF9PW6AN, H98KGF9PW6_N	APX 6000 VHF MHZ MODEL 2.5 PORTABLE	H98KGF9PW6BN
H98KGH9PW7AN, H98KGH9PW7_N	APX 6000 VHF MHZ MODEL 3.5 PORTABLE	H98KGH9PW7BN
H98QDD9PW5AN, H98QDD9PW5_N	APX 6000 UHF R1 MODEL 1.5 PORTABLE	H98QDD9PW5BN
H98QDF9PW6AN, H98QDF9PW6_N	APX 6000 UHF R1 MODEL 2.5 PORTABLE	H98QDF9PW6BN
H98QDH9PW7AN, H98QDH9PW7_N	APX 6000 UHF R1 MODEL 3.5 PORTABLE	H98QDH9PW7BN
H98SDD9PW5AN, H98SDD9PW5_N	APX 6000 UHF R2 MODEL 1.5 PORTABLE	H98SDD9PW5BN
H98SDF9PW6AN, H98SDF9PW6_N	APX 6000 UHF R2 MODEL 2.5 PORTABLE	H98SDF9PW6BN
H98SDH9PW7AN, H98SDH9PW7_N	APX 6000 UHF R2 MODEL 3.5 PORTABLE	H98SDH9PW7BN

ORDERED WITH OR WITHOUT—

OPTION	DESCRIPTION
QA02006	ENH: APX 6000XE RUGGED RADIO
Q811	ENH: LI DIGITAL CONVENTIONAL
QA02829	ENH: LI ANALOG CONVENTIONAL
Q443	ENH: LI ANALOG 3600 TRUNKING
QA02756	ENH: LI 9600 OR 3600 SINGLE SYSTEM DIGITAL TRUNKING
QA02812	ENH: LI P25 9600 BAUD TRUNKING W/ INTEROPERABILITY

APX 5000 MODELS

END-OF-SUPPORT RADIO MODEL	DESCRIPTION	REPLACEMENT RADIO MODEL
H98UCD9PW5ANI, H98UCD9PW5_NI	APX 5000 7/800 MHZ MODEL 1.5 PORTABLE	H98UCD9PW5BNI
H98UCF9PW6ANI, H98UCF9PW6_NI	APX 5000 7/800 MHZ MODEL 2.5 PORTABLE	H98UCF9PW6BNI
H98UCH9PW7ANI, H98UCH9PW7_NI	APX 5000 7/800 MHZ MODEL 3.5 PORTABLE	H98UCH9PW7BNI
H98KGD9PW5ANI, H98KGD9PW5_NI	APX 5000 VHF MHZ MODEL 1.5 PORTABLE	H98KGD9PW5BNI
H98KGF9PW6ANI, H98KGF9PW6_NI	APX 5000 VHF MHZ MODEL 2.5 PORTABLE	H98KGF9PW6BNI
H98KGH9PW7ANI, H98KGH9PW7_NI	APX 5000 VHF MHZ MODEL 3.5 PORTABLE	H98KGH9PW7BNI
H98QDD9PW5ANI, H98QDD9PW5_NI	APX 5000 UHF R1 MODEL 1.5 PORTABLE	H98QDD9PW5BNI
H98QDF9PW6ANI, H98QDF9PW6_NI	APX 5000 UHF R1 MODEL 2.5 PORTABLE	H98QDF9PW6BNI
H98QDH9PW7ANI, H98QDH9PW7_NI	APX 5000 UHF R1 MODEL 3.5 PORTABLE	H98QDH9PW7BNI
H98SDD9PW5ANI, H98SDD9PW5_NI	APX 5000 UHF R2 MODEL 1.5 PORTABLE	H98SDD9PW5BNI
H98SDF9PW6ANI, H98SDF9PW6_NI	APX 5000 UHF R2 MODEL 2.5 PORTABLE	H98SDF9PW6BNI
H98SDH9PW7ANI, H98SDH9PW7_NI	APX 5000 UHF R2 MODEL 3.5 PORTABLE	H98SDH9PW7BNI

SRX2200 MODELS

END-OF-SUPPORT RADIO MODEL	DESCRIPTION	REPLACEMENT RADIO MODEL
H99UCD9PW5AN, H99UCD9PW5_N	SRX2200 7/800 MHZ MODEL 1.5 PORTABLE	H99UCD9PW5BN
H99UCH9PW7AN, H99UCH9PW7_N	SRX2200 7/800 MHZ MODEL 3.5 PORTABLE	H99UCH9PW7BN
H99KGD9PW5AN, H99KGD9PW5_N	SRX2200 VHF MHZ MODEL 1.5 PORTABLE	H99KGD9PW5BN
H99KGH9PW7AN, H99KGH9PW7_N	SRX2200 VHF MHZ MODEL 3.5 PORTABLE	H99KGH9PW7BN
H99QDD9PW5AN, H99QDD9PW5_N	SRX2200 UHF R1 MODEL 1.5 PORTABLE	H99QDD9PW5BN
H99QDH9PW7AN, H99QDH9PW7_N	SRX2200 UHF R1 MODEL 3.5 PORTABLE	H99QDH9PW7BN

ORDERED WITH OR WITHOUT—

OPTION	DESCRIPTION
H553	ADD: ULTRA LOW POWER RADIO TRIGGER

CONTACT INFORMATION

If you have specific questions regarding this notification, please contact your Motorola Solutions Account Representative.



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City Council Agenda Item # 17

Title: Consideration of appointing a representative of the City Council to serve on the HGAC 2022 General Assembly.

Date: September 7, 2021

From: Tim Kelty, City Manager

Staff Recommendation:

Staff recommends appointment of elected representatives of the City Council to serve as the City's Representative and Alternate.

Item Summary:

As a member of the Houston Galveston Area Council (HGAC), the City may select one elected official from its Council to serve on the HGAC General Assembly, and one elected official to serve as Alternate.

The HGAC General Assembly meets twice per year. Once for an organizational meeting, at which representatives are elected to serve on the HGAC Board of Directors (including 2 members from Small Home Rule cities like Freeport - under 25,000), and one Annual Meeting held in the first quarter of each year.

Background Information:

HGAC is a regional coalition of Cities, Counties, and ISDs that serves the interests of the areas Government agencies. It focuses on Transportation Planning, Development, Public Procurement, and much more.

Special Considerations:

Previously Councilman Ken Green was appointed as the City's representative and Council Woman Sandra Loeza was appointed as the Alternate. With neither no longer serving as Councilmembers new councilmembers need to be appointed to serve in these roles.

Financial Impact:

N/A

Board or 3rd Party recommendation:


N/A

Supporting Documentation:

Letter from HGAC requesting appointment and appointment form.



HOUSTON – GALVESTON AREA COUNCIL
OFFICE OF THE EXECUTIVE DIRECTOR

To: Mayors – Home Rule Cities
Subject: 2022 General Assembly Designations
From: Chuck Wemple
Date: September 1, 2021 

As we approach 2022, the Houston-Galveston Area Council will be entering its 56th year of public service. We continue to explore new opportunities to better serve our members through ever evolving programs and innovative services. The General Assembly and Board of Directors are vitally instrumental in the agency's course of action during these unprecedented times. As Mayor, you have the opportunity to play a unique role in our future by designating the City Councilmembers that will represent your city at the annual gathering of our General Assembly.

I've attached a form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body. Please return the completed form by email to laura.parker@h-gac.com.

A dinner meeting of Home Rule city representatives is scheduled for the evening of November 8, 2021. At that meeting, your 2021 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and we will look ahead to issues and progress in 2022.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form **by October 29**.

If more information concerning General Assembly membership would be useful, please contact me at 713-993-4514 or Rick Guerrero at 713-993-4598. Thank you again for your city's continuing participation and support for the Houston-Galveston Area Council.

Sincerely,

Chuck Wemple

CW/cj

Attachment
cc: City Secretary

**DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL
2022 GENERAL ASSEMBLY**

BE IT RESOLVED, by the Mayor and City Council of _____,
Texas, that _____ be, and is hereby designated as
its Representative to the **GENERAL ASSEMBLY** of the Houston-Galveston Area
Council for the year 2022.

FURTHER, that the Official Alternate authorized to serve as the voting representative
should the hereinabove named representative become ineligible, or should he/she
resign, is _____.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the
designation of the hereinabove named representative and alternate.

PASSED AND ADOPTED, this _____ day of _____,
2021.

APPROVED:

Mayor

ATTEST:

By: _____