

NOTICE OF PUBLIC HEARING  
THE FREEPORT CITY COUNCIL  
MONDAY, JUNE 19TH, 2017 6:00 P.M.  
430 NORTH BRAZOSPORT BOULEVARD  
FREEPORT, TEXAS  
AGENDA

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Attending citizens and their business.  
Members of the public are allowed to address the City Council at this time. 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.
5. Consideration of approving the June 5, 2017 Council Minutes. Pg. 506-511
6. Introduction of the City's 2017 Summer Interns from Brazosport High School who are organizing a "KidFest" event for July 29, 2017.
7. Consideration of approving Resolution No. 2017-2519 reappointing qualified persons to the Planning Commission of said City; Cindy Cain and Eddie Virgil. Pg. 512
8. Consideration of approving Resolution No. 2017-2520 reappointing qualified persons to the Library Board of said City; James Walker, June Strambler, Nancy Hughes, and replacing Lila Lloyd and Margie Edwards with Christina Travis and Amy Garcia. Pg. 513
9. Consideration of approving Resolution No. 2017-2521 reappointing qualified persons to the Board of Adjustment of said City: Roddy Mohler, Jim Pirrung, Sammye Moore and Tim Closs. Pg. 514
10. Consideration of approving Resolution No. 2017-2522 reappointing qualified persons to the Urban Renewal Board of said City: Annette Sanford, Ken Tyner and Raul Ramirez. Pg. 515

11. Consideration of approving Resolution No. 2017-2523 reappointing qualified persons to the Beautification, Parks and Recreation Committee of said City; Guadalupe Gonzalez, Margaret L. McMahan, Michael Dole and Michelle Backman. Pg. 516
12. Consideration of approving Resolution No. 2017-2524 appointing qualified persons to the Economic Development Corporation of said City ; Ed Garcia, Jeff Pena, Trey Sullivan and Brad Stevens. Pg. 517
13. Consideration of approving Resolution No. 2017-2525 reappointing qualified persons to the Senior Citizens Commission of said City; Ona Johnson, Sammye T. Moore, Martha Westbrook. Pg. 518
14. Consideration of approving Resolution No. 2017-2526 appointing qualified persons to the Charter Review Commission of said City; Sandra Barbree, Amy Carrales, Donna Hayes, Ana Silbas and Rita Cundieff. Pg. 519
15. Consideration of approving Resolution No. 2017-2527 appointing a qualified person to the Brazosport Water Authority of said City; Kenny Hayes. Pg. 520
16. Consideration of rebidding and setting a bid date for August 2, 2017 a Request for Proposal (RFP) for Disaster and/or Storm Recovery Monitoring. Pg. 521-538
17. Consideration of the approval of any action items discussed in the Executive Session.

**Work Session:**

- A. Discuss council budget priorities for Fiscal Year 2017-2018.
- B. Review General Fund Revenue Summary. Pg. 539
- C. Review Property Tax Revenue. Pg. 540
- D. Present and discuss proposed rental inspection ordinance.

**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:

- Discuss and review water rates at the Freeport Apartments, 1001 N. Ave. J., Freeport Texas.

## 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).

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 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, June 15, 2017 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 City Council of Freeport met on Monday, June 5, 2017 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 Troy T. Brimage  
Councilman Larry L. McDonald  
Councilman Brooks Bass  
Councilwoman Nicole Mireles  
Councilman Roy E. Yates

Staff:

Jeff Pynes, City Manager  
Gilbert Arispe, Assistant City Manager  
Wallace Shaw, City Attorney  
Delia Munoz, City Secretary  
Bob Welch, Finance Director  
Nat Hickey, Property Manager  
Dan Pennington, Police Chief  
Chris Motley, Fire Chief  
Jennifer Hawkins, Economic Development Corp.  
Billywayne Shoemaker, Acting Building Official  
LeAnn Strahan, Administrative Assistant

Visitors

Sandra Shaw	Edith Fischer
Conni Westfall	Douglas Domingues
Moby Burrige	Evelyn Burrige
Manning Rollerson	Edward T. Garcia
Sam Reyna	Melanie Oldham
Jalen Johnson	Keith Stumbaugh
Dean O Merrigan	Jerry Meeks
Ruben Renobato	Ruth Renobato
James Barnett	Sandra Barnett
Darlene Weir	Jason Travis
Sandra Barbree	Peggy Yates
Larry Fansher	Norma Garcia
Eric Hayes	Lila Diehl
George Hawkins	Kristy Mercado

Call to order.

Mayor Troy T. Brimage called the meeting to order at 6:00 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Brazosport High School student Jalen Johnson led the Pledge of Allegiance.

Attending citizens and their business.

Jalen Johnson played in the Texas State Basketball tournament in San Antonio. There college recruits invited him to play basketball in the Down Under Sports Hoop Classic in Australia. He is the only high school player from Texas to receive this honor. He will be part of a nine member U.S. Team competing. He is seeking donations and willing to do yard work to help him with the expenses to go to Australia.

Keith Stumbaugh of 518 W. 4th, Chairman of the Concern Citizens of Freeport read a letter to council essentially challenging that the newly elected Mayor did not meet the residency requirements and Council should act accordingly.

Consideration of approving the May 15, 2017 Council Minutes.

On a motion by Councilman Bass, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved the May 15, 2017 Council Minutes.

Presentation by Danny Massey, Superintendent of Brazosport Independent School District, thanking the City of Freeport and the Freeport Historical Museum Foundation for their educational efforts and being a city that is committed to serving our youth.

Danny Massey, Superintendent of Brazosport Independent School District thanked the City and the Freeport Historical Museum Foundation for funding dual credits to our Brazosport students. He introduced the staff of BISD principals: Richard Yoes, Principal of Brazosport High School, Brooke Merritt, Principal of Freeport Intermediate School, Bridget Percel, Principal of Lanier Middle School, Margaret Meadows, Principal of Velasco Elementary School, Maria Espinoza, Principal of Fleming Elementary, Clara S. Davis, Chief Academic Officer and Tracy Phillis, Executive Director of Administration Services.

Presentation by Bob Welch, Finance Director regarding Brazosport Water Authority water rate increase.

Bob Welch Finance Director announced that on October 1, 2017 BWA is increasing water rates to all their member cities from \$2.94 to \$3.05 per 1000 gallons for a total cost increase of \$80,300. The City is not proposing a rate increase in this year's budget.

Consideration of approving Resolution No. 2017-2516 approving submission of the grant application for the Crime Victim's Liaison to the office of the Governor.

On a motion by Councilwoman Mireles, seconded by Councilman Yates, with all present voting "Aye", Council unanimously approved Resolution No. 2017-2516 approving submission of the grant application for the Crime Victim's Liaison to the office of the Governor.

Consideration of approving Resolution No. 2017-2517 designating the Asst. City Manager Gilbert Arispe to act for and on behalf of the City of Freeport in dealing with the State of Texas General Land Office for the purpose of applying for state assistance to clean and maintain the public beaches.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved Resolution No. 2017-2517 designating the Asst. City Manager Gilbert Arispe to act for and on behalf of the City of Freeport in dealing with the State of Texas General Land Office for the purpose of applying for state assistance to clean and maintain the public beaches.

Consideration of approving Resolution No. 2017-2518 requesting an easement at Second Street where it crosses their Velasco Drainage District's Federal Levee, being the East Bank of the Brazos River Levee Section 2.

On a motion by Councilman Yates, seconded by Councilman McDonald, with all present voting "Aye" Council unanimously approved Resolution No. 2017-2518 requesting an easement at Second Street where it crosses their Velasco Drainage District's Federal Levee, being the East Bank of the Brazos River Levee Section 2.

Consideration of approving Ordinance No. 2017-2132 amending the definition of Recreation Vehicle contained in Section 120.01 of the Code of Ordinances of said City to add thereto a provision that any recreational vehicle more than ten (10) years old which is used or operated within the City must be inspected by the building official and certified to be safe for human occupation.

On a motion by Councilman Yates, seconded by Councilman Bass, with all present voting 4 to 1, Council approved Ordinance No. 2017-2132 amending the definition of Recreation Vehicle contained in Section 120.01 of the Code of Ordinances of said City to add thereto a provision that any recreational vehicle more than ten (10) years old which is used or operated within the City must be inspected by the building official and certified to be safe for human occupation. Councilman McDonald opposed.

Consideration of approving Ordinance No. 2017-2135 amending Section 150.011 of the Code of Ordinance of said City to provide, as a modification the 2015-Edition of the International Residential Code adopted by Section 150.01 of said Code of Ordinance, a requirement that each dwelling unit shall have a minimum of one thousand (1,000) square feet in area with the exclusions included therein; providing that any person violating said Code of Ordinances, as

amended by this ordinance shall be guilty of a misdemeanor and assessed a fine in accordance with the provisions of Section 10.99 of said Code of Ordinances.

Mayor Troy T. Brimage recommends this item go back to the Planning Commission for further study.

Consideration of approving Ordinance No. 2017-2136 amending the Comprehensive Zoning Ordinance of the City, now codified as Chapter 155 of the Code of Ordinance of the City to add definitions for open space and greenbelt; ratifying and confirming all actions previously taken by the Planning Commission of said City or the City Council or both.

On a motion by Councilman Bass, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved Ordinance No. 2017-2136 amending the Comprehensive Zoning Ordinance of the City now codified as Chapter 155 of the Code of Ordinance of the City to add definitions for open space and greenbelt; ratifying and confirming all actions previously taken by the Planning Commission of said City or the City Council or both.

Consideration of approving the bids and awarding the contract for the removal from the City's parking lot located East of East Park Avenue, between the 100 Block of East Second Street and the 100 Block of East Broad Street, an area of approximately 16,000 to 17,000 square feet, all existing concrete, grade to drain, add eight (8") of stabilized base and stripping grass from the remainder of the parking lot, an area of approximately 45, 000 square feet, stabilize existing base to a depth of eight inches and grading to drain, installation of at least two inches of TX-DOT type D hot mix asphalt, and striping parking areas with marking paint as per City specifications, all according to the below mentioned plans and specifications, authorizing the City Manager or his designee to negotiate a contract with the successful bidder and authorizing the Mayor and City Secretary, respectively to execute and attest such contract.

Dean O Merrigan an investor and developer has purchased a few buildings and leases them. He is in dire need of parking for the new businesses. It would be an asset to have parking for the businesses downtown.

Mayor Troy T. Brimage recommends this item to be reagendaed.

Consideration of selecting a qualified person as a representative to the Brazosport Water Authority Board for the term ending 2018.

On a motion by Councilman Bass, seconded by Councilman Yates, with all present voting "Aye", Council unanimously approved Kenny Hayes as a representative to the Brazosport Water Authority for the term ending 2018.

Consideration of the approval of any action items discussed in the Executive Session.

No action taken.

Work Session:

Presentation by Edith Fisher, Director of Tourism of the Brazosport Convention & Visitors Council promoting and request for continued funding.

Edith Fischer of the Brazosport Convention & Visitors Council presented a PowerPoint Presentation on their tasks and the past year's activities and requested continued funding.

Presentation by Conni Westfall, Transportation Manager with Gulf Coast Center/Connect Transit operating a local bus service in the City of Freeport.

Ms. Connie Westfall, Transportation Manager presented a PowerPoint presentation of Connect Transit services. The bus transit service accommodates five routes through Angleton, Lake Jackson, Clute and Freeport. Freeport is the biggest user of Connect Transit. They are on their sixth year of service and the bus schedule is available at [www.gulfcoastcenter.org](http://www.gulfcoastcenter.org). He invited Staff, Directors and Council to ride the buses.

Appointing qualified person(s) to the following Boards and Commissions:

- Planning Commission:  
Cindy Cain and Eddie Virgil
  
- Library Board:  
James Walker, June Strambler, Nancy Hughes  
Board needs two members.
  
- Board of Adjustments:  
Roddy Mohler, Jim Pirrung, Sammye Moore and Tim Closs
  
- Urban Renewal Board:  
Annette Sanford , Ken Tyner and Raul Ramirez
  
- Beautification/Parks & Recreation:  
Guadalupe Gonzalez, Margaret L. McMahan, Michael Dohle, and Michelle Backman
  
- Economic Development Corporation: (4)  
Recommendations: Ed Garcia, Ana Silbas, Jeff Pena, Trey Sullivan and Brad Stevens.
  
- Senior Citizens Commission :  
Ona Johnson, Sammy T. Moore, Martha Westbrook.  
Board needs to replace: Shirley Theriot, Rosa Segovia



- Charter Review Commission (5)  
Recommendations: Sandra Barbree, Amy Carrales, Donna Hayes, Ana Silbas, Rita Cundieff, Tony Davis

Appointing City Council liaisons to the following:

- Planning Commission – Councilman McDonald
- Library Board – Councilman Yates
- Board of Adjustments – Councilman Bass
- Urban Renewal Board – Mayor Troy T. Brimage
- Beautification/Parks & Recreation – Troy T. Brimage
- Economic Development Corporation – Councilwoman Mireles
- Senior Citizens Commission – Councilwoman Mireles
- Charter Review Commission – Councilman Bass
- City Manager – Mayor Troy T. Brimage

Mayor Troy T. Brimage closed the Formal Session and Open the Executive Session at 7:26 p.m.

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:

- Gulf Chemical
- Property/Rental Inspection Ordinance
- Freeport Golf Course
- Rules and regulation related to fair market values sales of city property.
- Bryan Beach Properties

*No action taken.*

Mayor Troy T. Brimage closed the Executive Session and reconvened the Formal Session at 8:15 p.m.

Adjourn

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting “Aye”, Mayor T. Brimage adjourned the meeting at 8:15 p.m.

---

Mayor Troy T. Brimage  
City of Freeport, Texas

---

City Secretary Delia Munoz  
City of Freeport, Texas

RESOLUTION NO. 2017-2519

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING QUALIFIED PERSONS TO THE PLANNING COMMISSION OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the terms of office of certain members of the Planning Commission of the City of Freeport, Texas ("the City") have expired; and,

WHEREAS, the City Council of the City desires to appoint the below named qualified persons as members of said Planning Commission.

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

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified persons to the Planning Commission of the City for a full term and until a successor for such persons shall have been appointed and qualified, to-wit: CINDY CAIN and EDDIE VIRGIL.

SECTION TWO (2): DUTIES

The above named appointees shall perform all of the duties imposed on members of the Planning Commission of the City by law and the ordinances and resolutions of the City.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, each of such appointees shall take the Constitution Oath of Office as required by law.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Troy T. Brimage, Mayor  
City of Freeport, Texas

ATTEST: \_\_\_\_\_  
Delia Munoz, City Secretary  
City of Freeport, Texas

RESOLUTION NO. 2017-2520

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING QUALIFIED PERSONS TO THE LIBRARY BOARD OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the terms of office of certain members of the Library Board of the City of Freeport, Texas ("the City") have expired; and,

WHEREAS, the City Council of the City desires to appoint the below named qualified persons as members of said Library Board.

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

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified persons to the Library Board of the City for a full term and until a successor for such persons shall have been appointed and qualified, to-wit: JAMES WALKER, JUNE STRAMBLER, NANCY HUGHES, CHRISTINA TRAVIS and AMY GARCIA.

SECTION TWO (2): DUTIES

The above named appointees shall perform all of the duties imposed on members of the Library Board of the City by law and the ordinances and resolutions of the City.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, each of such appointees shall take the Constitution Oath of Office as required by law.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Troy T. Brimage, Mayor  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Munoz, City Secretary  
City of Freeport, Texas

RESOLUTION NO. 2017-2521

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING QUALIFIED PERSONS TO THE BOARD OF ADJUSTMENT OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the terms of office of certain members of the Beautification, Parks and Recreation Committee of the City of Freeport, Texas ("the City") have expired; and,

WHEREAS, the City Council of the City desires to appoint the below named qualified persons as members of said Board of Adjustment.

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

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified persons to the Board of Adjustment of the City for a full term and until a successor for such persons shall have been appointed and qualified, to-wit: RODDY MOHLER, JIM PIRRUNG, SAMMYE MOORE and TIM CLOSS.

SECTION TWO (2): DUTIES

The above named appointees shall perform all of the duties imposed on members of the Board of Adjustment of the City by law and the ordinances and resolutions of the City.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, each of such appointees shall take the Constitution Oath of Office as required by law.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Troy T. Brimage, Mayor  
City of Freeport, Texas

ATTEST: \_\_\_\_\_  
Delia Munoz, City Secretary  
City of Freeport, Texas

RESOLUTION NO. 2017-2522

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING QUALIFIED PERSONS TO THE URBAN RENEWAL BOARD OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the terms of office of certain members of the Urban Renewal Agency of the City of Freeport, Texas ("the City") have expired; and,

WHEREAS, the City Council of the City desires to appoint the below named qualified persons as members of said Urban Renewal Board.

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

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified persons to the Urban Renewal Board of the City for a full term and until a successor for such persons shall have been appointed and qualified, to-wit: ANNETTE SANFORD, KEN TYNER and RAUL RAMIREZ.

SECTION TWO (2): DUTIES

The above named appointees shall perform all of the duties imposed on members of the Urban Renewal Board of the City by law and the ordinances and resolutions of the City.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, each of such appointees shall take the Constitution Oath of Office as required by law.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Troy T. Brimage, Mayor  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Munoz, City Secretary  
City of Freeport, Texas

RESOLUTION NO. 2017-2523

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING QUALIFIED PERSONS TO THE BEAUTIFICATION, PARKS AND RECREATION COMMITTEE OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the terms of office of certain members of the Beautification, Parks and Recreation Committee of the City of Freeport, Texas ("the City") have expired; and,

WHEREAS, the City Council of the City desires to appoint the below named qualified persons as members of said Beautification, Parks and Recreation Committee.

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

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified persons to the Beautification, Parks and Recreation Committee of the City for a full term and until a successor for such persons shall have been appointed and qualified, to-wit: GUADALUPE GONZALEZ, MARGARET L. McMAHAN, MICHAEL DOLE and MICHELLE BACKMAN.

SECTION TWO (2): DUTIES

The above named appointees shall perform all of the duties imposed on members of the Beautification, Parks and Recreation Committee of the City by law and the ordinances and resolutions of the City.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, each of such appointees shall take the Constitution Oath of Office as required by law.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Troy T. Brimage, Mayor  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Munoz, City Secretary  
City of Freeport, Texas

RESOLUTION NO. 2017-2524

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING QUALIFIED PERSONS TO THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the terms of office of certain members of Board of Directors of the Economic Development Corporation of the City of Freeport, Texas ("the City") have expired; and,

WHEREAS, the City Council of the City desires to appoint the below named qualified persons as directors of said Economic Development Corporation.

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

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified persons to the Economic Development Corporation of the City for a full term and until a successor for such persons shall have been appointed and qualified, to-wit: ED GARCIA, JEFF PENA, TREY SULLIVAN AND BRAD STEVENS.

SECTION TWO (2): DUTIES

The above named appointees shall perform all of the duties imposed on members of the Board of Directors of the Economic Development Corporation of the City by law and the ordinances and resolutions of the City.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, each of such appointees shall take the Constitution Oath of Office as required by law.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Troy T. Brimage, Mayor  
City of Freeport, Texas

ATTEST: \_\_\_\_\_  
Delia Munoz, City Secretary  
City of Freeport, Texas

RESOLUTION NO. 2017-2525

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING QUALIFIED PERSONS TO THE SENIOR CITIZEN COMMISSION OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the terms of office of certain members of the Senior Citizens Commission of the City of Freeport, Texas ("the City") have expired; and,

WHEREAS, the City Council of the City desires to appoint the below named qualified persons as members of said Senior Citizen Commission.

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

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified persons to the Senior Citizen Commission of the City for a full term and until a successor for such persons shall have been appointed and qualified, to-wit: ONA JOHNSON, SAMMYE T. MOORE and MARTHA WESTBROOK.

SECTION TWO (2): DUTIES

The above named appointees shall perform all of the duties imposed on members of the Senior Citizen Commission of the City by law and the ordinances and resolutions of the City.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, each of such appointees shall take the Constitution Oath of Office as required by law.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Troy T. Brimage, Mayor  
City of Freeport, Texas

ATTEST: \_\_\_\_\_  
Delia Munoz, City Secretary  
City of Freeport, Texas



RESOLUTION NO. 2017-2526

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING QUALIFIED PERSONS TO THE CHARTER REVIEW COMMISSION OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the Home Rule Charter of the City of Freeport, Texas ("the City") requires that a Charter Review Commission for the City be appointed for a term of six (6) months in odd numbered years; and.

WHEREAS, the City Council of the City desires to appoint the below named qualified persons as members of said Charter Review Commission.

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

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified persons to the Charter Review Commission of the City for a full term and until a successor for such persons shall have been appointed and qualified, to-wit: SANDRA BARBREE, AMY CARRALES, DONNA HAYES, ANA SILBAS and RITA CUNDIEFF.

SECTION TWO (2): DUTIES

The above named appointees shall perform all of the duties imposed on members of the Charter Review Commission of the City by law and the ordinances and resolutions of the City.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, each of such appointees shall take the Constitution Oath of Office as required by law.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Troy T. Brimage, Mayor  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Munoz, City Secretary  
City of Freeport, Texas

RESOLUTION NO. 2017-2527

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING A QUALIFIED PERSON TO BE A DIRECTOR OF THE BRAZOSPORT WATER AUTHORITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the term of office of the position on the Board of Directors of the Brazosport Water Authority required to be filled by the City Council of the City of Freeport, Texas ("the City") expired in September, 2016; and,

WHEREAS, the City Council of the City desires to appoint the below named qualified person to serve on such board.

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

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified person to be a Director of the Brazosport Water Authority for the term which begins in September, 2016, and until a successor for such appointee shall have been appointed and qualified, to-wit: KENNY HAYES.

SECTION TWO (2): DUTIES

The above named appointee shall perform all of the duties imposed on members of the Board of Directors of said Authority by law.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, such appointee shall take the Constitution Oath of Office as required by law.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Troy T. Brimage, Mayor  
City of Freeport, Texas

ATTEST: \_\_\_\_\_  
Delia Muñoz, City Secretary  
City of Freeport, Texas



**CITY OF FREEPORT  
FREEPORT FIRE & EMS DEPARTMENT**

*131 East 4<sup>th</sup> Street  
Freeport, Texas 77541  
Phone (979) 233-2111  
Fax (979) 233-4103*

Christopher Motley  
Chief  
Billywayne Shoemaker  
Deputy Chief  
EMS Coordinator

To: Honorable Mayor Troy T. Brimage

From: Christopher D. Motley  
Fire Chief

Date: June 15, 2017

Re: Debris Monitoring Contract

The City of Freeport debris monitoring services contract is expiring. I am recommending to advertise for a sealed bid for Debris Monitoring services. In order to provide sufficient time to bid the proposal, I recommend a bid date of Wednesday, August 2, 2017. I have attached the request for proposal for your review.

Visit us online at [www.freeport.tx.us](http://www.freeport.tx.us)  
[facebook.com/FreeportFire](https://facebook.com/FreeportFire)  
[fire@freeport.tx.us](mailto:fire@freeport.tx.us)

**P521**

## **REQUEST FOR PROPOSAL**

The enclosed **REQUEST FOR PROPOSAL (RFP)** and accompanying **SPECIFICATIONS** are for your convenience in submitting an offer for the enclosed referenced products and/or services for:

**Disaster and/or Storm Recovery Monitoring**

**CLOSING DAY AND TIME: Sealed proposals will be received no later than:**

**10:00 A.M., Wednesday, August 2, 2017**

**MARK ENVELOPE:**

**"Disaster and/or Storm Recovery Monitoring"**

**RETURN PROPOSAL TO:**

**CITY OF FREEPORT  
200 WEST 2<sup>ND</sup> STREET  
FREEPORT, TEXAS 77541  
ATTN: LAURA TOLAR**

**THE CITY OF FREEPORT** appreciates your time and effort in preparing a proposal. Please note that all proposals must be received at the designated location by the deadline shown. Proposals received after the deadline will not be considered for award, and shall be returned unopened. Opening is scheduled at City Hall, 2<sup>nd</sup> Floor 200 West 2<sup>nd</sup> Street, Freeport, Texas as listed above. You are invited to attend. Proposals will be declared responsive or non-responsive at that time, but will not be open to public review until evaluations are completed.

**THE CITY OF FREEPORT** is aware of the time and effort you expend in preparing and submitting bids and proposals to the city. Please let us know of any requirements causing you difficulty in responding. We want to make the process as easy and convenient as possible so that all responsible vendors can compete for the city's business.

## SECTION I - INFORMATION & INSTRUCTIONS

### 1.0 SUBMISSION REQUIREMENTS:

**1.1** The complete original proposal must be submitted in a sealed package and received in accordance with the instructions detailed in the cover. All proposals shall be marked **Disaster and/or Storm Recovery Monitoring**. Proposers shall file all documents necessary to support their proposal and include them with their proposal. Proposers shall be responsible for the actual delivery of proposals during business hours to the address indicated in the cover letter. It shall not be sufficient to show that the proposal was mailed in time to be received before scheduled closing time.

**1.2 Proposal Format:** Proposals shall include the following information at a minimum:

- a) **Proposal Document** - This request for Proposal Document signed by a responsible party (Form A).
- b) **Description of Capabilities** - Detailed description of capabilities as requested.
- c) **Fee Schedule** - Fees per instructions in Section IV.
- d) **Debris Management Experience** - Relative information on Provider's response to a specific local disaster.
- e) **Firm Qualifications**- Description of vendor's staff, locations of staff, staff capabilities, and roles.
- f) **References** - References including municipal agencies and/or local businesses with contact names and description of the work.
- g) **Affidavit and Questionnaire** – Attached: Member Contact Information, BID Affidavit, Conflict of Interest Questionnaire, Blocked Persons Affirmation
- h) **Insurance** – Minimum Insurance qualifications listed below.
- i) **Financial Capability** – Financial Assurance, Bonding and Credit credentials as listed below.
- j) **NIMS Compliance** - Employee training and operations.

The Proposals must be typewritten and the original clearly marked and signed in blue ink. Legibility, clarity and completeness are important and **essential**. Proposals must include label tabs which identify the sections of the Proposal.

**1.3 Copies:** An original and three (3) copies of the proposal and supporting documents must be submitted in response to the RFP.

**1.4 Addenda:** Proposers will be notified in writing of any change in the specifications contained in this RFP. It is the sole responsibility of the **PROPOSER** to assure that they have received the entire Request for Proposal and any addenda.

**1.5 Clarifications:** No verbal or written information which is obtained other than through this RFP or its addenda shall be binding on the City of Freeport. No employee of the City of Freeport, other than the person designated herein, is authorized to interpret any portion of this

RFP or give information as to the requirements of the RFP in addition to that contained in or amended to this written RFP document.

**1.6 Accepting and Rejecting Proposals.** The City of Freeport reserves the right to reject any and all proposals, to waive any and all formalities and to accept any proposal considered to be advantageous to the City. In the case of ambiguity or lack of clearness, the City reserves the right to construe a proposal in a manner most advantageous to the City, or to reject such proposal. The contract may be awarded either to the lowest responsible Proposer or to the Proposer that provides goods or services at the best value for the City.

**1.7 Request for Additional Information:** Prior to the final selection, proposers may be required to submit additional information or make oral presentations which the City may deem necessary to further evaluate the proposer's qualifications.

**1.8 Denial of Reimbursement:** The City of Freeport will not reimburse proposers for any costs associated with the preparation and submittal of any proposal, or for any travel and/or per diem costs that are incurred.

**1.9 Gratuity Prohibition:** Proposers shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the City of Freeport for the purpose of influencing consideration of this proposal.

**1.10 Right of Withdrawal:** A proposal may not be withdrawn before the expiration of ninety (90) days from the proposal due date.

**1.11 Right of Negotiation:** The City of Freeport reserves the right to negotiate with the selected proposer the exact terms and conditions of the contract.

**1.12 Exceptions to the RFP:** Proposers may find instances where they must take exception with certain requirements or specifications of the RFP. All exceptions shall be clearly identified, and written explanations shall include the scope of the exceptions, the ramifications of the exceptions for the City of Freeport and a description of the advantage to be gained or disadvantages to be incurred by the City as a result of these exceptions.

**1.13 Indemnification:** Proposer, at its own expense and without exception, shall indemnify, defend and pay all damages, costs, expenses, including attorney fees, and otherwise hold harmless the City of Freeport, its employees, and agents, from any liability of any nature or kind in regard to the delivery of these services.

**1.14 Rights to Submitted Material:** All proposals, responses, inquiries, or correspondence relating to or in reference to this RFP, and all reports, charts, and other documentation submitted by proposers shall become the property of the City of Freeport when received. Any material that is to be considered as confidential in nature must be clearly marked as such and will be treated as confidential by the City to the extent allowable in the Open Records Act.

**1.15 Basis of Award:** Proposals will be evaluated according to the following criteria:

1. Company Experience on Similar Sized Projects – 10%
2. Staff Qualifications and Emergency Planning/Response Experience - 20 %
3. NIMS adoption and compliance in employee training and operations – 10 %
4. Project Understanding and Approach - 10 %
5. Management Systems/Reporting Systems/Training Manual – 20 %
6. Cost of Services Proposed - 30 %

**1.16 Contacts:** Proposers must submit proposals in accordance with the instructions contained in this RFP. Questions regarding this request for proposal should be directed to:

City of Freeport, Chris Motley; 979-233-3526 Ext. 130

**1.17 Contract:** The contract between the City of Freeport and the contractor shall consist of (1) the Request for Proposal (RFP) and any amendments thereto, and (2) the proposal submitted by the contractor in response to the RFP, including any resultant negotiation. In the event of a conflict in language between the two documents referenced above, the provisions and requirements set forth and/or referenced in the RFP shall govern. However, the City of Freeport reserves the right to clarify any contractual relationship in writing with the concurrence of the proposer, and such written clarification shall govern in case of conflict with the applicable requirements stated in the RFP or the service provider's proposal. In all other matters not affected by the written clarifications, if any, the RFP shall govern.

**1.18 Contract Term:** The contract term shall begin upon award at City of Freeport Council approval and shall continue for three (3) years. Further, City of Freeport reserves the right to renew the contract for one additional two year period. Such renewal shall be subject to the terms and conditions herein contained and shall be effective only if evidenced in writing. Renewal shall be subject to approval by City of Freeport Council each period. Once renewal option is exhausted, the contract must be rebid. City of Freeport retains the right to reject any and all solicitations or to request new solicitations at any time if in the best interest of City of Freeport.

**1.19 Termination of Contract:** The City of Freeport may cancel the contract at any time for breach of contractual obligations by providing the provider with a written notice of such cancellation. Should the City of Freeport exercise its right to cancel the contract for such reasons, the cancellation shall become effective on the date as specified in the notice of cancellation sent to the provider.

**1.20 Compliance with Laws:** In connection with the furnishing of supplies or performance of work under the contract, the provider agrees to comply with the Fair Labor Standard Act, Equal Opportunity Employment Act, and all other applicable Federal and State laws, regulations, and executive orders to the extent that the same may be applicable and further agrees to insert the foregoing provision in all subcontracts awarded hereunder.

**1.21 Use of Local Resources** As per the Robert T. Stafford Act and FEMA regulations, Proposer will be able to use his/her own subcontractor resources to meet the obligations of the contract. It is expected that the Awarded Contractor will utilize at least **30%** of local subcontractors from resources located within the disaster area, including but not limited to, procuring supplies and equipment, awarding subcontracts, and employing workmen.

**1.22 Response to Emergency** Contractor must have representative within the city limits of Freeport within 24 hours after the eye of the storm has passed or other within 24 hours of any natural disaster where cleanup efforts are needed. Contractor must make contact with City of Freeport representative within 48 hours of expected impact of storm.

**1.23 Independent Contractor.** The parties intend that Proposer, in performing services under this contract, shall act as an independent contractor and shall have control of the work and the manner in which it is performed. The Proposer shall be free to contract for similar services to be performed for other persons, firms or corporations and Proposer is not to be considered an agent or employee of the City of Freeport and is not entitled to participate in any employee benefits of the City of Freeport. Further, the City of Freeport shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance except with respect to the employees of the City.

**1.24 Place of Performance, Applicable Law and Venue.** This contract is performable in Brazoria County, Texas, and shall be governed by the laws of the State of Texas (excluding conflict of laws rules if the application of such rules would require the application of the laws of a different state or nation). Venue for any action hereunder, at law or in equity, shall be in a court of competent jurisdiction located in Brazoria County, Texas.

**1.25 Waiver of Interest.** The Proposer selected by the City of Freeport shall waive all rights to interest on retainage as called for in Section 2252(2), Government Code, and shall execute a waiver of these rights simultaneously with the execution of the contract.

**1.26 Accepting and Rejecting Proposals.** The City of Freeport reserves the right to reject any and all proposals, to waive any and all formalities and to accept any proposal considered to be advantageous to the City. In the case of ambiguity or lack of clearness, the City reserves the right to construe a proposal in a manner most advantageous to the City, or to reject such proposal. The contract may be awarded either to the lowest responsible Proposer or to the Proposer that provides goods or services at the best value for the City.

**1.27 Warranty of Authority** If any of the undersigned is acting on behalf of a partnership, corporation or other entity recognized by the law of the State of Texas, such person hereby REPRESENTS, WARRANTS, and COVENANTS that such person has the authority to do so, and that this instrument is binding upon such partnership, corporation or other entity according to its terms.



## **Section 2: Financial Responsibilities & Capabilities**

### **2.1 INSURANCE**

The proposer receiving the award and all subcontractors will obtain or possess the following insurance coverage's, and will provide Certificates of Insurance to the City to verify such coverage.

1. Workers' Compensation - The vendor shall provide coverage for its employees with statutory workers' compensation limits, and no less than \$1,000,000.00 for Employers' Liability. Said coverage shall include a waiver of subrogation in favor of the City of Freeport and its agents, employees and officials.
2. Commercial General Liability - The vendor shall provide coverage for all operations including, but not limited to Contractual, Products and Completed Operations, and Personal Injury. The limits shall be not less than \$1,000,000.00, per occurrence, with a \$2,000,000.00 aggregate.
3. Business Automobile Liability - The vendor shall provide coverage for all owned, non-owned and hired vehicles with limits of not less than \$1,000,000.00, per occurrence, Combined Single Limits (CSL) or its equivalent.
4. Professional Liability (Errors & Omissions) - The vendor shall provide coverage for all claims arising out of the services performed with limits not less than \$1,000,000.00 per claim. The aggregate limit shall either apply separately to this contract or shall be at least twice the required per claim limit.

### **2.2 BONDING AND OBLIGATIONS**

The Contractor shall provide a payment and performance bond seven to ten days following activation of contract. Payment and performance bonds, individually, must be submitted for contracts over \$100,000.

## **Section III – Scope of Work**

### **3.0 PURPOSE:**

The City of Freeport is soliciting sealed proposals to provide Disaster and/or Storm Recovery Monitoring services during a declared emergency activation. It is the objective of this process to select a provider prior to the actual event(s) to include Hurricane damages, tornado damages, ice storm damages, and other severe weather disasters.

**3.1 SCOPE OF SERVICES:** The City of Freeport requires disaster management, recovery, and consulting services to support the oversight and management of debris recovery contractors. Other services may include, but not limited to, facilitating communication with FEMA, the State of Texas and other State and Federal agencies.

**3.2 DISASTER DEBRIS MONITORING SERVICES:** The selected firm will be expected to provide disaster debris monitoring services to include debris generated from the public rights-of-way, drainage areas/canals, waterways, and other public, eligible, or designated areas. Specific services may include:

1. Coordinating daily briefings, work progress, staffing, and other key items with the City.
2. Selection and permitting of TDSRS (Temporary Debris Staging and Reduction Sites) locations and any other permitting/regulatory issues as necessary.
3. Scheduling work for all team members and contractors on a daily basis.
4. Hiring, scheduling, and managing field staff.
5. Monitoring recovery contractor operations and making/implementing recommendations to improve efficiency and speed up recovery work.
6. Assisting the City with responding to public concerns and comments.
7. Certifying contractor vehicles for debris removal using methodology and documentation practices appropriate for contract monitoring.
8. Entering load tickets into a database application.
9. Digitization of source documentation (such as load tickets).
10. Developing daily operational reports to keep the City informed of work progress.
11. Development of maps, GIS applications, etc. as necessary.
12. Comprehensive review, reconciliation, and validation of debris removal contractor(s) invoices prior to submission to the City for processing.
13. Completing project worksheets and other pertinent report preparation required for reimbursement by FEMA and any other applicable agency for disaster recovery efforts by City staff and designated debris removal contractors.

14. **Assessment of disaster related damages and reconstruction services.**
15. **Creating a final report, appeal preparations and assistance related reporting.**
16. **Cost recovery of eligible funds currently not obligated or potentially de-obligated by appropriate funding agencies. Separate pricing structures for this service may be included in the Consultant's proposal.**
17. **Other disaster recovery services as requested by the City.**

**3.3 EMERGENCY MANAGEMENT PLANNING AND TRAINING** If requested by the City, the Consultant shall provide:

1. **Comprehensive emergency management plans (e.g. COOP, EOP) to include plan development; review, and revisions.**
2. **Comprehensive mitigation programs to include development of mitigation plan(s), staff training, cost benefit analysis, project management, environmental review and staff augmentation.**
3. **Development of a debris management plan – including identification of an adequate number of TDSRS locations. Staff training as necessary.**
4. **Procurement assistance for debris removal contractors and other services as requested.**
5. **Project management to include the formulation and management of permanent work projects and task force management.**
6. **Technical support and assistance in developing public information.**
7. **Other training and assistance as requested by the City.**
8. **Other reports and data as required by the City.**
9. **Other emergency management and consulting services identified and required by the City.**

**3.4 POST-DISASTER DAMAGE ASSESSMENT AND RECONSTRUCTION SERVICES:** If requested, the Consultant shall provide post-disaster damage assessment and reconstruction services to include assessment, planning, engineering, and construction management services. Specific areas where services may be requested include City facilities, utility systems, transportation systems, and other sectors as required. The consultant will assist, if directed by the City, with document preparation of permanent work projects.

**3.5 QUALIFICATIONS OF THE FIRM:** The contractor selected for this project must be qualified to provide emergency management services.

A. Contractor shall provide a description and history of the firm focusing on previous governmental experience using following guidelines:

1. Recent experience demonstrating current capacity and current expertise in debris removal, solid waste and hazardous waste management and disposal.
2. Documented knowledge and experience of Federal, State and Local emergency agencies, state and federal programs, funding sources and reimbursement processes.
3. Recent experience managing disaster debris collection operations including, but not limited to: damage assessment, Right-of-Way debris removal programs, leaner / hanger removal programs, processing site monitoring, and FEMA reimbursement.
4. Provide at least five references for which the firm has performed services within the past two (2) years that are similar to the requirements in the Scope of Services. A minimum of three of the references shall be from government entities for debris monitoring experience involving a minimum of 1,000,000 cubic yards of debris. Please provide the reference contact name, address, e-mail address, telephone numbers, and date of the contract.

**3.6 KEY STAFF:** Proposer shall provide an organizational chart, resumes, and summary of staff qualifications. Key project staff (management staff including, but not limited to: project manager, collection and disposal operations managers, FEMA reimbursement specialist, etc.) must be full time employees of the proposing firm and have experience in the following:

- A. Experience demonstrating current capacity and current expertise in debris removal, solid waste and hazardous waste management and disposal. The proposer must demonstrate experience managing debris monitoring for at least three government entities involving a minimum of 1,000,000 cubic yards of debris for each client. Recent debris monitoring from Hurricanes or natural disasters events is preferred.
- B. Documented knowledge and experience of Federal, State and Local emergency agencies, state and federal programs, funding sources and reimbursement processes. Proposer must demonstrate experience with project worksheet preparation, contractor procurements, hauler invoice reconciliation, and appeals/reimbursement support.

**3.7 TECHNICAL APPROACH:** The City of Freeport will require of the selected contractor an organized technical approach to the processes and procedures of disaster mitigation efforts. Proposers shall provide a description of their approach to the projects, to include startup procedures/requirements, debris estimate methodology, analysis of debris recovery operations and management of the debris recovery contractors, billing/invoices reporting procedures to FEMA and the City. Provide a copy of proposer's internal training program.

**3.8 CONSULTANT COST:** The City of Freeport will require a structured approach to the payment of the selected consultant. Each Proposer must complete and submit the Cost Proposal Form/Fee Schedule included herein. The Cost Proposal will be evaluated on the hourly rates submitted on the cost proposal form for the labor positions listed. Reasonable

travel, per diem, and other direct project costs (e.g., load tickets, communications, equipment rental, etc.) will be billed to the City at cost **without** markup.

**3.9 FINANCIAL ASSURANCE:** PROPOSERS must submit the most current, unqualified, audited financial statement or SEC Form 10K for the proposing organization. Proposals submitted without the most current certified financial statement or SEC Form 10K shall be considered non-compliant with the RFP.

**3.10 SAFETY:** Proposer shall be solely responsible for maintaining safety at all work sites. PROPOSER shall take all reasonable steps to insure safety for both workers and visitors to the site(s) to include traffic control. Proposer will also be solely responsible to ensure that all OSHA requirements are met and a safety officer assigned to the project for the duration of this contract.

**SECTION IV – PROPOSAL STATEMENTS** I have read and understand the requirements of this proposal, Debris Monitoring and Recovery Services, and agree to provide the required services in accordance with this proposal and all attachments, exhibits etc. I agree to furnish the services as described in RFP except where specific exception has been taken. The hourly labor rates shall include all applicable overhead and profit. All non-labor related project costs (including communications, supplies, rental equipment, and other direct project expenses) will be billed to the City at cost without mark-up. **Travel, lodging and per diem will not be allowable charges to the city.**

Positions	Hourly Rates
Project Manager	\$ _____
Operations Managers	\$ _____
GIS Analyst	\$ _____
Field Supervisor	\$ _____
Debris Site Monitors	\$ _____
Load Ticket Data Entry Clerks	\$ _____
Project Assistants	\$ _____
Field Coordinators (crew Monitors)	\$ _____

**OTHER REQUIRED POSITIONS:** Proposer may include other positions, with hourly rates, as needed.

Positions	Hourly Rates
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

**SUBMITTED BY:**

PROPOSER: \_\_\_\_\_

SIGNED: \_\_\_\_\_

NAME (PRINT) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY/STATE: \_\_\_\_\_

TELEPHONE: (\_\_\_\_) \_\_\_\_\_

FAX: (\_\_\_\_) \_\_\_\_\_ EMAIL: \_\_\_\_\_

**FORM A - OFFEROR IDENTIFICATION & AUTHORIZED SIGNATORY**

**Invitation No.:**

**(DO NOT** *handwrite* **this Form. Information must be typed in.) Invitation Title:**

**Offeror Company:**

(Legal name of business which will appear on contract, if awarded)

<b>Offeror Status:</b>	<b>Manufacturer</b>	<b>Dealer/Distributor</b>	<b>Other</b>
<b>Response Type(1):</b>	<b>Offeror Acting Alone</b>	<b>Joint Offering</b>	
<b>Contract Signatory(2):</b>			<b>Title:</b>
<b>Mailing Address(3):</b>	<hr/>		
<b>Physical Address:</b>	<hr/>		
<b>Phone:</b>			<b>Fax:</b>
<b>Email Address:</b>	<hr/>		
<b>Federal ID No.:</b>	<b>Web Page URL:</b>		

(1) If Joint Offering, all parties must submit a signed Form A. A contract will be offered to each.

(2) Person who will sign final contract documents if an award is made.

(3) Address to which final contract documents would be sent for signature.

**Member Contact Information**

**Contact Person(4):**

**Mailing Address:**

**Physical Address:**

**Toll Free Phone: Fax:**

**Email Address:**

(4) Person who City of Freeport will contact for product information and to get pricing quotes.

**The Signatory below, on behalf of Offeror:**

-Acknowledges having thoroughly reviewed the Invitation;

-Attests to having the authority to sign this response and commit Offeror to honor all requirements;

-Makes, under penalty of perjury, all required Offeror Certifications as detailed in General Terms;

-Certifies that all information provided in this Response is true and correct.

**Signature:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_



**BID AFFIDAVIT**

All pages in offeror's PROPOSAL containing statements, letters, etc., shall be signed by a duly authorized officer of the company, whose signature is binding on the PROPOSAL.

The undersigned offers and agrees to furnish all of the items and/or services upon which prices are stated in the accompanying proposal. Further the undersigned certifies to having read and understands the terms of this invitation. The undersigned offers and agrees to furnish all of the items and/or services upon which prices are stated in the accompanying proposal. Further the undersigned certifies to having read and understood the terms of this invitation. The period of acceptance of this bid will be 90 calendar days from the date of the bid opening.

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, a Notary Public in and for the State of \_\_\_\_\_ on this day personally appeared, who after being by me duly sworn, did depose and say:

"I, \_\_\_\_\_, am a duly authorized officer of/agent for \_\_\_\_\_ and have been duly authorized to execute the foregoing bid on behalf of the said company, agency or proprietorship hereby certify that the foregoing proposal has not been prepared in collusion with any other offeror or other persons engaged in the same line of business prior to the official receipt of this proposal. Further, I certify that the officer is not now, nor has ever been for the past six (6) months, directly or indirectly concerned in any pool or agreement or combination, to control the price of services/items offered, or to influence any person or persons to offer or not to offer thereon."

STATE RESIDENT CERTIFICATION: Our principal place of business or corporate office is in the State of Texas. YES \_\_\_\_\_ NO \_\_\_\_\_

LOCAL RESIDENT CERTIFICATION: Our principal place of business or corporate office is in the City of Freeport, State of Texas. YES \_\_\_\_\_ NO \_\_\_\_\_

NON-RESIDENT CERTIFICATION: Our principal place of business is \_\_\_\_\_  
(City & State)

Name and Address of offeror:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Telephone Number \_\_\_\_\_

by: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_

SUBSCRIBED AND SWORN to before me by the above-named,

\_\_\_\_\_ on this the \_\_\_\_\_ day of 20\_\_\_\_  
(name of Notary)

Notary Public in and for the State of \_\_\_\_\_

**RETURN THIS PAGE PROPERLY EXECUTED WITH YOUR PROPOSAL**

## NOTICE TO ALL CITY VENDORS AND ALL POTENTIAL CITY VENDORS:

On May 23, 2005, the Texas Senate passed House Bill 914, adding Chapter 176 to the Local Government Code, and imposing new disclosure and reporting obligations on vendors and potential vendors to local governmental entities beginning on January 1, 2006. Failure to abide by these new statutory requirements can result in possible criminal penalties. The City of Freeport is requiring you to complete the attached Conflict of Interest Questionnaire (CIQ) Form, prepared by the Texas Ethics Commission, at the direction of the legislature and strongly recommends you become familiar with House Bill 914. The City of will not provide any further interpretation or information regarding these new requirements; however, you may contact the Texas Ethics Commission at [www.ethics.state.tx.us](http://www.ethics.state.tx.us) or at 1-800-1325-8506.

Please remit the CIQ form with your bid. Thank you.

**City of Freeport, Texas**

**BIDDER/OFFEROR'S SDNs/BLOCKED PERSONS AFFIRMATION**

**NOTE: FAILURE TO SIGN AND RETURN THIS FORM WITHIN 10 DAYS MAY RESULT IN THE TERMINATION OF ANY RESULTING PURCHASE ORDER OR CONTRACT.**

1. Pursuant to 44CFR Part 13.35, the Bidder/Respondent, hereby affirms that Bidder/Respondent:

***(Please check all that are applicable)***

\_\_\_\_\_ Is not excluded from doing business at the federal level.

\_\_\_\_\_ Is not listed as Specially Designated Nationals (SDN)s/Blocked Persons (individuals and companies owned or controlled by or acting for or on behalf of targeted Countries; or individuals, groups and entities, such as terrorists and narcotics traffickers designated under programs that are not country-specific).

2. City of Freeport may not make procurement transactions with SDNs/Blocked Persons.

Bidder/Respondent Company Name \_\_\_\_\_

Bidder (Signature) \_\_\_\_\_ Date \_\_\_\_\_

Bidder (Print Name) \_\_\_\_\_ Date \_\_\_\_\_

Position with Company \_\_\_\_\_

Signature of Company Official

Authorizing the Bid/Offer \_\_\_\_\_ Date \_\_\_\_\_

Company Official

(Printed Name) \_\_\_\_\_

Official's Position \_\_\_\_\_

**Corporate Vendors Shall Furnish the Following Information:**

Where Incorporated \_\_\_\_\_ Charter Number \_\_\_\_\_

# CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

### OFFICE USE ONLY

Date Received

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

**1** Name of person who has a business relationship with local governmental entity.

**2**  Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.

\_\_\_\_\_  
Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes       No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes       No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes       No

D. Describe each employment or business relationship with the local government officer named in this section.

**4**

\_\_\_\_\_  
Signature of person doing business with the governmental entity

\_\_\_\_\_  
Date

Adopted 06/29/2007

# Revenue Summary

GENERAL FUND REVENUE SUMMARY					
	BUDGET	PROJECTED	DIFFERENCE	PROJECTED	
	09/30/2017	09/30/2017	09/30/2017	09/30/2018	
PROPERTY TAX REVENUES	\$2,114,092	\$2,005,292	\$(108,800)	\$2,235,226	
BRAZOSPORT INDUSTRIAL DISTRICT REVENUES	\$3,732,987	\$3,751,194	\$18,207	\$3,765,000	
FREPORT INDUSTRIAL DISTRICT REVENUES	\$1,483,986	\$1,148,920	\$(335,066)	\$1,050,000	
FREPORT LONG IDA REVENUES	\$850,000	\$850,000	\$-	\$850,000	
SALES TAX REVENUES	\$2,337,000	\$2,337,000	\$-	\$2,375,000	
FRANCHISE TAX REVENUES	\$632,000	\$617,100	\$(14,900)	\$617,100	
MUNICIPAL COURT REVENUES	\$347,700	\$417,000	\$69,300	\$418,000	
GARBAGE REVENUES	\$910,000	\$890,000	\$(20,000)	\$895,000	
OTHER REVENUES	\$548,155	\$791,103	\$242,948	\$812,766	
TOTAL GENERAL FUND REVENUES	\$12,955,920	\$12,807,609	\$(148,311)	\$13,018,092	

# Property Tax Revenues

	AT CURRENT RATE		PROPOSED			
	CERTIFIED 09/30/2017	ESTIMATED 09/30/2018	09/30/2018 3% DECREASE IN VALUE	09/30/2018 3% TAX INCREASE	2018 3% TAX DECREASE	
TAXABLE VALUES	\$407,085,943	\$444,649,065	\$431,309,593	\$431,309,593	\$431,309,593	
TAX RATE	0.628005	0.628005	0.628005	0.64684	0.60916	
TOTAL TAX	\$2,556,521	\$2,792,418	\$2,708,646	\$2,789,883	\$2,627,366	
GENERAL FUND REVENUES	\$1,978,092	\$2,212,998	\$2,129,226	\$2,210,463	\$2,047,946	