



**AGENDA
REGULAR MEETING
FREEPORT CITY COUNCIL
MONDAY, FEBRUARY 1, 2021 at 6:00 P.M.**

Mayor:
Brooks Bass

Council Members:
Jeff Pena
Jerry Cain
Mario Muraira
Roy Yates

City Manager:
Timothy Kelty

THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON MONDAY, THE 1ST DAY OF FEBRUARY 2021, AT 6:00 P.M., AT THE FREEPORT, POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD FREEPORT TEXAS

BECAUSE OF THE PUBLIC HEALTH THREAT, SEATING WILL BE POSITIONED TO MEET THE REQUIREMENTS OF THE CDC, AND ATTENDEES WILL BE REQUIRED TO WEAR A FACE MASK.

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

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

OR

AUDIO VISUAL CONFERENCE CALL USING:

PCs, Macs®, Chromebooks™, iOS and Android™ phones and tablets.

International dial-in numbers: https://fccdl.in/i/council_mtg_020121

For users wanting to view and listen to the council meeting via a web browser go to

https://join.freeconferencecall.com/council_mtg_020121

enter access code 5678901# and the online meeting code is: council_mtg_020121.

OR

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

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

THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:

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

INVOCATION AND PLEDGE OF ALLEGIANCE: (Council Member)

CITIZENS' COMMENTS:

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

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

1. Presentation of employee service awards. **(Kelty)**
2. Introduction of new City Employees. **(Kelty)**

COUNCIL BUSINESS – REGULAR SESSION:

3. Consideration and possible action on the approval of City Council meeting minutes from January 19, 2021, and Special City Council meeting minutes from January 25, 2021. **(Wells)**
4. **Public Hearing:** Public Hearing and possible action on Replat , of Subdivision plat of Lemur Express, Inc. Subdivision being a portion of all that certain Lyn T. Stockman called 574.09 acre tract as recorded in clerk's file NO. 2012-056854 of the Brazoria County official records in the William McDermott League Abstract 341 in the City of Freeport (ETJ) Brazoria County, Texas Lot 1, 1 Block November 2020. **(Shoemaker)**
5. **Public Hearing:** Public Hearing and possible action for an application for rezoning from R1 to C2 on property described as BCIC Division 14, a 4.006-acre part of tract 519, in the J.F. Fields Labor, Abstract no 62 Volume 2 Page 141 of the Plat Records of Brazoria County, Texas, Submitted by Vijay Patel of VMNK LLC (DBA Freeport RV Park). **(Shoemaker)**

6. Discussion regarding the status and future of the VIC building, and potential for relocation of EDC offices to that site. **(Kelty)**
7. Consideration and possible action approving Resolution No. 2021-2671 on approving a donation from the Pasadena Police Department for 20 body cameras. **(Garivey)**
8. Consideration and possible approval of Ordinance No. 2021-2625 for Budget Amendment # 1 for FY 2020-2021. **(Russell)**
9. Consideration of approval of repair to the Trestle Bridge Storm Water Pump Station. **(Petty)**
10. Consideration and possible action regarding Task Authorization #15 with Freese and Nichols for the development of a Certified Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP). **(Kelty)**

WORK SESSION:

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

CLOSED SESSION:

12. Executive Session regarding a.) (Potential Litigation) consultation with city attorney, b.) (Deliberations about Real Property), in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Sections 551.071, 551.072.

COUNCIL BUSINESS – REGULAR SESSION:

ADJOURNMENT:

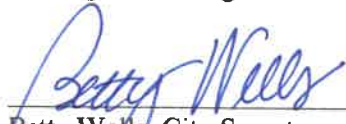
13. Adjourn.
-

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

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

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

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



Betty Wells, City Secretary
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Tuesday, January 19, 2020, at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Brooks Bass:
Councilman Jeff Pena
Councilman Jerry Cain
Councilman Mario Muraira
Councilman Roy E. Yates

Staff: Tim Kelty, City Manager
Stephanie Russell, Assistant City Manager Via Teleconference
Betty Wells, City Secretary
Chris Duncan, City Attorney
Laura Tolar, Assistant City Secretary/ Special Projects Coordinator
Brenda Ferguson, Human Resource Director Via Teleconference
Lance Petty, Public Works Director, Via Teleconference
Danny Gillchrist, Freeport Police Captain
LeAnn Strahan, Destinations Director Via Teleconference
Chris Motley, Freeport Fire Chief
Stephanie Arbolante, Freeport Police Administrative Assistant

Visitors:

David McGinty	Nicole Mireles
Sam Reyna	Kenny Hayes
Nick Irene (Facts)	Jerry Meeks (Veolia)
Ruben Renobato	Tommy Pearson
Tommy Pearson	Melanie Oldham
Brent Bowles (IAD)	

Visitors, Via Teleconference:

Amanda Petty

Call to order.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation and the Pledge was led by Mayor Brooks Bass.

CITIZENS' COMMENTS:

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

Melanie Oldham passed out some information on pipelines. She voiced her concerns on this pipeline, she said that this has not been open or transparent for the community. She said that there are pros and cons to this pipeline.

Sam Reyna handed out some documents to council, he spoke to council of his concerns of an Open Record Request that he submitted on December 7, 2020. He said that he was charged for these records and there should have been no charge since the request was late in being produced. He also spoke of his concern of businesses being denied permits. He said that there are no records of inspections on these businesses.

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

Presentation of Employee of the Month for the month of December 2020.

Freeport Police Department employee Stephanie Arbolante was presented with a certificate recognizing her as Employee of the Month, for the month of December 2020.

Presentation of City Hall Renovations by IAD Architects.

Mayor Bass said that the proposed renovation is part of the Bond that we went out for last year.

Architect Brett Bowles presented to council the preliminary architectural report for the City Hall Renovations by IAD Architects. He said that the renovations will include bringing the building with ADA, TAS and Building Code Compliance including windstorm.

Mayor Bass asked if the building is grandfathered in? Mr. Bowles said yes, in some areas currently, but because of the nature and scope of the renovations those things need to be brought up to code.

Councilman Pena asked if there would be any improvements to the exterior of the building? Mr. Bowles said no, that the only exterior work proposed are the addition of ADA ramps on the 2nd street side of the building.

Councilman Muraira asked if the building will be checked for asbestos?

Nicole Mireles said that she believes it was checked when she served on council.

City Manager Tim Kelty said that there is \$700,000.00 from the bond for this renovation. Additional funding would need to be identified to complete this phase of the project. While full renovation proposed by the architect was estimated at over \$4M, a limited renovation was estimated at \$1.4M. This limited renovation included bringing the entire building up to code, Construction of Council Chambers/Court room and public restrooms on the first floor.

Councilman Pena also asked if this will include the repair to the second elevator? City Manager Tim Kelty said that this proposal does not. Earlier estimates suggested it would be about \$100,000.00 to put the elevator back in services. Councilman Pena said that he thinks both elevators need to be working.

Police Captain Gillchriest spoke regarding the need for the extra space moving Council and court out of the PD would provide. He said that the PD has outgrown the facility, he said that there is just no room. He said that Council Chambers would be as a training room, and additional office space.

Emergency management briefing COVID-19.

Freeport Fire Chief, Chris Motley he said that the COVID numbers have been a very high. He said that on January 3 there were 467 cases in the County, and that the City of Freeport had a peak of sixteen positive cases in one day. Councilman Cain asked how we are on PPE. Chief Motley said that the PPE is still good. He said that a trip is made to Houston every three to four weeks to pick up PPE when it is offered. He said that there has been a number of COVID-positive cases among employees. He asked people to remember the basics: wash your hands with soap and water, wear your mask and to social distance.

Councilman Pena asked about the restaurant capacity for Freeport? Chief Motley said he believes it is at 50% and this is set by the Governor. Councilman Pena also asked if there are any local places to do COVID testing? Chief Motley CVS, and Clinic on Gulf Blvd. Councilman Pena asked if the low-income families are charged for the testing, Chief Motley said he does not have an answer for this. Councilman Pena said he would like to be proactive on setting up sites by Wards. Chief Motley said that this is done through the county.

Mayor Bass said that Freeport is open for vaccines, he said there is just no response yet.

CONSENT AGENDA:

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

Consideration and possible action on the approval of City Council meeting minutes from January 11, 2021.

Consider changing the date of the second meeting in February 2021 due to the President's Day Holiday, to Tuesday February 16, 2021.

Consideration of approving Resolution No. 2021-2670 for the Joint Election Agreement and Contract for Election Services with Brazoria County and the City of Freeport.

On a motion by Councilman Cain, seconded by Councilman Yates, with all present voting "Aye" 5-0 Council unanimously approved the Consent Agenda.

COUNCIL REGULAR AGENDA:

Consideration of approving Ordinance No. 2021-2623 calling the Annual General Election for the City of Freeport for the first Saturday in May, being May 1, 2021 at which the voters of said City residing in Wards B and D shall be permitted to vote for or against the candidates for positions B and D on the City Council of the City of Freeport and at which the voters of said City shall elect at large a Mayor for said City.

City Manager Tim Kelty presented to council Ordinance No. 2021-2623 calling the Annual General Election for the City of Freeport for the first Saturday in May, being May 1, 2021 at which the voters of said City residing in Wards B and D shall be permitted to vote for or against the candidates for positions B and D on the City Council of the City of Freeport and at which the voters of said City shall elect at large a Mayor for said City. He said that this ordinance is for calling the election for Mayor of the City, and for Wards B and D, the is for the election to be held on May 1, 2021. With early voting beginning on April 19, 2021.

Mayor Bass said that he needed to point out on page four of Ordinance No. 2021-2623 he said that the dates need to be amended to January 30, 2021 and March 1, 2021. He said 61 days from May 1, will be March 1, 2021 and 91 days from May 1, 2021, will be January 30, 2021. He said that these dates need to be amended so that this Ordinance can be approved.

On a motion by Councilman Yates, to adopt with the amendment to Ordinance No. 2021-2623, seconded by Councilman Pena, with all present voting "Aye" 5-0 Council unanimously approved as amended Ordinance No. 2021-2623 calling the Annual General Election for the City of Freeport for the first Saturday in May, being May 1, 2021 at which the voters of said City residing in Wards B and D shall be permitted to vote for or against the candidates for positions B and D on the City Council of the City of Freeport and at which the voters of said City shall elect at large a Mayor for said City.

Consideration and possible action of a proposal from Motorola through HGCA Buy Cooperative Contract No. RA05-18 for the Radio Console Upgrade Grant Project.

City Manager Tim Kelty presented to council a proposal from Motorola through HGCA Buy Cooperative Contract No. RA05-18 for the Radio Console Upgrade Grant Project. He said that he would like to point out that David Fernandez, with Freeport Police Department put a \$115K grant application together for this project last year, which was recently awarded. Mr. Kelty said this is to replace the dispatch equipment that is outdated at our Police Department.

On a motion by Councilman Cain, seconded by Councilman Pena, with all present voting "Aye" 5-0 Council unanimously approved the proposal from Motorola through HGCA Buy Cooperative Contract No. RA05-18 for the Radio Console Upgrade Grant Project.

Consideration and possible action of appointing Council Liaison for all City of Freeport Boards and Commissions.

Mayor Bass said that from the last meeting minutes Councilman Muraira was appointed Council Liaison to the Planning and Zoning Commission.

Nicole Mireles recommended Councilman Pena be the liaison for the EDC Board.

City Manager Tim Kelty presented to council the possible action on appointing Council Liaison for all City of Freeport Boards and Commissions. He said that after an election council appoints a liaison to all the active boards per our Ordinance. The active boards are Board of Adjustments, EDC, Sr. Citizen's and the Historical Commission and Main Street Advisory Board. Inactive boards because of lack of members serving include Beautification and Parks Board and Library Board.

Councilman Cain said that he would like to serve as the liaison for the EDC.

Councilman Pena said that he would like Councilman Cain be on the EDC Board.

On a motion by Councilman Cain, seconded by Councilman Pena, with all present voting "Aye" 5-0 Council unanimously approved the appointing the following Council Liaisons: Councilman Cain, to EDC Board, Councilman Muraira, Boards of Adjustments, Councilman Yates, Senior Citizens, Mayor Bass to the Historical Museum Commission and Main Street Board and Councilman Pena to the Beautification and Parks Board.

Discussion regarding stormwater planning and maintenance throughout the city of Freeport

City Manager Tim Kelty, and Director of Public Works Lance Petty presented to council the discussion regarding stormwater planning and maintenance throughout the City of Freeport. He said that this will include streets that do not drain properly, streets that have been built up, ditches that need cleaning, plugged culverts, design of inlets and culverts. He said that there are a number of things we can do.

Mayor Bass said that he has spoken with Mr. Kelty and Mr. Petty on getting organized on taking care of the old ditches in Velasco. He said that he would like to use regular budgeted money rather than the bond money if we can.

Mr. Petty said that we have 73 miles of ditch, and four drainage employees. He said the drainage plan right now is addressing open and closed channels, inlets, out falls and pumps stations. He said that the inlets discussed last meeting, the city does not have the equipment needed to address these inlets that are silted in, he said they have been neglected. Mr. Petty said that he is getting prices on renting a hydrovac trailer for a couple months. He said that he is hoping for input on the plan so that we can get this finalized and move forward on the maintenance and improvements.

Mayor Bass said that he wants to commend the employees that did the install of the blinking sign on 2nd Street for the school zones, and the stripes being painted on the streets.

Councilman Muraira said that the SOP is very good. Having a plan is very good.

Councilman Pena asked for the total count for the Public Works Department, Mr. Petty said 30 employees.

City Manager Tim Kelty said that in addition to regular maintenance there are some major improvements that can be made as well.

Consideration and possible action on authorization to proceed with improvements to sanitary sewer lift station #7.

City Manager Tim Kelty presented to council the improvements to sanitary sewer lift station #7. He said that this is the primary lift station of the city. He said that we have had issues with this pump station,

there are three pumps that are in the process of being repaired. He said that we are proposing putting a sixth pump in at this station as well as a permanent bypass pump. He said the cost for this is \$126,523.00. Councilman Pena asked how many estimates were received for this? Mr. Kelty said that Jerry Meeks got this price for from the Buy Board and it does meet all the procurements needed.

Jerry Meeks with Veolia said that he does recommend this repair.

Lance Petty also recommended a sound barrier put around the by-pass pump to control the noise level. Mr. Meeks agreed.

Mayor Bass asked that we go with the natural gas option if it is available and requested Mr. Meeks keep Mr. Kelty informed as to which way we go, natural gas or diesel.

On a motion by Councilman Yates, seconded by Councilman Muraira, with all present voting "Aye" 5-0 Council unanimously approved the authorization to proceed with improvements to sanitary sewer lift station #7.

Councilman Pena asked if there is a maintenance agreement on this station? Mr. Meeks said that Veolia takes care of the maintenance.

WORK SESSION:

Councilman Pena spoke about the Web QA for residents and employees are able to use this to voice their concerns. He also spoke of his concerns on the lack of patrol monitoring of the exit ramp at 1495 and Broad. He said the 18-wheeler trucks going to the Port shake the buildings in downtown, he said that there needs to be more patrol. Councilman Pena said that the old movie theater is very unsafe, he said that there are people who are going into this building. He said that Code needs to speak with the owners of this building and get it boarded up, it is unsafe. He thanked Mr. Petty for taking care of the lights on Velasco.

Councilman Cain said that the remodel on City Hall is more than we anticipated. He said that we need to decide what we are going to do with the Heritage House. He asked are we going to put more money into that, or apply it to this remodel of City Hall, he said we need to visit this in the near future.

Councilman Muraira said that he thinks the proposal for the renovation at City Hall is excessive, he said that this is a lot of money. He also said that we need to go down on the cost for this remodel. He spoke on the inspection logs for Code Department, he said that he thinks there needs to be more detail on these logs. He also said that he would like to see in the next month what Code is putting down for the inspections. Councilman Muraira told Mr. Petty that his department is doing a good job, he said that he sees in Ward C potholes being covered and things repaired, and signs being put up. He said that Jones Road and Yellowstone the stop sign needs to be straightened out. And old signs need to be replaced around Ward C.

Councilman Roy Yates asked that the street improvements in the wards, has there been a plan made for this? Mayor Bass asked if this is the plan for improvements that council submitted? Mr. Kelty said that there is a list with the streets for each ward and he will get with Councilman Yates. Councilman Yates said that he has residents asking him about this, and he would like to see the answers to this. Councilman Pena asked if there are changes to this list. Mr. Kelty said that this is a three-year plan. Councilman Pena said that there is a lot of traffic on Broad and Park, and we need new signs of no trucks, and one way only posted in this area.

City Manager Tim Kelty said that we got a small grant for the Museum and he wanted to thank Director LeAnn Strahan for working on this.

Update on reports / concerns from Department heads

Freeport Fire Chief Chris Motley said that COVID test are free, but the facility administering the test can charge for the Doctor fees. Vaccines are 1A and 1B. There was a press release today saying January 20 vaccine administration will begin in Lake Jackson and Pearland.

Councilman Pena asked if we can get a link on our website. He also asked if we have transportation to get the seniors to the testing or vaccine sites. Chief Motley said that we can try and get them there if needed.

Open session was closed at 7:58 pm and Council entered into Executive Session.

CLOSED SESSION:

Executive Session regarding a.) (Potential Litigation) consultation with city attorney b.) (Deliberations about Real Property), open space program, in accordance with Government Code Annotated, Chapter 551, Sections 551.071, 551.072.

REGULAR SESSION

Mayor Bass reconvened regular session at 8:41 P.M.

There was no action taken from executive session.

Adjourn

On a motion by Councilman Muraira, seconded by Councilman Pena, with all present voting "Aye", Mayor Brooks Bass adjourned the meeting at 8:42 PM.

Mayor, Brooks Bass
City of Freeport, Texas

City Secretary, Betty Wells
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, January 25, 2021, at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Brooks Bass:
Councilman Jeff Pena
Councilman Jerry Cain
Councilman Mario Muraira
Councilman Roy E. Yates

Staff: Tim Kelty, City Manager
Betty Wells, City Secretary
Chris Duncan, City Attorney
Laura Tolar, Assistant City Secretary/ Special Projects Coordinator

Visitors: Nicole Mireles Sam Reyna
Ruben Renobato Manning Rollerson

Visitors, Via Teleconference:
Ruby Marshall Vander Williams

Call to order.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation was led by City Manager Tim Kelty and the Pledge was led by City Attorney Chris Duncan.

CITIZENS' COMMENTS:

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

Manning Rollerson spoke to council about buying property in the city for his church. He also spoke of his concern of how the mentally ill are treated in the city.

COUNCIL BUSINESS:

Consideration of approving Ordinance No. 2021-2624 voiding Ordinance No. 2021-2623 that council passed on January 19, 2021, and calling the Annual General Election for the City of Freeport for the first Saturday in May, being May 1, 2021 for the Election at large of a Mayor and an Election by Wards for position B and D on the City Council.

Mayor Brooks Bass presented Ordinance No. 2021-2624 voiding Ordinance No. 2021-2623 that council passed on January 19, 2021, and calling the Annual General Election for the City of Freeport for the first Saturday in May, being May 1, 2021 for the Election at large of a Mayor and an Election by Wards for position B and D on the City Council. He said that he did the calculations of the dates for filing for the Ordinance that was presented on January 19, 2021 and seen that the dates were incorrect, per the language in the Ordinance. He said that he asked this be corrected, and it was. He said that the City Secretary did have the correct filing dates in the Ordinance, the dates are January 13, 2021 and ending February 12, 2021 at 5 PM. Once he realized the mistake he reached out to CCF and the Facts News Paper, and it was posted on the City Website. The dates that were given in the meeting on January 19, 2021 were incorrect. He said that Ordinance No. 2021-2164 has the correct filing dates, and is calling the General Election for May 1, 2021.

On a motion by Councilman, Yates seconded by Councilman Cain, with all present voting "Aye" 5-0 Council unanimously approved Ordinance No. 2021-2624 voiding Ordinance No. 2021-2623 that council passed on January 19, 2021, and calling the Annual General Election for the City of Freeport for the first Saturday in May, being May 1, 2021 for the Election at large of a Mayor and an Election by Wards for position B and D on the City Council.

Adjourn

On a motion by Councilman Cain, seconded by Councilman Muraira, with all present voting "Aye", Mayor Brooks Bass adjourned the meeting at 6:08 PM.

Mayor, Brooks Bass
City of Freeport, Texas

City Secretary, Betty Wells
City of Freeport, Texas



City Council Agenda Item # 4

Title: Public Hearing: Discuss and take action on Subdivision plat of Lemur Express, Inc. Subdivision being a portion of all that certain Lyn T. Stockman called 574.09 acre tract as recorded in clerk's file NO. 2012-056854 of the Brazoria County official records in the William McDermott League Abstract 341 in the City of Freeport (ETJ) Brazoria County, Texas Lot 1, 1 Block, November 2020.

Date: February 1, 2021

From: Billywayne Shoemaker, Building Official

Staff Recommendation:

Following the Public Hearing, staff recommends approval of the replat, located in the City's Extraterritorial Jurisdiction (ETJ).

Item Summary:

Lyn Stockton, applicant is requesting that a 4.006 acre tract of land be subdivided from the larger 574.09 acre tract that is owned. The 4 acre tract of land is located on the Southwest corner of FM 523 and FM 2004.

Background Information:

A Survey of the plat was prepared by Doyle and Notice of the Public Hearing was published in The Brazosport Facts and mailed to applicable property owners.

Special Considerations:

The property is Located in the City's ETJ. The owner has indicated they plan to develop a convenience store at that intersection.

Financial Impact:

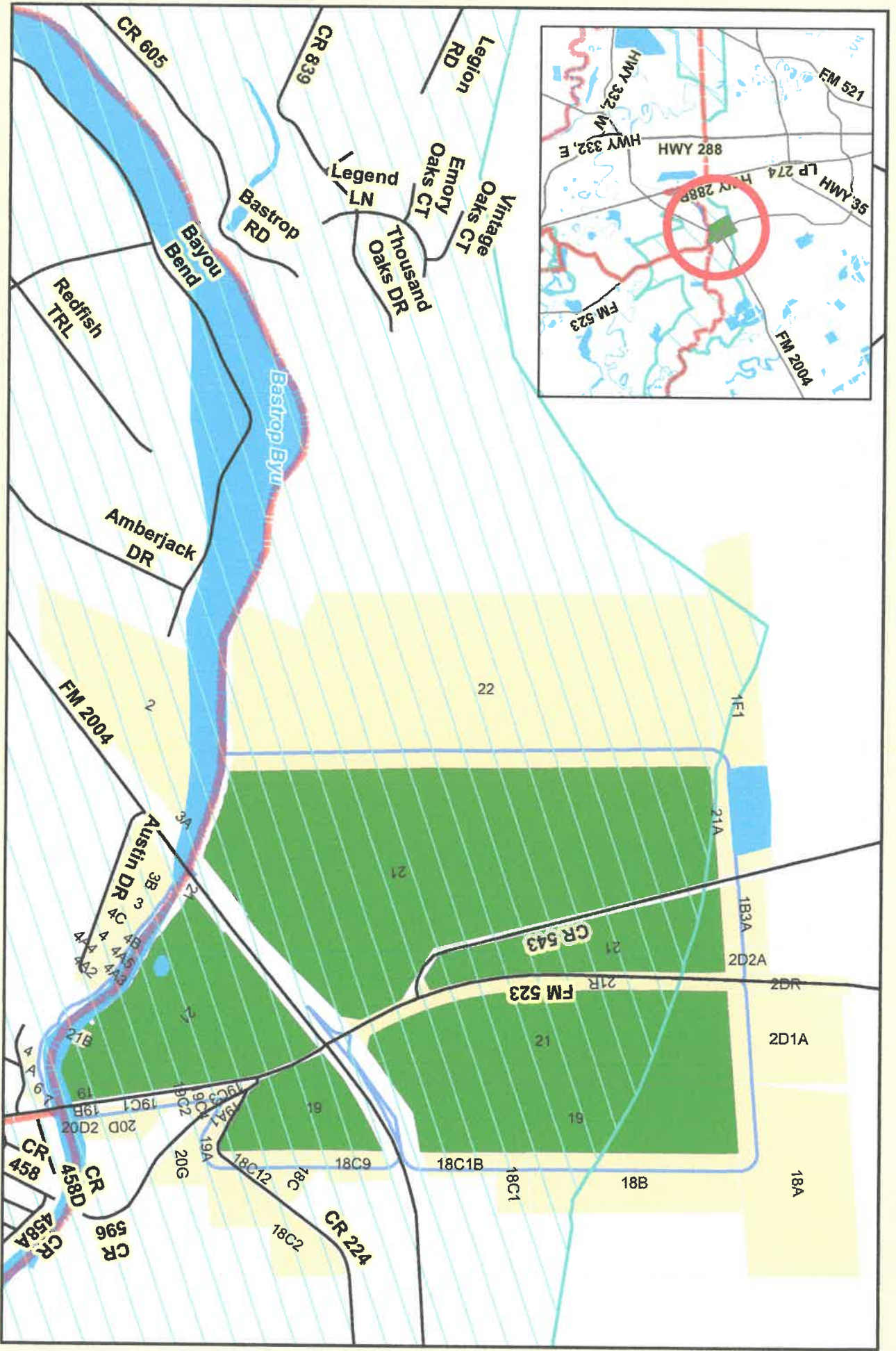
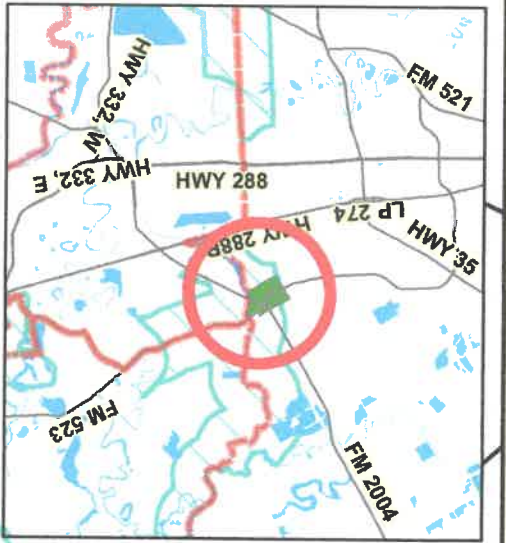
None

Board or 3rd Party recommendation:

Planning and Zoning Held a public hearing and voted to recommend approval to City Council, on January 26, 2021

Supporting Documentation:

Map and plat.



- Legend**
- 169810
 - 200 Buffer
 - Buffered Parcels
 - Roads
 - City Limit
 - City of Freeport ETJ
 - Water

Replat Property Location Map

Property ID 169810



Author: Laura Tolar
 Document Path: S:\GIS Data\169810
 stockman replat 200ft w template





P.O. Box 3344 Lake Jackson, Tx 77566 (979) 299-3373 office (979) 299-3387 fax
www.pinpointsurvey.com -- pinpoint@survey@sbcglobal.net

4.006 Acres
Out of Tract 519, B.C.I.C. S/D, No. 14
J. F. Fields Labor, Abstract No. 62
Brazoria County, Texas

Being residue tract of 4.007 acres of Tract 519, of Brazos Coast Investment Company (B.C.I.C.) Subdivision, Division No. 14, situated in the J. F. Fields Labor, Abstract No. 62 recorded in Volume 2, Page 141 of the Plat Records of Brazoria County, Texas, being the same called 4.006 conveyed to CGI Equipment Co., LLC recorded in County Clerk's File No. 2013-059871 of the Official Records of Brazoria County, Texas and being more fully described by metes and bounds as follows: (Bearings based on the North line of the 4.006 acre tract - being East.)

BEGINNING at a 3/4" iron pipe found in the South line of a 30' platted right of way (Vol. 2, Pg. 141, P.R.B.C.) same being the North line of Tract 519 for the Northwest corner of a called 7.89 acre tract conveyed to Anjana D. Patel recorded in County Clerk's File No. 2013-047665 of the Official Records of Brazoria County, Texas and the Northeast corner and **TRUE PLACE OF BEGINNING** of the herein described tract;

THENCE South 01° 11' 08" East – 566.85 feet along the West line of the 7.89 acre tract to a fence corner post found in the North right-of-way line of Jones Road for the Southwest corner of the 7.89 acre tract and the Southeast corner of the herein described tract;


THENCE North 65° 11' 08" West – 237.84 feet along the Northeast R.O.W. line of Jones Road to a 1/2" iron rod found for the point of curvature of the Northeast R.O.W. line of Jones Road and of the herein described tract;

THENCE along the Northeast R.O.W. line of Jones Road with a curve to the right and with a central angle of 40° 57' 50" having a radius of 288.86 feet (chord bearing North 44° 41' 57" West – 202.15 feet) and an arch length of – 206.52 feet to a 1/2" iron rod found for the point of tangency of the Northeast R.O.W. line of Jones Road and of the herein described tract;

THENCE North 24° 13' 08" West – 70.55 feet continuing along the Northeast R.O.W. line of Jones Road to a 1/2" iron rod found for the South corner of a portion of a called 42.367 acre tract conveyed to Dow Chemical Co. and the Southwest corner of the herein described tract;

THENCE North 01° 11' 08" West – 251.06 along the East line of the Dow Chemical Co. Tract to a 1/2" iron pipe found in the South line of the 30' Platted R.O.W. same being the North line of Tract 519 for the Northeast corner of the Dow Chemical Co. Tract and the Northwest corner of the herein described tract;

THENCE North 88° 48' 52" East – 380.56 feet along the South line of the 30' Platted R.O.W. same being the North line of Tract 519 to the **PLACE OF BEGINNING** and containing 4.007 acres of land, more or less. *This description is based on an actual survey made on the ground and is accompanied by a plat prepared under the direct supervision of George K. Lane, RPLS No. 6086 on May 14th, 2016.*


George K. Lane, R.P.L.S.
Registered Professional Land Surveyor No. 6086
Firm Registration No. 10156700
P.O. Box 3344 Lake Jackson, TX 77566
(979) 299-3373 – phone (979) 299-3307 – fax
pinpointsurvey@sbcglobal.net – email





City Council Agenda Item # 5

Title: Public Hearing: Discuss and take action on Rezoning from R1 to C2, on property described as BCIC Division 14, a 4.006-acre part of tract 519, in the J.F. Fields Labor, Abstract no 62 Volume 2 Page 141 of the Plat Records of Brazoria County, Texas, Submitted by Vijay Patel of VMNK LLC (DBA Freeport RV Park).

Date: February 1, 2021

From: Billywayne Shoemaker, Building Official

Staff Recommendation:

Consider the rezoning of the lot, located in the City of Freeport.

Item Summary:

The property owner is making this formal request to have the City rezone from R-1 (single family residential) to C-2 (general commercial) which would allow for the occupancy to comply with zoning. The building located on this property has been used for commercial use in the past, however; the property is currently zoned residential. Upon review for a new occupancy permit, it was discovered that this property must have been grandfathered prior to current zoning.

Since the building has been vacant and the current use is not allowed under the current zoning, the Building Official could not approve the occupancy permit for the new business. Therefore, the property owner was notified of his options to utilize the property within the currently zoned ordinance as residential or to request that the City change the zoning for his property.

Special Considerations:

The property was grandfathered as non-conforming in the past, however; Section 155.021, C,3 of the City's code of ordinances specifies the following:

“If any such non-conforming use of land ceases for any reason for a period of more than 30 days, any subsequent use of such land shall conform to the regulations specified by this chapter for the district in which such land is located.”

The property is located in the City of Freeport as Residential single-family use.

Notice was published in The Brazosport Facts and mailed to appropriate property owners.

Financial Impact:

None

Board or 3rd Party recommendation:

The Planning and Zoning board is scheduled to hold public hearing and vote on the rezoning on January 26, 2021. The results of that public hearing will be forwarded to Council.

Supporting Documentation:

Map

Copy of Rezoning Application and associated paperwork.



Legend

- 192022
- 200' Buffer
- 200' Buffered Parcels
- PARCELS W/ OWNER
- ROADS
- Water

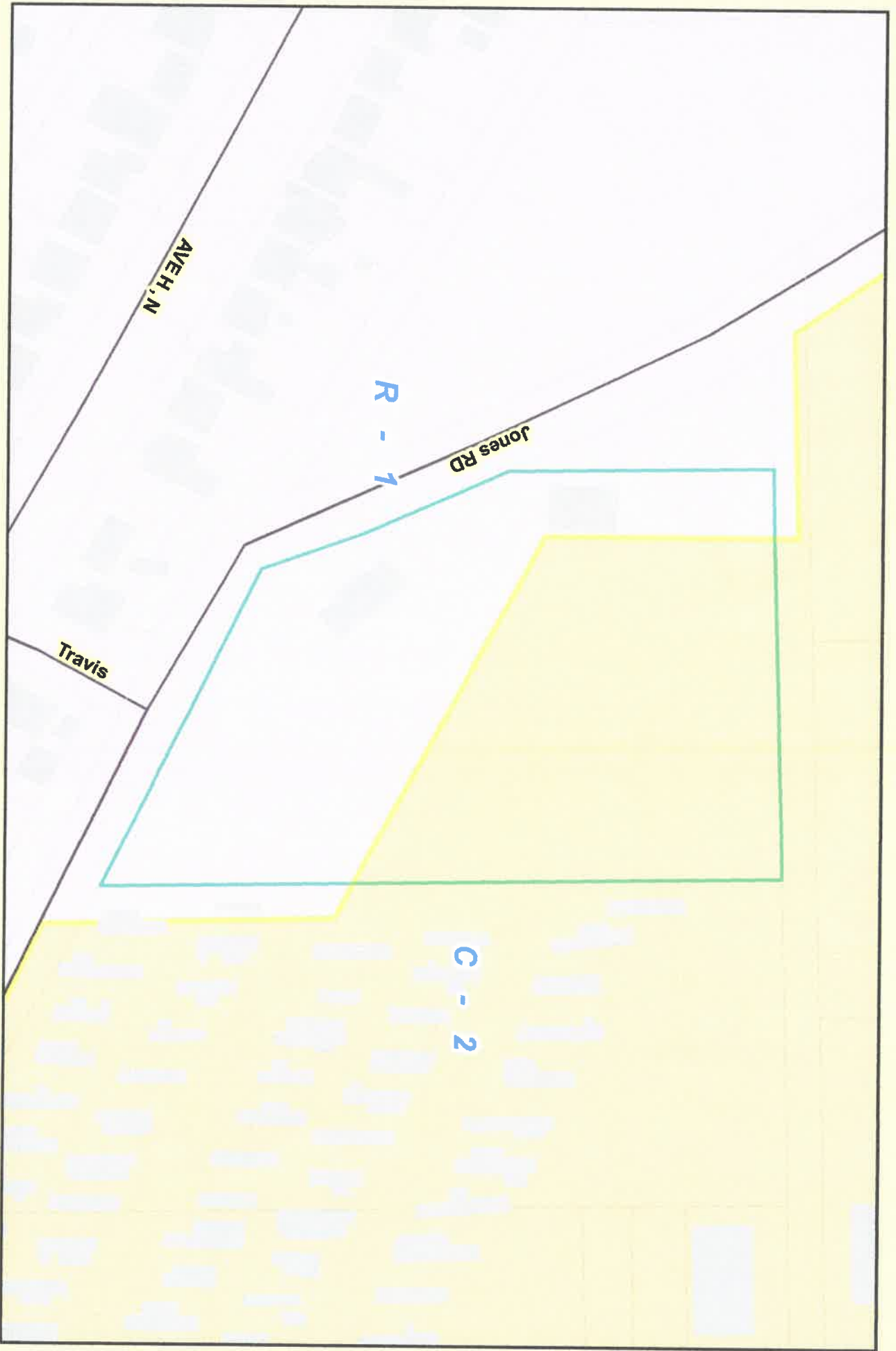
Zone Change Property Location Map

Property ID 192022



Author: Laura Tolar
 Document Path: S:\GIS Data\192022
 PATEL replat 200ft w template





Legend

- BUILDING_FOOTPRINTS
- 192022
- ROADS
- PARCELS_W_OWNER
- Water

Zone Change Property Location Map

Property ID 192022



Author: Laura Tolar
Document Path: S:\GIS Data\192022
PATEL replat 200ft w template



36

DOW

288

Brazos River Tidal

2nd St

Avenue A

Cliff Blvd

Velasco Blvd

Pine St

332

DOW Brazos Canal

East Upr Bayou

Horseshoe Lake





PLAN REGISTRATION NO. 1015670

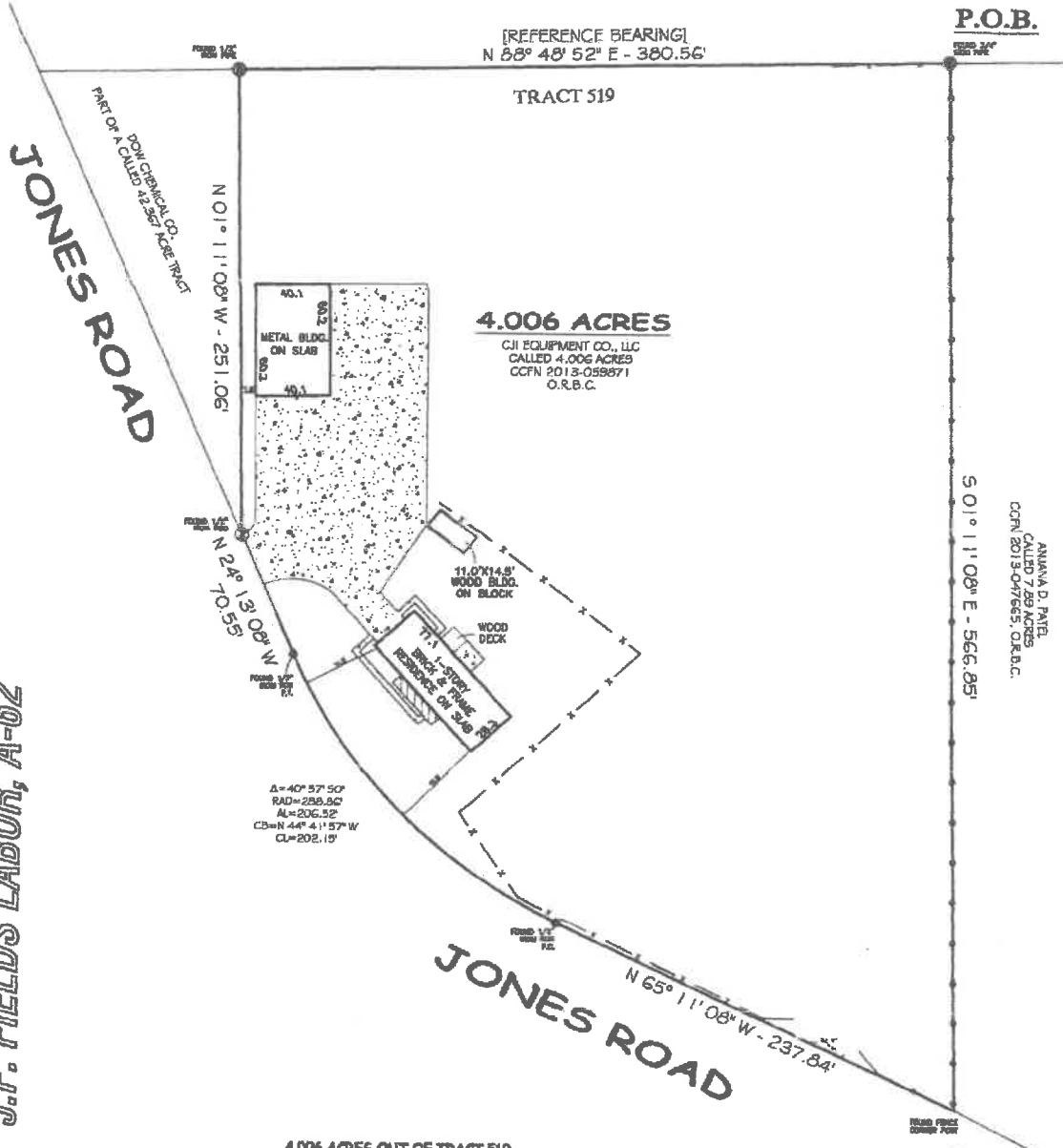
P.O. BOX 3344, LAKE JACKSON, TEXAS. 77566 (979) 299-3373

Surveying & Mapping, LLC

PLATTED R.O.W.
(37 R.O.W., VOL. 2, PG 141, P.R.B.C.)

[REFERENCE BEARING]
N 88° 48' 52" E - 380.56'

P.O.B.



ANANDA D. PATEL
CALLED 7.289 ACRES
CCFN 2013-047665, O.R.B.C.



COMMUNITY NO. 485467 PLAN NO. 1015670-1 JONES II, DAVIS, N/A MAP REVISED: 6/26/16
I have compiled the 100-PS Flood Hazard Boundary Map in the above described property and it **DOES NOT** in a designated flood hazard area. The plat herein is a true, correct and accurate representation of the property as determined by survey. The true and correct dimensions of said property being as indicated by the plat. The size, location and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back and distances from property lines are as indicated. There are no encroachments, conflicts, or prohibitions, except as shown.

NOTES:
PROPERTY SUBJECT TO EASEMENTS, RESTRICTIONS, REGULATIONS, & ENCUMBRANCES (IF ANY) INCLUDING THOSE IN THE CITY OF FRENDSBURG.
1. EASEMENTS ARE SHOWN ON THE SOUTH LINE OF THE 4.006 ACRES, BEING 100' 40' 52" E.

ABSTRACT AND TITLE INFORMATION WAS PROVIDED BY PROVIDED BY: **GREAT AMERICAN TITLE**
THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. REVISIONS ARE BASED ON THE REGISTERED MAP OR PLAT, O.F. NO. 34381-6-21A DATED: 12/28/2014

ALL BOUNDARY LINES, CORNERS, BUILDING RESTRICTIONS (NEED PERMITS, ETC.) AND ZONING ORDINANCES, IF ANY, THAT MAY AFFECT SUBJECT PROPERTY SHOULD BE VERIFIED BY BUYER BEFORE COMMENCING CONSTRUCTION.

PREPARED EXCLUSIVELY FOR: **GREAT AMERICAN TITLE**
This is to certify that I have made an on the ground survey of the property located at:
2008 JONES ROAD IN THE CITY OF FRENDSBURG, TEXAS.
Being a 4.006 acre tract of land out of Tract 519, Division 14, Bracon Coast Investment Company (D.C.I.C.) Subdivision situated in the J.F. Fields Labor, Abstract 62, recorded in Volume 2, Page 141 of the Plat Records of Brazoria County, Texas and being more fully described by metes and bounds attached thereto.



Drawn by: **FJS**
Job No.: **2016-0503**
Requester: **GREAT AMERICAN**
Book No.: **JGPP 100**
Scale: **1"=60'**
Date: **04/14/16**

LEGEND	
	ASPHALT
	CONCRETE
	WOOD FENCE
	CHAIN LINE
	IRON PIPE

- UTILITY ALIGNMENT
- A.S. ALLEYS ALIGNMENT
- B.S. BUILDING LINES
- B.R. BRIDGE OR TRESTLE
- L.P. LIGHT PIPE
- L.P. IRON PIPE
- P.N.A. PAVED

Drawn by: **VMNK LLC**

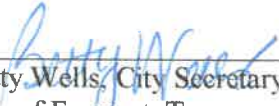
George K. Lane, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 8088

PUBLIC HEARING – ZONING CHANGE

BE IT KNOWN That The City of Freeport Planning Commission and City Council will hold Public Hearings for the purpose of receiving input on an application for rezoning from R1 to C2, on property described as BCIC Division 14, a 4.006-acre part of tract 519, in the J.F. Fields Labor, Abstract no 62 Volume 2 Page 141 of the Plat Records of Brazoria County, Texas, submitted by Vijay Patel of VMNK LLC (DBA Freeport RV Park).

The Freeport Planning Commission Public Hearing will be held at 6:00 p.m. on January 26, 2021, and the City Council Public Hearing will be held at 6:00 p.m., on February 1, 2021. Both meetings will be held at City Council Chambers located at 430 N. Brazosport Blvd. Both hearings will allow all interested persons an opportunity to be heard.

This proposed zoning application may be EXAMINED, on request, at the Office of the City Manager, 200 West 2nd Street, Freeport, Texas 77541, during normal business hours. WRITTEN COMMENTS concerning this proposed rezoning application may be submitted prior to the public hearings but must be mailed to arrive at or be delivered in person to the office of the City Manager at such address prior to 5:00 p.m. on the day of such hearing. VERBAL COMMENTS will be accepted at the time of the hearing.



Betty Wells, City Secretary
City of Freeport, Texas

ZONE CHANGE APPLICATION

City of Freeport

200 W. 2nd Street, Freeport, TX 77541 (979) 871-0109 FAX (979) 233-2172

Name: VMNK LLC dba Freeport RV Park Phone No. 832-563-1050

Mailing Address: 6315 Windermere Park Lane

City: Sugarland State: Texas Zip 77479

Email Address: vncreative@hotmail.com Cell No. _____

Agent: Vijay Patel Phone No. 832-563-1050

Agent's Mailing Address: 6315 Windermere Park Lane

City: Sugarland State: Texas Zip 77479

Email Address: vncreative@hotmail.com

Address/Location being Rezoned: 2008 Jones Road, Freeport, TX 77541

Legal Description of Property: B C I C DIV 14, LOT 519, A0062 J F FIELDS, FREEPORT, ACRES 4.000

Zone Change: From: R1 To: C2

Present Land Use: Vacant structure

Reason for Zone Change: Historically property used as Commercial Occupation, property is now residential

Vijay Patel
(Please Print Name)

V Patel
Signature

AMOUNT PAID \$ _____ RECEIPT NUMBER _____

January 26, 2021
PUBLIC HEARING DATE (PLANNING & ZONING COMMISSION) – 6:00 P.M.:

February 1, 2021
PUBLIC HEARING DATE (CITY COUNCIL) – 6:00 P.M.:

(NOTE: BOTH MEETINGS ARE HELD AT THE city COUNCIL chambers)



City Council Agenda Item # 6

Title: Discussion regarding the status and future of the VIC building, and potential for relocation of EDC offices to that site.

Date: February 1, 2021

From: Tim Kelty, City Manager

Staff Recommendation: Staff recommends council entertain discussion regarding the future use of the former VIC building located at the southeast corner of Avenue A and Brazosport Blvd.

Item Summary: At their meeting in December the EDC, voted to request that the City allow the EDC to use the Former VIC Building as offices for the EDC. The EDC board believes that the FEDC would be more accessible to the Public at that location due to its visibility, and would also consider the relocation of a Visitors Center back to this location.

Background Information: Prior to relocating the Visitors Center to the Museum in Downtown Freeport, the Visitor Center was the location of Park office and building maintenance personnel. In the Spring of 2020, after the hiring of Lance Petty and the consolidation of these city services under the public works department those offices were relocated to the City Service center, and the use of the building ceased.

Special Considerations:

In the Current budget the city budgeted \$20,000 for the development of an information Kiosk to be located in that general vicinity along Brazosport Blvd. to provide the public with important wayfinding and timely information regarding the community.

Financial Impact: Undetermined

Board or 3rd Party recommendation: EDC has requested this discussion.

Supporting Documentation: Letter of request from EDC



ECONOMIC DEVELOPMENT CORPORATION

January 12, 2021

City Council
200 W. Second Street
Freeport TX 77541

RE: Former Freeport Visitor Center

At the December 16, 2020 Freeport Economic Development Corporation (FEDC) regular board meeting the board discussed the use and disposition of the closed Visitors Center Building located at the South East Corner of Brazosport Blvd and North Avenue A.

The board believes that the FEDC would be more accessible to the Public due to its visibility and possibly move the visitors center back to this location.

By majority vote the board approved a request to be sent to City Council asking that City Council allow the FEDC to use the former visitors center as the new FEDC office.

Jeff Pena - President



City Council Agenda Item # 7

Title: Consideration of approving Resolution No. 2021-2671 approving the donation of body cameras from the Pasadena Police Department.

Date: February 1, 2021

From: Ray Garivey, Police Chief

Staff Recommendation:

Staff recommends the approval of this Resolution to receive body cameras from the Pasadena Police Department.

Item Summary:

Our goal, as an agency, is to be able to issue one body camera per officer, detective and animal control officer. In the current climate of law enforcement, we value the important role the body cameras play in our daily duties.

Due to our limited budget, we only have 16 total body cameras for our agency. While we have managed to work with what we've been able to afford it does cause difficulty when cameras need servicing or repair.

We are aware that Pasadena Police Department was using the same Watch Guard camera system we currently utilize and are in the process of switching to a new body camera system; given that information we want to reach out and seek donation for additional body cameras

Background Information:

Freeport Police Department employs 32 sworn Peace Officers and 2 Animal Control Officers; in 2020 we responded to 24,905 calls for service. The population of our city is roughly 12,147 residents; though we are a small community our city has many churches, businesses, parks and main thoroughfares.

Special Considerations: NA

Financial Impact: NA

Board or 3rd Party recommendation: NA

Supporting Documentation: Resolution

RESOLUTION NO. 2021-2671

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, AUTHORIZING THE CITY TO ACCEPT A DONATION OF OFFICER BODY CAMERAS FROM THE PASADENA POLICE DEPARTMENT, PASADENA, TEXAS; MAKING SPECIFIC FINDINGS THAT THE DONATED BODY CAMERAS SHALL BE USED BY THE CITY OF FREEPORT POLICE DEPARTMENT IN DISPOSITION OF THEIR LAWFUL DUTIES AS LICENSED PEACE OFFICERS; AND FINDING THAT SUCH USE FULFILLS A "PUBLIC PURPOSE" AS REQUIRED FOR THE CITY OF PASADENA TO MAKE SUCH DONATION; AND PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City of Freeport finds it in the best interest of the citizens of Freeport, Texas, that all patrol officers of the Freeport Police Department wear and utilize officer body cameras while on duty; and

WHEREAS, the Freeport Police Department has only 16 total body cameras for use by 32 sworn Peace Officers and 2 Animal Control Officers; and

WHEREAS, the Freeport Police Department incurs difficulty furnishing body cameras to all on duty officers, and the current cache of cameras periodically are out of service due to requirements of servicing and repair; and

WHEREAS, the City of Pasadena, Texas and the Pasadena Police Department has expressed interest to donate their surplus body cameras to the City of Freeport; and

WHEREAS, the Freeport Police Department shall use such donated cameras exclusively in the disposition of their lawful duties as licensed peace officers; and

WHEREAS, the City of Freeport shall use such donated cameras exclusively in a manner that fulfills a "public purpose."

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Freeport, Texas:

First, that the City Council finds that the facts set forth in the preamble above are true and correct.

Second, that the City shall adhere to all requirements under law in the use said donated body cameras, and such use shall fulfill a public purpose.

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

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

**Brooks Bass, Mayor
City of Freeport, Texas**

ATTEST:

**Betty Wells, City Secretary,
City of Freeport, Texas**

APPROVED AS TO FORM ONLY:

**Christopher Duncan, City Attorney,
City of Freeport, Texas**



City Council Agenda Item # 8

Title: FY2020-2021 Proposed Budget Adjustment #1

Date: February 1, 2021

From: Stephanie Russell, Assistant City Manager/Finance Director

Staff Recommendation: I recommend approval of the following budget amendment.

Item Summary: This proposed budget amendment addresses known revenue and expenditure overages through the end of January. **Overall, the net impact of these adjustments to the General Fund is +\$367,743.**

Background Information: Below is a summary of each of the proposed changes.

1. Since the beginning of the fiscal year, there are a few revenue estimates included in the budget that need to be adjusted. **Total increase in revenue is over +\$151,541.**
 - 1.1. Brazosport IDA was estimated to be \$4,442,036.78 but is actually 4,445,976.00 – an increase of \$3,939.
 - 1.2. Freeport IDA was estimated to be \$1,525,423.20 but is actually \$1,644,112.00 – an increase of \$118,689.
 - 1.3. Utility Franchise Taxes for CenterPoint was estimated to be \$490,766.36 but is actually \$519,679.80 – an increase of \$28,913.
2. There were several items that were budgeted in the last fiscal year that staff proposes to rollover to the current fiscal year. Each proposed item is outlined below **with a total impact to the general fund of -\$126,300.**
 - 2.1. Recodification (\$15,000): The city's ordinances have not been re-codified in several years. Recodification services were included in the FY2019-2020 Budget, however; the project was not ready to move forward. Therefore; staff would like to roll over this budget to FY2021.
 - 2.2. Fire Department Radios (\$8,300): The Fire Department ordered radios in FY2020 that were not received until FY2021, therefore; they would like to roll-over the amount for this purchase into FY2021.
 - 2.3. Zoning Overhaul (\$103,000): The Zoning Overhaul was included in the FY2020 Budget but was not approved by Council until FY2021, therefore; the amount must be rolled over into the new fiscal year.

2.4. Capital Project Fund (\$23,520): There is still funding remaining in the Capital Project Fund from the 2008 bonds that needs to be spent on streets and/drainage improvements.

3. COVID-19 Expenses (\$254,300): The City was allocated \$690,580 from the Coronavirus Relief Fund (CRF). In FY2021, Council approved dedicating \$50,000 to the BISSD Operation Connectivity and \$96,000 to a Utility Grant Program. The actually amount spent on the Utility Grant Program was \$36,300. Additionally, separate of this allocation, the Council approved onetime Hazard Pay totaling \$168,000. The total of these expenses is \$254,300, however; **the net impact to the General Fund is +\$436,280.**
4. Repairs from Hurricane Harvey (\$93,778): The City had some damaged roads - Golf Course Maintenance Road (\$13,400), Beach Main Entrance road washout (\$45,465), and repairs at the Library (\$9,388). While the City has already received the federal share, repairs still need to be made. Additionally, Engineering was not included in these totals and is estimated to be \$18,700 for minimal services. The total cost-plus contingency is a **net impact of -\$93,778 to the General Fund this fiscal year**, however; the City received \$61,427 in federal reimbursements for these projects.

Title	Total Cost	Federal Share	City Share
Golf Course Maintenance Road	13,399.83	12,059.85	1,339.98
Freeport Library	9,387.70	8,448.93	938.77
Beach Main Entrance road washout	45,464.91	40,918.42	4,546.49

5. There were a few expenditure overages (\$86,232) related to public safety vehicles under the Vehicle and Equipment Replacement Fund:
 - 5.1. New Vehicles (\$20,000): Council approved the purchase of four public safety vehicles with the understanding a future budget amendment would be necessary. Funding for these vehicles was included in the FY2020-2021 Budget, however; quotes for the police department vehicles came in over budget. The Police Department has identified \$4,000 in PD IT Fund Capital Outlay Savings and \$16,000 in PD Service Contracts Savings fund the deficit. **The net impact of this change is zero.**
 - 5.2. Replace Patrol Unit (\$48,000): The police department recently had a vehicle totaled as a result of an accident. The cost to replace this vehicle is \$48,000. The city received \$32,000 from insurance and PD proposes to utilize its State Narcotics funds for the remaining balance of \$15,900. Therefore; **the net impact of this addition to the General Fund is zero.**
 - 5.3. Repairs to Engine 3 (\$18,232): Emergency repairs were necessary to Engine 3 (first out apparatus) as a result of an accident. The total cost of the repair was \$18,232 and was reimbursed by insurance. Therefore; **the net impact of this change is zero.**
6. CDBG Grant under Utility Fund (\$165,604): The City was awarded a \$193,271 CDBG Project grant project to replace the bar screen at the Main Wastewater Treatment Plant. The total project cost will be reimbursed by the General Land Office (GLO), however; the remaining administration (\$15,604) and estimated construction costs (\$150,000) need to amended into the budget. **The net impact of this change is zero.**

Financial Impact:

Below is a summary of all the changes included in this budget amendment.

	Revenue Adj	Budget Roll Overs	COVID- 19 Expenses	Hurricane Harvey	Public Safety Vehicles	CDBG Grant	Current Proposed Amendment
General Fund Revenue	151,541		690,580				842,121
General Fund Expenditures							
Administration		15,000					15,000
Municipal Court							0
Police/Animal Control					-16,000		-16,000
Fire		8,300					8,300
EMS							0
Streets/Drainage							0
Service Center							0
Beach Maintenance							0
Garbage							0
Building							0
Code Enforcement		103,000					103,000
Library							0
Parks							0
Recreation							0
Sr. Citizen's Commission							0
Golf Course							0
Historical Museum							0
Emergency Management			254,300	93,778			348,078
General Fund Total	0	126,300	254,300	93,778	-16,000	0	458,378
Net Impact to General Fund	151,541	-126,300	436,280	-93,778	16,000	0	383,743
Water/Sewer Fund						165,604	165,604
Other Funds							
Capital Debt Service							0
Capital Projects - Fund 63		23,520					23,520
Court Security							0
Court Technology							0
Hotel/Motel							0
Marina							0
State Narcotics					15,900		15,900
Facilities CIP							0
Vehicle & Equipment Fund					70,332		70,332
Streets & Drainage CIP							0
IT Fund					-4,000		-4,000
2020 Cert of Obligation							0
Other Funds Total	0	23,520	0	0	82,232	0	105,752
Total Expenditures	0	149,820	254,300	93,778	66,232	165,604	729,734
Transfers					20,000		20,000
Grand Total Budget	0	149,820	254,300	93,778	86,232	165,604	749,734

Below is the net impact of this budget amendment to the General Fund:

General Fund Summary	Original Budget	Prior Amendments	Current Proposed Amendment	New Proposed Budget
Beginning Fund Balance	5,731,605			5,731,605
Revenue	16,542,004	0	842,121	17,384,125
Expenditures	16,001,378	25,786	458,378	16,485,542
Revenue Less Expenses	540,627	-25,786	383,743	898,583
Net Transfers	1,050,676		16,000	1,066,676
Revenue Less Expenses & Transfers	-510,049	-25,786	367,743	-168,093
Ending Fund Balance	5,221,556			5,563,512

Supporting Documentation: Ordinance

ORDINANCE NO. 2021-2625

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT; 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, under Section 102.001(b) of the Local Government Code, because the City has a City Manager form of government, the City Manager is the budget officer of the City municipality and under Section 102.002 of said Code and Chapter 9 of said Charter, the City Manager is required to prepare a proposed annual budget for the municipality and, under Section 102.03(a) of said Code and Chapter 9 of said Charter, is required to file the same with the City Secretary before the 30th day before the date the governing body of the municipality makes its tax levy for the fiscal year; and,

WHEREAS, on August 10, 2020, the City Manager presented to the City Council a proposed budget of the expenditures of the City of Freeport for the fiscal year 2021 and the proposed budget was filed with the City Secretary and posted on the City website as required by Local Government Code Section 102.005; and

WHEREAS, pursuant to notice as required by Section 102.006 of the Local Government Code, on September 8, 2020, a public hearing on such budget was held in the Council Chambers, at which hearing all citizens and taxpayers of the City had the right to be present and to be heard, and those who requested to be heard were heard; and

WHEREAS, the budget for the 2020-2021 fiscal year of the City was approved by the City Council by Ordinance No. 2020-2611, read, passed and adopted on the 8th day of September, 2020; and;

WHEREAS, such Ordinance states that the budget for operations shall be administered as follows:

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

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

c. At any time in any fiscal year, the Council may, pursuant to Article XI, section 9.14 of the City Charter, make emergency appropriations to meet a pressing need for public expenditure, for other than regular or recurring requirements, to protect the public health, safety or welfare. Such appropriation shall not be more than 5% of the total annual budget; however, the 5% may

only be allocated annually under the condition the "undesignated" reserve/contingency funds in general revenue does not exceed eight million dollars. All reserve/contingency funds may only be used with the specific consent of the City Council for unforeseen contingencies by the City Manager; and

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

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

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

Section 2. The existing Budget of the City of Freeport, Texas, for the fiscal year 2020-2021 is hereby amended and revised as reflected in said Exhibit "A".

Section 3. All ordinances and resolutions, and parts of ordinances and resolutions in conflict herewith, are hereby repealed.

Section 4. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

This ordinance shall take effect and be in force from and after its passage and adoption.

PASSED AND ADOPTED this _____ day of February 2021.

Brooks Bass, Mayor

ATTEST:

Betty Wells, City Secretary

APPROVED AS TO FORM AND CONTENT:

Chris Duncan, City Attorney

Exhibit "A"
City of Freeport, FY2020-2021 Budget Amendment #1

Expenditures	Original Budget	Prior Amendments	Current Proposed Amendment	New Proposed Budget
General Fund				
Administration	1,934,544	18,436	15,000	1,967,980
Municipal Court	179,246		0	179,246
Police/Animal Control	4,837,671		(16,000)	4,821,671
Fire/Emergency Management	1,362,903	3,300	8,300	1,374,503
EMS	907,998	2,811	0	910,808
Streets/Drainage	1,325,978		0	1,325,978
Service Center	222,087		0	222,087
Beach Maintenance	10,000		0	10,000
Garbage	992,453		0	992,453
Building	334,982		0	334,982
Code Enforcement	378,836		103,000	481,836
Library	55,700		0	55,700
Parks	1,359,186	1,240	0	1,360,426
Recreation	583,200		0	583,200
Sr. Citizen's Commission	10,250		0	10,250
Golf Course	1,128,041		0	1,128,041
Historical Museum	378,302		0	378,302
Emergency Management	0		348,078	348,078
General Fund Total	16,001,378	25,786	458,378	16,485,542
Water/Sewer Fund	5,751,054	420,342	165,604	6,337,000
Other Funds				
Capital Debt Service	551,924		0	551,924
Capital Projects - Fund 63	0		23,520	23,520
Court Security	23,400		0	23,400
Court Technology	11,400		0	11,400
Hotel/Motel	30,250		0	30,250
Marina	5,000		0	5,000
State Narcotics	15,000		15,900	30,900
Facilities CIP	205,775		0	205,775
Vehicle & Equipment Fund	269,642		70,332	339,974
Streets & Drainage CIP	250,000	343,253	0	593,253
Information Technology Fund	475,259		(4,000)	471,259
2020 Cert of Obligation	3,802,000		0	3,802,000
Other Funds Total	5,639,650	343,253	105,752	6,088,655
Total Expenditures	27,392,082	789,381	729,734	28,911,197
Transfers	2,401,351		20,000	2,421,351
Grand Total Budget	29,793,433	789,381	749,734	31,332,549



City Council Agenda Item # 9

Title: Consideration of approval of Trestle Bridge Storm Water Pump Station

Date: February 1, 2021

From: Lance Petty, Public Works Director

Staff Recommendation:

Staff recommends council approve repair (rebuild) of Pump #1 at the Trestle Bridge Pump Station by Coastal Machine & Mechanical, LLC

Item Summary:

This request is for approval of the rebuild of Pump #1 located at the Trestle Bridge Pump Station listed below for the total proposed cost of \$30,300.00

Overhaul/Rebuild Pump	\$20,450.00
Install Complete	\$4,350.00
Totals	\$24,800.00

Background Information:

This recommendation comes following the removal and diagnostic testing performed by Coastal Machine & Mechanical, LLC on December 20, 2020. The repair work includes Labor, material and equipment to overhaul vertical pump and install. Price includes blast and paint, material, machine work and balance impellers.

Special Considerations

Financial Impact:

The proposed costs of repairs are included as an attachment

Board or 3rd Party recommendation:

None

Supporting Documentation:

- Quote from Coastal Machine & Mechanical, LLC
- Photos of damaged pump parts

Coastal Machine & Mechanical, LLC
14004 HWY 288B
Angleton, Tx 77515
Phone: 979/848-8900

ESTIMATED PROPOSAL

GENERAL CONTRACTORS
FABRICATION / MACHINE WORKS - MAINTENANCE & REPAIR \ FIELD SERVICES

TO: City of Freeport
Email: lpetty@freeport.tx.us
Attn: Lance Petty

PROP: P-20397
Date: December 21, 2020
Page: Cover

COASTAL MACHINE & MECHANICAL, LLC, is pleased to quote labor, material and equipment to overhaul vertical pump and install. Price includes blast and paint, material, machine work and balance impellers. Install includes manpower to set rebuilt pump and price for crane.

F.O.B. Coastal Shop
Delivery: 2 Weeks
Terms: Net 30 days
Invoice: Upon receipt of material and/or progress billing
Payable at the office of COASTAL MACHINE & MECHANICAL, LLC, Angleton, Texas

FOR THE ESTIMATED PRICE OF (\$30,300.⁰⁰) Dollars
Pull pump and DIQ-\$5,500.00
Overhaul-\$20,450.00
Install-\$4,350.00

CLARIFICATIONS:

- (1) The estimated price above does not include any delays or job scope changes. It is based solely on the job scope detailed on this proposal.
- (2) Due to the tariffs on steel products, all quotations are valid for five (5) days from date of proposal and are subject to change without notice.
- (3) Price excludes premium time (if applicable).
- (4) Based on a continuous flow of work from commencement to completion and is exclusive of any remobilization costs.
- (5) This proposal is based on quantities received and does not include items not detailed, dimensioned or specified.
- (6) A signed copy of this proposal with purchase order or work order by accounting department will be necessary for a job order to be assigned and material purchased.
- (7) Coastal Machine & Mechanical, LLC [CMM] guarantees its labor for 90 days from the date delivery. CMM warrantees its labor if the defect is related to the original repair service. We will not warrantee any parts as CMM is not a manufacturer. We will contact the manufacturer of said parts on behalf of our customer if they fail or go out within the 90 days of delivery. We will not warrantee any alterations, repairs by other parties or any other event beyond the control of CMM. Defects or damage resulting from misuse, abuse or negligence will void this warranty.

All agreements are contingent upon delays beyond our control and unavoidable such as strikes, accidents, delays of carriers and acts of God.

No charges for labor or material furnished by the purchaser shall be allowed as a credit on this agreement, unless authorized in writing by COASTAL MACHINE & MECHANICAL, LLC.

This proposal includes Workmen's Compensation Insurance, Texas Unemployment Insurance and Social Security Taxes. Any special insurance requirements must be requested prior to award of contract. TEXAS STATE OR LOCAL SALES AND USE TAXES ARE NOT INCLUDED.

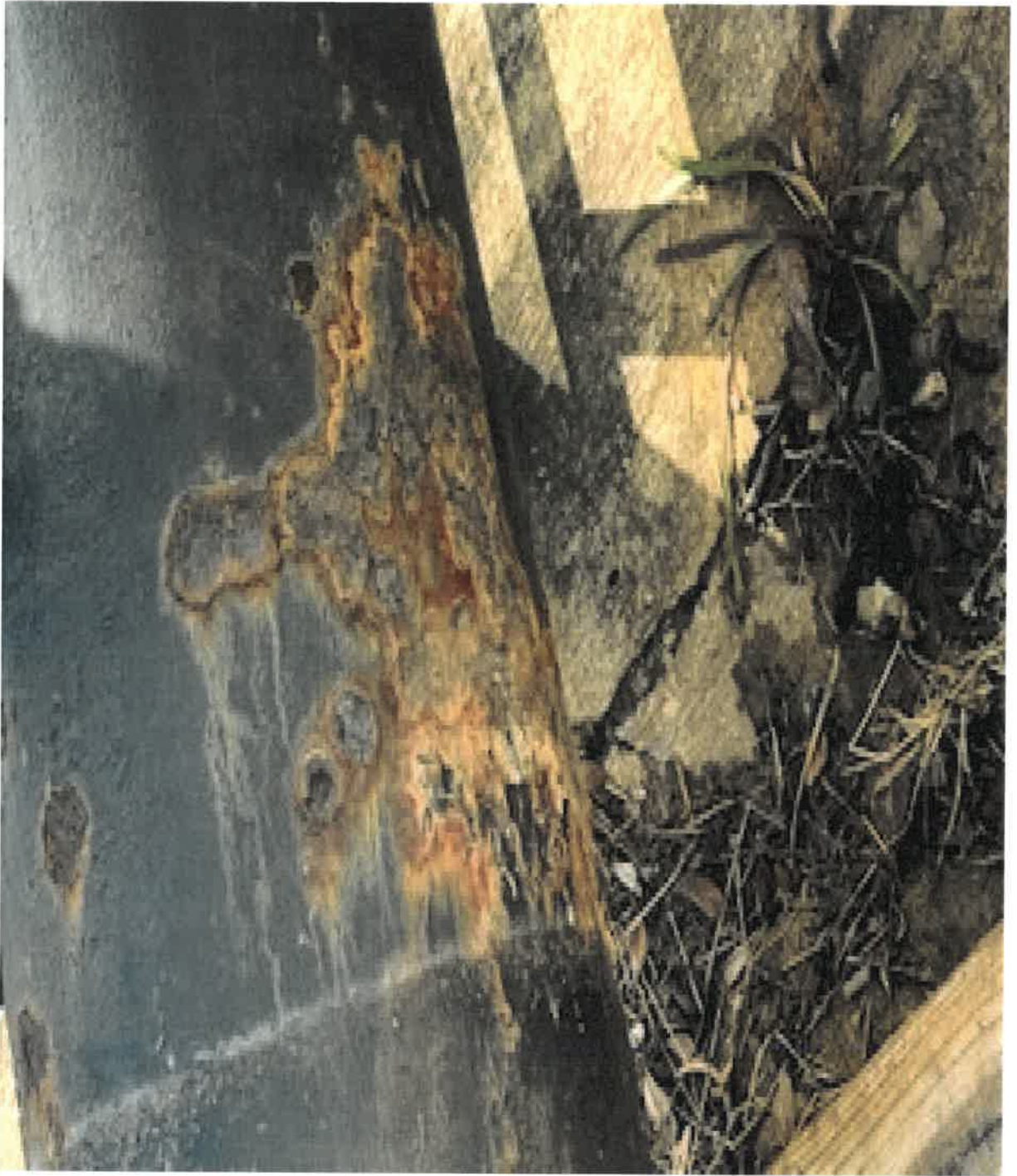
This proposal, when signed by the purchaser or his duly authorized representative, implies an acceptance of the above conditions and terms and this proposal becomes a contract in full force and effect. The contract, when so made, contains all of the representatives and agreements on the part of COASTAL MACHINE & MECHANICAL, LLC.

WE ARE AN EQUAL OPPORTUNITY EMPLOYER
OUR CONTINUOUS IMPROVEMENT PROGRAM IS ONGOING

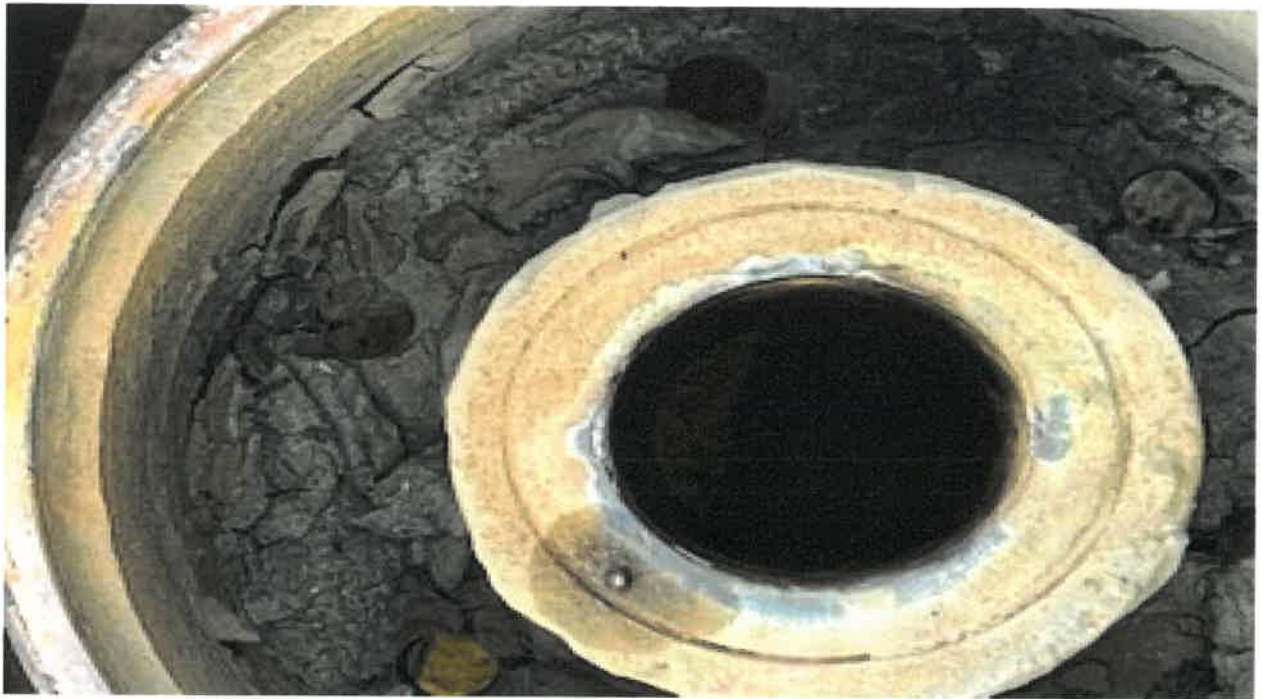
Very respectfully,

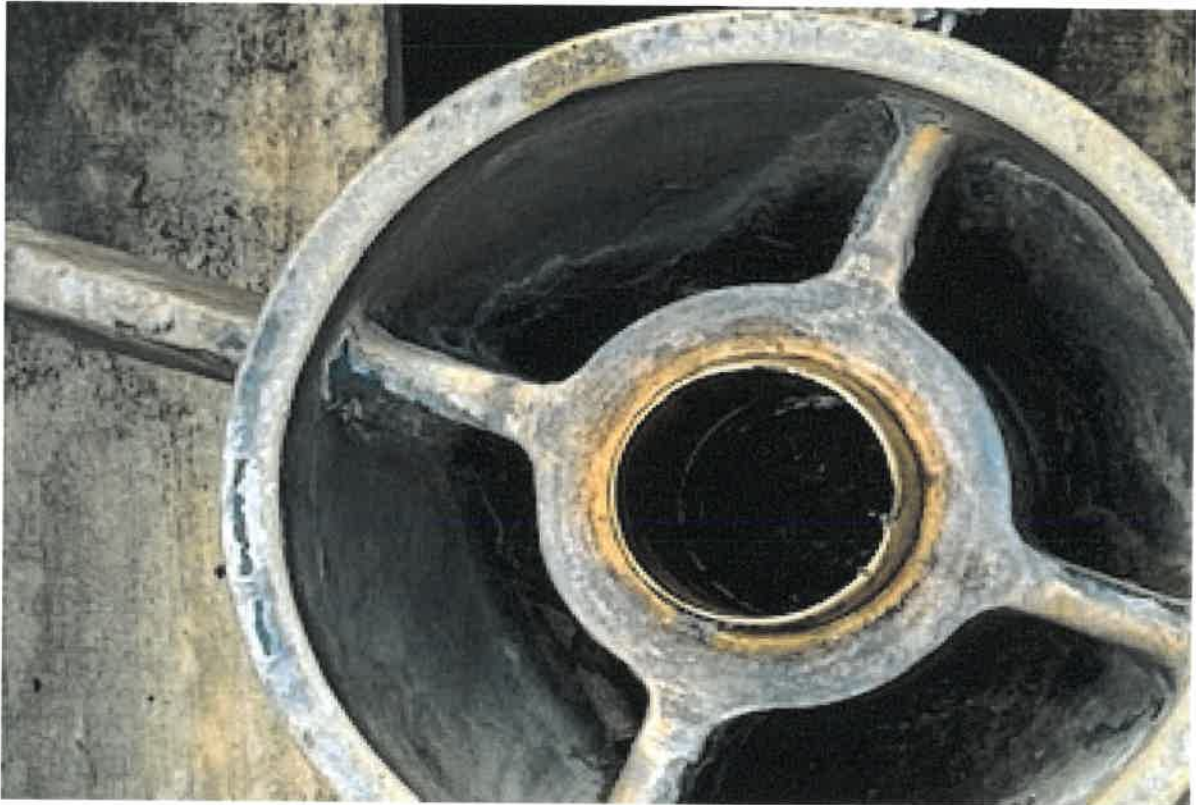
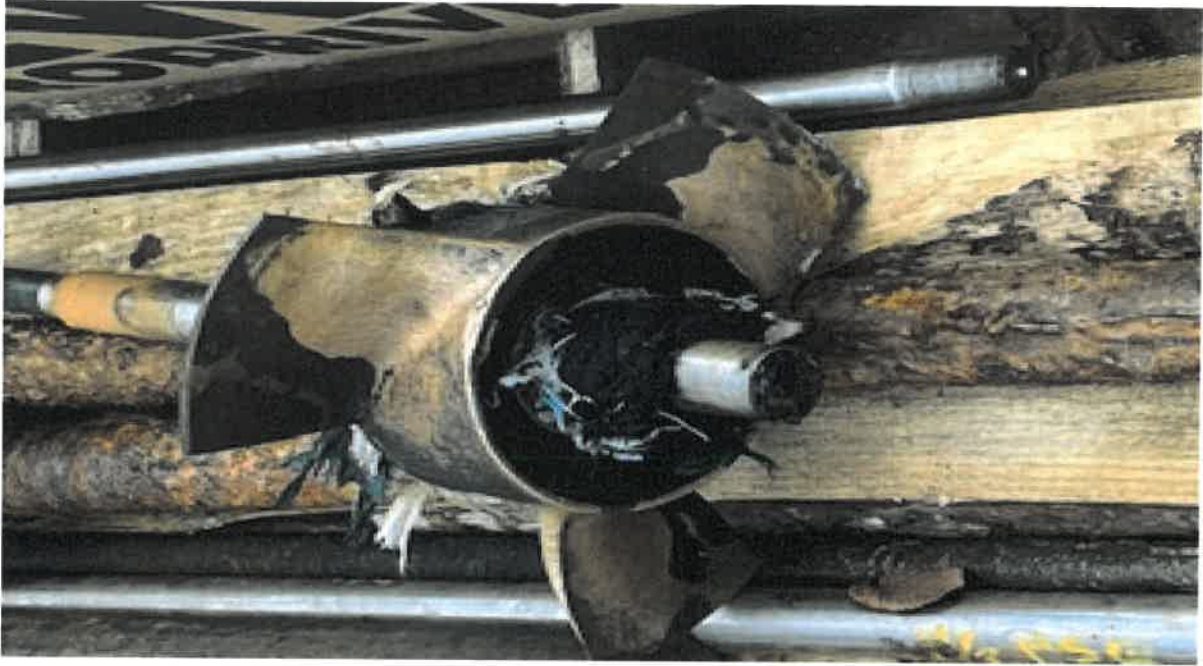
Purchaser's Signature

Cody Lindsay
COASTAL MACHINE & MECHANICAL, LLC











City Council Agenda Item # 10

Title: Consideration and possible action regarding Task Authorization #15 with Freese and Nichols for the development of a Certified Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP).

Date: February 1, 2021

From: Tim Kelty, City Manager

Staff Recommendation: Staff recommends approval of this Task Authorization.

Item Summary: Regulations adopted by the EPA in 2018 require all water systems serving a populations greater than 3,300 persons will assess the risks to and resilience of its system and then prepare or revise the utility's Emergency Response Plan.

The development of this assessment and plan in accordance with the American Water Infrastructure Act, according to the guidelines developed by the American Water Works Association is beyond City or Veolia staff capabilities. Freese and Nichols the City Engineer has prepared the attached proposal to complete this work.

Following the Completion of the RRA, the ERP will be finalized and certified by the City of Freeport to the Administrator of the Environmental Protection Agency (EPA) by December 30 2021 to comply with the deadline for cities of our size.

Background Information: Freese and Nichols has completed many of these plans for cities over 50,000 in population whose deadlines for completion were sooner than smaller cities. We are benefiting from their experience and the work that has come before. Staff negotiated significant savings in the proposed work because of that work.

Special Considerations:

None.

Financial Impact: the cost of this task is \$40,200 for the RRA and \$25,500 for the ERP for a total cost of \$65,700. Staff consulted with other cities regarding the cost for this work. Freese and Nichols proposal is in line with what others are considering.

Board or 3rd Party recommendation: None

Supporting Documentation: Task Authorization from Freese and Nichols.



PROFESSIONAL SERVICES AGREEMENT – ATTACHMENT A
TASK AUTHORIZATION #15

City of Freeport
City Hall
200 West 2nd Street
Freeport, TX 77541

FNI PROJECT PROJECT/PHASE/TASK
DATE: 1/18/2021

This authorization is in accordance with the terms and conditions outlined in the Extended Master Agreement executed on June 15, 2020 and expires on June 30, 2021.

Project Name: American Water Infrastructure Act of 2018 (AWIA) Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP)

Description of Services: Services are described in Attachment B.

Deliverables: Certified Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP)

Schedule: RRA to be completed by June 30, 2021; ERP to be completed by December 30, 2021.

Compensation shall be: A Lump Sum amount of Forty Thousand Two Hundred Dollars (\$40,200.00) for the RRA, a Lump Sum amount of Twenty Five Thousand Five Hundred Dollars (\$25,500.00) for the ERP, for a total of Sixty Five Thousand Seven Hundred Dollars (\$65,700).

All other provisions, terms and conditions of the Professional Services Agreement which are not expressly amended shall remain in full force and effect.

FREESE AND NICHOLS, INC.

CITY OF FREEPORT, TEXAS

BY: 

BY: _____

Mehran (Ron) Bavarian

Print Name

Print Name

TITLE: Associate _____

TITLE: _____

DATE: 1-18-21 _____

DATE: _____

ATTACHMENT B

City of Freeport

American Water Infrastructure Act of 2018 (AWIA) Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP)

Task Order #15

SCOPE OF SERVICES

Project Understanding:

America's Water Infrastructure Act (AWIA) of 2018, Section 2013, requires that all community water systems serving populations greater than 3,300 persons will assess the risks to and resilience of its system and then prepare or revise the utility's emergency response plan. Following is a scope of services to conduct a Risk and Resilience Assessment and develop or update an Emergency Response Plan for the City of Freeport water utility system for compliance with the requirements of AWIA Section 2013.

The detailed ERP will be conducted following the protocols detailed in the M19 (Emergency Planning for Water and Wastewater Utilities) guidance developed by the AWWA. The ERP will be finalized and then certified by the City of Freeport to the Administrator of the Environmental Protection Agency (EPA) by December 30, 2021 to comply with the deadline requirements for systems serving a population of 3,300 or more but less than 50,000.

Assumptions:

- Data is received in a timely manner from Veolia.
- Analysis for water system only.
- All meetings are held virtually.

ARTICLE I

BASIC SERVICES: FNI shall render the following services in connection with the development of the Project:

TASK A: RISK AND RESILIENCE ASSESSMENT (RRA): FNI shall provide professional services in this phase as follows:

The RRA includes up to three workshops with the RRA team and one final briefing. An optional Council briefing is available as a Special Service. An RRA report will be developed and provided. Due to the sensitive nature of the content, the RRA report is recommended to be protected from public access within applicable law.

Electronic document transfer for this project will be provided to the Client through a secure file-sharing platform. Confidential documents will not be emailed. Hard copies of the RRA report will be hand-delivered.

A1. Project Kickoff Meeting, Data Collection and Review

FNI will conduct a kickoff meeting with City of Freeport and Veolia staff to introduce the FNI project team, review the scope of services and project schedule, and identify communication approaches. The kickoff meeting will also include a discussion of the background/history related to vulnerability and resilience for City of Freeport.

During the kickoff meeting, FNI will meet with the Client to determine the RRA team participants, needs and schedule. The following items will be discussed during the meeting:

- Project goals
- Project schedule
- Data collection for review by FNI
- Communication and information flow for the project
- Additional entities to coordinate with in the development of the project

The Client will provide the following documents, if available, to FNI for review:

- Previous vulnerability and risk assessments
- System diagrams
- Existing security plans and procedures
- Existing security countermeasures
- Business continuity plans / Continuity of operations plans
- SCADA system information
- Source water protection plans
- Interlocal agreements with neighboring utilities
- Local natural hazard mitigation plan(s)
- Emergency response plans
- Other documents that may be related to the vulnerability and resilience of the water system.

Deliverable:

1. FNI will provide meeting minutes within seven (7) days to summarize major discussion items, decisions, and action items.

A2. Identification of Critical Assets and Threats (and Workshop 1)

FNI will review the data collected for City of Freeport's water system to identify a preliminary list of assets. A database of the assets will be created for future evaluation through the project. FNI will conduct a preliminary evaluation of identified threats based on available published information from the U.S. EPA, FEMA, USGS, DHS and other relevant agencies. Threats to be evaluated include direct hazards to the water system from malevolent man-made sources and natural events, as well as tangential hazards from impacts to system dependencies or unaffiliated but near-proximity infrastructure.

FNI will conduct one workshop (Asset-Threat Workshop) with the City of Freeport RRA team to develop a prioritized list of asset-threat pairs to conduct a further risk and resilience evaluation. In the workshop, FNI will lead the RRA team through a review of the assets and an initial screening of consequences of failure to develop a list of critical assets.

FNI will then lead the RRA team through an evaluation of malevolent, natural, and dependency hazards to identify those of most relevance to the water system. Finally, FNI will facilitate the RRA team through a review of asset-threat pairs to prioritize the pairs to focus the risk and resilience evaluation.

The RRA will include a limited review of the operation and maintenance of the water system. FNI will discuss the status of an asset management program and approaches that could be undertaken to improve City of Freeport's resilience. The results of the assessment will be included in the RRA Report.

Up to 10 asset-threat pairs to be evaluated for the water system. Additional asset-threat pairs will be conducted upon request of the Client as an Additional Service.

Deliverable

1. FNI will provide meeting minutes within seven (7) days to summarize major discussion items, decisions, and action items.

A3. Cybersecurity Evaluation (and Workshop 2)

Utilizing a cybersecurity framework guide following AWWA’s cybersecurity protocols, FNI will meet with staff identified during the Kickoff Meeting with knowledge of the City of Freeport SCADA system, software and hardware technology, and information security protocols and procedures. The workshop will focus on evaluation of the implementation of the “Priority 1” protocols identified in the AWWA Water Sector Cybersecurity Risk Management Guidance (2019).

FNI will compile the information collected in the Cybersecurity Workshop to identify gaps in security, threats to the water system and recommendations for improvements in conjunction with the information developed in Task 2.

Deliverable:

1. FNI will provide meeting minutes from the Cybersecurity Workshop within seven (7) days of the meeting to summarize major discussion items, decisions, and action items.

A4. Risk and Resilience Analysis (and Workshop 3)

For each of the prioritized asset-threat pairs, FNI will conduct an initial evaluation to estimate the probability of occurrence of the threat (T), the vulnerability (V) of the assets to failure from the threat, and the consequence (C) of asset failure. FNI will initially input existing measures in place that serve to increase the resilience of the critical assets by mitigation of one or more of the risk factors. The risk to each asset is calculated as:

$$\text{Risk} = \text{Consequence} * \text{Vulnerability} * \text{Threat}$$

FNI will facilitate a final Workshop with the RRA team to present, evaluate and adjust the calculated risk for each asset-threat pair assessed based on team feedback. Through the workshop, a risk value for each asset-threat pair will be developed to allow for prioritization of assets for improvements. During the workshop, an initial identification of additional mitigation measures to further reduce risk and improve resilience will be identified. Mitigation measures may include policy and procedure improvements, physical security upgrades, structural improvements, staffing adjustments, and other actions.

Deliverable

1. FNI will provide meeting minutes from the Risk and Resilience Analysis Workshop within seven (7) days of the meeting to summarize major discussion items, decisions, and action items.
2. FNI will provide the list of critical assets ranked by risk to City of Freeport for review and approval.

A5. Risk and Resilience Management

FNI will evaluate the additional mitigation measures identified in the Risk and Resilience Analysis Workshop, and as appropriate, identify supplemental mitigation measures for consideration. The mitigation

measures will be analyzed for risk reduction and resilience improvement, and rough approximation conceptual cost to City of Freeport. FNI will develop a prioritized list of mitigation measures based on benefit-cost ratio.

FNI will document the RRA and the prioritized mitigation measures for implementation in a draft RRA report. FNI will meet with City of Freeport to provide a final briefing on the RRA, present the results of the assessment, and deliver the draft report.

Deliverable:

1. FNI will provide meeting minutes within seven (7) days of the meeting to summarize major discussion items, decisions, and action items.
2. FNI will deliver the draft RRA report to City of Freeport in electronic PDF format for review and comment. Upon request, five (5) hard copies of the draft report will be provided.

A6. Final RRA Report and Certification of Compliance

Upon receipt of final comments on the draft RRA report, FNI will finalize the RRA report. FNI will assist City of Freeport to complete and submit the certification of the Risk and Resilience Assessment through the online EPA portal. A copy of the certification will be maintained in the final RRA report.

Deliverable:

1. FNI will deliver one electronic PDF copy of the final RRA report. Upon request, FNI will provide up to five (5) hard copies of the final RRA report.

TASK B: EMERGENCY RESPONSE PLAN (ERP): FNI shall provide professional services in this phase as follows:

The ERP includes two workshops with City of Freeport's designated ERP team and one final briefing. An optional Council briefing is available as a Special Service. An ERP compliant with the requirements of AWIA of 2018 will be provided. Due to the sensitive nature of the content, the ERP report is recommended to be protected from public access within applicable law. The ERP will include documentation applicable to the water utility.

Electronic document transfer for this project will be provided to the Client through a secure file-sharing platform. Confidential documents will not be emailed. Hard copies of the ERP will be hand-delivered.

B1. Project Coordination Meeting, Data Collection and Review

FNI will conduct a meeting with City of Freeport and Veolia staff to review the scope of services and project schedule. The meeting will also include a discussion of the background/history related to emergency response planning for City of Freeport.

During the meeting, FNI will meet with City of Freeport to determine the ERP team participants, needs and project schedule. The team members should be experts in one or more of the following areas or have a role in the execution of the ERP:

- Utility management
- Emergency management
- Water treatment and operations
- SCADA operations
- Human resources management
- Procurement

- Other representatives include members of local police, fire and the local emergency planning committee

The following items will be discussed during the meeting:

- Additional entities to coordinate with in the preparation of the ERP
- Results of the Risk and Resilience Assessment

The Client will provide the following documents, if available, to FNI for review:

- System recovery plans
- System diagrams
- Crisis communications plan
- Other documents that may be related to the preparedness of the water system.

Deliverable:

1. FNI will provide meeting minutes within seven (7) days to summarize major discussion items, decisions, and action items.

B2. Review of Existing Plans and Preparation of Initial ERP Outline (and Initial Workshop)

FNI will review the data collected for the City of Freeport’s water system to identify gaps and necessary information for an up-to-date ERP. FNI will prepare an initial inventory of available information to review/update and gaps in information where development by the ERP team will be required. The ERP will be developed in general accordance with the outline identified in the AWWA M19 guidance document.

FNI will conduct an initial workshop (ERP Preparation Workshop) with the ERP team. In this workshop, FNI will provide an overview of the proposed ERP contents and approach and the current status of information to fulfill these needs. A schedule of future ERP workshops will be established. Additional personnel necessary for the proper preparation of the ERP will be identified for inclusion in one or more of the future workshops.

Deliverable

1. ERP data gap analysis
2. FNI will provide meeting minutes within seven days of the meeting to summarize major discussion items, decisions, and action items.

B3. Emergency Response Plan Preparation Workshop

Through one (1) workshop, FNI will facilitate the ERP team to identify the components of the ERP. The critical components of an ERP include the following:

1. System overview
2. Incident management overview
3. Roles and responsibilities, based on NIMS and ICS
4. Internal and external contact information
5. General emergency response guidance
6. Communications plan
7. Record-keeping

Hazard-specific plans addressing relevant threats identified in the Risk and Resilience Assessment will be developed through the workshops. FNI will provide initial content for the hazard-specific plans based on City of Freeport’s existing ERP and/or industry-standard guidance.

Deliverable

1. FNI will provide meeting minutes within seven (7) days to summarize major discussion items, decisions, and action items.

B4. Draft Emergency Response Plan

FNI will compile the information collected and developed in the series of workshops to prepare a draft ERP. FNI will meet with City of Freeport to present a briefing on the draft ERP, provide implementation recommendations, and solicit comments on the plan.

Deliverable:

1. FNI will deliver the draft ERP to City of Freeport in electronic PDF format for review and comment. Upon request, five (5) hard copies of the draft ERP will be provided.
2. FNI will provide meeting minutes within seven (7) days of the meeting to summarize major discussion items, decisions, and action items.

B5. Final ERP and Certification of Compliance

Upon receipt of final comments on the draft ERP, FNI will finalize the ERP. FNI will assist City of Freeport to complete and submit the certification of the Emergency Response Plan through the online EPA portal. A copy of the certification will be maintained in the City of Freeport ERP.

Deliverable:

1. FNI will deliver one electronic PDF copy of the final ERP. Upon request, FNI will provide up to five (5) hard copies of the final ERP.

Summary of Schedule

FNI is authorized to commence work on the Project upon execution of this Agreement and agrees to complete the services as follows:

- RRA to be finalized by June 30, 2021
- ERP to be finalized by December 30, 2021

If FNI's services are delayed through no fault of FNI, FNI shall be entitled to adjust contract schedule consistent with the number of days of delay. These delays may include but are not limited to delays in City or regulatory reviews, Texas Water Development Board process delays, delays on the flow of information to be provided to FNI, governmental approvals, etc. These delays may result in an adjustment to compensation.

Summary of Fee

FNI shall perform the proposed scope of services based on rates set in the Master Agreement. FNI proposes to assist with the AWIA Risk and Resilience Assessment for a lump sum fee of \$40,200 and to assist with the AWIA Emergency Response Plan for a lump sum fee of \$25,500. A breakdown of the fee by task is the following:

City of Freeport AWIA Assistance Summary of Fee by Task	
Task A: AWIA Risk and Resilience Assessment	\$40,200
Task B: AWIA Emergency Response Plan	\$25,500
Project Total	\$65,700

ARTICLE II

SPECIAL SERVICES: FNI shall render the following services, which are not included in the Basic Services described above, in connection with the development of the Project:

RRA Phase – Council Briefing

FNI will develop and provide to the Council a summary overview of the AWIA of 2018, Section 2013 Risk and Resilience Assessment requirements and general approach taken for utility compliance. If provided in a secure setting, such as an Executive Session, FNI will be prepared to provide detailed results and prioritized recommendations of the RRA, if requested.

ERP Phase – Council Briefing

FNI will develop and provide to the Council a summary overview of the AWIA of 2018, Section 2013 Risk and Resilience Assessment requirements and general approach taken for utility compliance. If provided in a secure setting, such as an Executive Session, FNI will be prepared to provide detailed results and prioritized recommendations of the RRA, if requested.

ERP – Training Exercises

FNI will develop and provide overview training to personnel with identified roles and responsibilities in the ERP. The training will include a walk-through of the ERP, briefing on each role and responsibility, and available resources for implementation of the ERP. During the training, tabletop exercises will be conducted for a selection of relevant hazards to practice implementation of the ERP.

ARTICLE III

ADDITIONAL SERVICES: Any services performed by FNI that are not included in the Basic Services or Special Services described above are Additional Services.

- A. Visits to on-site locations in excess of the number of trips included in Article I for periodic site visits, coordination meetings, or contract completion activities.

- B. Providing basic or additional services on an accelerated time schedule. The scope of this service would include cost for overtime wages of employees and consultants, inefficiencies in work sequence and plotting or reproduction costs directly attributable to an accelerated time schedule directed by the Client.
- C. On-site meetings in addition to those outlined in Article 1.
- D. Preparation of wastewater system RRA or ERP.
- E. Preparation and assistance with emergency response plan training exercise.

City of Fresno AMM Available 4/14/2021 Detailed Cost Breakdown		Project Fee Summary Project Fee Summary Basic Services 5 Special Services 5 Total Project 5 65,700		Sum \$ 41,152 \$ 2,546		Project Fee Summary Project Fee Summary Basic Services 5 Special Services 5 Total Project 5 65,700		Project Fee Summary Project Fee Summary Basic Services 5 Special Services 5 Total Project 5 65,700	
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Phase	Task	Task Description	Tasks				Labor				Expenses				Subcontractors		Total
			Auto/Com	Trk/Bus	Trk/Trailer	Trk/Trailer	Trk/Trailer	Trk/Trailer	Trk/Trailer	Trk/Trailer	Trk/Trailer	Trk/Trailer	Trk/Trailer	Trk/Trailer	Trk/Trailer	Trk/Trailer	
Phase 1 - Risk and Resilience Assessment																	
A	A1	Review Existing Materials, Plans, and Reports	3	2	2	40	8	16	80	24	3,262	-	-	-	-	-	3,262
A	A2	Review Existing Materials, Plans, and Reports	30	2	2	40	16	16	80	24	3,262	-	-	-	-	-	3,262
A	A3	Review Existing Materials, Plans, and Reports	5	2	2	40	7	12	70	5	1,144	-	-	-	-	-	1,144
A	A4	Review Existing Materials, Plans, and Reports	20	2	2	40	4	12	70	3	8,457	-	-	-	-	-	8,457
A	A5	Review Existing Materials, Plans, and Reports	20	2	2	40	4	16	80	3	3,995	-	-	-	-	-	3,995
Phase 2 - Emergency Response Plan																	
B	B1	Review Existing Materials, Plans, and Reports	6	2	2	8	4	4	24	24	3,262	-	-	-	-	-	3,262
B	B2	Review Existing Materials, Plans, and Reports	20	4	4	12	12	12	50	5	3,502	-	-	-	-	-	3,502
B	B3	Review Existing Materials, Plans, and Reports	20	4	4	12	12	24	88	3	11,242	-	-	-	-	-	11,242
B	B4	Review Existing Materials, Plans, and Reports	20	2	2	4	4	4	14	3	1,918	-	-	-	-	-	1,918
B	B5	Review Existing Materials, Plans, and Reports	4	18	18	12	28	28	14	839	-	-	-	-	-	-	839
Total Hours (Quantity)			21,000	3,488	3,488	14,818	2,800	1,294	3,381	14,800	48,708	-	-	-	-	-	48,708