

NOTICE OF PUBLIC HEARING
THE FREEPORT CITY COUNCIL
MONDAY, SEPTEMBER 8, 2014, 6:15 P.M.
FREEPORT MUNICIPAL COURT ROOM
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.
FREEPORT, TEXAS
AGENDA
FORMAL SESSION

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of approving the September 2, 2014 First Tax Rate Public Hearing Minutes. Pg. 824-825
5. Consideration of approving the September 2, 2014 Council Minutes. Pg. 826-828
6. Attending citizens and their business.
7. **Public Hearing** – Proposed budget for fiscal year 2014-2015. Pg. 829
8. Consideration of approving Ordinance No. 2014-2071 adopting a budget for the fiscal year 2014-2015 for the City of Freeport. Pg. 830-833
9. Consideration of approving Ordinance No. 2014-2072 amending Sections 52.15 and 52.16 of the Code of Ordinances of said City to increase the rates for water and sewer and water only services set forth therein for services furnished on or after October 1, 2014 to industrial facilities, offices and other commercial establishments, residences and customers located in inside and outside the corporate limits of the city. Pg. 834-837
10. Consideration of approving Ordinance No. 2014-2073 authorizing the offering of health benefits coverage to the City of Freeport retirees; repealing all ordinances in conflict; providing an open meeting clause; and providing an effective date. Pg. 838-840

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers; claims or other matters in which his duty to the City Council under the Texas Disciplinary Rules of professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Freeport Municipal Golf Course

Adjourn

Items not necessary 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).

In compliance with the Americans with Disabilities Act, the City of Freeport will provide for reasonable accommodations for persons attending City Council Meetings. Request should be received 48 hours prior to the meeting. Please contact the City Secretary office at 979-233-3526.

I, Delia Munoz City Secretary for the City of Freeport, Texas certify that this agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, September 5, 2014 at or before 5:00 p.m.

Delia Munoz - City Secretary
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council met on September 2, 2014, at 6:00 p.m. at the Freeport Municipal Court Room, Police Department, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Norma M. Garcia
Councilman Larry L. McDonald – Absent
Councilman Fred Bolton
Councilman Sandra Loeza
Councilman Sandra Barbree

Staff: Jeff Pynes, City Manager
Gilbert Arispe, Assistant City Manager
Delia Munoz, City Secretary
Wallace Shaw, City Attorney
Nat Hickey, Property Manger
Bob Welch, Finance Director
Brian Davis, Fire Chief
Dan Pennington, Police Chief
Larry Fansher, Parks Director

Visitors: Lance Reaves Jerry Meek
Gary Woodring Casey Fry
Phil Bakke

Call to order.

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

First Tax Rate Public Hearing on adoption of proposed tax rate and consider motion that the property tax rate be increased by the adoption of a tax rate of 0.675586, which is effectively a 3.36 percent increase in the tax rate.

Mr. Jeff Pynes stated that we are not changing the tax multiplier. The City will bring in more money, roughly estimated \$13,000,000 of investments, new development. The same tax multiplier as previous year, stays the same 0.655586.

On a motion by Councilwoman Barbree, "I move that the property tax rate be increased by the adoption of a tax rate of 0.675586, which is effectively a 3.36 percent increase in the tax rate, seconded by Councilwoman Loeza, with all present voting, a record vote was taken.

Record Vote: Mayor Norma Garcia	Aye
Councilman Larry McDonald	Absent
Councilman Fred Bolton	Aye
Councilman Sandra Loeza	Aye
Councilman Sandra Barbered	Aye

Mayor Garcia asked for any comments or questions from staff or audience. They were none and Mayor Garcia closed the Public Hearing.

Announcement: Second Public Hearing on the adoption of proposed tax rate will be conducted September 8, 2014, 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas.

Mayor Norma Garcia announced the second Public Hearing will be conducted September 8, 2014, 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “aye”, Mayor Garcia closed the meeting at 6:45 p.m.

Mayor Norma M. Garcia
City of Freeport, Texas

City Secretary – Delia Munoz
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council met on September 2, 2014 at 6:15 p.m. at the Freeport Municipal Court Room, Police Department, 430 North Brazosport, Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Norma M. Garcia
Councilman Larry L. McDonald
Councilman Fred Bolton
Councilwoman Sandra Loeza
Councilwoman Sandra Barbree

Staff: Jeff Pynes, City Manager
Gilbert Arispe, Assistant City Manager
Delia Munoz, City Secretary
Wallace Shaw, City Attorney
Nat Hickey, Property Manager
Bob Welch, Finance Director
Brian Davis, Fire Chief
Dan Pennington, Police Department

Visitors: Lance Reaves Jerry Meek
Gary Woodring Casey Fry
Phil Bakke

Call to order.

Mayor Norma Garcia called the meeting to order at 6:15 p.m.

Invocation.

Mr. Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma M. Garcia led the Pledge of Allegiance.

Consideration of approving the August 18, 2014 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved the August 18, 2014 Council Minutes.

Attending citizens and their business.

Casey Fry of Bakke Development Corporation spoke on proposed housing units in Freeport and potential sites. Through the formation of a Public Private Partnership, Bakke Development Corporation and the City enter an agreement allowing BDC to construct, manage and maintain the new housing. Bakke Development Corporation is an apartment development corporation.

Consideration of approving and setting a bid date for those interested in purchasing a pipeline easement across the South End of Tract K1, Abstract 89, Brazoria County, Texas owned by the City of Freeport, granting permission for Air Liquide to have a survey conducted thereon at its expense for the purpose of establishing a legal description for its bid thereon.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved a bid date for October 6, 2014 for those interested in purchasing a pipeline easement across the South End of Tract K1, Abstract 89, Brazoria County, Texas owned by the City of Freeport, granting permission for Air Liquide to have a survey conducted thereon at its expense for the purpose of establishing a legal description for its bid thereon.

Consideration of approving and signing a Replat on the Old Brazos River Retreat Replat No. 1, a Subdivision of a 0.764 acre tract out of tract 4 of the City of Freeport as recorded in County Clerk's File No. 12-057412 of the Brazoria County Official Records in the Stephen F. Austin Survey Abstract 32 & 33, Brazoria County, Texas.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved signing a Replat on the Old Brazos River Retreat Replat No. 1, a Subdivision of a 0.764 acre tract out of tract 4 of the City of Freeport as recorded in County Clerk's File No. 12-057412 of the Brazoria County Official Records in the Stephen F. Austin Survey Abstract 32 & 33, Brazoria County, Texas.

Consideration of voting on the Official Ballot for Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting, Council unanimously approved Robert T. Herrera for Place One, John W. Fullen for Place 2, George Shackelford for Place 3, & Rona Stringfellow for Place 4, on the Official Ballot for Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election.

Mayor Garcia closed the formal session at 6:22 p.m. and opened the executive session.

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matters in which his duty to the City Council under the Texas Disciplinary Rules of professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Regarding Industrial District Agreement – FLNG
- Regarding Contractual Negotiations – Bakke Development Corporation

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting “aye”, Mayor Norma Garcia adjourned the meeting at 7:00 p.m.


Mayor Norma Garcia
City of Freeport, Texas

City Secretary – Delia Munoz
City of Freeport, Texas

NOTICE OF PUBLIC BUDGET HEARING

BE IT KNOWN that on Monday, September 8, 2014, beginning at 6:00 o'clock, p.m., the City Council of the City of Freeport, Texas, will conduct a PUBLIC HEARING at the Police Department Municipal Courtroom of the City of Freeport, Texas, located therein at 430 North Brazosport Boulevard, on the PROPOSED BUDGET of the City for the FISCAL YEAR 2014-2015, which may be EXAMINED on request at the Office of the City Manager, 200 West Second Street, Freeport, Texas 77541, during normal business hours. WRITTEN COMMENTS concerning the budget must be mailed to arrive at or be delivered in person to the office of the City Manager at such office prior to 5:00 p.m. on the day of such hearing. VERBAL COMMENTS will be accepted at the time of the hearing.

THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$90,201 OR 4.01%, AND OF THAT AMOUNT, \$24,710 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.



Delia Munoz, City Secretary
City of Freeport, Texas

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDINGS OF FACT; ADOPTING A BUDGET FOR THE FISCAL YEAR 2014-2015 FOR THE CITY; PROVIDING FOR THE FILING THEREOF; PROVIDING A SEVERANCE 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, Article 9 of the Home Rule Charter of the City requires the adoption of an annual budget; 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, 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; and,

WHEREAS, under Section 102.006(a) and (b) of the Local Government Code and Chapter 9 of said Charter, the governing body of the municipality is required to conduct a public hearing on such proposed annual budget; and

WHEREAS, under Section 102.006(c) of the Local Government Code and Chapter 9 of said Charter, public notice of the date, time and location of such hearing must be given, under Section 102.0065(c) and Section 102.011 of said Code the provisions of said Charter control as to the method of giving such notice and under Chapter 9 of said Charter said notice must be published at least 15 days before the date of such hearing in the official newspaper of the City; and,

WHEREAS, under Section 102.006(b) of the Local Government Code, the public hearing on the proposed annual budget must be held before the date the governing body makes its tax levy for the fiscal year covered by such budget, under Section 102.007(c) of said Code and Chapter 9 of said Charter, at the conclusion of such hearing, the governing body must take action on such proposed annual budget and under Section 102.009(a) of said Code and Chapter 9 of said Charter, the governing body of the City may levy taxes only in accordance with such budget.

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

SECTION ONE (1) - Findings of Fact

In connection with the adoption of the 2014-2015 ANNUAL BUDGET, the City Council hereby makes the following findings:

(1) The proposed budget for the City's Fiscal Year 2014-2015, a copy of which is attached hereto as Exhibit "A", is the result of several workshop meetings, each of which were conducted in accordance with and notice of each of which was given in the manner required by the Texas Open Meetings Act, now codified as Chapter 551 of the Government Code.

(2) On the 29th^h day of July, 2014, the City Manager filed with the City Secretary the original of such proposed annual budget.

(3) A public hearing on such proposed budget was held on the 8th day of September, 2014, beginning at 6:00 p.m., in the Municipal Courtroom of the Police and Courts Building of the City of Freeport, Texas, located therein at 430 Brazosport Boulevard.

(4) Notice of such hearing was published in the Brazosport Facts, the official newspaper of the City, on the 22nd day of August, 2014.

(5) This ordinance is being adopted at the conclusion of such hearing and on the same date as the date on which such hearing was held.

(6) The contingent appropriations in such budget do not exceed three percent (3%) of the total budget appropriations.

(7) The estimated expenditures of the General Fund and Debt Service Fund stated in such budget do not exceed total estimated resources of each fund.

Pg. 831

SECTION TWO (2) - Proposed Annual Budget Adopted; Appropriations

The PROPOSED ANNUAL BUDGET for the City's FISCAL YEAR 2014-2015, in its complete form, as heretofore filed with the City Secretary, and with any changes thereto made following such workshop meetings and the public hearing mentioned above, attached hereto and made a part hereof as Exhibit **A**, is hereby ADOPTED; and the several amounts set forth therein as proposed expenditures are hereby APPROPRIATED to and for the objects and purposes therein specified.

THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$90,201.00 OR 4.01%, AND OF THAT AMOUNT, \$24,710.00 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

SECTION THREE (3) - Filing of Copies

A copy of this ordinance and of the attached complete copy of such budget, attached hereto as Exhibit **A**, shall be filed with the City Secretary of the City of Freeport, Texas and shall be maintained with the official records of the City. Certified copies thereof shall be filed by the City Secretary with the County Clerk of Brazoria County, Texas and the office of the State Comptroller of Public Accounts for the State of Texas.

SECTION FOUR (4) - 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 remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

SECTION FIVE (5) - Effective Dates

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, 2014, and ending September 30, 2015.

PASSED AND ADOPTED this _____ day of _____, 2014.

Norma Moreno Garcia, Mayor
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney,
City of Freeport, Texas

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ORDINANCE NO. 2014-2072

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING SECTIONS 52.15 AND 52.16 OF THE CODE OF ORDINANCE OF SAID CITY TO INCREASE THE RATES FOR WATER AND SEWER AND WATER ONLY SERVICES SET FORTH THEREIN FOR SERVICE FURNISHED ON OR AFTER OCTOBER 1, 2014, TO INDUSTRIAL FACILITIES, OFFICES AND OTHER COMMERCIAL ESTABLISHMENTS, RESIDENCES AND CUSTOMERS LOCATED INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE CITY; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT FROM AND AFTER OCTOBER 1, 2014.

WHEREAS, the City of Freeport, Texas (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, Chapter 552 of the Local Government Code and Section 2.01 and 2.02 and Items (n) and (u) of Section 3.07 of the Home Rule Charter of the City authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of said City and persons using its utility system.

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

First, Division (A) (1) and (2) of Section 52.15 of the Code of Ordinances of the City of Freeport, Texas, is hereby amended to read as follows:

■(A) The city shall charge for the furnishing of sewer service to customers within the corporate limits of the city and shall charge each customer as follows:

(1) In the case of sewer service furnished to single-family residences and multi-family residences within the city:

0 gal to 2,000 gal.	\$13.40 (minimum charge)
3,000 gal. to 12,000 gal.	\$4.62 per 1,000 gal.
13,000 gal. and up	\$6.70 per 1,000 gal.

(2) In the case of sewer service furnished to all other customers, including but not being limited to industrial facilities, offices and other commercial establishments:

0 gal. to 2,000 gal. of water	\$13.40 (minimum charge)
3,000 to 12,000 gal. of water	\$7.22 per 1,000 gal.
13,000 Up gal. of water	9.53 per 1,000 gal.

Second, Division (A) of Section 52.16 of the Code of Ordinances of the City of Freeport, Texas, is hereby amended to read as follows:

■(A) The city shall furnish water service to customers within the corporate limits of the city and shall charge each customer as follows:

(1) In the case of water furnished to single-family residences and multi-family residences located within the city:

0 gal. to 2,000 gal.	\$14.74 (minimum rate)
3,000 gal. to 12,000 gal.	\$5.092 per 1,000 gal.
All over 13,000 gal.	\$6.70 per 1,000 gal.

(2) In the case of water furnished to all other customers, including but not being limited to industrial facilities, offices and other commercial establishments located within the city:

0 gal. to 2,000 gal.	\$15.48 (minimum rate)
3,000 gal. to 12,000 gal.	\$7.223 per 1,000 gal.
13,000 gal. and up	\$9.53 per 1,000 gal.

(B) The city shall furnish water service to customers outside the corporate limits of the city and shall charge each customer as follows:

0 gal. to 2,000 gal.	\$23.22 (minimum rate)
3,000 gal. and up	\$10.83 per 1,000 gal.

(-C) The city shall furnish water only service to customers inside the corporate limits of the city and shall charge each customer as follows:

0 gal. to 2,000 gal.	\$22.11 (minimum rate)
3,000 gal. to 12,000 gal.	\$7.63 per 1,000 gal.
13,000 gal. and up	\$10.05 per 1,000 gal.

Third, nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

Fourth, in the event any section or provision of this ordinance 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 ordinance and such remaining sections and provisions shall remain in full force and effect.

Fifth, this ordinance shall take effect and be in force from and after October 5, 2014.

READ, PASSED AND ADOPTED this _____ day of _____, 2014.

Norma Moreno Garcia, Mayor,
City of Freeport, Texas

ATTEST:

Delia Munoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney,
City of Freeport, Texas

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Norma Moreno Garcia
Mayor

Larry McDonald
Councilmember
Ward A

Fred Bolton
Councilmember
Mayor Pro Tem
Ward B

Sandra Loeza
Councilmember
Ward C

Sandra Barbree
Councilmember
Ward D

Jeff Pynes
Chief Executive Officer
City Manager

Gilbert Arispe
Assistant City Manager

September 5, 2014

Mayor Norma Moreno Garcia
Freeport City Council Representatives

As we discussed in previous budget hearings and discussions, we propose an employee benefits package increase related to retiree health insurance. The reasoning behind such request is employee retention and recruiting. In our current business market and with the new multi-billion dollars of investment and overwhelming demand that will be placed upon the employment market the ability to compete, recruit and retain employees during the next five to six years is going to become very competitive. This retiree health insurance plan coupled with our proposed employee pay plan will provide us with competitive abilities to retain and attract new employees.

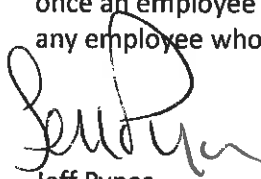
The plan we discussed and propose is a separate insurance plan our current insurance provider (TML) offers for retiree health insurance. This proposal in no way will affect or increase the rates of our fulltime employee health plans. The retiree plan is separate and limited in value.

The plan as proposed is limited in value and can only be realized once the following provisions are met:

- An employee must meet or exceed our TMRS retirement conditions; which are: 20 years of service or reaching the age of 60; and
- An employee must have a minimum of eight (8) years of contiguous service with the City of Freeport and meet the TMRS qualifications of retirement

This plan enables a retiree that meets the aforementioned prerequisites a maximum amount of \$750.00 per month towards their retiree health insurance plan. Any amount over the \$750.00 will be the responsibility of the retiree. Note: this plan only applies to a retiree up to the age of 65.

This plan will allow us to retain current employees and recruit other qualified talented candidates. The plan itself will not cost the City any money upon implementation, but only once an employee meets or exceeds the prerequisites listed above. This plan does not affect any employee who retired before the implementation of the retiree health insurance plan.


Jeff Pynes
City Manager



Retiree Ordinance/Resolution

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 ___ day of September, 2014.

MAYOR

ATTEST:

City Secretary