



**AGENDA
REGULAR MEETING
FREEPORT CITY COUNCIL
MONDAY, AUGUST 2, 2021 at 6:00 P.M.**

Mayor:
Brooks Bass

Council Members:
Jeff Pena
Jerry Cain
Mario Muraira
Troy Brimage

City Manager:
Timothy Kelty

THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON MONDAY, THE 2ND DAY OF AUGUST, 2021, AT 6:00 P.M., AT THE FREEPORT, POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD FREEPORT TEXAS

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

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

OR

AUDIO VISUAL CONFERENCE CALL USING:

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

International dial-in numbers: https://fccdl.in/i/council_mtg_080221

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https://join.freeconferencecall.com/council_mtg_080221

enter access code 5678901# and the online meeting code is: council_mtg_080221.

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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 by John Jasso and Laura Tolar regarding status update on the 2021 Veterans Day Parade. **(Tolar)**
2. Presentation for employee of the month, for the months of May and June 2021. **(Kelty)**

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

3. Consideration and possible action on the approval of City Council meeting minutes from July 19, and July 26, 2021. **(Wells)**
4. Consider changing the date of the first meeting in September 2021 due to the Labor Day Holiday, to Tuesday September 7, 2021. **(Wells)**
5. Consideration of approving various items and equipment for surplus and approve the sale of such items by auction. **(Tolar)**

COUNCIL BUSINESS – REGULAR SESSION:

6. **Public Hearing:** Public Hearing for possible action on replat on Daspit Subdivision a combination of Lots 77 and 78, Block 1 of the Bar X Ranch Subdivision Section 4 Recorded in Volume 16, Page 167-170 of the Brazoria County Plat Records situated in the Asa Mitchell Survey Abstract 97 Brazoria County, Texas June 2021. **(Kelty/Rivas)**
7. **Public Hearing:** Public Hearing for possible action on replat of Bar X Ranch – Section 4 Lot 172A-2.00 Acres. Amended Plat of Lots 172 and 172, Block 3, Bar X Ranch, Section 4, as originally platted in Volume 16, pages 169-170 of the Plat Records of Brazoria County, Texas. **(Kelty/Rivas)**
8. Consideration and possible action on an Interlocal Agreement with Brazosport College for participation in the TIRZ. **(Kelty)**
9. Discussion of 2021-2022 Fiscal Year Budget. **(Kelty)**
10. Consideration and possible action approving Resolution No. 2021-2698 amending the Social Media Policy. **(Kelty)**
11. Consideration and possible approval of Resolution No. 2021-2699 amending the City of Freeport Policy Handbook Chapter 8, Attendance and Leave Policy adding Section 8.12 Mental Health Leave. **(Kelty)**

WORK SESSION:

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

CLOSED SESSION:

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

COUNCIL BUSINESS – REGULAR SESSION:

ADJOURNMENT:


14. 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



City Council Agenda Item # 1

Title: Veteran's Day Parade & Festivities Presentation

Date: August 2, 2021

From: Laura Tolar, Special Projects Coordinator

Staff Recommendation:

This item is for presentation only and no action by council is required.

Item Summary:

The City of Freeport will be hosting the Veteran's Day Parade to be held on November 11, 2021 (Veteran's Day). This year, we will start the Veterans Day celebration off early. Hosted by the VFW Sweeny Ladies' Auxiliary, the Veterans Day Breakfast is tentatively scheduled for 7:00am-9:00am and in the past has served approximately 250-300 veterans. The parade will begin at 11:00AM at the intersection of E. Park Avenue (Nat Hickey Lane) and 2nd Street. We will proceed west on 2nd Street then make a right turn onto State Highway 288 and end the parade at Brazosport High School's Hopper Field. A ceremony will be held at Hopper Field to honor the 22,000 plus veterans that are currently living in Brazoria County today. Local churches with bells have been asked to ring them to start the parade. We have contacted county and state elected officials, Brazoria County schools, Freeport churches and civic organizations with invitations to be part of our celebration. We contacted local businesses asking for sponsorship to fund this event. Notification will be provided to property owners along the route as invitation to watch the parade and also notification of temporary street closures.

Background Information:

This will be the third time that the City of Freeport has hosted. We previously hosted in 2003 and 2009.

Special Considerations:

N/A

Financial Impact:

The parade is funded by donations and there will be no city funds used to pay for this event.

Board or 3rd Party recommendation:

N/A

Supporting Documentation:

N/A

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, July 19, 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 Troy Brimage

Staff: Tim Kelty, City Manager
Betty Wells, City Secretary
Chris Duncan, City Attorney
Cathy Ezell, Finance Director
Lance Petty, Public Works Director
LeAnn Strahan, Destinations Director
Courtland Holman, EDC Director
Henry Rivas, Building/Code Officer
Ray Garivey, Freeport Police Chief
Clarisa Molina, Administrative Assistant
Giselle Hernandez, Financial Analyst
Laura Tolar, Special Events Coordinator, Teleconference
LeAnn Strahan, Destinations Director, Teleconference
Robert Cramer, Teleconference

Visitors: David McGinty Manning Rollerson
Pam Dancy Jerry Meeks
Sabrina Brimage Raven Wuebker
Kenny Hayes Tommy Pearson
Desiree Pearson Edmeryl Williams
Julio Areunlo Breanna Brimage
Brendan Brimage Ron Bavarian
Patton Ritter Shonda Marshall

Visitors, Via Teleconference: Amanda Petty Landis Adams
Vander Williams Patrick Adams

Call to order.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation was led by Councilman Brimage 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 of his constitutional rights. He said that his nephew was pulled over for a traffic stop, he said that officers on the stop pulled their guns on him. He said that he spoke to Mr. Kely about this. He said that the Chief needs to work on his people skills. Mr. Rollerson asked when the ditches are going to be cleaned where he lives. He spoke of his daughter's apartment again, and the disrespect that the code officer gave his daughter. He also said that he requested a report from this inspection, he said that he was told that there was no report. He said there has to be accountably.

Patton Ridder introduced himself to Council and the visitors. He said that he is running for the position of Brazoria County Judge for CCL2, he said that Marc Holder will be retiring. He said that he was born and raised in Brazoria County. He said that he serves as Prosecutor for Surfside Beach.

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

Presentation for employee of the month May 2021.

Mayor Bass tabled this item.

Presentation of quarterly investment report.

Finance Director Cathy Ezell presented to council the investment report for the quarter ending June 30, 2021.

COUNCIL REGULAR AGENDA:

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

On a motion by Councilman Brimage, seconded by Councilman Cain, with all present voting "Aye" 5-0 Council unanimously approved City Council meeting minutes.

Consideration and possible action regarding Resolution No. 2021-2697 authorizing participation with TCUC for intervention in Centerpoint Rate Making Case related to HB 1520.

City Manager, Tim Kelty presented Resolution No. 2021-2697 authorizing participation with TCUC for intervention in Centerpoint Rate Making Case related to HB 1520. He said that this is the Texas Coastal Utility Commission. Mr. Kelty said that staff recommends the approval of this resolution.

Councilman Muraira asked if this will cost the city anything? Mr. Kelty said yes it will be a charge of \$428.76.

On a motion by Councilman Brimage, seconded by Councilman Muraira, with all present voting "Aye" 5-0 Council unanimously approved Resolution No. 2021-2697 authorizing participation with TCUC for intervention in Centerpoint Rate Making Case related to HB 1520.

Pam Dancy said that she does not understand what this is. Mayor Bass said that this is a group that gathers together to get the best prices on natural gas for municipalities. Basically, this group legally fights for the participating cities collectively.

Consideration and possible action approving Task Authorization # 18 of concrete streets.

City Manager Tim Kelty presented to council Task Authorization #18 of concrete streets. He said that this is to cover the cost to prepare the engineering specifications for the proposed concrete streets, The bidding and review process and construction engineering administration. He said the cost of the task authorization is \$426,380.

Councilman Muraira asked out of the \$4 million, how much will the City be left with from the bond? Mr. Kelty said that the estimated cost for this project is \$4 million. We will know the actual cost once bids are received. We also have an estimated \$2.5 million either already under contract with the county but with the majority being prepared for late this year. If the bids come back as estimated we would have approximately \$1 million from the original \$7.5 million planned. This \$7.5 million was planned to be a combination of Bond and General Funds expended over the 3-year period. Councilman Muraira asked if Ave B from McNeil to Munson was taken off the list? Mr. Kelty said yes, that that was removed from the list of streets to be engineered for replacement, that the improvements to problem intersections would be done in house by public works. Councilman Muraira asked that Mr. Kelty email, showing what can and will be done, he said that he wants to make sure this is not forgotten. Mayor Bass asked Mr. Petty if the Street Department can handle 20-40 feet of concrete street repair. Mr. Petty said that 20-40 feet is something that the Street Department can do.

Councilman Pena asked if this list of streets can be revised? Mayor Bass said "no". Councilman Pena said that the cost of \$426,000 to get the task done seems steep. He said is this a normal percentage for a preliminary job? Mr. Bavarian said normally it is around 8-12 percent. Councilman Pena spoke of West 2nd Street to Arbutus. He said that he would like to see this go to Velasco. Mr. Kelty said eventually this is the plan.

Council Brimage said that he would like the recent construction looked at. He said that when awarding these projects, we need to make sure that money and quality of work are considered.

Tommy Pearson asked how many inches the streets are being cut down for the County work? Mr. Kelty said that they are getting the streets to the proper grade.

Manning Rollerson asked about the drainage with cutting down the streets.

On a motion by Councilman Brimage, seconded by Councilman Cain, with all present voting "Aye"

5-0 Council unanimously approved Task Authorization #18 of concrete streets.

Consideration and possible action amending the Social Media Policy.

City Manager Tim Kelty presented to council the possible action amending the Social Media Policy. He said that this is something that will require a Communication Director.

Council had a discussion on this item and asked that it be brought back with more information on the Communication Manager, and the Social Media Policy for the employees.

Mayor Bass tabled this item.

Budget Workshop for 2021-2022 fiscal year.

City Manager, Tim Kelty and Finance Director, Kathy Ezell presented to council the Proposed Budget for 2021-2022 Fiscal Year.

There was discussion by council on the Building for the Public Works Department, Councilman Muraira said that he did not agree with the \$200,000 for this building he said we need to focus on our City Parks. Mr. Kelty said that the building has mold and it is leaking. Mayor Bass said we have to consider the health of our employees. Later in the meeting Councilman Muraira conceded this importance and value of the Public Works Department needing this new building.

Each department was discussed by council.

Mayor Bass asked that the Admin Legal Fund have \$60,000-\$70,000.00 added back into this account. He also said that he would like to see a donation made to the Salvation Army. Councilman Pena asked if it could be increased by \$100,000.

Councilman Muraira asked about the possibility of adding to Building and Code to have Commercial Property added to the Rental Registration Program. Mr. Kelty said that there are annual safety inspections done on commercial property, but this can be added.

Councilman Pena said that he thinks the Agricultural and Botanical fund should be used for Beautification. He asked why the Beach Maintenance Fund is so low. Ms. Ezell said that a lot of these expenditures come from the Parks and Street Funds. Councilman Pena said that he would like to add funds for the Museum Façade. Councilman Muraira said that he does not agree with adding a fund for the Museum Façade.

There was discussion on the Health Insurance Coverage for employees.

The Budget Workshop was closed by Mayor Bass at 8:39.

WORK SESSION:

Councilman Pena asked if there was an update on 9th Street. Chris Duncan said that State Law under the Texas Water Code states that if one person alters elevation and it affects a neighbor, it is a civil matter between the neighbors. Mr. Duncan said that the city cannot get involved in civil matters. He said that

we can get new ordinances for new builds that set standards on altering elevation. Councilman Pena asked, “the City will not do anything for the residents affected by this”? Mr. Duncan said that we must have the authority to act, and the city does not have that authority. Councilman Pena said we need to move quickly on these ordinances. Mayor Bass said that we need to put this on a future agenda and get an ordinance. Councilman Pena asked if the Proposed Budget can be made public to our residents, Mr. Kelty said that it is on the front page of the city website. Councilman Pena said that he has requested several times that Velasco at 2nd Street and Velasco at Ave A get the torched tape that is highly fluorescent put down, he said that safety measures need to be done. He said that he has noticed that road top is being done going towards Hook’s, and it is frustrating to see this being done when the safety measures haven’t been implemented. He said he is curious as to why the tape cannot be done. Councilman Brimage said that this road was approved by the previous council. Mayor Bass said the resurface of this road was much needed. Councilman Pena said that he knows that this was needed and he knows it leads to the Service Department. Councilman Brimage said it leads to a \$3 Million restaurant as well, he said that it is very important.

Councilman Cain said that after all the rain there has been a lot of mowing yards and taking care of business. He said except for the vacant rent houses, he asked if the Code Department has been looking. He said that he received a picture of a resident standing out in his neighbors’ yard, and the grass was waist high. He said this has to be taken care of.

Councilman Muraira said that he wants to take back what he said earlier. He told Mr. Petty he does agree with the \$200,000.00 going into the service center, but we do need to look at the parks as well. He told Mr. Kelty that he did good with the budget, he does see a reduction in the numbers.

Councilman Brimage said that department heads and staff did an amazing job on the budget.

City Manager Tim Kelty said that he wants to remind council that on August 4-6 we will hosting the delegation from Altamira. He said that there will be seven delegates here. He said that the city will also be hosting the BCCA Meeting in August.

Mayor Bass said that he hopes the citizens enjoyed the process of the Budget. He said please come back for our second meeting on July 26, 2021.

Update on reports / concerns from Department heads

Open session was closed at 8:53 pm and Council entered into Executive Session.

CLOSED SESSION:

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

REGULAR SESSION

Mayor Bass reconvened regular session at 9:53 P.M.

There was no action taken from executive session.

Adjourn

On a motion by Councilman Pena, seconded by Councilman Muraira, with all present voting "Aye", Mayor Bass Cain adjourned the meeting at 9:53 P.M.

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, July 26, 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: Absent
Councilman Jeff Pena
Councilman Jerry Cain
Councilman Mario Muraira
Councilman Troy Brimage

Staff: Tim Kelty, City Manager
Betty Wells, City Secretary
Cathy Ezell, Finance Director
Lance Petty, Public Works Director
LeAnn Strahan, Destinations Director
Brian Dybala, Freeport Golf Course Director
Chris Motley, Freeport Fire Chief
Ray Garivey, Freeport Police Chief
Clarisa Molina, Administrative Assistant
Giselle Hernandez, Financial Analyst

Visitors: Raven Wuebker (Facts) Shonda Marshall

Visitors, Via Teleconference
Amanda Petty Paul Crow

Call to order.

Mayor Pro Tem Cain called the meeting to order at 6:03 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation was led by City Manager Tim Kelty and the Pledge was led by Mayor Pro Tem Cain.

REGULAR SESSION

City Manager Tim Kelty presented to Council thirteen items for discussion to be added or removed from the FY2021-22 proposed budget. Mr. Kelty said that he needs feedback from Council on amending the budget.

- Fire Station 1 new roof \$36,000.00 - After discussion by council the consensus was to add to the budget.

- Professional Legal Fees, \$100,000.00 - After discussion by council the consensus was to add to the budget.
- Communication Manager, \$76,000.00 - After discussion by council the consensus was to add to the budget.
- Salvation Army Project, \$20,000.00 - After discussion by council the consensus was to add to the budget.
- Agricultural/Botanical, add additional \$10,000.00 - After discussion by council to not add an additional \$10,000.00 to this fund without a plan, the consensus was to leave the fund as proposed.
- Life Guards for Bryan Beach, \$532,00.00 - After a lengthy discussion by council the consensus was to not add this to the budget.
- Baseball Diamond Improvement, at Riverside Park \$25,000.00 - After discussion by council the consensus was to add to the budget.
- Lights for the diamond, at Riverside Park \$15,000.00 - After discussion by council the consensus was to add to the budget.
- Pedestrian Bridge at SFA Park \$75,000.00 - After discussion by council the consensus was to add to the budget.
- Preliminary Architectural Design for a new Golf Course Club House, \$30,000.00 - after discussion by council the consensus was to add to the budget.
- Backup generator for either Rec Center or Riverplace, \$60,000.00 - After discussion by council the consensus was to add this amount to the budget, but to look at either one or two mobile generators and Electrical modifications which would allow direct connection.
- Museum Façade \$100,000.00 after discussion by council the consensus was to add this amount to the budget, but bring back any specific proposal for improvements to Council for further consideration.
- Annual Sidewalk Program \$50,000.00 after discussion by Council the consensus was to add to the budget.

City Manager Tim Kelty asked if council had any other things they would like to see added to the budget.

Councilman Pena said that he would like to see the reflective tape added to Velasco and 2nd Street and Velasco and Ave. A. Consensus on council was to add the \$8,000 in cost to do this to the budget

Mayor Pro Tem Cain said that the boat ramp on 2nd Street needs to be widened.

Councilman Brimage said that there needs to be additional boat parking in this area as well.

Councilman Muraira said that he would like to see the levy trail expanded, and resurfaced. City Manager asked what he would like the surface to be? Councilman Muraira said that he would like to review the options.

City Manager Tim Kelty announced that staff had completed a RFP (Request for Proposal) on solid waste services. He said that we will need a subcommittee for the review of the bids. Mr. Kelty asked Councilman Brimage if he would serve on this? Councilman Brimage said yes. Councilman Pena volunteered to be the second to serve on this committee as well.

Adjourn

On a motion by Councilman Brimage, seconded by Councilman Pena, with all present voting "Aye", Mayor Pro Tem Cain adjourned the meeting at 7:58 P.M.

Mayor Pro Tem, Jerry Cain
City of Freeport, Texas

City Secretary, Betty Wells
City of Freeport, Texas



City Council Agenda Item # 4

Title: Consider changing the date of the first meeting in September due to the Labor Day Holiday.

Date: August 2, 2021.

From: Betty Wells, City Secretary

Staff Recommendation: Staff recommends rescheduling the first regular City Council meeting in September to Tuesday September 7, 2021.

Item Summary:

The first regular City Council meeting in September falls on September 6, 2021 which is the Labor Day Holiday. The city offices are closed and regular meetings are suspended.

It is recommended that the meeting be rescheduled for the following day, Tuesday September 7, 2021 at 6 p.m.

Background Information: None

Special Considerations None

Financial Impact: None

Board or 3rd Party recommendation: None

Supporting Documentation: None



City Council Agenda Item # 5

Title: Consideration and possible action by City Council approving items for surplus and authorize the sale with an online auction using Public Surplus

Date: August 2, 2021

From: Laura Tolar, Assistant City Secretary/Special Projects Coordinator

Staff Recommendation: Staff recommends City council approve the items designated as surplus and authorize staff to legally dispose of them through an online auction or otherwise.

Item Summary

For the 2020 online auction contact was made with three auction firms. Public Surplus offered the best rates for bidders at 10.5% and offered a very informative and easy to use website. We would like to continue to use this online auction company.

Background Information:

The City of Freeport has worked with this online auction company previously and the auction was successful.

Special Considerations:

None.

Board or 3rd Party recommendation:

None.

Financial Impact:

Public Surplus will collect sales tax of items sold at 8.25%. The City will allow bidders 5-business days to pick up items. If items are not picked up within this allotted time, the City will charge \$10 a day for 15 additional days as storage fees before items are considered abandoned by the bidder.

Supporting Documentation:

Items to be declared surplus.

Department	Description	# of Items	Serial Number	Tag Number	Manufacturer	Model	Primary Location	Working or not working	VIN #	Spedometer Reading	Condition
PUBLIC WORKS	UNILIFT ROOFING EQUIPMENT	2	UNKNOWN		ROOFING EQUIPMENT INC.	UNKNOWN	SERVICE CENTER	WORKING			POOR
PUBLIC WORKS	PAINT STRIPPER	1	UNKNOWN		UNKNOWN	236149	SERVICE CENTER	NOT WORKING			POOR
PUBLIC WORKS	2007 Chevy Silverado 1500 4x4 crew cab	1			CHEVROLET		SERVICE CENTER	NOT WORKING	20CEK13Z971148596	131,256	
PUBLIC WORKS	2005 GMC Yukon	1			GMC		SERVICE CENTER	NOT WORKING	1GKEK63U45J179179	UNKNOWN	POOR
PUBLIC WORKS	2000 Ford F-250 Extended Cab long bed 2wd	1			Ford		SERVICE CENTER	NOT WORKING	3FTNX20F3YMA68478	175,760	POOR
PUBLIC WORKS	Ventilation Fans	3	UNKNOWN		UNKNOWN		SERVICE CENTER	UNKNOWN			USED
PUBLIC WORKS	2003 FORD E-250 VAN	1			FORD		SERVICE CENTER	NOT WORKING	1FTNE24263HA64824	61,871	POOR
PUBLIC WORKS	2007 CHEVY 2500 HD EXT CAB LONG BED 2WD	1			CHEVY		SERVICE CENTER	NOT WORKING	1CGHC29K47E560174	196,934	POOR
PUBLIC WORKS	2000 FORD F-150 STANDARD CAB LONG BED 2WD	1			FORD		SERVICE CENTER	NOT WORKING	1FTZE172YKA78025	UNKNOWN	POOR
PUBLIC WORKS	2003 FORD RANGER STANDARD CAB	1			FORD		SERVICE CENTER	NOT WORKING	1FTYR10U33PA70279	75,021	POOR
PUBLIC WORKS	1995 FORD F-700 BUCKET TRUCK	1			FORD		SERVICE CENTER	NOT WORKING	1FDPF80C3SYA77811	47,028	POOR
POLICE DEPARTMENT	Optiplex 9020	1	3X61Z72		DELL		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	Optiplex 9020	1	3X66Z72		DELL		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	Optiplex 980	1	61W6DP1		DELL		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	Optiplex 390	1	7301VV1		DELL		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	Optiplex 390	1	7305VV1		DELL		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	Optiplex 390	1	7312VV1		DELL		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	P09E	1	DSL0851		Flashback 3		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	DSL0851	1	FB021270		Flashback 2		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	Optiplex 990	1	G239FQ1		DELL		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	V-One	1	L3V1AA05141064		L3 COMMUNICATIONS		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	V-One	1	L3V11012062310		L3 COMMUNICATIONS		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	UNKOWN	1	UNKNOWN		PC CARE		CITY HALL	NO HARD DRIVE			
POLICE DEPARTMENT	CF-30	1	UNKNOWN		PANASONIC		CITY HALL	NO HARD DRIVE			



City Council Agenda Item # 6

Title: Public Hearing; Public Hearing for possible action on replat on Daspit Subdivision Plat, a Combination of Lots 77 and 78, Block 1 of the Bar X Subdivision Section 4 Recorded in Volume 16, Page 167-170 of the Brazoria County Plat Records Situated in the Asa Mitchell Survey Abstract 97 Brazoria County, Texas June 2021.

Date: August 2, 2021

From: Henry Rivas-Interim Building Official

Staff Recommendation:

Approve the replat, located in the ETJ.

Item Summary:

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

Background Information:

The owners are requesting that their existing lots 77 & 78 Block 1 of the Bar X Ranch section 4 be combined to form one lot. The current zoning district for this subdivision is R-1 single family. This is in the city's ETJ.

Special Considerations:

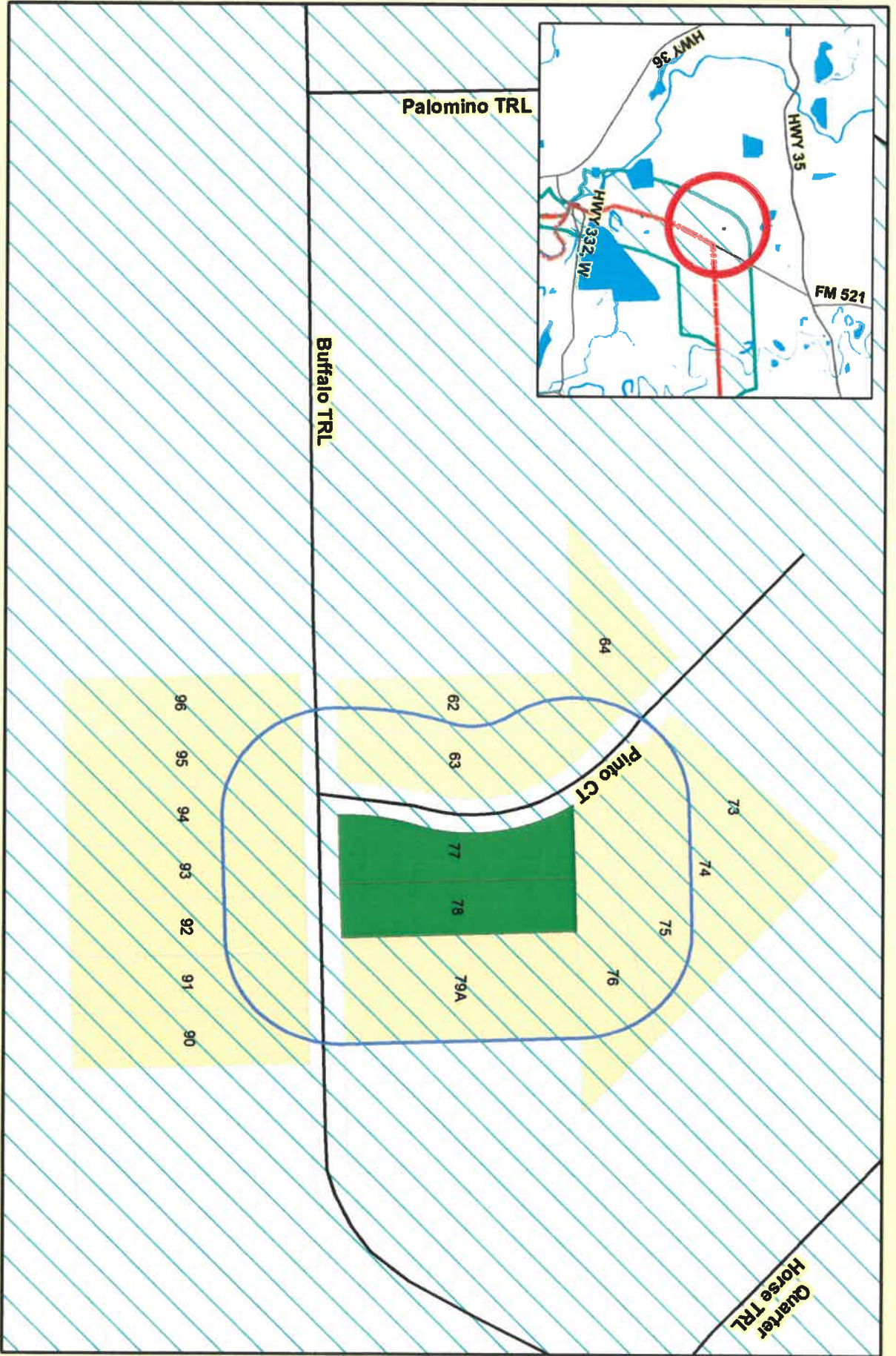
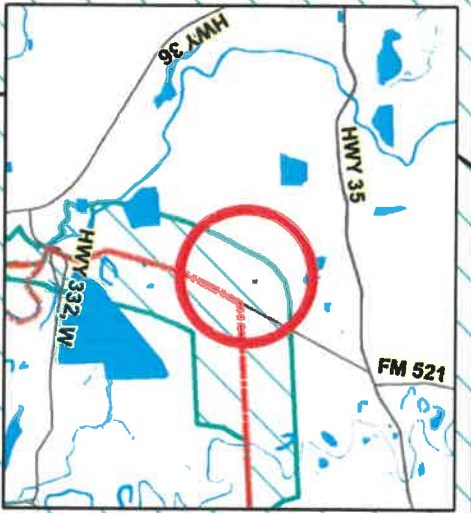
This property is located in the City's ETJ. A public hearing was scheduled to be conducted by the Freeport Planning Commission on July 27, however a quorum was never established for the meeting. Under state law if that body fails to act in a timely manner on the issue, it shall be considered approved by that body.

Financial Impact: None

Board or 3rd Party recommendation: None

Supporting Documentation:

Copy of plat and associated paperwork will be attached.



Legend

- 184565
- 200' Buffer
- Roads
- City of Freeport ETJ
- Water
- Buffered Parcels
- City Limit

Replat Property Location Map

Property ID 184565

Author: Laura Tolar
Document Path: S:\GIS Data\184565
 despite replat 200ft w template 070721.mxd

0 65 130 260 390 520
 Feet

W
 N
 E
 S

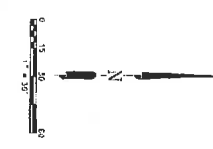
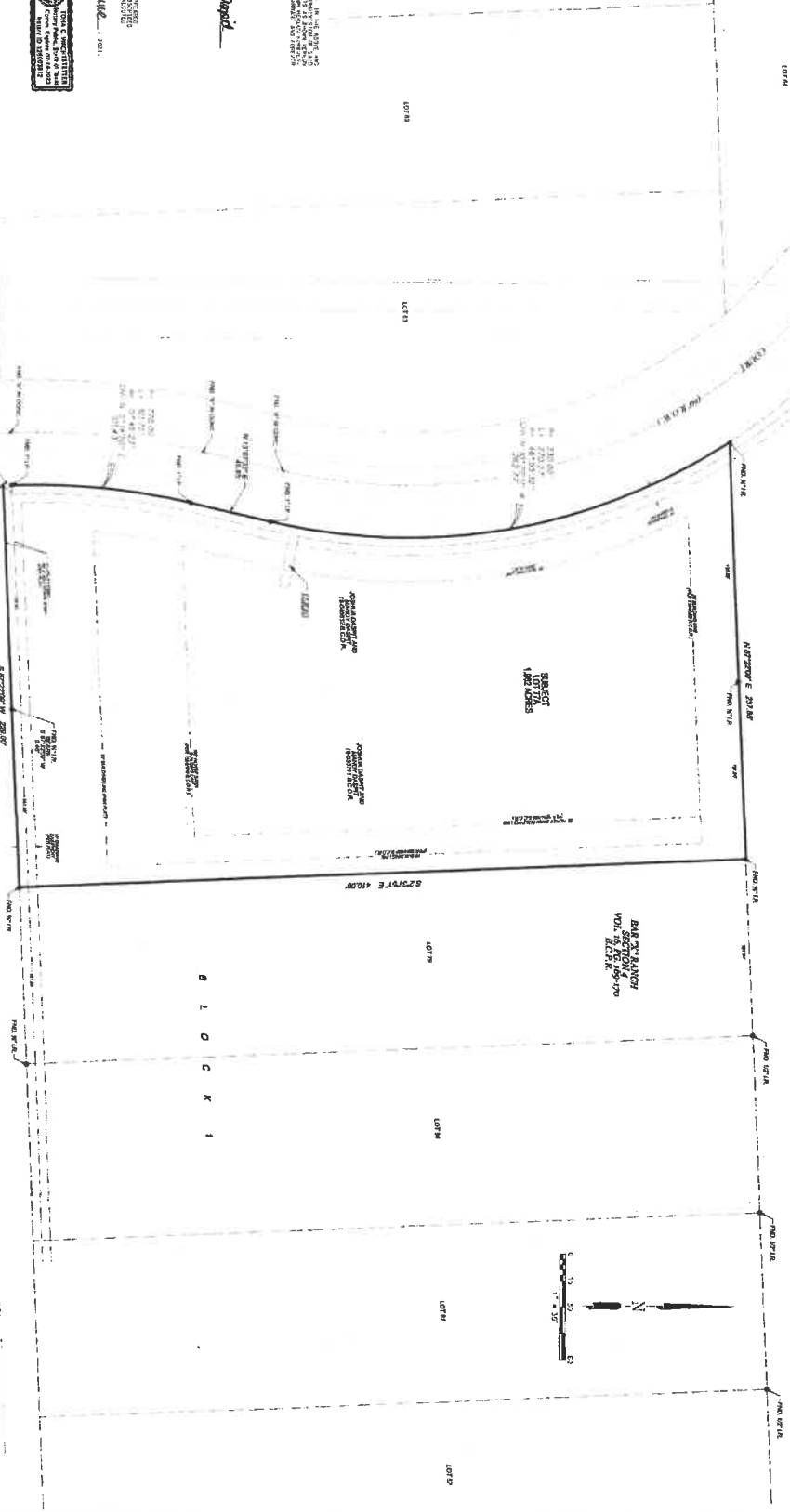


1. TO CORRECT, AS NEARLY AS POSSIBLE TO THE ORIGINAL INTENT OF THE DONOR, THE DEEDS...
2. TO CORRECT THE DEEDS...
3. TO CORRECT THE DEEDS...
4. TO CORRECT THE DEEDS...
5. TO CORRECT THE DEEDS...
6. TO CORRECT THE DEEDS...

John D. Mayo
Mark David

John D. Mayo
 Attorney at Law
 1000 North Loop West
 Houston, Texas 77003

John D. Mayo
 Attorney at Law
 1000 North Loop West
 Houston, Texas 77003



LOT #	ACRES	BEARING	DISTANCE	ADJACENT PARTY
LOT 1	1.00	N 27° 15' W	235.00	...
LOT 2	1.00	S 27° 15' E	410.00	...
LOT 3	1.00	S 27° 15' E	410.00	...
LOT 4	1.00	S 27° 15' E	410.00	...
LOT 5	1.00	S 27° 15' E	410.00	...
LOT 6	1.00	S 27° 15' E	410.00	...
LOT 7	1.00	S 27° 15' E	410.00	...
LOT 8	1.00	S 27° 15' E	410.00	...
LOT 9	1.00	S 27° 15' E	410.00	...
LOT 10	1.00	S 27° 15' E	410.00	...
LOT 11	1.00	S 27° 15' E	410.00	...
LOT 12	1.00	S 27° 15' E	410.00	...
LOT 13	1.00	S 27° 15' E	410.00	...
LOT 14	1.00	S 27° 15' E	410.00	...
LOT 15	1.00	S 27° 15' E	410.00	...
LOT 16	1.00	S 27° 15' E	410.00	...
LOT 17	1.00	S 27° 15' E	410.00	...
LOT 18	1.00	S 27° 15' E	410.00	...
LOT 19	1.00	S 27° 15' E	410.00	...
LOT 20	1.00	S 27° 15' E	410.00	...

DASPT SUBDIVISION
 A COMBINATION OF
 LOTS 77 OF BLOCK 1
 BAR X RANCH SUBDIVISION
 DECEASED IN
 VOLUME 16, PAGE 187-170
 OF THE PLAT RECORDS
 BRAZORIA COUNTY, TEXAS
 ASA MITCHELL SURVEY
 BRAZORIA COUNTY, TEXAS
 JUNE 2011



Doyle & Wachtmeister, Inc.
 Surveying and Mapping GPS/GIS
 1000 North Loop West
 Houston, Texas 77003
 281.441.1111
 www.doylsw.com



City Council Agenda Item # 7

Title: Public Hearing and Consideration for possible action on replat of Bar X Ranch Section 4 Lot 172A – 2.00 Acres Amended Plat of Lots 172 and 173, Block 3, BAR X Ranch, Section 4, As originally platted in Volume 16, Pages 169-170 of the Plat Records of Brazoria County, Texas.

Date: August 2, 2021

From: Henry Rivas-Interim Building Official

Staff Recommendation:

Approve the replat, located in the ETJ.

Item Summary:

Hold a Public Hearing and upon closing of hearing approve replat.

Background Information:

The owner is requesting that the existing lots 172 & 173 Block 3 of the Bar X Ranch Section 4 be combined to form one lot. The current zoning district for this subdivision is R-1 single family. This is in the city's ETJ

Special Considerations:

This property is located in the City's ETJ. A public hearing was scheduled to be conducted by the Freeport Planning Commission on July 27, however a quorum was never established for the meeting. Under state law if that body fails to take action in a timely manner on the issue, it shall be considered approved by that body.

Financial Impact:

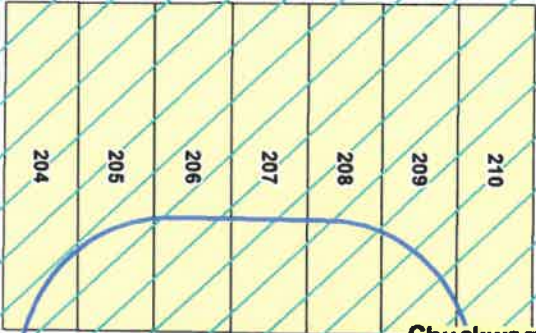
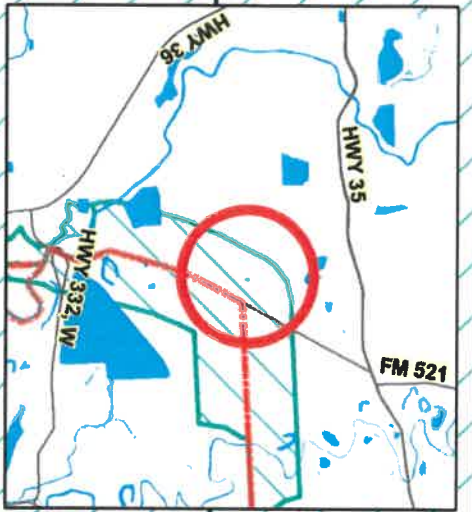
None

Board or 3rd Party recommendation:

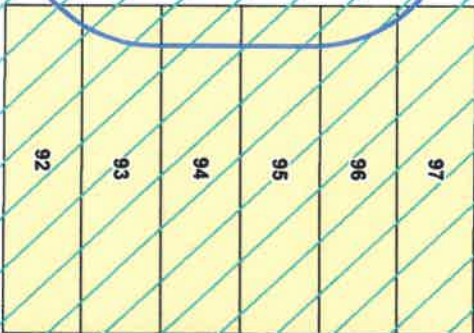
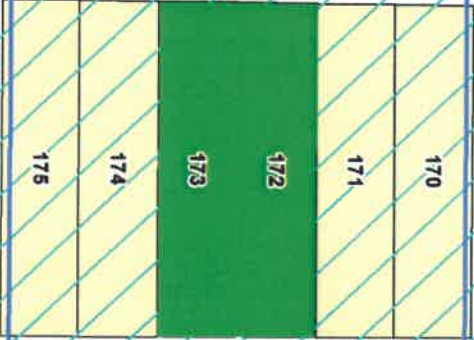
None

Supporting Documentation:

Copy of plat and associated paperwork will be attached.



Chuckwagon TRL



Buffalo TRL

Pinto Ct

- Legend**
- 184660
 - 20' Buffer
 - Roads
 - City of Prescott ETU
 - Water
 - Buffered Parcels
 - City Limit

Replat Property Location Map

Property ID 184660



Author: Laura Tolar
 Document Path: S:\GIS Data\184660
 chezhian replat 200ft w template



FIELD NOTES OF A 2.00 ACRE TRACT COMPOSED OF LOTS 172 AND 173, BLOCK 3, BAR X RANCH, SECTION FOUR, A SUBDIVISION OF 311.4834 ACRES OUT OF THE SAME, CARTER SURVEY, ABSTRACT 53, AND THE ASA MITCHELL SURVEY, ABSTRACT 57, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE RECORDED PLAT IN VOLUME 15, PAGES 169-170 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, AND SAID 2.00 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1" iron pipe found at the intersection of the North right-of-way line of Chuckwagon Trail (60 feet wide) with the Northwest right-of-way line of Bowman Trail (60 feet wide);

THENCE: South 89° 02' 55" West (reference Bearing) 1292.80 feet, along the North right-of-way line of Chuckwagon Trail, to a 1/2" iron rod found for the piece of beginning of the herein described tract at the Southwest corner of Lot 174, Block 3, Bar X Ranch, Section 4;

THENCE: South 89° 02' 55" West 210.25 feet, along the North right-of-way line of Chuckwagon Trail, to a 1/2" iron rod found for corner of the Southeast corner of Lot 171, Block 3, Bar X Ranch, Section 4;

THENCE: North 0° 55' 40" West 415.18 feet, along the East line of said Lot 171, to a 1/2" iron rod found for corner of the Northeast corner of said Lot 171 in the South line of 0.150 foot drainage easement;

THENCE: North 89° 02' 44" East 209.90 feet, along the South line of said 150 foot drainage easement, to a 1/2" iron rod found for corner of the Northwest corner of said Lot 174, Block 3, Bar X Ranch, Section 4;

THENCE: South 0° 58' 36" East 415.18 feet, along the West line of said Lot 174, to the place of beginning;

Said tract herein containing 2.00 acres of land.

WE, THERMOZAH AND VETULIANI CHEZMAN, OWNERS, OF PROPERTY, BEING COMBINED, IN THE ABOVE AND FOREGOING DECLARATIONS OF BEING DECEASED, 3272 AND 1273, BLOCK 3, SECTION 4, OF BAR X RANCH SUBDIVISION, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY ACCORDING TO THE LINES, LOTS, BUILDING LINES AND EASEMENTS SHOWN HEREON, AND DEDICATE FOR PUBLIC USE, THE EASEMENTS AND RIGHT-OF-WAYS SHOWN HEREON, FOREVER, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS, TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

THERMOZAH CHEZMAN _____ VETULIANI CHEZMAN _____
 WITNESS MY HAND THIS _____ DAY OF _____ 20____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THERMOZAH CHEZMAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED IN THE CAPACITY THEREIN STATED AND AS THE ACT AND DEED OF SAID SUBDIVISION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ 20____

NOTARY PUBLIC IN AND FOR BRAZORIA COUNTY, TEXAS
 MY COMMISSION EXPIRES _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED VETULIANI CHEZMAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED IN THE CAPACITY THEREIN STATED AND AS THE ACT AND DEED OF SAID SUBDIVISION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ 20____

NOTARY PUBLIC IN AND FOR BRAZORIA COUNTY, TEXAS
 MY COMMISSION EXPIRES _____

SURVEYOR'S CERTIFICATION
 I KNOW ALL MEN BY THESE PRESENTS:

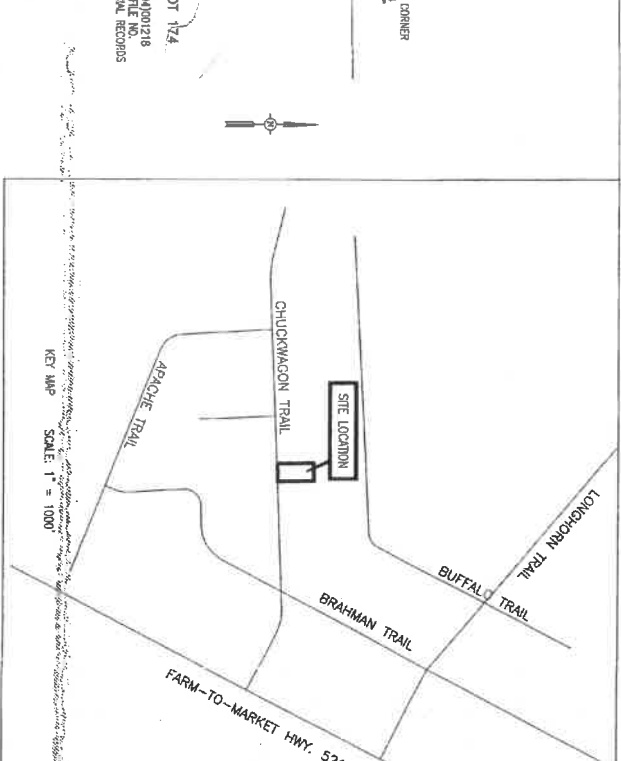
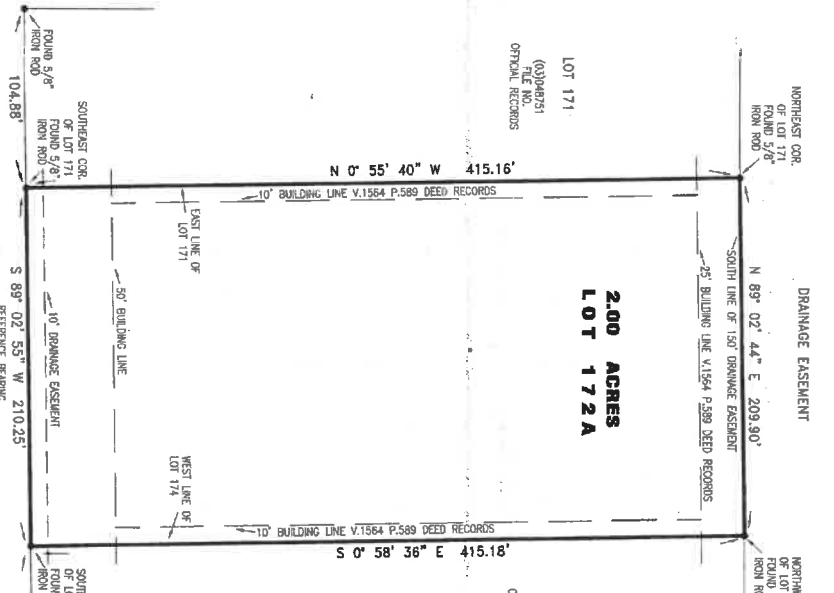
THAT I, RANDY L. STROUD, REGISTERED PROFESSIONAL LAND SURVEYOR, OF HERBERT CENTER, TEXAS, IN PREPARING THIS PLAT FROM AN ACTUAL SURVEY OF THE SAID LAND AND METES AND BOUNDS SHOWN THEREON, SHALL BE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION AND CONTROL, AND SHALL BE IN ACCORDANCE WITH THE CODES OF REGULATIONS OF THE CITY OF WEST COLUMBIA, TEXAS.

RANDY L. STROUD, REGISTERED PROFESSIONAL LAND SURVEYOR, 2112 _____ DATE _____

FROM THE OFFICE OF _____
 RANDY L. STROUD, REGISTERED PROFESSIONAL LAND SURVEYOR
 FROM NO. 10020500
 401 SOUTH VELSOD
 ANGLETON, TEXAS 77515
 579-589-3141

OWNERS:
 THERMOZAH & VETULIANI CHEZMAN
 608 CHUCKWAGON TRAIL
 ANGLETON, TEXAS 77515
 281-781-4691

SURVEYOR:
 RANDY L. STROUD, P.E.
 REGISTERED PROFESSIONAL LAND SURVEYOR
 LICENSE #2112
 201 SOUTH VELSOD
 ANGLETON, TEXAS 77515
 579-589-3141



- NOTE:
1. THE PURPOSE OF THIS PLAT IS TO COMBINE LOTS 172 AND 173 INTO ONE LOT WITH THE ADDRESS OF 608 CHUCKWAGON - ANGLETON, TEXAS 77515.
 2. BUILDING LINES AND EASEMENT LINES ARE SHOWN AS DASHED LINES AND ARE TO BE ADJUSTED AS NEEDED FOR NEW LOT INTERIOR LOT LINE, EASEMENTS AND BUILDING LINES TO BE REMOVED BY A SEPARATE DOCUMENT.

CITY COUNCIL APPROVAL
 APPROVED BY CITY COUNCIL OF CITY OF FREEPORT,
 BRAZORIA COUNTY, TEXAS, ON THIS THE _____ DAY
 OF _____ 20____

PLANNING COMMISSION APPROVAL
 APPROVED BY THE PLANNING COMMISSION OF CITY OF FREEPORT,
 BRAZORIA COUNTY, TEXAS, ON THIS THE _____ DAY
 OF _____ 20____

WARD A _____ WARD B _____
 WARD C _____ WARD D _____

MEMBER _____ MEMBER _____
 MEMBER _____ MEMBER _____

BAR X RANCH - SECTION 4
LOT 172A - 2.00 ACRES

AMENDED PLAT OF LOTS 172 AND 173, BLOCK 3, BAR X RANCH, SECTION 4, AS ORIGINALLY PLATTED IN VOLUME 1 PAGES 169-170 OF THE PLAT RECORD OF BRAZORIA COUNTY, TEXAS

SCALE: 1" = 50'
 6-17-21, 7-22-21

GRAPHIC SCALE
 0 50 100 150
 41-27-482 44-5714-46



City Council Agenda Item # 8

Title: Consideration and possible action regarding a Tax Increment Participation Agreement with Brazosport College taxing authority

Date: August 2, 2021

From: Tim Kelty, City Manager

Staff Recommendation: Staff recommends that Council approve this Agreement.

Item Summary: In December 2019, The City of Freeport adopted a Tax Increment Revitalization Zone (TIRZ). With this TIRZ, the City captures 50% of the incremental increase in City Ad Velorum taxes from new assessed value in the designated zone, primarily from new investment. Earlier this Year the Brazoria County Commissioners joined the city in participating in the TIRZ contributing 40% of the new increment from County Taxes in the zone. The proposed agreement adds Brazosport College to the TIRZ as well.

Background Information

The Ordinance establishing the TIRZ adopted by the city, allows for all other taxing entities (other than the ISD which is prohibited from participating by State Law) to join the city in participation in the TIRZ. By electing to join, those entities would commit to contributing a portion of their incremental tax revenue from the zone as they determine. Each participating jurisdiction would be able to appoint one additional member to join the 7 City-appointed members (currently the EDC Board).

Special Considerations: The purpose of the TIRZ is to generate revenue specifically in support of Economic Development to be directly reinvested within TIRZ, and to be spent in accordance with a TIRZ plan to be adopted by the TIRZ Board. The TIRZ area includes the entire downtown zoned area along with the OA Fleming property and nearly all of the city waterfront on the old River north of the guillotine gate.

Financial Impact: The Brazosport college's participation would add significantly to the revenue the TIRZ will generate. The current Brazosport Tax rate is .297866. At 40% contribution rate, the college's participation will increase total TIRZ revenue by 25%

Board or 3rd Party recommendation: None

Supporting Documentation: Tax Increment Participation Agreement, TIRZ Map

B. Index

The City, the College and the Reinvestment Zone hereby agree to the terms and conditions of this Agreement. The Agreement consists of the following sections:

<u>Section</u>	<u>Description</u>	<u>Page</u>
I.	Parties	1
II.	Definitions	5
III.	Background	6
IV.	Obligations of the College	6
V	Obligations of the City and the Reinvestment Zone	7
VI.	Term and Termination	8
VII.	Miscellaneous	8

Exhibit A— City of Freeport Ordinance No. 2019-2590

C. Parts Incorporated

All of the above-described sections and documents are hereby incorporated into this Agreement by this reference for all purposes.

REINVESTMENT ZONE NUMBER ONE,
CITY OF FREEPORT, TEXAS

By: _____
Title: Chairman, Board of Directors

Dated: _____

ATTEST/SEAL:

By: _____
Title: Secretary, Board of Directors

Dated: _____

[The remainder of this page intentionally left blank.]

II. DEFINITIONS

As used in this Agreement, the following terms shall have the meanings set out below:

“Agreement” means this Interlocal Agreement between the City, the College and the Reinvestment Zone.

“Agreement Term” is defined in Section VI.

“Captured Appraised Value” for a given tax year means the total appraised value of the real property in the Reinvestment Zone net of exemptions (i.e. the taxable value) less the Tax Increment Base.

“City” is defined in Section I of this Agreement and includes its successors and assigns.

“College” is defined in Section I of this Agreement and includes its successors and assigns.

“College Tax Increment Participation” means the amount of the College tax levy on the Captured Appraised Value which the College agrees to contribute to the Reinvestment Zone pursuant to Subsection A of Section IV of this Agreement.

“Project Plan” means the project plan and reinvestment zone financing plan for the Reinvestment Zone, adopted by the board of directors of the Reinvestment Zone and approved by the City Council of the City.

“Reinvestment Zone” means Tax Increment Reinvestment Zone Number One, City of Freeport, Texas, created by the City by Ordinance No. 2019-2590, attached as **Exhibit A**, and includes its successors and assigns.

“Tax Increment Base” means the appraised value of all real property located in the Reinvestment Zone of the 2019 tax year net of exemptions (i.e. the taxable value), as determined by the Brazoria County Appraisal District (excluding exemptions).

“Tax Increment Fund” means the tax increment fund created by the City in the City Treasury for the Reinvestment Zone.

“Zone bonds” means the bonds issued to fund Reinvestment Zone projects.

Otherwise, the terms used herein have the meanings ascribed to them in Chapter 311, Texas Tax Code, as applicable.

III. BACKGROUND

By Ordinance No. 2019-2590, adopted December 2, 2019, the City created the Reinvestment Zone for the purposes of development and redevelopment in the area of the Reinvestment Zone. The City will deposit tax increments produced in the Reinvestment Zone in the Tax Increment Fund. The College desires to participate in the Reinvestment Zone in consideration for the agreements set forth below.

IV. OBLIGATIONS OF BRAZOSPORT COLLEGE

A. Tax Increment Participation by the County

For and in consideration of the agreement of the parties set forth herein and subject to the remaining subsections of this section, the College agrees to participate in the Reinvestment Zone by contributing forty percent (40%) of the total amount of tax increment produced in the Reinvestment Zone attributable to the College collected by the College (the "College Tax Increment Participation"). The College Tax Increment Participation will commence the year in which tax increment payments will be due to the Reinvestment Zone from taxes levied for the year 2021, unless an earlier date is agreed to by the parties. The College Tax Increment Participation will continue for a period of twenty-five years from the date of the first payment. The College Tax Increment Participation will be calculated on the tax increment generated using the year the Reinvestment Zone was created (2019) as the base year value, notwithstanding the date on which the College Tax Increment Participation commences. The College shall retain that portion of the taxes attributable to the College in excess of 40 percent of the actual tax rate levied and collected by the College in any particular year. Any rollback taxes collected by the College on land within the Reinvestment Zone shall not constitute tax increment and shall not be considered part of the College Tax Increment Participation.

The College Tax Increment Participation and obligation to participate in the Reinvestment Zone shall be restricted to its tax increment collected on the Captured Appraised Value in the Reinvestment Zone. The College shall not be obligated to pay its College Tax Increment Participation from other College taxes or revenues or until the College Tax Increment Participation in the Reinvestment Zone is actually collected. The obligation to pay the College Tax Increment Participation shall accrue as taxes representing the College tax increment are collected and payment shall be due on **August 1** of each year.

B. Expansion of the Reinvestment Zone

The obligation of the College to participate in the Reinvestment Zone is limited to the area described in Exhibit A attached hereto. The College's participation shall not extend to the tax increment on any additional property added to the Reinvestment Zone by the City unless the College approves the participation in writing.

C. Board of Directors

As a participating taxing unit, the College shall have the right to appoint one (1) member on the Reinvestment Zone Board of Directors. Failure of the College to appoint a person to the Board of Directors of the Reinvestment Zone by January 31, 2022, shall be deemed a waiver of the College's right to make an appointment.

V. OBLIGATIONS OF THE CITY AND THE REINVESTMENT ZONE

A. Copy of the Project Plan

A copy of the Project Plan and any amendment thereto shall be provided to the College. Any amendment to the Project Plan that would have the effect of increasing the obligations of the College shall be submitted to the College for review prior to adoption and shall not be binding on the College unless approved by the College in writing.

B. Disannexation

Once Reinvestment Zone bonds have been sold, the City agrees that it will never disannex any property within the Reinvestment Zone.

C. Responsibility for Reinvestment Zone Debt

The City and the Reinvestment Zone agree that the College is not liable for the debt of the Reinvestment Zone, or any debt issued by the City or related instrumentality thereof secured by revenues of the tax increment fund or other revenues available to pledge such bonds.

D. Audit

The Reinvestment Zone and the City agree that the College has the right to conduct a reasonable audit of the records, including the financial records of the Reinvestment Zone, and access to such records shall not be unreasonably withheld or delayed. The Reinvestment Zone and the City agree to provide the

annual financial audit of the Reinvestment Zone within ninety (90) days of the completion and approval of such audit.

VI. TERM AND TERMINATION

A. Agreement Term

This Agreement shall become effective as of the date of the final signature hereto and shall remain in effect through the life of the Reinvestment Zone. The first payment of the College Tax Increment Participation shall be for those taxes levied and collected by the College for **the tax year 2022**.

B. Disposition of Tax Increments

Upon termination of the Reinvestment Zone, if all public improvements in the Project Plan have been constructed and financed and if all Reinvestment Zone debt is paid in full, the City and the Reinvestment Zone shall pay to the College all monies remaining in the Tax Increment Fund that are attributable to the College Tax Increment Participation.

VII. MISCELLANEOUS

A. Severability

In the event any term, covenant or condition herein contained shall be held to be invalid by any court of competent jurisdiction, such invalidity shall not affect any other term, covenant or condition herein contained, provided that such invalidity does not materially prejudice either the College, the City or the Reinvestment Zone in their respective rights and obligations contained in the valid terms, covenants or conditions hereof.

In the event any term, covenant or condition shall be held invalid and affects in any manner the limitations on the College's contributions or participation, then this Agreement shall be void as to the College and the College shall have no liability for any incremental or other payments as may otherwise be provided for in this Agreement.

B. Entire Agreement

This Agreement merges the prior negotiations and understandings of the parties hereto and embodies the entire agreement of the parties, and there are no other agreements, assurances, conditions, covenants (express or implied) or other terms with respect to the covenants, whether written or verbal, antecedent or contemporaneous, with the execution hereof.

C. Written Amendment

Unless otherwise provided herein, this Agreement may be amended only by written instrument duly executed on behalf of each party.

D. Notices

All notices required or permitted hereunder shall be in writing and shall be deemed delivered when actually received or, if earlier, on the third day following deposit in a United States Postal Service post office or receptacle with proper postage affixed (certified mail, return receipt requested) addressed to the respective other party at the address prescribed in Section I of this Agreement or at such other address as the receiving party may have theretofore prescribed by notice to the sending party.

E. Non-Waiver

Unless specifically provided to the contrary in this Agreement, failure of any party hereto to insist on the strict performance of any of the agreements herein or to exercise any rights or remedies accruing hereunder upon default or failure of performance shall not be considered a waiver of the right to insist on, and to enforce by any appropriate remedy, strict compliance with any other obligation hereunder or to exercise any right or remedy occurring as a result of any future default or failure of performance.

F. Assignment

No party shall assign this Agreement without the prior written consent of the other parties. No party shall delegate any portion of its performance under this Agreement without the written consent of the other parties.

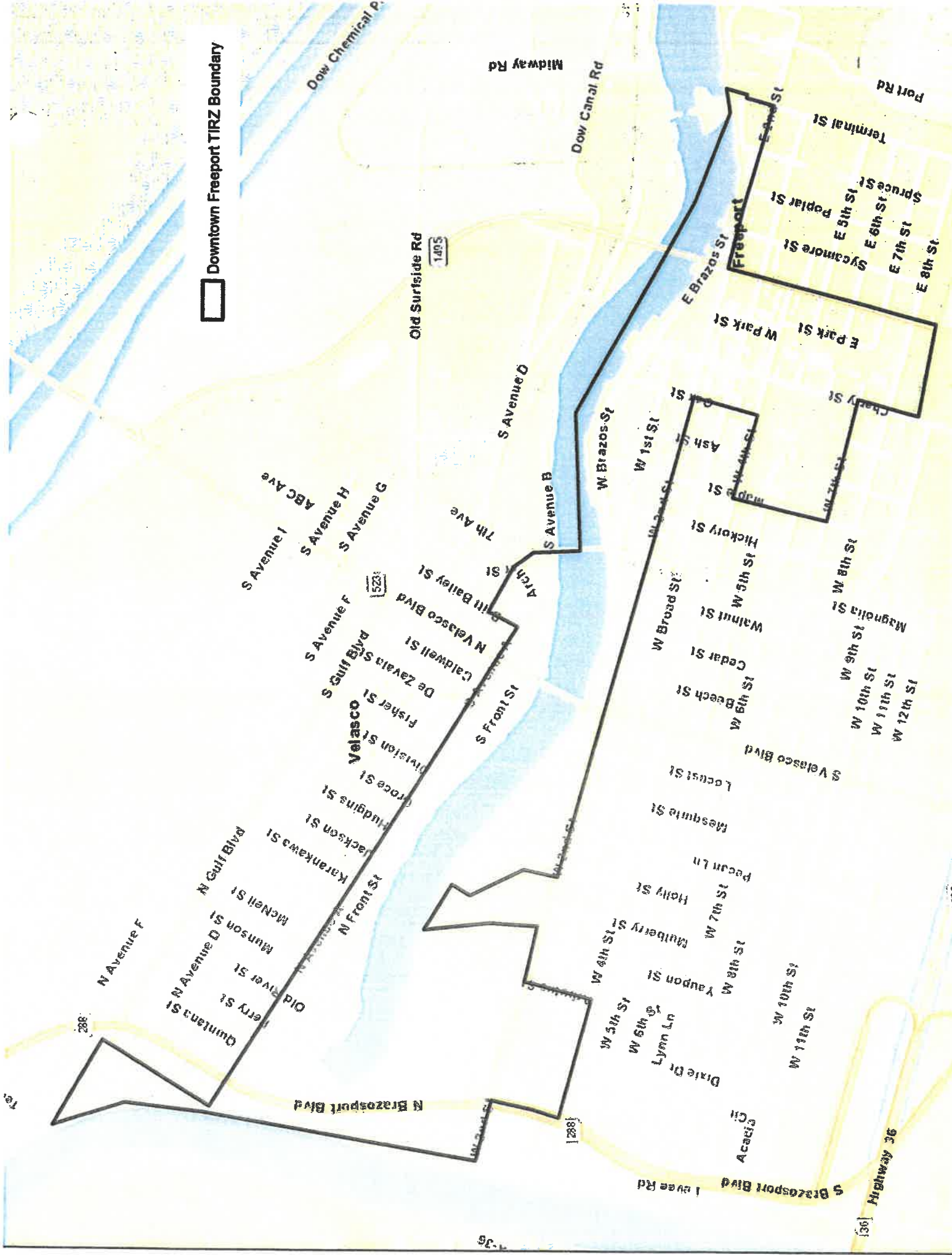
G. Successors

This Agreement shall bind and benefit the parties and their legal successors. This Agreement does not create any personal liability on the part of any officer or agent of the City or of any trustee, officer, agent or employee of the College.

H. No Waiver of Immunity

No party hereto waives or relinquishes any immunity or defense on behalf of itself, its trustees, officers, employees, and agents as a result of its execution of this Agreement and performance of the covenants contained herein.

□ Downtown Freeport TIRZ Boundary





City Council Agenda Item # 9

Title: Discussion regarding 2021-2022 fiscal year Budget.

Date: August 2, 2021

From: Catherine Ezell, Finance Director
Tim Kelty, City Manager

Staff Recommendation:

Staff is seeking additional input and council consensus on the direction the budget is developing.

Item Summary:

This is an additional opportunity for Council to review and comment on or request further changes to the 2021-2022 fiscal year budget.

Two specific items that were brought up, for which consensus is requested, are in regard to additions to the budget of: \$150,000 for levy road widening and improvements at the T-Dock and boat launce on 2nd Street; and \$100,000 for development of additional parking at that location.

Background Information:

The initial draft of the 2021/2022 fiscal year budget was presented to Council the week of July 12th. Staff received initial feedback at the Council Meeting on July 19. A second Budget Workshop was held on July 26th, at which council provided consensus on a number of items, all of which have been incorporated into the budget currently proposed. Those changes added nearly \$600,000 in expenditures, most of which were one-time costs. (\$76,000 for Communications Manager was recurring.)

Special Considerations:

The budget includes an estimate for Ad Velorum tax revenues that reflects an amount 3.5% above a “No New Revenue” rate” On Monday July 26 the City received the certified appraisal numbers from the County Appraisal district which showed almost \$100,000,000 increase in the City’s appraised values. We were told that nearly all of this increase is due to increases in appraised values and not due to new construction.

As a result, it is anticipated that this will cause a significant drop in the Freeport city tax rate. The tax rate will be on the City Council Agenda for discussion and the setting a maximum rate on August 16th. The actual tax rate (which cannot exceed the

maximum rate) and 2021/2022 budget adoption is planned for adoption at the first regular meeting in September.

With these changes incorporated into the General Fund budget, the “Available Fund Balance” projected for the end of the fiscal year stands at \$1,839,514. These are funds over and above the required “25% Operating Reserve” of \$4,097,619. The total year end General Fund fund balance is estimated at \$5,937,133

Financial Impact: To be determined

Board or 3rd Party recommendation: None

Supporting Documentation: New Budget books will be handed out at Council and will be available on the website.



City Council Agenda Item # 10

Title: Consideration and possible action on Resolution No. 2021-2698 amending the Social media usage policy and establishing the position of Communications Manager.

Date: August 2, 2021

From: Tim Kelty, City Manager

Staff Recommendation: Staff recommends council consider approving resolution to amend Section 5.24 of the City's personnel policy manual.

Item Summary: The Resolution amends section 5.24 of the city Personnel Policy manual regarding Social Media. The amendment expands the City's control and exercise of social media by City staff in a strategic way, and identifies the structure for doing so.

The purpose for this amendment is to maximizing the effectiveness of the use of Social Media to improve communication and transparency by the city. Is important that the city, across all departments, conveys a consistent message that reflects the vision and goals of the city. That communication shared with the public needs to be easily found and widely disseminated.

Background Information: In 2020 the City adopted a social media policy that focused primarily on personal use of social media by City employees, with the expressed purpose of protecting the city's reputation and ensuring that employee's social media communications off the job did not reflect negatively on the city.

This proposed amendment includes all the original content, but adds the focus on city-directed communication on various city-controlled social media platforms. Wherein multiple departments may develop individual pages or platforms for communicating on behalf of their own department in addition to General City platforms, all in an organized and managed fashion.

Under this policy amendment all such communications would be coordinated through a newly created Communications Manager, who would be a professional tasked with this coordination among other responsibilities. Sample Job Descriptions for this position were handed out at the last budget workshop and will be redistributed at the Council meeting.

Special Considerations: Staff and Councilman Peña reviewed policies from other cities, and this policy was adapted from the City of Arlington Texas social media policy.

Financial Impact: The implementation cost of this policy would come include the hiring of this position, which is estimated to have an annual cost of \$76,000 and has been included in the proposed budget. However, that individual would benefit the city by being responsible for all aspects of City Communications not just Social Media.

Board or 3rd Party recommendation: This policy adaptation has been developed with input from and on the recommendation of Councilman Peña.

Supporting Documentation: Resolution, Policy, examples of communications manager type positions from other cities distributed separately.

RESOLUTION NO. 2021-2698

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS AMENDING A SUPPLEMENT TO THE EXISTING SOCIAL MEDIA POLICY AND APPROVING ITS ADDITION AS SECTION 5.24 TO THE PERSONNEL POLICY HANDBOOK.

WHEREAS, the City of Freeport and its composite departments utilize various social media platforms to communicate to the general public; and,

WHEREAS, social media platforms provide an excellent resource for communicating the city's various messages and promoting City Services, programs and initiatives, allowing real-time interaction with citizens; and,

WHEREAS, the city desires to improve the efficiency and effectiveness of its use of social media in a way that conveys a consistent and effective message to the public that is inline with the city's mission and goals.

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

Section 1. Social media policy. That the City Council hereby approves and adopts the amendment to the Social Media Policy attached hereto as Exhibit "A" and approves its addition to the Personnel Policy Handbook as section 5.24, a permanent personnel policy of the City, which shall take effect as of October 1, 2021.

Section 2. Communications Manager That the City Council hereby approves of the creation of the position of Communications Manager among whose responsibilities will be the oversight and coordination of the City's Social Media communications.

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

Read passed and adopted the 2nd Day of August, 2021

Brooks Bass, Mayor
City of Freeport Texas

Attest:

Approved as to form:

Betty Wells, City Secretary
City of Freeport

Christopher Duncan, City Attorney
City of Freeport

5.24 Social Media Usage

1.0 POLICY/PURPOSE

The City of Freeport will employ the use of social media Web sites to reach both local citizens and non-local audiences it might not otherwise reach through other Web channels. The City will maximize its use of social media, through a designated Communications Manager, utilizing various social media and websites such as Facebook, Twitter, YouTube, Instagram, and others. The creation of additional pages on such sites by individual City Departments may be created only by authorization of the Communications Manager. All social media sites must adhere to Information Technology's Security Guidelines and some "freedoms" on these sites may be restricted.

2.0 GENERAL PROVISIONS

Information posted to any City of Freeport, Texas social media site must be approved through the same channels as those used for content approved for the City's main Web site and must be consistent with the mission of the City of Freeport's government. For the City's primary social networking sites, such as its Facebook, Twitter and YouTube pages, content will be posted by the Communications Manager in accordance with its practices for disseminating other forms of public information. Typically, that involves securing approval from affected departments (department heads or their designees), and the City Manager. The Web Content Administrator will be directly responsible for that content. Content posted to social media sites may include news releases, approved photos and videos, agendas, announcements, promotional tools, and similar material.

3.0 SOCIAL MEDIA SITE BENEFITS

- Provide an excellent resource for communicating the City's various messages and promoting City services, programs and initiatives.
- Allow real-time interaction with citizens, thus enabling us to better serve citizens' needs.
- Increased efficiency as it pertains to the posting of information, news, events and high-level materials.
- Providing a nontraditional support device to internal departments and divisions for promoting events, partnerships and other City-driven initiatives and opportunities.
- Additional advertising tool for increasing traffic on the City' main site and for City events, tourism and economic development opportunities

4.0 GUIDELINES

- The Communications Manager will create and maintain the City's official Social Media accounts. All account activity will be reviewed by the Communications Manager and uploaded to the account on any primary City pages.

- Under certain circumstances, a City Department may want to create and maintain social media applications/pages that are separate from those maintained by the Communications Manager. Departments are required to get approval from their Department Director, City Manager (CM) and the Communications Manager before implementing departmental specific socialmedia applications/pages.
- Departments must provide specific justification and reasons for maintaining separate social media applications/pages. If approved, the Department Director, City Manager, and Communications Manager will periodically review each application. Those that do not meet the City’s intended goals and objectives may be removed at any time. Some avenues to allow user comments may be turned off, including discussion boards, “walls” and comment sections.
- The Communications Manager shall have full access to all sites both official and departmental pages/applications at all times.
- Unless a social media site has been authorized to accept comments, unofficial or public comments may not be posted.
- If the public is allowed to post comments to a social media account or page, the following posts are inconsistent with the City’s policies and will not be allowed:
 - Obscene or racist content
 - Personal attacks, insults, or threatening language
 - Potentially libelous statements
 - Plagiarized material
 - Private, personal information published without consent
 - Comments totally unrelated to the content of the forum
 - Hyperlinks to material that is not directly related to the discussion
 - Commercial promotions or spam
 - Organized political activity
 - Anyone may become a “fan” of the site. However, individuals who displaying objectionable profile pictures on the City’s social media sites willnot be accepted as “fans.”

5.0 DISPLAY/RETENTION SCHEDULE

In all cases, the retention schedule will be set to expire after the reference value(display time) has been met, but not longer than the original record is kept. Public Information Act retention requirements will be adhered to in all cases for all City and departmental posting.

6.0 PROHIBITED CONTENT

Prohibited content includes political activities, harassing or offensive language or images, endorsements of any product, service or private organization, and commercial and fund-raising activities, except those sponsored or sanctioned by the City of Freeport.

7.0 PERSONAL SOCIAL MEDIA ACCOUNTS

An employee's use of social media, both on-duty and off-duty, must not interfere with or conflict with the employee's duties or job performance, reflect negatively on the City or violate any City policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites. Employees have the right to speak out as private citizens on matters of public concern, so long as the speech does not unduly disrupt the operations or mission of the City. This policy is designing to protect the City's reputation and ensure that an employee's communications not only reflect positively on the employee as an individual, but also on the City. Online behavior, whether on- or off-duty, must not otherwise cause harm to or misrepresent the City or its interests. Harassing, bullying, or demeaning coworkers, or otherwise creating a hostile work environment for any employee through online posting, violates this policy.

The term "social media" encompasses all platforms, including but not limited to: Facebook, Twitter, LinkedIn, blogs, and other online journals and diaries; bulletin boards and chat rooms, microblogging and all other social networking sites, instant messaging and the posting of video on YouTube and similar media.

Use of City's Internet:

Use of the City's Internet is a privilege and City employees must responsibly and ethically use it. The City may monitor an employee's access, use, and postings to the City's Internet to: ensure compliance with internal policies; support the performance of internal investigations; assist management of information systems; and for all other lawful purposes. The City expects all employees to follow the Internet Usage outlined in Section 5.23 and the Social Media Policy outlined below when posting information on the City's Social media sites.

Interpretation in Conjunction with Other City Policies:

This policy should be read and interpreted in conjunction with other City policies, including but not limited to, policies prohibiting harassment, discrimination, offensive conduct or inappropriate behavior. Violations of the Social Media Policy may lead to disciplinary action. The City provides avenues by which employee complaints can be heard and addressed, without resorting to social media.

Use of City's Social Media on Work Time:

Any blogging or posting of information on the Internet or other City social media sites must comply with the City's guidelines outlined in this chapter, regardless of where the blogging or posting is done.

- Blogging, or posting information of a personal nature on the Internet or other City social media sites is prohibited during work hours. Employees are not permitted to engage in social networking of a personal nature while using any of the City’s electronic social media sites.
- No use of social media on work time and on City equipment on City-operated networks is considered private or confidential, even if password protected or otherwise restricted. The City reserves the right to access, intercept, monitor and review all information accessed, posted, sent, stored, printed or received through its communications systems or equipment at any time.
- Never disclose any confidential information concerning another employee of the City in a blog or other posting to the Internet. Posting of confidential information may violate state law and subject the user to criminal penalty. All requests for City documents must be processed through the Public Information Act.
- Employees must abide by all federal and state law and policies of the City with regard to information sent through the City’s Internet.
- Individual supervisors do not have the authority to make exceptions to these guidelines.

Use of Personal Social Media While Not on Work Time:

The City recognizes that many City employees utilize social media when not at work. The City requires that employees be aware of guidelines regarding posting of work-related information on personal social media sites, and they are listed below.

- If the employee’s social networking includes any information related to the City, the employee must make it clear to the readers that the views expressed are the employee’s alone and not reflective of the views of the City.
- Employees are encouraged to act responsibly on and off duty, and to exercise good judgment when using social media. Employees are expected to recognize that postings on their social media site, even if done off premises and while off duty, could have an adverse effect on the City’s legitimate business interests.
- Respect co-workers and the City. Do not put anything on your personal social media site that may defame, embarrass, insult, demean or damage the reputation of the City or any of its employees.
- Do not post photos of yourself or coworkers in city uniform on personal social media sites.
- Do not put anything on your personal social media site that may constitute violation of the City’s Harassment policy. Do not post any pornographic pictures of any type that could identify you as an employee of the City. Be mindful that the City’s harassment policy covers both work and non-work time, including postings on social media sites.

- Do not post inappropriate pictures of yourself or others on your personal social media site containing images of City uniforms or insignia, City logos, City equipment or City work sites.
- Do not post information on your personal social media site that could adversely impact the City and/or an employee of the City.
- Do not permit or fail to remove postings violating this policy, even when placed by others on your social media site.

8.0 DEFINITIONS

- Blogs – Allows authors to submit time-based information expressing work- related insight, direction, status and news.
- Forums – Post content organized by topics, typically in the form of questions and answers.
- Instant Messaging – Real-time communication between two or more people based on typed text. (also known as IM)
- Mashups – Combine multiple, disparate data sources into something new and unique. Allow individual users to create highly customized process and context specific applications, dashboards and portals.
- Microblogs – Blog posts with short messages for short informational alerts posted by people or applications. (Twitter is an example of a microblog application)
- Podcasts – Syndication of audio and/or video content allowing workers to download and listen to and/or view information.
- Prediction Markets – Tap into the wisdom of employees for predicting project or product results.
- Social Networks – Augments the employee directory by allowing employees to add more personal information about themselves and their interests. (Facebook and LinkedIn are examples)
- Text Messaging - the exchange of brief written messages between mobile phones.
- Video Blogging – A form of blogging for which the medium is video. (YouTube is an example)
- Virtual Reality – Allows companies to hold meetings or share knowledge without needing to travel. Each person is represented by his virtual avatar which the participant can control from his local office. (SecondLife is an example)

- Widgets – Downloadable applications which look and act like traditional apps but are implemented using web technologies.
- Wikis – Collect workplace knowledge, facilitate project documentation and bring together user-contributed insight.
- Corporate Wikipedia – Definitions and explanations of industry or company specific terms.



City Council Agenda Item # 11

Title: Consideration approving Resolution No. 2021-2699 Amending the City of Freeport Policy Handbook Chapter 8 – Attendance and Leave Policy adding Section 8.12 Mental Health Leave.

Date: August 2, 2021

From: Cathy Ezell, Finance Director

Staff Recommendation:

Staff recommends approval of the Resolution.

Item Summary:

The City is required to develop and adopt a policy allowing the use of mental health leave by the peace officers who experience a traumatic event in the scope of their employment.

Background Information:

In 2021, the State Legislature, amended Chapter 614, of the Government code. This amendment requires a law enforcement agency to develop and adopt a policy allowing the use of mental health leave by peace officers who experience a traumatic event in the scope of that employment. The policy must provide clear and objective guidelines establishing the circumstances under which a peace officer is granted mental health leave and may use mental health leave. It must also entitle a peace officer to mental health leave without a deduction in salary or other compensation and enumerate the number of mental health days available to a peace officer. This policy has to be adopted by September 1, 2021.

Financial Impact: N/A

Supporting Documentation:

Resolution

RESOLUTION NO. 2021-2699

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS ADOPTING A MENTAL HEALTH LEAVE POLICY FOR PEACE OFFICERS AND APPROVING ITS ADDITION TO THE PERSONNEL POLICY HANDBOOK.

WHEREAS, the City of Freeport values the peace officers working to protect the citizen of our city; and

WHEREAS, among the many risks of harm faced by our peace officers, the City of Freeport recognizes the unique risks posed to the mental health of peace officers experiences traumatic events in the course of their duties; and

WHEREAS, the City of Freeport seeks to create a specific policy to govern treatment and leave with pay to care for our peace officers that experience traumatic events in the scope of their employment for the City; and

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

SECTION 1. MENTAL HEALTH LEAVE POLICY. That the City Council of the City hereby approves and adopts the Mental Health Leave Policy for Peace Officers attached hereto as Exhibit "A" and approves its addition to the Personnel Policy, which shall take effect as of September 1, 2021.

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

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

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

APPROVED AS TO FORM ONLY:

Betty Wells, City Secretary
City of Freeport, Texas

Christopher Duncan, City Attorney
City of Freeport, Texas

Mental Health Leave Policy

(Effective 9/1/2021)

PURPOSE

The purpose of this policy is to provide guidance in following Chapter 614.015 of the Government Code regarding the use of mental health leave for authorized peace officers employed by law enforcement agencies. Mental health leave will support staff in maintaining a healthy state of mind while at work and at home. The City of Freeport recognizes that mental health is just as important as maintaining physical health. The City supports establishing a workplace that is comfortable, healthy, safe and supportive.

EFFECTIVE DATE

This policy is effective September 1, 2021.

SCOPE

This policy applies to all appropriately licensed peace officers employed by the City of Freeport. The Police/Fire Department management will be responsible for communicating and implementing this policy as applicable.

DEFINITIONS

Law Enforcement Agency – An agency of the state or an agency of a political subdivision of the state authorized by law to employ peace officers

Peace Officer – An individual having met all requirements established by law and possessing the necessary licenses under; law having completed the basic licensing course; the state licensing examination; and thereafter having been appointed by Freeport Police Department or Fire Department to serve as an officer.

Scope of Employment – an activity of any kind or character that has to do with and originates in the work, business, trade, or profession of the employer and that is performed by an employee while engaged in or about the furtherance of the affairs or business of the employers.

Identified Traumatic Event – any traumatic event—occurring in the scope of employment—which results in an adverse effect on the mental health of a peace officer resulting in the documented need for mental health leave.

POLICY

The use of mental health leave may be granted after a peace officer experiences a traumatic event during the scope of employment. Traumatic events that may occur within a peace officer's career can have varying degrees of severity and effect on any one individual. Command staff will need to be cognizant of what employees may be experiencing mentally and emotionally after a traumatic event. As soon as practical, it is important to meet with the employee, in a private setting, after experiencing the event to get a sense of the state of mind the employee may be. Each employee may experience the same type of traumatic event differently. Below is a non-exhaustive list of possible examples of traumatic events in the scope of employment that can have an effect on an employee's mental health.

- Any officer involved shooting
- Any investigations by an officer involving deaths of individuals
- Any investigations by an officer involving abuse of individuals
- The death, injury, catastrophic illness of a coworker

When such a traumatic event does occur while in the scope of employment, it is important for management staff to recognize the fact that some employees may be negatively affected and need to be away from work to appropriately process the traumatic incident and perhaps seek mental health assistance from a professional. In addition, it is important to provide support for employees who need it.

Management Responsibilities

Management/supervisors should privately meet with any individual who has experienced a traumatic event while in the scope of employment. Supervisors should ensure the employee will be supported as much as possible after experiencing the event. In addition, it is important for supervisors to determine if there is a need for the employee to use mental health leave. If a supervisor determines the employee may need the advice and help from a crisis intervention professional, this should occur as quickly as possible. Any employee who requests mental health leave and/or the assistance of a crisis intervention professional after experiencing a traumatic event, should be granted the requests. Regarding the mental health leave, it is at the discretion of command staff in determining how long the initial mental health leave should be. If additional mental health leave beyond that initially granted by command staff is needed the supervisor may require medical documentation from the individual's medical provider to substantiate the need for such additional leave.

Employee Responsibilities

After experiencing a traumatic event while in the scope of employment, it is prudent for the affected employee to openly communicate his/her current mental/physical status to their supervisor. Employees should be open to any suggestions by their supervisor in using mental health leave and/or seeking assistance from a crisis intervention professional. Your communications/conversations regarding your health status will be kept confidential by your supervisors and any other need to know management staff as required by state and federal law.

Documenting Mental Health Leave

Once an employee has been granted use of mental health leave, the supervisor will code their timesheets as "absent with pay". The maximum number of mental health days an individual may use is 10 days (80 hours) per Identified Traumatic Event. Any additional leave requested beyond the 10 days, the employee will need to use sick leave or the leave may be determined to be leave covered under worker's compensation. The additional leave requested will also need to be substantiated in writing by the employee's medical professional. In addition, the Chief or City Manager may request the employee submit to a fitness for duty requirement in order to return to work.

Mental health leave may be double-coded as FMLA (FM) as well. When an employee has used all 10 day of mental health leave and must use additional leave as applicable (e.g. sick leave or worker's compensation leave), this other leave will also be double-coded as FMLA leave.

While utilizing mental health leave, employees will continue to earn any and all benefits, seniority and applicable special pays.

Anonymity

The City of Freeport will keep request to take mental health leave and any medical information related to mental health leave under this policy confidential to the extent allowed by law and separate from the employee's general personnel file. The City of Freeport cannot guarantee anonymity of information that is otherwise public or necessary to carry out duties required by law.

Other Mental Health Services/Support Available

A list of mental health facilities available in our area may be obtained from the Human Resource Department.