



**AGENDA
REGULAR MEETING
FREEPORT CITY COUNCIL
MONDAY, DECEMBER 18, 2023 AT 6:00 PM**

Mayor:

Brooks Bass

Council Members:

Jeff Pena

Jerry Cain

George Matamoros

Winston Rossow

Interim City

Manager:

Lance Petty

THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON MONDAY, DECEMBER 18, 2023 AT 6:00 PM, AT THE FREEPORT, POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD FREEPORT TEXAS

This meeting will be live streamed via YouTube Live and may be accessed on the City of Freeport Facebook page: <https://www.facebook.com/freeporttexas> or by visiting <https://www.youtube.com/@cityoffreeporttx8375/streams>

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 for Employee of the Month, for the month of November 2023. **(Lance Petty)**

COUNCIL BUSINESS – REGULAR SESSION:

2. Consideration and possible action on the approval of City Council Meeting Minutes, from December 4, 2023 and December 13, 2023. **(Clarisa Molina)**
3. Consideration and possible action awarding bid proposal Fire Station #2 Apparatus Building. **(Cathy Ezell)**
4. Consideration and possible action on the removal of two board members and liaison from the Freeport Historical Commission & Main Street Advisory Board. **(Ana Silbas)**
5. Consideration and possible action approving Resolution No. 2023-2827 appointing two new members and a new liaison to the Historical Commission & Main Street Board. **(Ana Silbas)**
6. Discussion and possible action of agreed sale price for parcel one and parcel two for \$71,600.00 for Lucy Ware. **(Lance Petty)**
7. Consideration and possible action approving the agreement for a consent to encroachment between property owner Pamela Dancy and the City of Freeport. **(Lance Petty)**
8. Consideration and possible action approving Resolution 2023-2828 designating signatories of City Bank Accounts. **(Cathy Ezell)**
9. Consideration and possible action approving Resolution 2023-2829 amending designated signatories of City TexPool Account. **(Cathy Ezell)**
10. Consideration and possible action approving Resolution 2023-2830 to amend Texas Class authorized representatives. **(Cathy Ezell)**
11. Consideration and possible action to approve the Windstorm Insurance Policy Renewal. **(Cathy Ezell)**
12. Consideration and possible action to approving Ordinance 2023-2714 for Budget Amendment #2 for Fiscal Year 2024. **(Cathy Ezell)**
13. Consideration and possible action approving Ordinance No. 2023-2715 for Budget Amendment #3 for Fiscal Year 2023. **(Cathy Ezell)**

WORK SESSION:

14. The City Council may deliberate and make inquiry into any item specifically listed as a Subsection under the itemized Sections A-H below, an item appearing on the City Council agenda for this meeting, on matters related to community events, or on matters that are not within the jurisdiction of the City for consideration by City Council. The City Council

may not deliberate on any City matters not specifically disclosed under this Work Session or on this posted City Council Meeting agenda. City Council members and the Mayor always reserve the right to request that a matter be placed on a future agenda for consideration.

- 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 Matamoros Ward C announcements and comments.
- E. Councilman Rossow Ward D announcements and comments.
- F. Interim City Manager Lance Petty announcements and comments.
- G. Updates on current infrastructure.
- H. Update on reports / concerns from Department heads.

CLOSED SESSION:

- 15. Executive Session regarding
 - a.) (Deliberations about Real Property) pursuant to Section 551.072, Texas Gov't Code to hear presentation and discuss Velasco School.
 - b.) (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; (Appointment of City Manager-Lance Petty) pursuant to Section 551.074
 - c.) (Consultation with Attorney) pursuant to Section 551.071, Texas Gov't Code to consult with legal counsel in the lawsuit styled and numbered City of Freeport vs Braztex Development, LLC, et.al., Cause No. 120329-CV (149th Jud. Dist. Crt., Brazoria County, Texas)"

COUNCIL BUSINESS – REGULAR SESSION:

- 16. Take any action resulting from Executive Session.

ADJOURNMENT:

- 17. 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.

Clarisa Molina

Clarisa Molina, Interim City Secretary
City of Freeport, Texas



State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, December 4, 2023 at 6:00 PM 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 George Matamoros- Absent
Councilman Winston Rossow

Staff: Lance Petty, Interim City Manager/PWD
Tommy Ramsey, Interim City Attorney
Clarisa Molina, Interim City Secretary
Cathy Ezell, Finance Director
Toby Cohen, IT Manager
Donna Fisher, Human Resource Director
Wade Dillon, Museum Manager
Laura Cramer, GIS
Kacey Roman, Building Official
Jennifer Howell, Police Chief
Robert Johnson, EDC Director
Ana Silbas, Main Street Coordinator

Visitors:	David McGinty	Kenneth Hayes
	Nicole Mireles	Pamela Dancy
	Sam Reyna	Karla Clark
	Con McCleester	Melanie Oldham
	Diane McCleester	Stephanie Perez
	Brianna Reyna	Roy Perez

THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:

CALL TO ORDER:

Mayor Bass called the meeting to order at 6:00P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation and Pledge was led by Councilman Rossow.

CITIZENS' COMMENTS:

Pamela Dancy resides at 313 South Front Street and said she is on the agenda for tonight regarding the issue with her carport. She said her carport was legally permitted 14 years ago. She said the carport and several other ordinances have changed in the last two years. Ms. Dancy said her carport is legally grandfathered in. She said her carport is about a foot in the easement. She said a complaint was filed against her that was by an angry citizen. She said by making this complaint this wasted time and resources on City staff. She said she forgives the people that filed the complaint against her. She said she spoke to her attorney and was willing to sign the agreement tonight, but he called her and said he would like to make a few changes. She asked if this item could be tabled, and she would send the changes directly to the City Manager and to David Olson the City Attorney, by the end of the week.

Manning Rollerson said he was raised in Freeport. He said leadership is transparency, integrity and honesty. He said for the last four years there has been no leadership, no integrity and no honesty. He said this all played out in the newspaper. He said the Council is not concerned about what the citizens have to say in the first place and it shows. He said his great-grandmother's mother was a Mandingo slave and her husband was a Cherokee Indian, so when sarcastic things are said based on race, he takes that to heart, because he knows who he is, where he comes from. He said the letter sent to the City Manager by Olson and Olson should be addressed because he will make this a racial issue. He said no one has his skin color or was born the race that he was born to address the issue. He said everyone that is tied up in the \$345,000, Braztex LLC and Raymond Garivey need to resign. He said it can not be said that Kelty had the best thing in heart for the citizens of Freeport when all we have had is every city manager for decades stole from the City and every leader misled the citizens of the city.

Sam Reyna resides at 2002 North Avenue G and said the reason he is there today is the \$345,000 and one council member said it was a mistake and another council member said he thought the City Manager was doing a good job. He said he wanted to address Councilman Ward D, who said this was a mistake. Mr. Reyna said this was not a mistake, it was a blunder, \$345,000 is not a mistake. He said the City Manager and Building Official made mistakes with citizens that were trying to open up businesses. He said the businesses had to spend thousands of dollars. He said one of the citizens that was trying to open up a business spent \$50,000 before she got a permit to start work. Mr. Reyna said to Councilman Ward D this was his cousin Cassandra. He said he did not have to believe him, but he had her phone number and after the council meeting tonight he could give him her number and Councilman Ward D could give her a call to see what the City Manager and Building Official did to her, so he could find out first hand. Mr. Reyna said, as for the city Councilman who thought that Kelty was doing a good job, he said Mr. Kelty put up a red flag when he started the TIRZ. He said, as to the property taxes, the city council governing body is supposed to give an annual report of property taxes being from the TIRZ. He said there has never been an annual report given. He asked if there are mistakes or what is being covered up. Mr. Reyna said the City Manager and Building Official have spent a lot of tax money. He said he is willing to meet with people and show documents to prove the damage the City Manager and Building Official have done. He said he put in for an open records request and the information he received back was mostly redacted.

Wade Dillon Museum manager for the Freeport Historical Museum said he wanted to invite the public to the grand reopening of the Freeport Historical Museum on January 4, 2024, at 2:00P. M. there will be a ribbon cutting. He invited everyone to celebrate the achievement of the museum's restructuring and celebrate the coastal history.

Karla Clark resides at 411 Sailfish said in 2023 the City of Freeport opted not to set the tax rate add to a no new revenue tax, as the legislature had approved, and instead, the Council approved a six cent cut in the tax reduction which decreased it, but with the increased increase, the city would still receive a considerable amount in tax revenue increase. She said the City is now the highest taxes she has paid, even more than the ISD along with the increase in water fees. Ms. Clark said it was her hope the Council would budget these funds wisely, but so far they have not. She said there have been allocated funds for a new kitchen, money given to the Main

Street board, a plan for UTSA and also a plan to revitalize city parks. She said the City needs to repair the water, sewer, street and City Hall renovations. Ms. Clark said the health of the people working at City Hall needs to be considered. She said on the parks project she understood there were going to be outside public donations from industry and those were not done in the budget. She said in the past times it should have been learned through Pynes, Garivey, Brimage and Kelty that the money needed to be watched closely. Ms. Clark said not only are funds being lost that have been going out, but attorney fees are large for all the lawsuits that are being done. She said the tax dollars are not going to the public. She said the public is the people the Council needs to benefit as a City Council. She said she would think an independent audit would be done on City funds. She said it was allowed for the City Manager to use the funds, budget, and make amendments to the budget, and she said all of this is games played with money even with the \$9 million that was received from the Port. She asked where is that money at? She said this should have been in one account to know where that money was being used because \$4 million would have to go back to the Port. She said she believes the Council is not representing the constituents and the public as they should. She said things need to be done in the sewer, water, and street departments, not parks, kitchen, or a plan to write for urban renewal. She said hardcore improvements are needed.

PRESENTATIONS/ANNOUNCEMENTS:

Presentation for Employee for the Month, for the month of October 2023.

Interim City Manager Lance Petty presented Employee of the month for the month of October 2023 to Museum manager Wade Dillon.

CONSENT AGENDA:

Consideration and possible action on the approval of City Council meeting minutes from November 20, 2023 and November 21, 2023.

Consideration and possible action approving date change for the first and second City Council Meetings in January 2024 to January 8, 2024 and January 22, 2024, due to the News Years and Martin Luther King, Jr. Holidays .

A motion was made by Councilman Cain to approve the Consent Agenda, seconded by Councilman Rossow with all present voting "Aye" 4-0 council unanimously approved the Consent Agenda.

COUNCIL BUSINESS – REGULAR SESSION:

Consideration and possible action amending Resolution No. 2023-2826 of the City of Freeport Policy Handbook revising supplemental policy and procedures for a Drug-Free workplace.

Human Resource Director Donna Fisher said the policy and procedures for a drug-free workplace are a supplement to the personnel policy manual that was adopted effective October 1, 2002. She said they have not been updated or amended since then. She said this amendment would bring the City in line with the search and seizure provisions of the fourth amendment to the United States Constitution. She said private employers have the ability to randomly drug test any employee, but governmental entities are more restricted by the search and seizure provisions of the Fourth Amendment. Ms. Fishe said the primary reason a City might be able to randomly drug test an employee is when the employee performs safety-sensitive or security-sensitive duties.

Councilman Pena asked if there have been any new controlled substances that have been added to the list since 2002? Human Resource Director Donna Fisher said the City contracts with the lab, and she believes they have either a 10 or 12 panel list they check for. Councilman Pena asked how fast people have to respond to a random test? Ms. Fisher said within four hours of the time they are given the notice. Councilman Pena asked what the

penalty is for failure to pass any of the test? Ms. Fisher said the penalty according to the policy is termination. Councilman Pena asked if there is an appeal process for employees? Ms. Fisher said there is always a grievance policy that any terminated employee can take advantage of. Councilman Pena asked if the termination was effective immediately if tests are failed? Ms. Fisher said yes normally.

A motion was made by Councilman Cain to approve amending Resolution No. 2023-2826 of the City of Freeport Policy Handbook revising supplemental policy and procedures for a Drug-Free workplace, seconded by Councilman Pena with discussion that followed.

Karla Clark asked how employees are selected to be randomly chosen? HR Director Donna Fisher said it is computer generated by the lab that does the testing. Ms. Fisher said a list of employees is submitted, and she is sent a list once a quarter of employees to random.

Mayor Bas called the motion to a vote, with all present voting "Aye" 4-0 council unanimously approved the motion.

Consideration and possible action on Second Reading and approval of Resolution No. 2023- 2824 of the support of developing downtown master plan and historic district design guidelines.

EDC Director Robert Johnson said this is the second reading of Resolution No. 2023-2824 which is the EDC identified design guidelines project as an economic development project it would like to consider for funding in the 2023-2024 fiscal year. He said, because of its nature, it is required to have City Council approval following two readings. He said this was unanimously voted upon by the EDC board and the board agreed this would be a worthwhile project to help the City with the design guidelines project.

Mayor Bass read the second reading of Resolution No. 2023-2824 of the support of developing downtown master plan and historic district design guidelines.

A motion was made by Councilman Cain to approve Resolution No. 2023-2824 of the support of developing downtown master plan and historic district design guidelines, seconded by Councilman Rossow with discussion that followed.

Councilman Cain said EDC Director Robert Johnson is fairly new and appreciates what he is doing. He said several studies have been done in the past and encouraged the EDC to take the information they gain from this and act upon it.

Mayor Bass called the motion to a vote, with all present voting "Aye" 3-1, motion passed. Councilman Pena voted "Nay".

Consideration and possible action on Second Reading and approval of Resolution No. 2023- 2825 of renovations to FMP kitchen.

EDC Director Robert Johnson said the EDC has identified the Freeport Municipal Park kitchen improvements project as an economic development and quality of life project and would like to consider funding in the 2023-2024 fiscal year. He said, because of its nature, it is required to have City Council approval following two readings. Mr. Johnson said this is the second of the two required readings. He said the estimated cost of the renovations is \$40,000 and at its meeting on November 14th the EDC voted unanimously to support the City's effort by contributing 50% of up to \$20,000. He said the improvements at the park are type 1 hood vent with a fire suppression system, commercial grade kitchen appliances, prep tables, handwashing sink, under-sink grease trap, mop sink, solid ceiling in the kitchen area, new gas lines that run to the new gas appliances, and upgraded electrical service.

Mayor Bass read the second reading of Resolution No. 2023-2825 of renovations to FMP kitchen.

A motion was made by Councilman Cain to approve Resolution No. 2023-2825 of renovations to FMP kitchen, seconded by Councilman Rossow with discussion that followed.

Councilman Pena asked if the EDC had been involved in the development of the plans for the kitchen? EDC Director Robert Johnson said no, they were told that these improvements were needed.

Councilman Pena asked if there was not a grease trap there before, why is one being added and is that going to be required? Interim City Manager Lance Petty said Code Department Ms. Roman went and did an inspection of the building to make sure it was up to code. Mr. Petty said the list of items that needed to be replaced to bring that up to code for the kitchen are all the items that she requested to be replaced, and it does require a grease trap under the sink, but everything on the list is what was provided by the Building Official. Councilman Pena asked if there is a grease trap under the sink in any of the restaurants in Freeport? Mr. Petty said yes. Councilman Pena asked if there was a list of restaurants that have a grease trap underneath the sink. Mr. Petty said the Building Official Kacey Roman could pull this list for him. Councilman Pena said he was not aware of any restaurants having an under the sink grease trap, which is why he asked. He said most of the ones he has heard of have been underground, outside, or above ground, but certainly on the exterior of the restaurant space.

Councilman Pena asked what kind of use we are expecting going forward beyond the use that we have now and was wondering if the EDC was provided with any numbers and figures for projections in terms of usage going forward? EDC Director Robert Johnson said no and was told the usage of the kitchen would increase and make the kitchen up to code.

Councilman Pena asked if the kitchen had not been used because it was not up to code? Interim City Manager Lance Petty said it is not rented out because it is not up to code. Councilman Pena said he thought it was not rented out because it was dilapidated. Mr. Petty said no, and it was stopped being rented out when he had it inspected.

Mayor Bass called the motion to a vote, with all present voting "Aye" 3-1, motion passed. Councilman Pena voted "Nay".

Consideration and possible action to rezone from C-1 (Retail Business) to MF (Multiple Family), a part of the 1100 Block of N Ave J, and a part of the 1100 Block of N Ave I, including properties noted in the Brazoria County Appraisal District as Property ID #'s: 261265, 261271, 261269, 261264, 259610, 259608.

Building Official Kacey Roman said there will be a lot of developments that will be going to the Council. She said the owner of Bottom Dollar Carpet will be developing this area with the intent of building a large apartment complex. She said this is Phase 1, and he will be coming back before the Council to purchase a street right of way and do other things. She said Mr. Morgan is requesting the zone to be changed from C-1 to MF which is Multi Family use, and that would be a continuation, and it would not be a spot zoning. She said he wants to purchase more of the area but at this time he only wanted to request a rezone, so he could get started.

Mayor Bass asked if this went to Planning and Zoning? Building Official Kacey Roman said yes on November 28 the Planning and Zoning voted to approve the rezone.

Councilman Cain asked how many units Mr.. Morgan planning on? Building Official Kacey Roman said a minimum of 100 and is thinking of a multistory of age 55 and up, but he has several ideas he is working with engineers on.

Councilman Pena asked if there was any kind of impact study that was performed that was presented to the Planning and Zoning Commission? Building Official Kacey Roman said no she does not believe there were any impact studies. Ms. Roman said he is working with Baker and Lawson because there were concerns about possible drainage issues. She said this would be part of his presentation to the Council when he comes back for the street right of way. Councilman Pena asked what the expertise of Baker and Lawson is? Ms. Roman said

they were engineers. Councilman Pena asked if Freese and Nichols would be used since they have a better understanding of the drainage system? Mayor Bass said Baker and Lawson have been here for a long time and have done a lot of work for the City. Councilman Pena asked if there will be any impact studies of sewage as it relates to the water and water pressure that might be impacted? Ms. Roman said he is working on all the development, and she has not seen any development plans. She said if the rezone is not approved, he can not go forward with the project, and he did not want to spend the money until he knew the rezone was approved. Councilman Pena said he is trying to figure out if there is a way to have a contingent on those studies being viable versus being detrimental or, for that matter, taxing. Ms. Roman said the building permit would not have been approved if he was going to be required to have those engineering in place before the approval of the development of the property. Councilman Pena asked if this would potentially be Senior Living? Ms. Roman said yes. Councilman Pena asked if there would be elevators? Ms. Roman said yes, he mentioned there would be if it was a for 55 and up. Councilman Pena asked if the units would be for rent or sale? Ms. Roman said for rent.

A motion was made by Councilman Pena to approve rezone from C-1 (Retail Business) to MF (Multiple Family), a part of the 1100 Block of N Ave J, and a part of the 1100 Block of N Ave I, including properties noted in the Brazoria County Appraisal District as Property ID #'s: 261265, 261271, 261269, 261264, 259610, 259608, seconded by Councilman Rossow with all present voting "Aye" 4-0 council unanimously approved the motion.

Consideration and possible action approving the agreement for a consent to encroachment between property owner Pamela Dancy and the City of Freeport.

Tommy Pearson at 110 South Front Street said on this encroachment it is his opinion that the Council should get the Board of Adjustments to look into this and get their opinion on it. He said to his understanding the City spent \$600 to \$700 on a survey to find out if the carport is actually on City property. Mr. Pearson said why spend the money if nothing would be done about this.

A motion was made by Mayor Bass to table this item, seconded by Councilman Cain.

Consideration and possible action on approval of the sale of property located in the 200 Block of South Avenue I, (Velasco Townsite, Block 70, Lot 11)

GIS Laura Cramer said the City was contacted by a property owner requesting to purchase a piece of property that is owned by the City a 25-foot parcel. She said the owner owns the property adjacent to it. She said the owner had submitted his broker's opinion value and a survey, and it was valued at \$500.

Mayor Bass asked if this was a fair offer? GIS Laura Cramer said yes.

Councilman Pena said he is curious why an appraisal from a prospective buyer of City property is being accepted when, in the past, the City has drawn their own appraisals. GIS Laura Cramer said it has always been the potential buyer to reach out and get the broker's value or the City does it and then charge them for it. Councilman Pena said he has seen other appraisals come through for the City in the last year and still required the City to have done our own, and he would like to see that. Councilman Pena said he is not sure about the value of \$500 for a 25-foot-wide lot when there are other 25-foot lots throughout the City in all various locations and none of them are being sold at that price. GIS Laura Cramer said Mr. Flaniken is a local relator, and she believes it is an impartial party and values as he sees it. Councilman Pena said he would like to see a professional appraisal done on this versus BPO. He said they are a lot stronger and more comprehensive.

Mayor Bass said to GIS Laura Cramer to call the property owner and tell them Councilman Pena and the Council want an actual appraisal done.

GIS Laura Cramer asked if this is what is planned on having to do in the future? Mayor Bass said he did not know.

Stephanie Perez at 2523 South Avenue I said she is the owner of the properties and wants to purchase the other piece of property to complete the square for her property. She said the property is overgrown, and it backs up to a drainage ditch. She said this property serves no one purpose except for her. She said she wants to clean it up as it is a mess and would like to take care of it. She said she was advised by Ms. Cramer to get an appraisal on the property. She said the property was surveyed, and she paid for everything. Ms. Perez said for \$500 this property is a lot.

Karla Clark asked if the other lots are usable?

Manning Rollerson said Ms. Perez already owns the property around it and what sense would it make to sell it to anybody else. He said the City has an ordinance that anybody that lives adjacent to any of the properties that goes up on tax sales they have the opportunity to purchase first.

Mayor Bass said he agrees with Mr. Rollerson but this is Councilman Pena's request to have this appraised through an actual appraisal not through Greg Flaniken as an informal appraisal as Greg has done and which had been relied upon for a long time.

Councilman Pena said with any property in the City the City should lean forward in wanting to make sure development is promoted and improvements, whether that is just cleaning the lot and cutting the grass or for that matter, building upon it. He said he wants to make the City get the highest values of all of its properties.

Nicole Mireles said she agrees with what Mr. Rollerson said. She said some of the Council are adamant about all the misuse of funds, but the City is going to spend more taxpayer money to do an appraisal. She said the Council needs to start thinking of the citizens.

Councilman Cain asked where is the drainage ditch? GIS Laura Cramer said it is a dead end road, but it looks like it is on the side of it. Councilman Cain said it looks to him like it is a 25 foot lot that would benefit no one other than the owners right next to it. He said he does have a concern about selling 25-foot lots for \$500 that are not in this situation.

A motion was made by Councilman Cain to sell the property located in the 200 Block of South Avenue I, (Velasco Townsite, Block 70, Lot 11), seconded by Councilman Rossow with discussion that followed.

Councilman Pena said it was mentioned this was going to cost the City more, but it actually is not. He said this is an expense that gets passed on to the intended buyer. Councilman Pena said what should be done is establish how it would be operated when it comes to City assets and City property. He said there was a property not too long ago that was no use for anybody else and for that matter, backed up but to the owner. He said there have been two properties and two different owners in the last year and this situation came up, and the claim then was, this is good for nobody else, but it was still City property and in both examples of that the right thing was done and asked for an appraisal. He said the market value was received instead of the BPO and the City's appraisal. Councilman Pena said this was the most responsible thing to do to make sure the city's assets were secured, protected and maximized. He said the first question should be whether the City is getting its bottom line first, and it is being done responsibly. Councilman Pena said if this is passed this way, the same residents can come back to the next meeting and say it was only good for them, why doesn't the Council go back to the original BPO and the original appraisal and that is the risk that should be avoided.

Mayor Bass said Greg Flaniken has been used for years and thinks his opinion has merit.

Mayor Bass called the motion to a vote, with all present voting "Aye" 3-1, motion passed. Councilman Pena voted "Nay".

WORK SESSION:

The City Council may deliberate and make inquiry into any item specifically listed as a Subsection under the itemized Sections A-H below, an item appearing on the City Council agenda for this meeting, on matters related to community events, or on matters that are not within the jurisdiction of the City for consideration by City Council. The City Council may not deliberate on any City matters not specifically disclosed under this Work Session or on this posted City Council Meeting agenda. City Council members and the Mayor always reserve the right to request that a matter be placed on a future agenda for consideration.

Mayor Brooks Bass announcements and comments.

Councilman Pena Ward A announcements and comments.

Councilman Pena thanked everyone that attended the meeting. He thanked the Main Street Board for the Holiday Market the past weekend despite the weather. He thanked Mr. Petty for getting all the lights for the full month of December. He said Downtown looks great, and has heard compliments from residents that have gone Downtown to visit. Councilman Pena said he wanted to mention a special meeting coming up on the 13th of December.

Councilman Cain Ward B announcements and comments.

Councilman Cain said he also wanted to thank everyone that attended the meeting. He said he would like to congratulate Mr. Wade Dillon for what he has done with the museum. He encouraged everyone to go to the museum. He said the transformation Mr. Dillon has done at the museum is nothing short of incredible. He also encouraged everyone to go to the grand reopening.

Councilman Matamoros Ward C announcements and comments.

Councilman Rossow Ward D announcements and comments.

Councilman Rossow said Ward D is doing good. He said he appreciates everyone that went to the Thanksgiving meal at the Riverplace. He thanked all the workers, cooks and donators that gave money for this event. He thanked Mr. Lance for filling in. Councilman Rossow thanked everyone that attended the meeting. He said he is getting to know people.

Interim City Manager Lance Petty announcements and comments.

Interim City Manager Lance Petty said phase two of the road replacement program started pouring on Avenue G today and are also working on the sidewalks on Cedar and replacing the crack driveways that were on 12th Street and tying in the sidewalks. He said they will be rounding out phase two hopefully by the end of the year. He said the Wastewater Collection line replacement is working on base bid windows number five and six of fifteen. He said at the moment they are in the location of Mystery Harbor to Gulf Boulevard from 288 to Karankawa. Mr. Petty said the waste water treatment plant update is the GLO confirmed a reduction in scope that is not directly funded by the grant funds not to exceed 25% of the total project cost that is allowable. He said Freese and Nichols are looking at options for reduction in scope to be able to present it to the Council to see if the scope will be reduced. Mr. Petty wanted to remind everyone of Holiday on the Brazos on Thursday at 6:00P.M. and the forecast would be snow.

Updates on current infrastructure.

Update on reports / concerns from Department heads.

Report from Chief Howell on:

- Park Hours

- Alarm registration program

Chief of Police Jennifer Howell said the current City ordinance states only Arrington park has a curfew on it from 10:00P.M. to 6:00A.M. She said she has been discussing with Mr. Petty the possibility of changing the

ordinance to where it reflects all the parks to have that curfew with the exception of having a clause for as far as if there is any type of rentals going on and nighttime fishing. She said this is something she thinks would help with the law enforcement stance. Chief Howell said there has also been an increase in complaints regarding the homeless population and people trying to go to the park and not feeling safe because of the camp sites that are being set up. She said she was looking for feedback from the Council and what their thoughts are as far as making the ordinance across all the parks. Mayor Bass said he thinks this is a good idea. Chief of Police Jennifer Howell asked the Council if they want her to go ahead and look at this ordinance and explore with Olson and Olson? Mayor Bass said yes. Councilman Pena asked what the preliminary solutions are for the homeless community? He said outside by the root beer stand there are probably half a dozen homeless people. Mayor Bass said to talk about the homeless at another time and the park hours are being talked about right now. Chief of Police Jennifer Howell said the homeless topic is something that will be brought back to the Council later. Councilman Pena said if possible he said he would like to see a comprehensive solution. Chief Howell said a lot of cities have a type of alarm ordinance. She said it primarily becomes an issue with business getting alarm calls over and over and the business not resolving a problem with their alarm system and them not resolving it. She said a lot of cities have set up, as the business gets so many warnings per say a month or quarter and if it continues, it winds up being a citation to that business. She said there has been a problem with business that are just not getting with their alarm company and that just utilizes a lot of police resources. She said when an alarm call is received, multiple officers are sent to the call because it is never known if it is an actual break in. Chief Howell said she would also like feedback from the Council on having an ordinance set up. Mayor Bass asked if the business was being charged? Chief of Police Jennifer Howell said not right now. Mayor Bass said there needs to be an ordinance. Councilman Pena said to Chief of Police Jennifer Howell that any resolution there is or proposal for it to be civil, humane, and kind. Chief Howell said they will look at other cities and see what they have.

Mayor Bass said Facebook is the devil but some people like to play with the devil, and they like to get on the devil, and they like to talk and like to speak, and they must like to hear themselves talk. He said this is what he has been seeing and hearing, not from himself looking at it. He said, unfortunately, he has friends that will send him comments from certain folks on the Council. He said he thought you used to just let people go and let people go, and maybe they talked themselves out, but this fella just keeps going like the Energizer bunny. Mayor Bass said the Councilman said the Mayor was scared and did not want to be at the special meeting. Councilman Pena said he was just passing the word on from the citizens. Mayor Bass said he wants to tell the citizens of Freeport where he was on Tuesday night because he did not set the agenda and was not asked for this meeting to be held. Mayor Bass said he had a prior commitment to a hunting trip set up with his brother's Mike and Bo and Bo has pancreatic cancer and is real ill. Mayor Bass said this was set up two months in advance to go hunting. Mayor Bass said he was not running away from his obligation because he is going to meet his obligations. He said this is the truth that it is not some half-baked, made up by a poor fella that thinks the world is after him. Councilman Pena asked if the Mayor would go back to October 16th and diverge everything he knew then? Mayor Bass asked if the fella would go back and change it? Mayor said no he would not. Councilman Pena asked if he would continue to cover up? Mayor Bass said, does he keep speaking out of his mind? Mayor Bass said he would put on the agenda about the alleged assault to get it out once and for all. Mayor Bass said it is necessary to refute some of the things Councilman Pena says on Facebook. Councilman Pena asked if Olson and Olson were condemning this because of agenda language and speech because he had been cut off. Interim City Attorney Tommy Ramsey said the things the Mayor is talking about where he was at the meeting are not things under the city's jurisdiction or control. Mayor Bass said Councilman Pena also said he must use his money he gets to buy a three-piece suits. Mayor Bass said he has not worn a three-piece in a long time and takes objection strongly to that point and more to come.

A motion was made by Councilman Pena to have additional security in executive session to make sure the rest of Council is safe and especially himself, since he has a history of being attempted assaulted and being threatened. Motion died due to lack of a second.

A motion was made by Mayor Bass to include Lance Petty into executive session, seconded by Councilman Pena with all present voting "Aye" 4-0 council unanimously approved the motion.

CLOSED SESSION:

Executive Session regarding; (Consultation with Attorney) Potential Litigation

a. City Hall Remodel

In accordance with Texas Government Code Annotated, Chapter 551, Sections 551.071.

The regular session closed at 7:06PM and Council entered into Executive Session.

COUNCIL BUSINESS – REGULAR SESSION:

Take any action resulting from Executive Session.

Executive Session ended at 7:21PM and Council entered back into regular session.

A motion was made by Mayor Bass to have Olson and Olson send a letter of intent to terminate the contract with Covarrubias, seconded by Councilman Pena with all present voting "Aye" 4-0 council unanimously approved the motion.

A motion was made by Councilman Pena to request an investigation on the Covarrubias contract as it was voted on June 5th.

Mayor Bass said this is not a proper motion for this agenda because it is not on the agenda. He said, however, he assumes the course that is taken will include that.

ADJOURNMENT:

Adjourn

A motion was made by Councilman Cain to adjourn the meeting, seconded by Councilman Rossow with all present and voting "Aye" 4-0. Mayor Bass adjourned the meeting at 7:22PM.

Brooks Bass, Mayor

Clarisa Molina, Interim City Secretary

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Wednesday, December 13, 2023 at 6:00 PM 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 George Matamoros
Councilman Winston Rossow

Staff:

Tim Kelty, City Manager
Lance Petty, Interim City Manager/PWD
Loren Smith, Interim City Attorney
Clarisa Molina, Interim City Secretary
Cathy Ezell, Finance Director
Toby Cohen, IT Manager
Donna Fisher, Human Resource Director
Kacey Roman, Building Official
Chris Motley, Fire Chief
Jennifer Howell, Police Chief
Hope Bullman, Code Enforcement Officer

Visitors:

Sandra Wood-Wicke	Pamela Dancy
Kenneth Hayes	Karla Clark
Nicole Mireles	Michelle Backman
Sam Reyna	Troy Rivers
Kevin Henry	Tommy Pearson

THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:

CALL TO ORDER:

Mayor Bass called the meeting to order at 6:00P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation and Pledge was led by Councilman Rossow.

CITIZENS' COMMENTS:

Michelle Backman resides at 1833 Acacia Circle. She said she was thankful for being given the opportunity to speak. She said she had a concern about the City Manager. She said this was not a mistake and the City

Manager should be held accountable for each citizen and business owner because he is over the City. She said every person that has come in has taken something from Freeport. She said the Council was voted in to protect the citizens and help fulfill the dream and vision for the City of Freeport. She said it was time for change. She told the Council to get away with the foolishness because everything that is done comes back, either good or bad.

Manning Rollerson said five years ago the Council had issues with Raymond Garivey, issues with Braztex LLC that are still not solved, issues with Mr. Brimage's family running City Hall, and now issues with the City Manager and \$345,000 that the City gave an okay for the contract. Mr. Rollerson said no work had been done that is supposed to be done in City Hall and every member that is in City Hall is going to get sick, and the City is going to be held accountable because the building is poison. He said Mr. Kelty is responsible for the day-to-day workers of the City and has the responsibility to pay our bills. He said the Council gave him all the power to be able to do that. He said if \$354,000 can not be retained it is time to go because the same issue happened with Jeff Pynes. He said there was also another issue with a previous City Manager who went to Clute for about \$8,000. Mr. Rollerson said the problem the City of Freeport has is that the governing body is not paying attention to what is going on in City Hall. He said the Council is too busy fighting and allowing things to happen. He said Kelty has dirt on all the Council and that is why this is being allowed to happen. He said Kelty needed to go and there was no excuse for that. He said he couldn't explain where the money was at and could not get it back. Mr. Rollerson asked why doesn't the Council write him a check for a million dollars that he does not have to pay back? He said it was because he is a citizen that pays taxes.

Karla Clark resides at 411 Sailfish. She said as the others before her had said about what had happened in the past. She said the Council is elected and depended on it to protect the monies that are funded in the City. She said a lot of money goes through the City and said the Council is pretty much aware of that. She said they are no friends and there is only oversight and that is what every council member should be doing. She said for the Council to check everything. She said if the Council knew about this before and did not tell the citizens, then that non-transparency was not fair to the citizens. Ms. Clark asked how much money had been lost? She said when money is just thrown away or let it slip through the hands, this does not do any good to the residents or constituents. She said this has to stop now and oversight has to be the number one goal. She said internal investigations regularly and randomly. She said for the Council to hire an independent company at any time should be able to go in and balance those books.

Sam Reyna resides at 2002 North Avenue G. He said City Manager Tim Kelty sent Mayor Johnson in Nacogdoches a letter. He said the letter said to accept the letter and attached resume for consideration in the City search for new City Manager. Mr. Reyna said in the letter that stated accountability is the key and, as leader, he understands he is held accountable for the community and performance and decisions of himself and those that he managed. He said this letter was sent to Mr. Johnson on June 14, 2023. Mr. Reyna said on July 19, 2023 Mr. Kelty negotiated a \$1,085,000 contract for renovations of City Hall with contractor Covarrubias. He said a week later on July 26, 2023 Mr. Kelty made an unauthorized payment to Covarrubias of \$345,000 that is one third of a million dollars because Covarrubias explained there was a seven-month lead time for large equipment needed to complete the renovations. Mr. Reyna asked if Mr. Kelty was that easily persuaded to release that money? He said as Mr. Kelty stated to the Facts as City Manager he alone is responsible for the errors and is working hard to resolve them either by ensuring the contract faithfully fulfilled the terms of the contract or seeking the recovery of funds paid. Mr. Reyna said Mr. Covarrubias will not fulfill the terms of the contract because the contract has been terminated. He said the ball is in Covarrubias court and his opinion the money will not be returned. He said Mr. Kelty made a statement at the EDC meeting on May 11, 2023 that said you don't always contract with the lowest bidder but take into consideration the most qualified. Mr. Reyna asked Mr. Covarrubias was the lowest bidder but was he the most qualified? He said Mr. Kelty thought so otherwise he would not had made the statement to the EDC. He asked what if Mr. Kelty would had been hired as City Manager of Nacogdoches? Mr. Reyna said the \$345,000 dilemma would not had been his problem. Mr. Reyna asked why Mr. Kelty has had short term employment with other cities? He asked is he being fired or is

he quitting? Mr. Reyna said Mr. Kelty should be terminated and told the Council to make the right decision. He said Mr. Kelty and Building Official have caused a lot of problems and wasted a lot of tax payer money.

Kenny Hayes resides at 414 Mystery Harbor. He said he wants the Council to remember the City is better off now than it was before Mr. Kelty came to the City. He said Mr. Kelty has done a lot of good things here. He said the streets are better and drainage is better. Mr. Hayes said the one council member that had been fighting Mr. Kelty since day one, has called every council member names and everything and is trying to crucify Mr. Kelty. He said this council member is the joke. Mr. Hayes said Mr. Kelty is doing a good job for the City.

Pamela Dancy resides at South Front Street. She said she hates this tonight and has some empathy for the City Manager but at the same time he made a choice and followed through with it. She asked the Council who loses here, the one man or the 12,000 people in Freeport? She said she hates it for his family, Freeport and for him and is an embarrassment for all. She said the required bond was not there in order to protect the City and the money was released without that which was a huge bad decision that he made. She said the issue is the decision was made and that is lost not only with attorney fees but the \$345,000 is gone. She said there is more people to consider instead of just Mr. Kelty and that is the residents. She said anybody that comes to Freeport think they can get away with doing things that are eventually not right or making wrong decisions because they will be protected. She said doing things over and over and expecting different results nothing ever changes. Ms. Dancy said she hopes the Council puts principles before personalities.

Troy Rivers resides at 12877 Coronado Drive. He said he is in support of the removal of City Hall staff that were involved. He said he wants them investigated. He said the captain of the ship is the Mayor and if his ship sinks he should go down with the ship. He said he does not see the Mayor leading in a way he should and does not believe he is. He said the Mayor should be leading with an investigation, naming names, and looking at himself. Mr. Rivers said the Mayor is the leader and to hold himself accountable. He said this was either illegal act or incompetence and either way people have to be held accountable. He said every procedure is either written down as a policy or law and if someone did not read it, it is their fault and it is on them. He said an amateur move was going with an unbounded contractor. He said the City does not want amateurs but instead professionals. He said the main thing is the staff and Mayor needs to be held accountable. He said there should be an investigation and it should be open, honest, and public.

A motion was made by Mayor Bass to include Lance Petty, Tim Kelty, and Lynn Clement in Executive Session as needed, seconded by Councilman Cain with all present voting "Aye" 5-0 council unanimously approved the motion.

CLOSED SESSION:

Executive Session regarding a.) (Consultation with Attorney) regarding City Hall remodel b.) (Personnel Matters) regarding City Manager Tim Kelty in accordance with the Texas Government Code Annotated, Chapter 551, Sections 551.071 and 551.074.

The Regular Session closed at 6:19P.M. and Council Entered into Executive Session.

COUNCIL BUSINESS – REGULAR SESSION:

Take any action resulting from Executive Session.

Executive Session ended at 7:50P.M. and Council entered back into regular session.

A motion was made by Mayor Bass to terminate the employment of City Manager Tim Kelty as of December 13, 2023 and an approval of a separation agreement and general release to be executed no later than 12/14/2023 by noon Central standard time, seconded by Councilman Cain with all present voting "Aye" 5-0 council

unanimously approved the motion.

ADJOURNMENT:

Adjourn

A motion was made by Councilman Pena to adjourn the meeting, seconded by Councilman Cain with all present and voting "Aye" 5-0. Mayor Bass adjourned the meeting at 7:51P.M.

Brooks Bass, Mayor

Clarisa Molina, Interim City Secretary



City Council Agenda Item #3.

Title: Consideration and possible action awarding bid proposal Fire Station #2 Apparatus Building.

Date: December 18, 2023

From: Cathy Ezell, Finance Director

Staff Recommendation: Staff recommends City Council to approve the bid proposal from M2 Steel Systems for Fire Station #2 Apparatus Building. M2 Steel Building proposal for metal building for \$170,227.00, including option #1 Driveway approach \$50,736.00, and option #2 Generator pad for a total of \$223,003.00. This building will house response vehicles and equipment. As recommended in the August 21, 2023, City Council meeting, this is the second building needed after the primary building was approved for Palomar Modular Building.

This recommendation is based on the City of Freeport Strategic Plan. TxDOT formally notified the City of Freeport about FM 1495 Bridge Closure. The anticipated construction period to replace FM 1495 bridge is a 36-month project. This relocation will allow proper response during the reconstruction of FM 1495 bridge. This addition will assist in proper distribution of personnel and response equipment to address the response standards of NFPA 1710.

Item Summary: The annual strategic plan presented to the Mayor and Council addresses this immediate need for fire/EMS facilities to be relocated. In March 2021, the City of Freeport was notified that FM 1495 bridge will be closed for two years. The existing bridge will be closed, demolished and reconstructed. This will have a significant impact on response times. The FM 1495 bridge closure will impact the South Avenue and North Avenue areas, Bridge Harbor, Oyster Creek, Hide-away on the Gulf, Turtle Cove, and Industrial areas along FM 523 and Hwy 332.

Background Information: Existing Fire Station #2 was utilized until September 2010. Living conditions of the fire station affected the responder's health. This was noted after numerous complaints from shift personnel that became ill after sleeping in the fire station. In the long term, Fire Station #2 needs to be demolished and rebuilt to address the needs of a fire station for today and for the future. Fire Station #2 is one of the oldest operating buildings in the city. Originally, this building housed a fire engine and an ambulance. The apparatus bay is currently utilized for the Health POD response equipment and storage of prevention

vehicles. Today, the apparatus bays will not accommodate a fire engine due to the height and length limitations of the Fire Station #2 engine bays. Ambulances entering or exiting the building had missuses as well, with their radio antennas rubbing the garage door.

Replacement of this fire station will address station distribution in the department's response area to meet the minimum standards of NFPA 1710: Standards for Organization and Deployment of Fire Suppression, including EMS response, Texas Local government Code Rules (Texas Commission on Fire Protection) and Insurance services Office (ISO).

Additionally, the new Fire Station #2 site is planned to place two structures in the area between the baseball parking lot and the existing Fire Station #2. This is a temporary structure until a permanent Fire Station#2.

Special Considerations: None

Financial Impact: This recommendation is funded in the Facilities CIP Fund Projects FY2022-2023 for the amount of \$426,095.00. These funds were recently transferred to FY2023-2024. The entire project for Station #2 will be approximately \$160,000 over budget. This will require a budget amendment to complete the project.

Board or 3rd Party Recommendation: In 2010, John Cook and Associates written analysis of the department's operations and risks, based on applicable NFPA standards and ISO requirements versus operations, hazards, call volume, responses, etc. was produced by an outside rating evaluation agency. The report provided fifty-eight recommendations to be addressed.

Recommendation #19: Fire Station #2 should permanently be closed because of unhealthy building conditions and inadequate engine bay space. The engine bay space is inadequate for modern apparatus.

Supporting Documentation:

1. Station 2 Engine Bay Bid Proposal scann 12112023
2. RFP Reference check M2 Steel Systems 12112023 scan
3. Fire Station 2 Project expenses 07102023

Bid Form

Bidder agrees to comply with all conditions below, attached specifications, and notes. Bidder has read and agrees to comply with all terms and conditions of invitation to bid. Purchases made for city use are exempt from the state sales tax and federal excise tax. Do not include taxes in your bid. Bidder guarantees product offered shall meet or exceed minimum specification identified in this invitation to bid.

Base Bid	Price
INSTALL 35' x 60' ENGINEERED CONCRETE SLAB WITH 5/8" REBAR ON 12" CENTERS	\$50,493.00
FURNISH AND INSTALL ONE WINDSTORM ENGINEERED 35' x 60' x 16' METAL BUILDING WITH INSULATION	\$71,108.00
FURNISH AND INSTALL TWO WINDSTORM ENGINEERED 14' x 14' SECTIONAL DOORS IN THE NEW BUILDING WITH ELECTRIC DOOR OPENERS	\$39,109.00
FURNISH AND INSTALL ONE WINDSTORM ENGINEERED 10' X 10' SECTIONAL DOORS IN THE NEW BUILDING WITH ELECTRIC DOOR OPENER	\$7,958.00
FURNISH AND INSTALL ONE EXTERIOR DOOR MEETING WINDSTORM IN THE NEW BUILDING	\$1,559.00

Bid Alternate #1	Price
INSTALL A CONCRETE SLAB AS THE DRIVEWAY APPROACH FROM THE NEW BUILDING AND ROAD WAY RIGHT-A-WAY (ENTRANCE) (55' W X 52' L)	\$39,621.00
ROADWAY ENTRANCE (28'x15")	\$11,115

Bid Alternate #2	Price
INSTALL A CONCRETE SLAB 10' X 14' FOR AN EMERGENCY GENERATOR	\$2,040.00

11/15/2023

Customer Name: Christopher Motley

Contact: 979-236-4910 / cmotley@freeport.tx.us

Project Reference: Quote02864

Jobsite Location: Freeport, Tx 77541

M2 Steel Systems is to provide the Metal Building Package to complete the above-mentioned project for the lump of **One Hundred, Thirty-Four Thousand, Four Hundred, Five Dollars** (\$134,405.00.). Includes steel, erection, insurance, equipment, and freight. Price is based on project criteria listed below. Tax is **NOT** included in the above-mentioned price.

Building Package includes:

- Building Dimensions: 35'-0" x 60'-0" x 16'-0" / 2.0:12
- Roof Type: 24 Ga. BL Panel, Std Sig. 300
- Wall Type: 26 Ga. PBR Panel, Std Sig. 200
- Trim: 24 Ga. Downspouts & Downspouts, Std Sig. 200
- Design Criteria: IBC 18 | Exposure: C | Wind 166 mph | Collateral: 3 psf | Snow: 0 psf
- Frames: Built Up (Tapered)
- Bay Spacing: 3 at 20'-0"
- End Frames: Half Loaded
- Girts: Bypass
- Primer: Red-Oxide
- Anchor Bolts: Included
- Framed Openings:
 - Left End Wall: (2) 14'-0" W x 14'-0" H
 - Front Side Wall: (One) 3'-4" W x 7'-2" H
 - Right End Wall: (One) 10'-0" W x 10'-0" H
 - Back Side Wall: None
- Doors: (1) 3070 walk door with closure, deadbolt prepped / (2) 14x14 windstorm engineered sectional doors with electric openers / (1) 10x10 windstorm engineered sectional door with electric opener
- Windows: No glass by M2 Steel Systems
- Erection: Included
- Roof Insulation: 3" VRR+
- Wall Insulation: 3" VRR+

Notes:

- 01.) Pricing includes current market conditions, depending on steel market volatility, M2 Steel Systems reserves the right to increase building price based on steel market pricing at the time of material purchase and / or delivery.
- 02.) 3D views are provided for illustrative purposes only. Not all structural elements are necessarily shown. The final design may vary.
- 03.) M2 Steel Systems has assumed the building code. The customer is responsible for verifying that the building code used is correct. Any changes to the building design may result in a revision in pricing.

Concrete Section

1. M2 Steel Systems proposes to provide 2123 sq. ft. (35'3"x60'3") foundation for building, 2,860 sq. ft. parking/drive. 420 sq. ft. of drive approach and 140 sq. ft. pad for stand-by generator.
2. All construction will be according to the plans provided by the customer and the local building codes.
3. Customer will provide temporary electricity for project.
4. Customer will provide all surveys for the project (if required).
5. Customer is responsible for all tap fees, MUD fees, HOA dues etc. (if required)
6. Customer will submit all change orders in writing and any increase or decrease in costs will be agreed upon prior to changes being made.
7. Weather permitting, construction will commence as soon as possible after the closing of the construction loan.

Exclusions

1. All Civil engineering.
2. Re-location of storm drains.
3. Permits
4. Surveys
5. Third Party Inspections
6. Grade Work

General Specifications

1. Site Work:
 - No site work included. Skid steer grading to be provided @ \$1,000.00 per day and \$250.00 per load of select fill delivered.
2. Foundation/Parking:
 - All beams to receive 6 stalks of #5 rebar with #3 stirrups placed at 16" centers.
 - Foundation to be placed over 6 mil poly moisture barrier.
 - Foundation mat to be 6" with #5 rebar placed at 12" centers.
 - All concrete to be 5000 psi with a 5" slump.
 - Foundation to be 8" above grade.
 - Foundation to receive 1 1/2" sheet metal ledge.
 - Floats for doors to be placed according to plan.
 - All beams to be 12"x24"
 - 8' belled bottom pier to be placed under each column (8 piers).
 - Piers to have 12" shaft with 36" bell.
 - Pier shafts to receive 3 stalks of #5 rebar with #3 stirrup triangles placed at 16" centers.
 - Anchor bolts to be placed according to plan
 - Parking/Drive area to be 6", 5,000 psi ready-mix concrete with #5 grade 60 rebar placed at 12" centers both ways.
 - Parking/Drive Approach to be 10" mat for first 8' from street. 6" mat for remainder of approach. 5,000 psi concrete with #5 rebar placed at 12" centers both ways. (approach not to be tied into any existing asphalt streets)

Stand-by Generator Pad to be 4" pad, 5,000 psi ready-mix concrete with #3 rebar placed at 12" centers both ways.

Building Slab: \$50,493.00.

Parking/Drive: \$39,621.00.

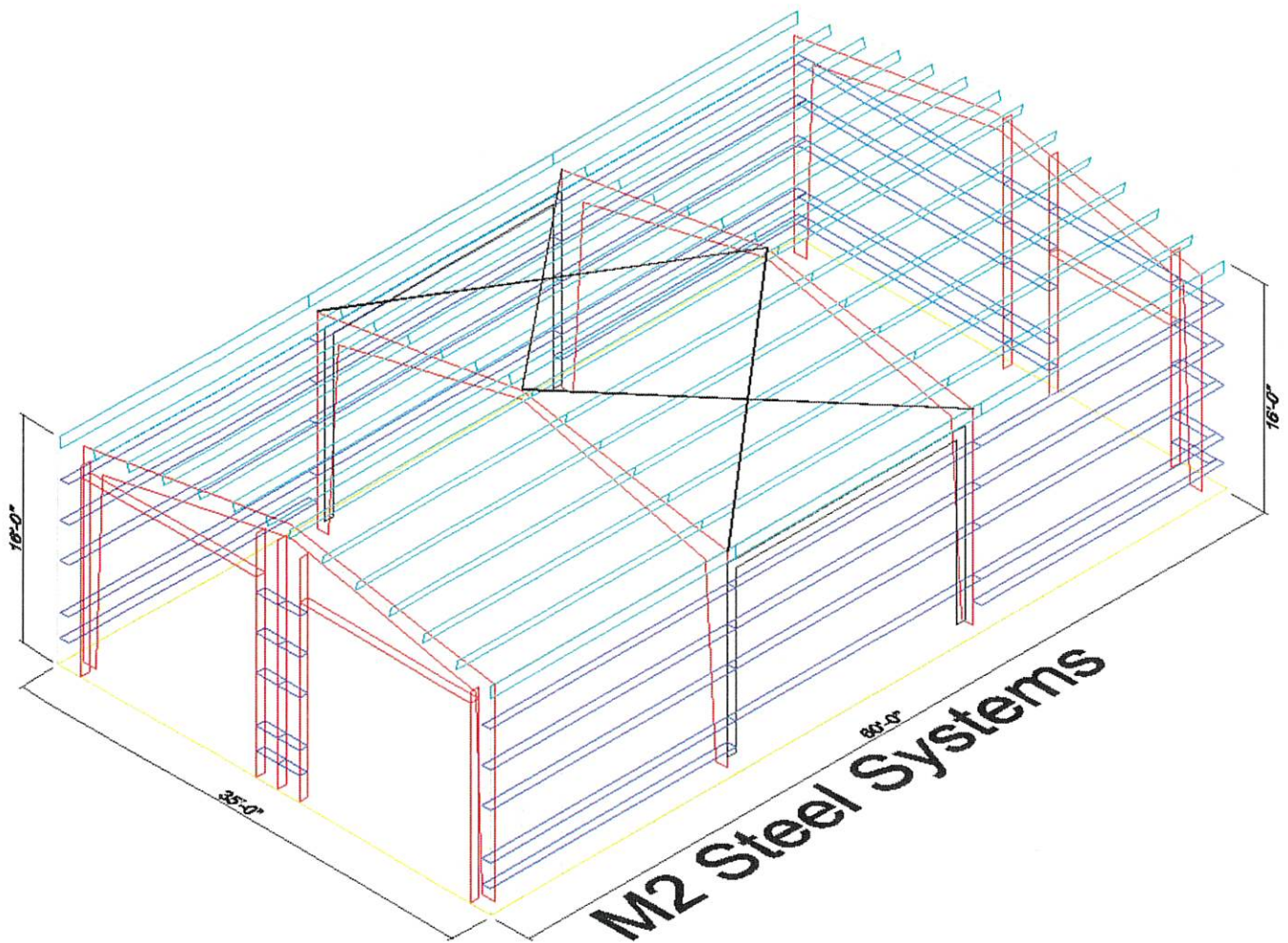
Approach: \$11,115.00.

Generator Pad: \$2,040.00.

Note: Due to the rising costs of steel and materials at this time, M2 Steel Systems must meet strict fabrication schedule deadlines. Therefore, upon receipt of M2 Steel System's Approval Drawings, it is imperative that you review the drawings, redline minor changes in dimensions, SIGN, and return the drawings within 2-Weeks (10-business days) with color selections provided from M2 Steel System's Color Chart. Failure to return signed Approval Drawings within 10-business days will result in this job being delayed in the fabrication schedule and will require M2 Steel Systems to update the project to future pricing based on changes to the fabrication schedule and/or send a change order to reflect the change in material price. Major changes to scope of work will result in a delay, and M2 Steel Systems, at its sole discretion, may update the design and issue a change order per the terms of this contract.

M2 excludes: roof curbs, roof penetrations, bollards, foundation, foundation design, base plate templates, liner panels, dumpster, electric door operators, windows, glass, structural design, finish paint, site specific badging, specialized training and any restrictive requirements that could limit site access, light gauge framing and any miscellaneous steel not attached to the PEMB shell or shown on PEMB plans.

Job Site: M2 is not responsible for delays due to weather, non-workable jobsite conditions or other trades restricting site movement. M2's standard mode of operation can utilize electric tools, cutting torches and welding. Any site regulations that restrict such work will have to be approved by M2 in writing and may result in additional cost from buyer. M2 will erect building from the building interior unless otherwise noted in this contract. M2 must have a minimum of 30'-0" of smooth concrete or solid ground access around perimeter of slab for erection purposes. Less space, rough or muddy surfaces may induce additional cost to owner or contractor due to reduced efficiency and change of equipment required.



M2 will mobilize men and equipment to unload and begin erection the same day. Any delays due to site conditions or incomplete concrete work will require M2 to remobilize men and possibly equipment. Minimum charge for remobilization will be \$2,500 per occurrence.

This quotation is based on the information as submitted as noted on this quotation & contract form. Any pertinent information not designated on this form has NOT been included in this quotation and will be the responsibility of the Buyer. This quotation is void after 15 days unless an extension is made in writing from M2.

In the case that this contract is attached to, and/or used, for referenced in an adjoining contractual document, M2's Terms and Conditions below are held if not directly covered by items agreed upon in the additional contract.

TERMS AND CONDITIONS OF SALE

(1) Definitions: As used in these Terms and Conditions of Sale which form a part of this Quotation and Contract: "Building" shall mean the custom designed metal building covered by this Quotation & Contract. "Contract" shall mean and refer to this Quotation & Contract. "Drawings" shall mean and include all Approval, Permit, Construction Drawings, Anchor Bolt Plans, Calculations and/or other specifications, if any, to be furnished by M2 with respect to the Building. "Materials" shall mean the building components, products, and materials fabricated and/or furnished by M2.

(2) Payment: Amounts due M2 under this Contract shall be payable at M2's offices in Celina, Collin County, Texas, without offset of any kind. Unless otherwise stated above, or otherwise noted in this form, any billed amount is payable by Buyer by invoice due date. M2 will stop any additional work in fabrication or on site until payment is received. Delays in payment and schedule may result in additional remobilizing fees if M2 stops work and/or equipment is removed from site.

(3) Fabrication and Shipment; Disclaimer of Damages for Shipping Delays: M2 may, at its option, fabricate and ship the Materials to Buyer in lots of any size that M2, in its sole judgment, believes are reasonable. Unless otherwise stated on the face of this Contract, all Materials are to be shipped F.O.B. via carrier of M2's choosing, with all cost and expense of transportation to be paid by Buyer. Risk of loss or damage to the Materials in transit shall be borne by Buyer, whose responsibility it shall be to file claims with the carrier. All claims for packing shortages or other erroneous charges must be made in writing within five (5) days of receipt of shipment (fifteen (15) days, in the case of M2 crated materials) and must be accompanied by the packing list and/or delivery ticket which accompanied shipment. Buyer must accept delivery of the Materials when tendered by M2. Demurrage, off-loading, or other costs associated with any delay in accepting delivery shall be borne by the Buyer. M2 shall use reasonable efforts to accommodate Buyer's requested shipping dates but shall not be bound thereby.

(4) Material Warranties: M2 warrants to the Buyer that the Materials will be of manufacturer's current design and specification, unless otherwise noted, will conform, within customary industry tolerances as modified by the standards and specifications contained in the manufacturer specifications. Workmanship warranty will be for a period of one (1) year from the date of Material shipment. M2 shall grant and extend to Buyer those additional or different (i) warranties for color coated panels, (ii) roof warranties or (iii) Building warranties specified in the "sheeting or trim" sections on the face of this Contract, if any. If such additional warranties have been requested by Buyer, the terms, conditions, and limitations thereof shall be as expressly stated in the Warranty Certificates issued by M2 with respect thereto. No additional or other warranty shall become effective or bind M2 unless and until any warranty fee(s) payable with respect thereto shall have been received by M2. All warranty claims shall be presented by Buyer, in

writing, within thirteen (13) months of the Material shipment date, and Buyer shall afford M2 jobsite access and a reasonable opportunity to inspect all allegedly misfit (as such term is defined in the MBMA Standards) or otherwise defective Materials. M2 will, at its option, either (i) furnish replacement Materials F.O.B. jobsite, or (ii) without replacement, render credit for any Materials which, if properly stored, handled, used, and installed in accordance with its specifications, prove defective.

(5) Erection and Construction Drawings: M2 shall furnish to Buyer all Construction Drawings (not including shop drawings) necessary for the erection of the Building and the installation of the Materials by competent and experienced workmen, and warrants to the Buyer that all Construction Drawings will be sufficient therefore, but makes no other warranty, expressed or implied, with respect thereto. Construction Drawings are not intended to specify any particular method or sequence of erection to be followed by the Buyer or those Buyer may engage for that purpose. Buyer is and shall remain solely responsible for the safety and appropriateness of all techniques, methods, and procedures utilized in the erection of the Building if not erected by M2.

(6) Price Escalations and Change Orders: If fabrication of the Building is delayed, whether at the request of Buyer or by reasons of Force Majeure, for a period of 30 days or more, the Building shall be subject to repricing to include any increases in labor and/or materials costs. Requests for additions, deletions, or other revisions to the Building and/or the Materials covered by this Contract must be presented to M2 by written Change Order Request presented to M2 not less than three (3) weeks prior to the Fabrication Week specified in M2's Scheduling Notice. M2 shall review all written Change Order Requests submitted to it and deliver to Buyer a written Change Order reflecting the additions, deletions or other revisions requested by Buyer and specifying the price adjustments, if any, to be made by M2 in connection therewith. No Change Order Request submitted to M2 shall become a part of this Contract or obligate M2 in any fashion unless and until a Change Order issued by M2 with respect thereto, executed by the Buyer, has been returned to M2.

(7) Cancellation: Prior to fabrication of the Materials covered by this Contract, Buyer may cancel this Contract upon written notice to M2 and upon the payment of M2's cancellation charges, which shall include, but are not limited to, reasonable engineering costs and expenses for M2's design of the Building and preparation of any Drawings. Buyer may not cancel this Contract after fabrication of Materials has begun without first reaching a written agreement with M2 for the payment of any and all damages suffered or incurred by M2 in connection therewith, but not less than ten percent (10%) of this Contract price.

(8) Jobsite: M2 is not responsible for delays due to weather, non-workable jobsite conditions or other trades restricting site movement. M2's standard mode of operation can utilize electric tools, cutting torches and welding. Any site regulations that restrict such work will have to be approved by M2 in writing and may result in additional cost from buyer. M2 will erect building from the slab unless otherwise noted in this contract. Any slab restrictions that will require "off slab" installation will induce additional cost. M2 must have a minimum of 25' of smooth concrete or solid ground access around perimeter of slab for erection purposes. Less space, rough or muddy surfaces may induce additional cost to owner or contractor due to reduced efficiency and change of equipment required.

(9) Site conditions: Mud or dirt on slab is not the responsibility of M2. Excessive site mud on slab and or steel components will induce additional cost. M2 will clean steel within normal conditions. Any blowing dirt, settling dust or dirt from other trade is not the responsibility of M2.

(10) Site Power: Owner or contractor is responsible for having a working power source within 50' of slab during the entire erection process.

(11) Steel Corrections: Any Mis-Fabs or steel components that will need to be modified can result in additional cost to Buyer. M2 will correct small items at no charge but if corrections become excessive a written document will be presented to buyer with explanations and cost prior to work being performed. Anchor bolts that have been misplaced will be corrected by M2 at additional cost to customer or contractor.

(12) Down Time: M2 has priced the project assuming no delays due to site restrictions, overly congested sites, delays by other trades, and lack of materials or misfabs. M2 will pass any unscheduled down time cost (labor, equipment, remobilizations fees) on to customer or contractor.

I acknowledge that I have reviewed the order for content, that I have read and clearly understand the terms and conditions of this agreement and if signing on behalf of a corporation or other entity, I am fully authorized to legally bind such entity.

Buyer accepts and agrees to pay M2 the total price in this document listed on Page 1.

Buyer: _____ Date: _____

M2 Rep.: _____ Date: _____

BIDDER INFORMATION

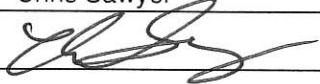
In submitting this Bid, Bidder represents the following:

- a. Bidder has examined copies of these bidding and contract documents and of the following Addenda (receipt of which is hereby acknowledged):
Addenda: None
Date: 11/15/2023 Signature: _____
- b. Bidder has familiarized itself with the nature and extent of these documents, and all local conditions and Laws and Regulations that in any manner may affect cost of fulfilling the terms of contract.
- c. Bidder has given the owner written notice of all conflict, errors, or discrepancies that it has discovered in these documents and the written resolution thereof by the City is acceptable to Bidder.
- d. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or titles of any group, association, organization or corporation. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid. Bidder has not solicited or induced any person, firm, or corporation to refrain from bidding. Bidder has not sought by collusion to obtain for itself any advantage over any other bidder or over the City.
- e. Bidder hereby certifies that the bid prices contained in this bid have been carefully reviewed and are submitted as correct and final.
- f. This Bid will remain open and subject to acceptance for sixty (60) days after the day of Bid opening.

Bidder further certifies and agrees to furnish any and/or all product/service upon which prices are extended at the price offered and accepts all of the terms and conditions of the Invitation to Bid, Specifications, Instructions to Bidders, General Conditions for Bidding and any Special Conditions contained herein.

Bidder hereby certifies that, if this bid is accepted, the undersigned Bidder shall enter into a contract with the City of Freeport to furnish the services as specified or indicated in these Bid documents for the price indicated in this Bid and in accordance with the other terms and conditions of such contract documents.

BIDDER:

Company:	<u>M2 Steel Systems</u>		
Address:	<u>104 E. Elm St.</u>		
City, State & Zip	<u>Celina, Texas 75009</u>		
Telephone	<u>972-382-8277</u>	E-mail	<u>sawyer@m2steelsystems.com</u>
Printed Name:	<u>Chris Sawyer</u>	Title:	<u>Operations Mgr. - Hou</u>
Signature:	<u></u>	Date:	<u>11/15/2023</u>

SUPPLEMENTAL INFORMATION

Texas Government Code Section 2252.002 Non-resident bidders. A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located.

In order to make this determination, please answer the following questions:

1. Address and phone number of your principal place of business:

104 E. Elm St

Celina, TX 75009

972-382-8277

2. Name and address of principal place of business, and phone number of your company's majority owner:

Same as Above

3. Name and address of principal place of business, and phone number of your company's ultimate parent company:

Same as Above

REFERENCES

Please provide three references for similar services performed within the last three years:

1. Company: Stewart Builders
 Contact: Tommy Bertrand
 Phone #: 713-983-8819
 Email: tommybertrand@stewartbuildersltd.com

Description of services performed:

Supply and install PEMB

2. Company: Joslin Construction
 Contact: Curt Joslin
 Phone #: 281-354-5840
 Email: curt@joslintexas.com

Description of services performed:

Supply and install PEMB

3. Company: Weld Done Construction
 Contact: Josh Sexton
 Phone #: 817-220-2150
 Email: joshsextonwdc@yahoo.com

Description of services performed:

Supply and install PEMB

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

M2 Steel Systems, LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC

☐ C Corporation

☐ S Corporation

☐ Partnership

☐ Trust/estate

☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► **S**

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ►

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

104 E. Elm Street

6 City, state, and ZIP code

Celina, TX 75009

Requester's name and address (optional)

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

____ - ____ - ____

or

Employer identification number

2 7 - 2 1 1 4 8 1 5

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►

Emily Raettke

Date ► 06/07/2023

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

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

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

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

OFFICE USE ONLY

Date Received

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

M2 Steel Systems

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

None

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☒ No

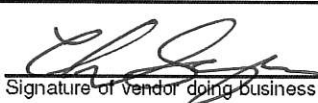
B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes

☒ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 
Signature of vendor doing business with the governmental entity

11/15/23
Date

Certification Regarding Lobbying

(To be submitted with each bid or offer exceeding \$100,000)

The undersigned certifies, to the best of his or her knowledge and belief, that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The undersigned shall require that the language paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995).

The Contractor, M2 Steel Systems, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.



Signature of Contractor's Authorized Official

Chris Sawyer - Operations Manager Houston

Printed Name and Title of Contractor's Authorized Official

11/15/2023

Date

Approved by OMB

0348-0046

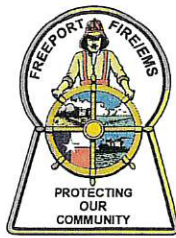
Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

(See reverse for public burden disclosure)

Type of Federal Action: a. contract ____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	Status of Federal Action: a. bid/offer/application ____ b. initial award c. post-award	Report Type: a. initial filing ____ b. material change
Name and Address of Reporting Entity: ____ Prime ____ Subawardee Tier____, if Known: Congressional District, if known:	If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
Federal Action Number, if known:	9. Award Amount, if known: \$	

10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i> None	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i> None
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: <u>Chris Sawyer</u> Title: <u>Operations Mgr - Hou</u> Telephone No.: <u>972-382-8277</u> Date: <u>11/15/2023</u>
Federal Use Only	Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)



CITY OF FREEPORT
FREEPORT FIRE & EMS DEPARTMENT

131 East 4th Street
Freeport, Texas 77541
Phone (979) 233-2111
Fax (979) 233-4103

Christopher Motley
Chief / EMC

Mike Praslicka
EMS Coordinator

Jason Shafer
Fire Marshal

Freeport Fire Station #2 Fire Apparatus Bay

Bid Proposal: M2 Steel Systems

Building and Erection Contract

References:

Stewart Builders

Tommy Bertrand

713-983-8819

11/28/2023, I spoke with Tommy Bertrand directly when I called for reference checks. Mr. Bertrand knew Chris Morgan with M2 Steel Systems for over nineteen years. Chris Morgan had completed several projects under his company with Stewart Builders for several school districts such as Waller ISD and Montgomery ISD. Mr. Bertrand reference that M2 Steel Systems has completed the Volkswagen facility at Port Freeport. Mr. Morgan is a go getter. Mr. Bertrand has worked on projects in the Houston (Bobcat Houston Stores). He referenced Chris Morgan had worked for Red Dot Metal Deport and then branched out to the existing company (M2 Steel Systems). The conversation was positive and no noted complaints.

Joslin Construction

Curt Joslin

281-354-5840

12/5/2023, I left a message for Mr. Joslin with Robin Administrative Assistant. 12/5/2023, I received a return telephone call from Mr. Joslin. Mr. Joslin has known the owners of M2 Steel Systems for over fifteen years. Hey have built over six commercial buildings for him. Mr. Joslin owners a precast concrete company in Boise, Idaho. Mr. Joslin was having problems finding a good erection company and that performed within the means o f the agreements along with a fair park price. Mr. Joslin stated that M2 Steel Systems was thirty percent cheaper for the region and completed the project within forty-five day versus the local response of erection and completion of the job of ninety days. Mr. Joslin commented on both Kelby and Chris the owner of M2 steel System that they are great guys to work with and that in a company you can still speak with the owners. Mr. Joslin stated that in Porter, Texas that M2 Steel System erected a little 2,000 sq. foot building form him and then to see them complete 100,000.00 sq. foot aircraft hanger. In conversation with Mr. Joslin about M2 Steel Systems company is a large company but has the personable business touch as a small business working for the customer.



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Chief / EMC

Mike Praslicka
EMS Coordinator

Jason Shafer
Fire Marshal

Weld Done Construction

Josh Sexton

817-2202150

11/28/2023, I left a message.

12/05/2023, I left a message with Robin, Administrative Assistant for Mr. Sexton.

12/05/2023. Mr. Sexton return my telephone call. The telephone call was very informational. Mr. Sexton has known both owners of M2 Steel System for some time. Mr. Kaleb since 2005 and Chris Morgan since 2008. They have worked about 250 buildings together with M2 Steel Systems erecting thirty buildings for them. In the metal erection business, Weld Done Construction and M2 Steel Systems have worked for each other as subcontractor or when each other had a heavy workload. Mr. Sexton stated that his erection business handles the DFW are with M2 Steel System handle the areas down into the Houston region. Mr. Sexton spoke that both owners have strong work ethnics. Mr. Sexton confirmed that M2 Steel Systems understands municipal procurement and performance bond requirements.



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EMS Coordinator

Jason Shafer
Fire Marshal

Fire station #2 Modular Building

<u>Modular Buildings</u>	\$219,949.00
Fire Alarm system	\$12,557.73
Fire Suppression Stove	\$3,944.75
Ramp Access	\$15,870.00*
Plumbing (Fixtures to city sewer)	\$7,370.00
CenterPoint Natural Gas	\$2,120.00***
CenterPoint Electric	\$0.00
Electrician (underground to ATS, two buildings)	\$30,000.00****
Electrical ATS ASCO Switch	\$3,700.00*
<u>Subtotal</u>	<u>\$295,511.48</u>

This does not include dig underground for contractor work

<u>Engine Bays</u>	\$170,227.00
Bollards (4)	\$375.00
Driveway approach from roadway to building	\$50,736.00
Survey: Form Board Survey	\$500.00
Windstorm Inspection/Engineering	\$3,350.00
<u>Subtotal</u>	<u>\$225,188.00</u>

<u>Generator</u>	
Concrete Generator Pad	\$2,040.00
Generator Check and Service Verbal Estimate	\$5,000.00
<u>Subtotal</u>	<u>\$7,040.00</u>

<u>Site Prep</u>	
City of Freeport: 6"-12" crown surface (Modular Building)	\$10,000.00
Site Prep Apparatus Building (Pending building elevation)	
<u>Subtotal</u>	<u>\$10,000.00</u>

<u>Infrastructure:</u>		
Driveway Culverts	PW Estimate	\$1,226.00
Telephone/IT/Phones	IT Budget	\$2,500.00
Water Supply Fire water 6"		\$41,000.00
	<u>Subtotal</u>	<u>\$44,726.00</u>
	Total:	\$582,465.48
	Budget:	\$426,095.00
	<i>Estimated Overage</i>	<i>\$156,370.48</i>

** Quote Pending

*** CenterPoint \$17.00 per foot main line (100 ft), service line per foot \$7.00 (60ft).

**** Pending conversation with Public Works and Penney's electric

Visit us online at www.freeport.tx.us
facebook.com/FreeportFire
fire@freeport.tx.us



City Council Agenda Item #4.

Title: Consideration and possible action on the removal of two board members and liaison from the Freeport Historical Commission & Main Street Advisory Board.

Date: December 18, 2023

From: Ana Silbas, Mainstreet Coordinator

Staff Recommendation: Staff requests City Council to select replacements for the appointments of Sandra Barbree and Sandra Wood-Wicke due to attendance. Additionally, Staff requests City Council to select a replacement City Council Liaison. Currently, the majority of the voting record of City Council Liaison regarding Main Street Program action items has been to vote "against" them and has only attended two meetings. As a result, the Freeport Historical Commission & Main Street Advisory Board has lost confidence that the current City Council Liaison would represent to City Council and the community the direction of the Board.

Item Summary: As a Main Street America and Texas Main Street Program community, the organization of our board is guided by **The Main Street America Evaluation Framework**. This Community Self-Assessment Tool provides an outline of what it means to be a successful Main Street program and lays the foundation for growth and development for newer programs. With deeper areas of focus and new standards and indicators to meet for accreditation, Main Street programs are better equipped to identify areas for capacity building, program development and training needs.

Background Information: This agenda item is aimed at meeting the requirements of **Standard II: Inclusive Leadership and Organizational Capacity**, which focuses on Inclusive Organizational Culture, Diverse Volunteer Engagement, Active Board Leadership and Supporting Volunteer Base. It is vital to ensure a diverse, balanced and engaged representation of district and community stakeholders make up the Freeport Historical Commission & Main Street Advisory Board.

I. INCLUSIVE ORGANIZATIONAL CULTURE AND DIVERSE VOLUNTEER ENGAGEMENT

INDICATOR III: The Main Street Board of Directors is formed with a diverse and balanced representation of district and community stakeholders.

The following participation is recommended:

- a. District business owners
- b. District property owners
- c. District and community residents
- d. Community businesses/corporations
- e. Institutions (schools, universities, foundations, nonprofits, government)

INDICATOR IV: The Main Street organization has developed a leadership base (Board, staff, committee members, and volunteers) that reflects the district and the community it serves. The leadership base should be open, inclusive, and representative of the entire community, taking into account a broad range of dimensions of diversity, including race, age, ethnicity, gender, education, physical and mental ability, veteran status, and income level. The program should take proactive measures to ensure under-represented groups are included as part of Main Street's leadership base.

- a. Looking at the community's most recent population data, Main Street leadership base reflects a balanced level of participation of all age groups.
- b. Looking at the community's most recent population data, the Main Street leadership base reflects the racial and ethnic diversity of the community,
- c. Looking at the community's most recent population data, the Main Street leadership base reflects gender balance.
- d. Considering the Main Street Approach, the organization's leadership base demonstrates a wide range of skills, experiences, and perspectives.

II. ACTIVE BOARD LEADERSHIP AND SUPPORTING VOLUNTEER BASE

INDICATOR I*: Board members have demonstrated active engagement in the Main Street program throughout the year. Ideally, 100 percent but no less than 75 percent of Board members have:

- a. Attended Board meetings 75 percent of the time throughout the year.
- b. New Board members participated in Board orientation and existing Board members participated in at least one training offered by the Coordinating Program.
- c. Played an active role on the Board by leading a committee, a task force, or key initiative.
- d. Advocated for the program and the district within the community, in coordination with Main Street staff and the rest of the Board.

**Meeting this Indicator is a requirement and must be met to achieve Accreditation.*

Special Considerations: Moving forward into 2024, Main Street America and the Texas Main Street Program will use **The Main Street America Evaluation Framework** to determine if a Main Street community receives an Accredited Status or an Affiliate Status. Please review the supporting documentation to gain a better understanding of what it takes to be a successful Main Street program.

Financial Impact: N/A

Board or 3rd Party Recommendation: The Freeport Historical Commission & Main Street Advisory Board requests replacements bring diversity in the areas of race, age and professional

expertise to be reflective of our community and support the mission of the Freeport Main Street Program.

Supporting Documentation:

1. Main Street America Community Self Assessment Tool 2022_Aug-Version2



THE MAIN STREET AMERICA EVALUATION FRAMEWORK

COMMUNITY SELF-ASSESSMENT TOOL - *Version 2.0 - August 2022*

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COMMUNITY SELF-ASSESSMENT TOOL

For over 40 years, Main Street programs across the country have used the **Main Street Approach™** to support revitalization and catalyze positive transformation of their downtowns and neighborhood commercial corridors. Through grassroots leadership, partnership building, community engagement, and a commitment to holistic preservation-based economic development, thousands of Affiliate and Accredited Main Street programs have created lasting impact for their local economies and communities as a whole.

AN EMPOWERING MODEL FOR REVITALIZATION

The new Main Street America Evaluation Framework, developed by Main Street America (MSA) in close partnership with Main Street Coordinating Programs, outlines what it means to be a highly successful Main Street program and sets a path for growth and development for newer programs. Depending on achievement, score, and maturity, programs will either be designated as Affiliate or Accredited.

Annual program assessments are an important opportunity for local Main Street leaders, volunteers, partners, and Coordinating Programs to come together to reflect on the progress of a program's efforts and identify opportunities to build and grow.

The following Self-Assessment has been developed as a tool to help Main Street leaders recognize how their program's efforts already align with the new standards and identify areas for deeper focus and prioritization. The tool will also serve as a basis for local leaders to work with their Coordinating Program on identifying areas for capacity building, program development, and training needs. This process will also inform Main Street America on our network's strengths, greatest needs and opportunities.

We encourage you to look at this tool as a working model – one that will adapt and grow as we test it in the field before full implementation at the end of 2023. We invite you to be in close communication with Main Street America staff and your Coordinating Program to explore how these new standards and measures are working for your organization, what might be missing or unclear, and how Main Street America can support your efforts.

WHO SHOULD USE THIS TOOL

- Currently and previously Accredited programs.
- Affiliate-level programs wanting to become Accredited in the future.
- New communities seeking guidance in establishing a strong foundation for their revitalization programs with the vision of being designated as Affiliate or Accredited in the future.

WHEN TO USE THIS TOOL

- Get started now! There's a lot of content to dig in to, but by reviewing this tool regularly you will have plenty of time to familiarize yourself with these new Standards and Indicators before we move to full integration by the end of 2023.
- Consider dedicating time at each of your board and committees' meetings to become more familiar with the new Standards (we'll be providing discussion guides to help frame these conversations).

HOW GRADING WORKS

Within each Standard in the new Self-Assessment Tool, score yourself on the Indicators listed based on a scale of 1-5. Each number represents the following:

1	2	3	4	5
Not being addressed.	Minimal work but needs more effort.	Evidence of satisfactory progress.	Has achieved success within this indicator	Outstanding achievement. One that other programs could replicate.

For each Indicator, we encourage communities to explore areas of strength and opportunities for growth by discussing:

- What actions and next steps can you take to strengthen your efforts?
- How can you build upon your work or take it to the next level?

The Self-Assessment Tool provides examples of how Main Street programs can meet each Standard. These example activities are not an exhaustive or prescriptive list, rather are included to provide guidance and inspiration. Programs are invited to count these and other related activities towards each Indicator.

After you complete your Community Self-Assessment, your Coordinator will review and provide their own score and feedback. **Communities will need to average at least three (3) points per Standard to achieve Accreditation.** Please use [this Community Assessment Worksheet](#) to evaluate your program's progress.

BASELINE REQUIREMENTS

As detailed within the tool, some indicators are required as important baseline (starting point) for a program to qualify for Accreditation. **The current Baseline Requirements are:**

- A Board of Directors formed by a representative base of the district stakeholders and community members, dedicated to leading the district's Main Street program.
- Communities over 5,000 in population must employ a FTE program director. Communities under 5,000 in population must employ a 20-hour minimum per week program director.
- Identified Transformation Strategy to direct the work of the program, based on community input and market understanding.
- Detailed work plans aligned with the selected Transformation Strategy that outline programming across the Main Street Four Points. Work plans include: the project, expected (measurable) outcomes, specific tasks needed to accomplish the project, assignments of those tasks showing volunteer and staff responsibilities, timelines, and budgets.
- A dedicated budget for the district's revitalization programming and the Main Street program's operations.
- Demonstrated support from municipality for the Main Street program. This can include leadership participation, funding, in-kind donations, and philosophical support.
- Reinvestment statistics reported as required by Coordinating Program (monthly, quarterly, or annually).
- Be a member in good standing with Main Street America and use the Main Street America logo on its webpage and/or social media as well as the Coordinating Program logo.

Local Programs that do not meet these baseline requirements are not eligible for Accreditation from Main Street America, though they may qualify for designation at the Affiliate level.

BROAD-BASED COMMUNITY COMMITMENT TO REVITALIZATION

Standard One reflects that successful and sustainable revitalization efforts are not just the work of a single organization, but should be the result of a community-wide effort that brings the public and private sectors together with a strong sense of ownership in their downtown or commercial district. This Standard reviews the Main Street organizations' essential role in fostering a culture of inclusion, engagement, collaboration, and commitment from all sectors of the community. Launching a program, growing it incrementally from one year to the next, and sustaining success for the long run are only possible through a diversity of strong partnerships and collaborations, continued outreach, and communication.

FOCUS AREAS

Communities engaged in the Main Street Approach understand how essential these key areas of focus are for an organization's success: **I) Partnerships and Collaborations, II) District and Community Outreach, and III) Communication and Public Relations.**

KEY INDICATORS

The following Indicators provide important guidance on how Main Street programs, the public sector, district stakeholders, and the community at large can work together to develop strong partnerships and collaborations. Each Indicator includes examples of the types of activities that a program may use to achieve these goals.

I. PARTNERSHIPS AND COLLABORATIONS

INDICATOR I: Main Street has developed partnerships and collaborations with local governments that demonstrate shared responsibilities for the district's revitalization and its program. Examples of how these partnerships are demonstrated include:

- a. Participation in strategy development and planning.
- b. Collaborations in the implementation of programming or work plans.
- c. Monetary and non-monetary resources for the Main Street program.
- d. Engagement of elected officials and/or staff in the Main Street program Board and committees.
- e. Promoting the district revitalization and their partnership with Main Street.

INDICATOR II: Main Street has developed partnerships and collaborations with both nonprofit organizations and private sector entities that demonstrate shared responsibilities for the district's revitalization and its program. Examples of how these partnerships are demonstrated include:

- a. Participation in strategy development and planning.
- b. Collaborations in the implementation of programming or work plans.
- c. Monetary and non-monetary resources for the Main Street program.
- d. Engagement with the Main Street program Board and committees.
- e. Promoting district revitalization and their partnership with Main Street.

II. DISTRICT AND COMMUNITY OUTREACH

INDICATOR I: Main Street has expanded its reach to connect and engage with all sectors of the community (businesses, property owners, workforce, other organizations, residents). Examples of how outreach efforts are demonstrated include:

- a. A variety of communication tools (online and printed materials) used to reach a broad group of district stakeholders.
- b. Workplans that outline how planned activities intend to reach all members of the community.
- c. Main Street bringing the district and community stakeholders together for input gathering, information sharing, etc. at least once a year.

III. COMMUNICATION AND PUBLIC RELATIONS

INDICATOR I: Main Street has maintained communication and implemented public relations that inform and educate the community and district stakeholders about the district and the Main Street program. Examples of how these efforts are demonstrated include:

- a. The program's external marketing (online, printed, social media, etc.) clearly promotes the role and impact of the Main Street program.
- b. Main Street's leadership and staff are actively engaged in public relations activities that educate, build awareness, and promote the Main Street program.
- c. Main Street highlights positive stories about the district through a variety of media tools.

INDICATOR II: Main Street has maintained communication and implemented public relations that inform and educate the public sector or local government about the district and the Main Street program. Examples of how these efforts are demonstrated include:

- a. Main Street meets with local government officials or attends council meetings to share progress and impact (at least every quarter).
- b. Main Street invites participation of local government officials and staff to meetings and encourages visits to the district and programming activities.

INDICATOR III: Main Street has promoted the district's positive image, brand identity, and assets. Examples of how these efforts are demonstrated include:

- a. A distinctive brand has been created and implemented for the district.
- b. A distinctive brand has been created and implemented for the organization.
- c. Social media platforms are used to promote the value of the district and the Main Street program.
- d. An annual report is produced noting successes across the Four Points.

STANDARD II

INCLUSIVE LEADERSHIP AND ORGANIZATIONAL CAPACITY

Strong, thriving communities don't just happen. They need effective leaders at all levels, from a broad base of committed volunteers to dedicated professional staff offering their time, talents, and passion for this work. Standard Two reflects the value we place on PEOPLE as Main Street's greatest resource and our belief that everyone in the community has a place in Main Street. This Standard encourages Main Street programs to place a strong priority on human capital and develop a clear operational structure and practices that increase the organization's capacity to engage all sectors of the community and leverage their participation in their revitalization efforts.

FOCUS AREAS

Communities engaged in the Main Street Approach understand how essential these key areas of focus are for an organization's success: **I) Inclusive Organizational Culture and Diverse Volunteer Engagement, II) Active Board Leadership and Supporting Volunteer Base, III) Professional Staff Management, and IV) Effective Operational Structure**

KEY INDICATORS

The following Indicators provide important guidelines on how Main Street programs can become proactive and effective agents for inclusive community engagement and leadership development, ensuring that the investment of time and talents is a rewarding experience. Each Indicator includes examples of the types of activities that a program may use to achieve these goals.

I. INCLUSIVE ORGANIZATIONAL CULTURE AND DIVERSE VOLUNTEER ENGAGEMENT

INDICATOR I: The Main Street organization has demonstrated its commitment to diverse, inclusive, and equitable district and community engagement. Examples of how these efforts are demonstrated include:

- a. The organization's stated mission and core values show a commitment to engaging all sectors of the community it serves.
- b. Internal and external messaging promotes that Main Street has a place for everyone in the community and that diverse engagement is welcomed and valued. Communication tools address language barriers as appropriate.
- c. Work plans and programming activities address accessibility and inclusive design for all community members.
- d. The organization's policies address equitable access for all district and community stakeholders in the organization's leadership structure (Board and committees) as well as in specific projects and activities.

INDICATOR II: The Main Street organization has implemented an inclusive volunteer program that demonstrates the capacity to implement approved annual work plans and programming for the district. Examples of how these efforts are demonstrated include:

- a. Clearly outlined volunteer needs for approved work plans or programming activities are in place and promoted broadly.
- b. A proactive effort to recruit diverse volunteers representing the entire community in a culturally competent way.
- c. Active volunteer coordination throughout the year that ensures attention to thoughtful placement, rotation, and retention of new and existing volunteers within the organization.
- d. Initiatives, activities, or events are taking place throughout the year to recognize and/or demonstrate appreciation for Main Street volunteers.
- e. Volunteers at all levels have access to and receive appropriate orientation, trainings, and leadership development throughout the year.

INDICATOR III: The Main Street Board of Directors is formed with a diverse and balanced representation of district and community stakeholders. The following participation is recommended:

- a. District business owners
- b. District property owners
- c. District and community residents
- d. Community businesses/corporations
- e. Institutions (schools, universities, foundations, nonprofits, government)

INDICATOR IV: The Main Street organization has developed a leadership base (Board, staff, committee members, and volunteers) that reflects the district and the community it serves. The leadership base should be open, inclusive, and representative of the entire community, taking into account a broad range of dimensions of diversity, including race, age, ethnicity, gender, education, physical and mental ability, veteran status, and income level. The program should take proactive measures to ensure under-represented groups are included as part of Main Street's leadership base.

- a. Looking at the community's most recent population data, Main Street leadership base reflects a balanced level of participation of all age groups.
- b. Looking at the community's most recent population data, the Main Street leadership base reflects the racial and ethnic diversity of the community,
- c. Looking at the community's most recent population data, the Main Street leadership base reflects gender balance.
- d. Considering the Main Street Approach, the organization's leadership base demonstrates a wide range of skills, experiences, and perspectives.

II. ACTIVE BOARD LEADERSHIP AND SUPPORTING VOLUNTEER BASE

INDICATOR I*: Board members have demonstrated active engagement in the Main Street program throughout the year. Ideally, 100 percent but no less than 75 percent of Board members have:

- a. Attended Board meetings 75 percent of the time throughout the year.
- b. New Board members participated in Board orientation and existing Board members participated in at least one training offered by the Coordinating Program.
- c. Played an active role on the Board by leading a committee, a task force, or key initiative.
- d. Advocated for the program and the district within the community, in coordination with Main Street staff and the rest of the Board.

**Meeting this Indicator is a requirement and must be met to achieve Accreditation.*

INDICATOR II: Board members have demonstrated active leadership and support to ensuring the program is appropriately funded to meet its operational responsibilities and programming goals. Ideally, 100 percent but no less than 75 percent of Board members have:

- a. Made a personal financial investment in the program.
- b. Participated in the development of fundraising goals.
- c. Led or participated in a key fundraising activity of the organization.
- d. Made direct solicitations.
- e. Supported donor relationship, retention, and/or recruitment.

INDICATOR III: The Main Street program has developed an active, supporting volunteer structure to ensure capacity to plan and implement the approved work plans. Examples of how these efforts are demonstrated include:

- a. Established committees or teams that follow the program's selected Transformation Strategies, Board's outlined priorities, and/or the Main Street Four Points.
- b. Each volunteer committee or team has an active leader, chair, or co-chairs.
- c. Each volunteer committee has an appropriate number of members to plan the approved number of projects or initiatives it intends to implement. Ideally, there is a leader or champion for every project.
- d. Committees or teams participate in trainings that support their roles at least annually.

III. PROFESSIONAL STAFF MANAGEMENT

INDICATOR I*: The Main Street organization has maintained the level of professional staff necessary to achieve its mission, goals, and annual work. These efforts are demonstrated by fulfillment of all the following:

- a. The Main Street Program meets the minimum staffing requirements established by the Coordinating program. At a minimum, Main Street America requires part-time staffing for cities under 5,000 population and 1 FTE for cities over 5,000 population.
- b. Main Street staff have job descriptions and defined performance expectations.
- c. Main Street staff participates in trainings required by the Coordinating Program.
- d. Main Street staff participates in professional development offerings provided by Main Street America, Coordinating Program, etc.
- e. Main Street staff communicates regularly with the Board and specifically with the Board Chair and offers regular monthly reports to the Board.

****Meeting this Indicator is a requirement and must be met to achieve Accreditation.***

INDICATOR II: The Main Street Board of Directors has managed and provided guidance to its Main Street Director throughout the year. Understanding that organizational formats vary, this is demonstrated by:

- a. The Board, through its Board chair or president provides regular guidance and feedback to the program's director.
- b. A formal performance review process is conducted at least once annually. The Board Executive Committee, with participation of Board members, leads the director's performance review.
- c. The Board ensures that the annual budget provides a competitive compensation package (pay and benefits) and opportunity for appropriate merit increases.
- d. The Board ensures that the annual budget offers staff with professional development and trainings, including travel.
- e. Staff management policies and procedures are in place and reviewed annually. Appropriate procedures ensure clearly established communication lines and roles and responsibilities between Board and staff.
- f. The Board has developed a plan to manage succession or the director's transition and recruitment.

IV. EFFECTIVE OPERATIONAL STRUCTURE

INDICATOR I*: The Main Street organization has developed appropriate operational and organizational practices to manage effectively. This must include the following:

- a. A clearly defined mission statement that confirms the purpose of the organization.
- b. Established by-laws, which are reviewed annually and revised appropriately to carry out the program's mission for the district.
- c. Operating policies and procedures that outline internal and external communication practices, conflicts of interest, personnel management, leadership selections, elections, and terms, Board roles and responsibilities, etc.
- d. Appropriate insurance for the organization, Board/staff, and its programming.
- e. Legal and fiscal requirements are met and maintained as required with its tax status or operation structure.

****Meeting this Indicator is a requirement and must be met to achieve Accreditation.***

STANDARD III

DIVERSIFIED FUNDING AND SUSTAINABLE PROGRAM OPERATIONS

A successful revitalization program must have the financial resources necessary to carry out its work and sustain its operations. Program sustainability relies on diversity of revenue streams as dependency on one primary or only source could jeopardize the program's operations. Through this Standard, Main Street programs demonstrate a priority for ensuring that the community is investing in the Main Street organization and programming efforts through a comprehensive and balanced funding structure that ensures successful and sustainable revitalization efforts.

FOCUS AREAS

Communities engaged in the Main Street Approach understand how essential these key areas of focus are for an organization's success: **I) Balanced Funding Structure, II) Strategic Revenue Development and Fundraising, III) Budget and Work Plan Alignment and IV) Financial Management and Best Practices**

KEY INDICATORS

Understanding that funding is an essential resource to accomplish the work of revitalization, the following indicators included under this Standard can guide Main Street programs in building, growing, and sustaining diverse and balanced mix of investment in revitalization efforts and the Main Street program. Each Indicator includes examples of the types of activities that a program may use to achieve these goals.

I. BALANCED FUNDING STRUCTURE

INDICATOR I: The Main Street organization's budget demonstrates a balanced funding structure with a diverse mix of public and private sector sources. Examples of how these efforts are demonstrated include:

- a. Contributions from private sector: e.g., businesses, community members and/or partner organizations.
- b. Special taxing/assessment district.
- c. Sponsorships and/or in-kind donations.
- d. Earned revenues.
- e. Memberships.
- f. Local Government.
- g. Grants.

INDICATOR II: The private sector is investing in the district's revitalization efforts and the Main Street program. Examples of how these efforts are demonstrated include:

- a. Fundraising activities such as event sponsorships, marketing initiatives, and/or special project funding.
- b. Main Street program's earned incomes, such as rents, merchandise sales, etc.
- c. Investor programs such as memberships, Friends of, annual donations, etc.
- d. In-kind services.
- e. A special tax self-assessment mechanism(s) approved by district property and/or business owners, such as BIDs, CIDs, DDAs, SSMID, etc.

INDICATOR III: The public sector is investing in the district's revitalization and the Main Street program. Examples of how these efforts are demonstrated include:

- a. Annual contribution to the Main Street.
- b. Service agreements with the Main Street.
- c. Supports through the employment of the Main Street Director.
- d. Direct funding for event sponsorships & marketing initiatives.
- e. In-kind services

II. STRATEGIC REVENUE DEVELOPMENT AND FUNDRAISING

INDICATOR I: The Main Street program demonstrates commitment to strategic revenue development process and oversight. Examples of how these efforts are demonstrated include:

- a. The Board reviews fund-development plans, goals, and progress at least quarterly.
- b. A designated Board member provides active financial oversight for the program and is engaged in revenue development planning and reporting.
- c. A fund-development committee, organization committee, or team is in place to lead fund-development planning and implementation.
- d. Committees are engaged in seeking funding to support projects.

III. BUDGET AND WORK PLAN ALIGNMENT

INDICATOR I: The Main Street organization has an annual budget that is aligned to the organization's strategies and goals. Examples of how these efforts are demonstrated include:

- a. Alignment with the mission.
- b. Alignment with a selected Transformation Strategy and/or approved workplan.
- c. A diversity of income sources.

INDICATOR II: The Main Street program exhibits commitment to a budget that effectively covers operational and programming goals. Examples of how these efforts are demonstrated include:

- a. Covering operational expenses, including program personnel, office administration, financial management activities, and travel expenses for professional development.
- b. Covering programming related to each point of the Main Street Approach (Organization, Economic Vitality, Design, Promotion).

IV. FINANCIAL MANAGEMENT AND BEST PRACTICES

INDICATOR I: The Main Street organization demonstrates sound financial management outlined by processes and procedures. Examples of how these efforts are demonstrated include:

- a. Financial tracking systems and reporting practices are in place. (QuickBooks or other software)
- b. The organization's monthly financial statements are reviewed by the Treasurer.
- c. The organization has a third party financial professional compile and reconcile monthly financial statements.
- d. The organization has had a third party financial professional review, reconcile and/or audit the program's finances at a minimum every two years.

INDICATOR II: The Main Street organization's financial management has clear leadership and oversight. Examples of how these efforts are demonstrated include:

- a. Leadership roles and responsibilities relating to budgeting, fund-development, and financial reporting are clearly outlined through Board, committee and/or Treasurer job descriptions.
- b. The Main Street Board of directors conducts monthly reviews of the organization's finances to ensure appropriate accountability and alignment with programming.

STRATEGY-DRIVEN PROGRAMMING

Main Street has built a strong track record for making change happen in communities across the country. Change is an important guiding principle for Main Street. But rather than letting change just happen, Main Street programs define and manage it from one year to the next through a strategy-driven work plan and aligned implementation process. Standard Four brings together all integrated components that must be in place to plan and successfully implement the revitalization work. Centered around Main Street's Four Point Approach, these integrated components are driven by a local Transformation Strategy(s) aligned through community participation and based on understanding of the district's unique and competitive market position.

FOCUS AREAS

Communities engaged in the Main Street Approach understand how essential these key areas of focus are for an organization's success: **I) Planning Guided by Inclusive Community and Market-informed Inputs, II) Defining Direction through Transformation Strategy Identification and Development, and III) Strategy-aligned Comprehensive Work Planning and Implementation Across all Four Points**

KEY INDICATORS

The following Indicators provide important guidelines on how Main Street programs can develop a community and market informed strategy-driven planning and implementation process. Each Indicator includes examples of the types of activities that a program may use to achieve these goals.

I. PLANNING GUIDED BY INCLUSIVE COMMUNITY AND MARKET-INFORMED INPUTS

INDICATOR I: The organization's annual planning process as informed by a comprehensive set of inputs that guide Transformation Strategy identification and work plan alignment and implementation. Examples of how these are demonstrated include:

- a. Inclusive district and community input is gathered at a minimum of every three years to keep the pulse on the district's needs through focus group events, online surveys, and/or other strategies.
- b. Market research and analysis has been conducted for the district's trade area within an appropriate time interval, depending on the local economy. This is recommended at least every three to five years.
- c. Business inventory is up to date and reflective of the district's business mix, uses, and existing clusters.
- d. Building inventory is up to date and reflective of the district's property ownership, condition, uses, and status (for sale, for lease, occupied).
- e. The organization maintains an asset map that recognizes distinctive place-based assets within the district that highlight unique and competitive advantages and market opportunities.
- f. Strategy reflects opportunities driven by local and national trends.

II. DEFINING DIRECTION THROUGH TRANSFORMATION STRATEGY IDENTIFICATION AND DEVELOPMENT

INDICATOR I: Main Street has defined and aligned as an organization around a Transformation Strategy that is guiding the revitalization work. Examples of how these are demonstrated include:

- a. Using a comprehensive set of inputs, the board has identified a consumer-based or industry-, product-, or service-based strategy(s) that can best respond to the district and community vision, needs and market opportunities.
- b. The board formally adopts a Transformation Strategy(s).
- c. Partner organizations or other stakeholders have adopted or endorsed selected Transformation Strategy.
- d. The Strategy(s) have measurable benchmarks.

III. STRATEGY-ALIGNED COMPREHENSIVE WORK PLANNING AND IMPLEMENTATION ACROSS ALL FOUR POINTS

INDICATOR I: The Main Street board conducts an annual strategy-driven work planning process with volunteer committees to guide the organization's programming. Examples of how these are demonstrated include:

- a. Board outlines priorities or goals that guide volunteer committees in identifying the initiatives, projects, and activities to be approved in annual work plan.
- b. Projects, events, or initiatives are aligned with selected Transformation Strategy(s).
- c. The Transformation Strategy(s) are reflected comprehensively across all Four Points.
- d. Work plans include written action plans for critical projects that outline specific tasks, timeline, budget, volunteer hours, who's responsible, etc.
- e. Annual fund-development goals and allocations are guided by the Transformation Strategy(s)

PRESERVATION-BASED ECONOMIC DEVELOPMENT

Successful Main Street efforts are built on the guiding principle that district economic development is obtained by leveraging and preserving its unique historic and cultural assets. Standard Five confirms our strong belief that a community's own place-based and diverse cultural assets reflect the richness and strength of its identity and establishes a competitive market advantage.

FOCUS AREAS

Communities engaged in the Main Street Approach understand how essential these key areas of focus are for an organization's success: **I) Preservation Ethics and Education on Historic and Cultural Assets, II) Standards and Best Practices for Place-based, People-focused Design, and III) Promotion of Historic, Heritage, and Cultural Assets**

KEY INDICATORS

The following Indicators provide important guidelines on how Main Street programs can build a strong foundation for revitalization through the preservation of building and cultural assets, educating the public on their value to economic growth, and enlisting businesses and property owners in redevelopment efforts. Each Indicator includes examples of the types of activities that a program may use to achieve these goals.

I. PRESERVATION ETHICS AND EDUCATION ON HISTORIC AND CULTURAL ASSETS

INDICATOR I: Main Street demonstrates the community's commitment to its historic and cultural assets. Examples of how these are demonstrated include:

- a. The district has historic buildings listed as local landmarks, a national landmark district, or listed in the National Register of Historic Places.
- b. The community is a Certified Local Government (CLG).
- c. The district has received cultural, arts, or other special designations or recognitions.
- d. Main Street advocates for a local preservation ordinance or the community has one.
- e. Main Street has developed or supported the development of design standards, guidelines, and tools property owners can use to preserve, improve, and maintain historic buildings.
- f. Incentives or in-kind services are in place to assist with improvements to historic and cultural resources (e.g., façade grant, sign grant, low interest loan, design assistance)
- g. Local, county, and/or regional strategies acknowledge and incorporate the preservation of heritage and cultural assets as economic development priorities.

INDICATOR II: Main Street educates and builds awareness about preservation and cultural assets among stakeholders, public sector, community organizations, and residents at large. Examples of how these are demonstrated include:

- a. Holding education and awareness activities that promote the value of the district's historic fabric and cultural assets throughout the year or at least annually during Preservation Month.

- b. Providing programming and resources for district property and business owners that results in the preservation and rehabilitation of local historic assets.
- c. Attending staff and volunteer trainings provided by the Coordinating Program, Main Street America, or other organizations.
- d. Building strong collaborations (e.g., Historic Preservation Commission, Certified Local Government, Historical and Arts entities, etc.) to support tools, ordinances, zoning policies that preserve the district's built and cultural assets.

II. STANDARDS AND BEST PRACTICES FOR PLACE-BASED, PEOPLE-FOCUSED DESIGN

INDICATOR I: Main Street is an advocate and partner for the implementation of standards, guidelines, and best practices for the preservation of historic and cultural assets. Examples of how these are demonstrated include:

- a. Partnered with local government, commissions, and community groups to assess and incorporate heritage and cultural assets into economic development and marketing priorities and initiatives.
- b. Provided or connected district property owners with assistance in redevelopment that is aligned with the district's strategy(s).
- c. Provided guidance that educates property and business owners and developers on state and local ordinances, incentives, and other redevelopment tools.
- d. Provided guidance to projects that leveraged preservation and/or economic development funding tools to support building improvements (TIF, Historic Tax Credits, CLG, USDA grants, etc.)
- e. Advocated for threatened historic properties, and worked to acquire, attract new owner ships and/or worked with city leaders to enforce requirement maintenance standards.

III. PROMOTION OF HISTORIC, HERITAGE, AND CULTURAL ASSETS

INDICATOR I: The Main Street program actively promotes the district's historic and cultural assets. Examples of how these are demonstrated include:

- a. Activities/programming that interpret, celebrate, and recognize local heritage and cultural resources.
- b. Working with media to promote stories that highlight the district's historic and cultural assets and messages their importance to the community and economic growth.
- c. Conducts activities that educate property owners on the benefits of rehabbing historic properties to increase the economic value of the property.

DEMONSTRATED IMPACT AND RESULTS

Main Street communities are part of a national network with a proven record for generating strong economic returns and strengthening the district's position within a highly competitive marketplace. Standard Six highlights the importance of tracking, packaging, and demonstrating the qualitative and quantitative impact of the program's revitalization efforts. It also provides the opportunity for the local Main Street program to tell their stories and advocate for resources needed for sustainability.

FOCUS AREAS

Communities engaged in the Main Street Approach understand how essential these key areas of focus are for an organization's success: **I) Demonstrating the Value of Main Street, II) Measuring and Packaging Quantitative and Qualitative Outcomes and III) Promoting Progress and Demonstrating Impact and Results**

KEY INDICATORS

The following Indicators provide important guidelines on how Main Street programs can build the case for Main Street and demonstrate the impact of their revitalization efforts. Each Indicator includes examples of the types of activities that a program may use to achieve these goals.

I. DEMONSTRATING THE VALUE OF MAIN STREET

INDICATOR I: Main Street is positioned as an advocate for the district, promoting revitalization as an economic development priority among the public and private sector and community at large. Examples of how these are demonstrated include:

- a. District revitalization and physical and economic improvements are included in recent regional or citywide master plans, economic development plans, comprehensive plans, etc.
- b. Main Street participates in ongoing local planning efforts that involve the district.
- c. Main Street participates in guest presentations to local community organizations and institutions.
- d. Small business owners in and around the district regularly seek and receive assistance or support from the Main Street program (e.g., letters of support for grants or loans, marketing support on the Main Street program's website and social media, etc.)
- e. District stakeholders advocate for the program when requested.
- f. The district is highlighted in local partners' communication and marketing efforts (e.g., city, tourism, economic development, etc.) with blog posts, multi-line descriptions of the district, and/or photos featuring the district, etc.
- g. Main Street program's logo, webpage, and/or social media links are included on local government and other partner organizations' websites.
- h. Entrepreneurs and local business owners regularly approach the Main Street program about commercial spaces in the district that could potentially serve as a base-of-operations for a new business or new location for an existing business.

II. MEASURING AND PACKAGING QUANTITATIVE AND QUALITATIVE OUTCOMES

INDICATOR I: Main Street regularly collects and maintains district revitalization statistics (quantitative) and intangible impact data (qualitative) across the Four Points of the Main Street Approach and examines changes over time as required by the Coordinating Program. Examples of how these are demonstrated include:

- a. Number of businesses operating in the district.
- b. Number of businesses operating in the district that are women-owned.
- c. Number of businesses operating in the district that are minority-owned.
- d. Number of businesses operating in the district that are veteran-owned.
- e. Number of employees/jobs based in the district.
- f. Number of new businesses launched in the district over a given period (monthly, quarterly, or annually) and number of employees/jobs added in a district in a given period.
- g. Number of business closures in the district over a given period (monthly, quarterly, or annually) and number of employees/jobs lost in a district in a given period.
- h. Number of local businesses participating as vendors in district events, festivals, etc.
- i. Number of housing units added or lost in the district over a given period (monthly, quarterly, or annually), broken out by housing type (loft, apartment, duplex, single family detached home, etc.), tenure type (for lease or for sale), and sale/rent amount relative to area median income (i.e., affordability).
- j. Number of properties in the district renovated, including details about the capital invested in the renovations and any financial incentives programs leveraged in the renovation (e.g., historic tax credits, low-income housing tax credits, etc.).
- k. Number of public improvement projects in the district that were launched/completed, including overall price tag, public dollars invested, and any secondary sources of capital invested.

INDICATOR II: Main Street annually collects and maintains organizational impact statistics (quantitative) and intangible impact data (qualitative) and examines changes over time. Examples of how these are demonstrated include:

- a. Board annually reviews broad performance goals established within the organization's workplan.
- b. Board annually reviews metrics established to analyze the progress of selected Transformation Strategies.
- c. Number of volunteer hours contributed.
- d. Financial value of volunteer contribution (using Independentsector.org formula).
- e. Number of volunteers participating.

- f. Testimonial reports from small business owners, property owners, and government officials about the value of the Main Street program.
- g. Conversion of volunteer hours to in-kind dollars (\$) contributed.
- h. Financial (\$) contributions made to Main Street by the public sector.
- i. Financial (\$) contributions made to Main Street by the private sector.
- j. Number of responses and analysis of response data from a survey that seeks to understand the community's growing knowledge about Main Street, the importance of Main Street, etc., as well as stakeholder attitudes about Main Street organization.
- k. Impact surveys of promotional events.
- l. Impact surveys of education programming attendees.
- m. Number of media impressions.

III. PROMOTING PROGRESS AND DEMONSTRATING IMPACT AND RESULTS

INDICATOR I: The district's revitalization programming, achievements, stories, and reinvestment statistics are promoted. Examples of how these are demonstrated include:

- a. Sharing through the Coordinating Program reporting system according to the timeline outlined in annual agreements.
- b. Sharing with district stakeholders, local units of government, anchor organizations, funders, and the community at large.
- c. Highlighting and publishing success stories of impactful projects on digital platforms (website, social media channels, etc.) and local media outlets.
- d. Publishing and distributing an annual report and summary of revitalization statistics.
- e. Highlighting key statistics and testimonials on website and other marketing materials.

COMMUNITY ASSESSMENT WORKSHEET

Evaluation Worksheet for Local Programs, Coordinating Programs, and Main Street America*

The Main Street America Evaluation Framework outlines what it means to be a highly successful Main Street program and sets a path for growth and development for newer programs. Depending on achievement, score, and maturity, programs will either be designated as Affiliate or Accredited.

After reviewing the [Community Self-Assessment Tool document](#), use this worksheet to score community progress and determine the designation status of a community. All scores will be averaged and populated at the end.

BASELINE REQUIREMENTS

As detailed within the tool, some indicators are required as important baseline (starting point) for a program to qualify for Accreditation. Please indicate whether communities meet the baseline requirements by selecting **Yes** or **No**.

	LP	CP	MSA
1 A Board of Directors formed by a representative base of the district stakeholders and community members, dedicated to leading the district's Main Street program.	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐
2 Communities over 5,000 in population must employ an FTE program director. Communities under 5,000 in population must employ a 20-hour minimum per week program director.	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐
3 Identified Transformation Strategy to direct the work of the program, based on community input and market understanding.	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐
4 Detailed work plans aligned with the selected Transformation Strategy that outlines programming across the Main Street Four Points. Work plans include the project, expected (measurable) outcomes, specific tasks needed to accomplish the project, assignments of those tasks showing volunteer and staff responsibilities, timelines, and budgets.	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐
5 A dedicated budget for the district's revitalization programming and the Main Street program's operations.	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐
6 Demonstrated support from the municipality for the Main Street program. This can include leadership participation, funding, in-kind and philosophical support.	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐
7 Reinvestment statistics are reported as required by the Coordinating program (monthly, quarterly, or annually).	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐
8 Be a member in good standing with Main Street America and use the Main Street America logo on its webpage and/or social media as well as the coordinating program logo.	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐

Local Programs that do not meet these baseline requirements are not eligible for Accreditation from Main Street America, though they may qualify for designation at the Affiliate level

THE MAIN STREET AMERICA EVALUATION FRAMEWORK

ACCREDITATION ELIGIBILITY

Next, to determine where a community is on the path to Accreditation, use the next part of the worksheet to score the community on the Indicators listed for each of the six Standards based on a scale of 1-5. Each number represents the following:

1	2	3	4	5
Not being addressed.	Minimal work but needs more effort.	Evidence of satisfactory progress.	Has achieved success within this indicator.	Outstanding achievement. One that other programs could replicate.

Communities must meet the Baseline Requirements and average at least three (3) points per Standard to achieve Accreditation. Some Indicators will require documentation. At a minimum, this will include providing your program's annual budget and workplan.

STANDARD I: BROAD-BASED COMMUNITY COMMITMENT TO REVITALIZATION

	LP	CP	MSA	
Partnerships and Collaboration				Notes
Indicator I:	___	___	___	
Indicator II:	___	___	___	
District and Community Outreach				
Indicator I:	___	___	___	
Communications and Public Relations				
Indicator I:	___	___	___	
Indicator II:	___	___	___	
Indicator III:	___	___	___	
Standard I Average:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	

THE MAIN STREET AMERICA EVALUATION FRAMEWORK

STANDARD II: INCLUSIVE LEADERSHIP AND ORGANIZATIONAL CAPACITY

	LP	CP	MSA	
Inclusive Organizational Culture and Diverse Volunteer Engagement				Notes
Indicator I:	___	___	___	
Indicator II:	___	___	___	
Indicator III:	___	___	___	
Indicator IV:	___	___	___	
Active Board Leadership and Supporting Volunteer Base				
Indicator I: <i>Required</i>	___	___	___	
Indicator II:	___	___	___	
Indicator III:	___	___	___	
Professional Staff Management				
Indicator I: <i>Required</i>	___	___	___	
Indicator II:	___	___	___	
Effective Operational Structure				
Indicator I: <i>Required</i>	___	___	___	
Standard II Average:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	

STANDARD III: DIVERSIFIED FUNDING AND SUSTAINABLE PROGRAM OPERATIONS

	LP	CP	MSA	
Balanced Funding Structure				Notes
Indicator I:	___	___	___	
Indicator II:	___	___	___	
Indicator III:	___	___	___	
Strategic Revenue Development and Fundraising				
Indicator I:	___	___	___	
Budget and Work Plan Alignment				
Indicator I:	___	___	___	
Indicator II:	___	___	___	
Financial Management and Best Practices				
Indicator I:	___	___	___	
Indicator II:	___	___	___	
Standard III Average:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	

THE MAIN STREET AMERICA EVALUATION FRAMEWORK

STANDARD IV: STRATEGY-DRIVEN PROGRAMMING

	LP	CP	MSA	Notes
Planning Guided by Inclusive Community and Market-Informed Inputs				
Indicator I:	—	—	—	
Defining Direction through Transformation Strategy Identification and Development				
Indicator I:	—	—	—	
Strategy-Aligned Comprehensive Work Planning and Implementation Across all Four Points				
Indicator I:	—	—	—	
Standard IV Average:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	

STANDARD V: PRESERVATION-BASED ECONOMIC DEVELOPMENT

	LP	CP	MSA	Notes
Preservation Ethics and Education on Historic and Cultural Assets				
Indicator I:	—	—	—	
Indicator II:	—	—	—	
Standards and Best Practices for Place-based, People-focused Design				
Indicator I:	—	—	—	
Promotion of Historic, Heritage, and Cultural Assets				
Indicator I:	—	—	—	
Standard V Average:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	

STANDARD VI: DEMONSTRATED IMPACT AND RESULTS

	LP	CP	MSA	Notes
Demonstrating the Value of Main Street				
Indicator I:	—	—	—	
Measuring and Packaging Quantitative and Qualitative Outcomes				
Indicator I:	—	—	—	
Indicator II:	—	—	—	
Promoting Progress and Demonstrating Impact and Results				
Indicator I:	—	—	—	
Standard VI Average:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	

THE MAIN STREET AMERICA EVALUATION FRAMEWORK

CUMULATIVE AVERAGE SCORES		LP	CP	MSA
STANDARD I	BROAD-BASED COMMUNITY COMMITMENT TO REVITALIZATION	0.0	0.0	0.0
STANDARD II	INCLUSIVE LEADERSHIP AND ORGANIZATIONAL CAPACITY	0.0	0.0	0.0
STANDARD III	DIVERSIFIED FUNDING AND SUSTAINABLE PROGRAM OPERATIONS	0.0	0.0	0.0
STANDARD IV	STRATEGY-DRIVEN PROGRAMMING	0.0	0.0	0.0
STANDARD V	PRESERVATION-BASED ECONOMIC DEVELOPMENT	0.0	0.0	0.0
STANDARD VI	DEMONSTRATED IMPACT AND RESULTS	0.0	0.0	0.0

LOCAL PROGRAM

Program Name: _____

Reviewer: _____ Title: _____ Date: _____

COORDINATING PROGRAM

Program Name: _____

Reviewer: _____ Title: _____ Date: _____

MAIN STREET AMERICA

Reviewer: _____ Title: _____ Date: _____



City Council Agenda Item #5.

Title: Consideration and possible action approving Resolution No. 2023-2827 appointing two new members and a new liaison to the Historical Commission & Main Street Board.

Date: December 18, 2023

From: Ana Silbas, Mainstreet Coordinator

Staff Recommendation: Staff recommends approval of the proposed resolution to appoint two new qualified individuals to the Freeport Historical Commission & Main Street Advisory Board and a new City Council Liaison.

Item Summary: The Freeport Historical Commission & Main Street Advisory Board is seeking to fill two positions with qualified applicants. The terms for these two positions are **unexpired**:

(1) Position will expire **May 31, 2024**

(1) Position will expire **May 31, 2025**

Two applications were received---The two applicants currently serve on the Freeport Main Street Economic Vitality Subcommittee.

Background Information: The Freeport Main Street Program is currently in the **Catalyst Phase**, which is characterized by building a strong foundation, organizational development, partnership building and establishing a credible presence in the community. This requires a diverse, balanced and engaged set of board members to carry out and support the historic preservation and economic revitalization work of the Freeport Main Street Program.

Special Considerations: The Freeport Historical Commission & Main Street Advisory Board is seeking to diversify the current makeup of its members for a balanced representation of community stakeholders.

Financial Impact: N/A

Board or 3rd Party Recommendation: The Freeport Historical Commission & Main Street Advisory Board requests two new board members who are diverse in the areas of race, age and/or professional expertise to best support the mission and work of the Freeport Main Street Program.

Supporting Documentation:

1. 2023 Resolution 2023-2827 Removal of Board Members- Main Street

RESOLUTION NO. 2023-2827

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING A QUALIFIED PERSON(S) TO THE FREEPORT HISTORICAL COMMISSION & MAIN STREET ADVISORY BOARD OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the term of office of Sandra Barbree and Sandra Wood-Wicke has become vacant with the removal of Board Members of the Freeport Historical Commission & Main Street Advisory Board of the City of Freeport, Texas ("the City");

WHEREAS, the term of appointment of the above-board member terminates on May, 2024 for Sandra Barbree and May, 2025 for Sandra Wood-Wicke;

WHEREAS, the City Council of the City desires to appoint the below named qualified person(s) as member(s) of said board of members.

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

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified person(s) to the Freeport Historical Commission & Main Street Advisory Board of the City to fill the term that expires in May 2024 and the term that expires in May 2025, and until a successor for such person shall have been appointed and qualified, to-wit.

SECTION TWO (2): DUTIES

The above-named appointee shall perform all of the duties imposed on members of the Freeport Historical Commission & Main Street Advisory Board of the City by law.

SECTION THREE (3): OATH OF OFFICE

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

READ, PASSED AND ADOPTED this ____ day of _____, 2023.

City of Freeport, Texas

ATTEST: _____
Clarisa Molina, Interim City Secretary
City of Freeport, Texas



City Council Agenda Item #6.

Title: Discussion and possible action of agreed sale price for parcel one and parcel two for \$71,600.00 for Lucy Ware.

Date: December 18, 2023

From: Lance Petty, Interim City Manager

Staff Recommendation: Staff does not recommend any action from discussion

Item Summary: Ms. Lucy Ware contacted requesting to be included on the December 18th agenda to discuss the agreed sale price of property

Background Information: On July 12, 2022, the Freeport City Council and Ms. Lucy Ware agreed upon the sale price of \$71,600.00 for Ms. Ware to construct a residential home. Ms. Ware requested to address the Council about a reduction in price. Discussion of property is, Parcel One: .1070 acre of land more or less, out of closed Front Street and part of tract D18, out of Abstract 99, City of Freeport, Brazoria County, Texas. Parcel Two: .24252 acre land more or less known as the remainder of a part of Division Street right-of-way, a publicly dedicated right-of-way located south of Mystery Harbor Lane, and adjacent to the western boundary line of applicants' property in Brazoria County, Texas.

Special Considerations: None

Financial Impact: None

Board or 3rd Party Recommendation: None

Supporting Documentation:

1. Freeport offer to sell letter (Ware)
2. Resolution - Ware Sale docx
3. ORDINANCE ROW
4. Survey of River Tracts 2 & 3 for wares
5. scan@birdsongrealtors.com_20230926_155021
6. DivisionStreet 0-284+ ac

7. Coleman appraisal of .1070 acre Levy property at 2 N. Front street
8. Coloman appraisal of .24252 acre Division Street ROW

DUNCAN LAW FIRM

ATTORNEY & COUNSELOR AT LAW

P.O. BOX 2017
ANGLETON, TEXAS 77516
TELEPHONE: (979) 849-9944
CHRISDUNC@GMAIL.COM

July 12, 2022

Aaron and Lucy Ware

RE: Offer by City of Freeport to sell two (2) parcels of property.

Mr. and Mrs. Ware:

I am following up regarding the motion passed by Freeport City Council last night to sell you two (2) parcels of property owned by the City. Specifically, the City Council has authorized me to make the following offer of sell to you (hereafter referred to as "Buyer"):

PROPERTY

PARCEL ONE:

.1070 acre of land more or less, out of Closed Front Street and Part of Tract D18, out of Abstract 99, City of Freeport, Brazoria County, Texas.

PARCEL TWO:

.24252 acre of land more or less known as the remainder of a part of Division Street right-of-way, a publicly dedicated right-of-way located south of Mystery Harbor Lane, and adjacent to the western boundary line of Applicant's property in Brazoria County, Texas

PRICE

Seventy-one thousand, six hundred and 00/100 Dollars (\$71,600.00). Payable at closing.

SPECIAL CONDITIONS OF SALE

1. Buyer must build a house on either the property currently owned at 2 Front Street, Freeport, Texas (the property abutting Parcel One) or on Parcel Two within 3 years of the date of closing;
2. Buyer cannot sale or in any way transfer ownership in Parcel Two without first providing the City of Freeport the right of first refusal to buy back Parcel Two for the original purchase price (appraised value) of \$48,300.
3. If Buyer fails to build a house on either property within 3 years, the City of Freeport shall have the absolute right to buy back both parcels for the original purchase price of \$71,600.

4. If Buyer replats the two parcels into the same lot, and fails to build a house on the property within 3 years, the City of Freeport shall have the absolute right to buy back the re-platted lot including both parcels and any other property combined in that re-platted lot for the original purchase price of \$71,600.
5. Buyer shall execute within 30 days of demand, all documents required by the City of Freeport to execute its rights of repurchase set forth above. Should Buyer be unable or unwilling to execute the necessary documents, Buyer consents to a declaration of title by a state district court in Brazoria County, Texas.

CLOSING:

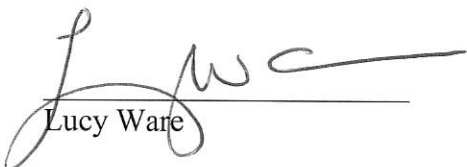
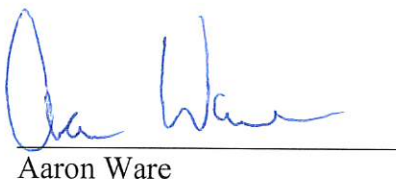
1. The parties agree to execute a standard third-party financing TREC sales contract containing the above terms of sale, and requiring closing within 60 days of execution;
2. Subsequent to the execution of the sales contract, the City of Freeport shall pass the requisite Resolution and Ordinance to effect the sale;
3. The City of Freeport shall prepare two special warranty deeds in the form acceptable to the City;
4. The closing may be made at the title company of Buyer's choice, however, any title policy shall be paid for at Buyer's expense;
5. The City shall not pay any commissions nor any costs of closing.

Sincerely,



Christopher Duncan

ACCEPTED:


Lucy Ware
Aaron Ware

RESOLUTION NO. 2022-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS AUTHORIZING THE MAYOR TO EXECUTE A DEED TO CONVEY REAL PROPERTY TO LUCY WARE, WITH A REQUIREMENT TO BUILD A HOME ON SAID PROPERTY WITHIN 3 YEARS AND CONTAINING A REVERTER CLAUSE.

WHEREAS, the City of Freeport, Texas is a home rule municipality; and

WHEREAS, Lucy Ware owns real property located at 2 Front Street, Freeport, Texas; and

WHEREAS, Lucy Ware seek to purchase property fronting the Old Brazos River, adjacent to her property and owned by the City of Freeport, Texas, said property identified as:

.1070 acres of land more or less, out of Closed Front Street and Part of Tract D18, out of Abstract 99, City of Freeport, Brazoria County, Texas.

; and,

WHEREAS, Lucy Ware seeks to develop the above property to build a residential home and

WHEREAS, the City Council finds that the waterfront property owned by the city is not accessible or developable by any other property owners, and that development by Lucy Ware will produce future tax revenue to the City; and.

WHEREAS, attached to this Resolution and incorporated herein are property descriptions of the land owned by Lucy Ware, the land owned by the City of Freeport being sold by this resolution, and an independent fair market value appraisal by a certified appraiser.

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

SECTION 1. FINDINGS. The City Council of the City hereby finds as true, the statements contained in the preamble set forth above.

SECTION 2. AUTHORIZATION TO TRANSFER. The Mayor of the City is hereby authorized to execute a deed without warranty of the subject property to Lucy Ware upon payment of the fair market value of \$23,300, said deed requiring that Lucy Ware build a residential home on said lot within 3 years and containing a reversion clause activated upon failure to comply with such requirement.

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

Read, passed and adopted the _____ day of _____, 2022.

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; VACATING, ABANDONING AND CLOSING THE PORTION OF THE DEDICATED STREET IN THE VELASCO TOWNSITE WITHIN SAID CITY, IN BRAZORIA COUNTY, TEXAS, KNOWN AS THE EAST ONE-HALF OF THE DIVISION STREET RIGHT-OF-WAY, HEREIN DESCRIBED; RESERVING ALL NECESSARY EASEMENTS FOR MAINTAINING AND UTILIZING UTILITIES, WATER LINES, CABLES, AND POLES WITHIN SUCH PORTION OF SAID STREET THEREBY VACATED, ABANDONED AND CLOSED WHICH ARE PRESENTLY IN USE OR THAT MAY BE REQUIRED IN THE FUTURE; AUTHORIZING THE MAYOR TO EXECUTE A DEED WITHOUT WARRANTY, CONVEYING, SUBJECT TO SUCH RESERVATION, AND TO THE REVERTER CLAUSE THERIN AND HEREIN DESCRIBED, SUCH PORTION OF SUCH PUBLIC STREET THEREBY VACATED, ABANDONED AND CLOSED TO LUCY WARE, THE ABUTTING PROPERTY OWNER, FOR THE FAIR MARKET VALUE THEREOF DETERMINED BY THE APPRAISAL ATTACHED HERETO IN ACCORDANCE WITH SECTION 272.001 OF THE LOCAL GOVERNMENT CODE AND THE REIMBURSEMENT OF THE CITY BY SAID OWNER FOR CERTAIN FEES THEREIN SPECIFIED; FINDING THAT THE VACATING, ABANDONING AND CLOSING OF SUCH PORTION OF SUCH PUBLIC STREET IS IN THE PUBLIC INTEREST AND THAT IT WILL BENEFIT THE PUBLIC; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, LUCY WARE, hereinafter "the Applicant," is the owner of property abutting upon the .24252 acre of land more or less known as the remainder of a part of Division Street right-of-way, a publicly dedicated right-of-way located south of Mystery Harbor Lane, and adjacent to the western boundary line of Applicant's property in Brazoria County, Texas; and,

WHEREAS, said street is a dedicated as a public street on the map or plat of the Velasco Townsite on file in the office of the County Clerk of Brazoria County, Texas, and said townsite is now within the corporate limits of the City of Freeport; and,

WHEREAS, the Applicant has petitioned the City Council of the City of Freeport to vacate, abandon and close the hereinabove described portion of said street and to convey the City's interest in the same to Applicant; and,

WHEREAS, the City of Freeport, Texas, 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, Sections 311.002(a) (2) and 311.008 of the Transportation Code and Sections 2.01 and 2.03 and Item (p) of Section 3.07 of the Home Rule Charter of the City of Freeport authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the vacating, abandoning and closing of such portion of said street would not deny access to a public street from any other property within the City of Freeport; and,

WHEREAS, the vacating, abandoning and closing of such portion of said street would be in the public interest and would benefit the public by allowing the improvement of such property, placing such property on the tax roll of the City and eliminating the obligation of the City to maintain the same; and,

WHEREAS, an appraisal of such portion of said street has been obtained in order to determine the fair market value thereof, a copy of such appraisal marked Exhibit "A" being attached hereto and incorporated herein by reference, and the City Council of the City of Freeport finds that, pursuant to Section 272.001 of the Local Government Code, such appraisal is conclusive of the fair market value thereof; and,

WHEREAS, the City has incurred expenses consisting of an appraiser's fee for such appraisal for which the City should be reimbursed by the Applicant.

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

First, the City Council of the City of Freeport, Texas, finds and declares that the findings of fact and conclusions of law set forth in the preamble to this ordinance are true and correct.

Second, the **.24252 acre** of land more or less known as a part of Division Street right-of-way, a publicly dedicated right-of-way located south of Mystery Harbor Lane, adjacent to the eastern boundary line of Applicant Abstract 99, in Brazoria County, Texas and East of the centerline of the Division Street right-of-way, is hereby declared to be vacated, abandoned and closed as a public right-of-way. Provided, however, the City of Freeport hereby reserves all necessary easements for maintaining and utilizing all utilities, water lines, cables, and poles presently in use or that may be required in the future. Provided further, with the consent of the City Manager and the appropriate official of all affected utility companies, the easement reserved herein may be released by the Mayor, if all lines, cables, poles and mains are relocated to another duly established easement at the expense of the Applicant.

Third, upon the payment by the Applicant to the City of Forty-Eight Thousand Three Hundred Dollars (\$48,300) the fair market value of such portion of said public street as determined by such appraisal and upon reimbursement of the City by the Applicant for the above mentioned appraiser's fee, the Mayor is hereby authorized to execute and acknowledge and the City Secretary to attest a Deed without Warranty conveying the City's interest in above described portion of the Division Street right-of-way to Applicant, his, her or its heirs or successors and assigns, forever, but reserving therein on behalf of the City an easement for all necessary utilities, water lines, cables, and poles presently in use or that may be required in the future as the City may determine in the exercise of its sole discretion and the condition that Grantee will construct on the property a house in compliance with all applicable building codes and acceptable to the City's Building Official to be completed within 3 years of the date of the deed.

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

Fifth, this ordinance shall take effect and be in force from and after its passage and adoption

READ, PASSED AND ADOPTED this _____ day of _____ 2022.

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

Betty Wells, City Secretary
City of Freeport, Texas

Christopher Duncan, City Attorney
City of Freeport, Texas

Subject to the zoning & building ordinances now in force in the City of Freeport, Tx. *Blue Line setbacks
There are no other visible or apparent pipeline easements affecting the limits of this property

(NXX) indicates record plat calls and dimensions CLERKS FILE NO. 2014-00210 HELD FOR REFERENCE BEARING BASIS OF THIS SURVEY
(OXX) indicates record plat calls and dimensions VOLUME 32, PAGE 14 OF THE DEED RECORDS OF BRAZORIA COUNTY

M indicates field measured calls and dimensions

- ◆ State of Texas
- ◆ County of Brazoria

SURVEY PLAT OF

TRACT 1, LOTS ONE (01) & TWO (02), BLOCK ONE (01) OF VELASCO TOWNSITE, FREEPORT, BRAZORIA COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 32, PAGE 14 OF THE DEED RECORDS OF BRAZORIA COUNTY AND IN COUNTY CLERK FILE NO. 2000-02694 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS

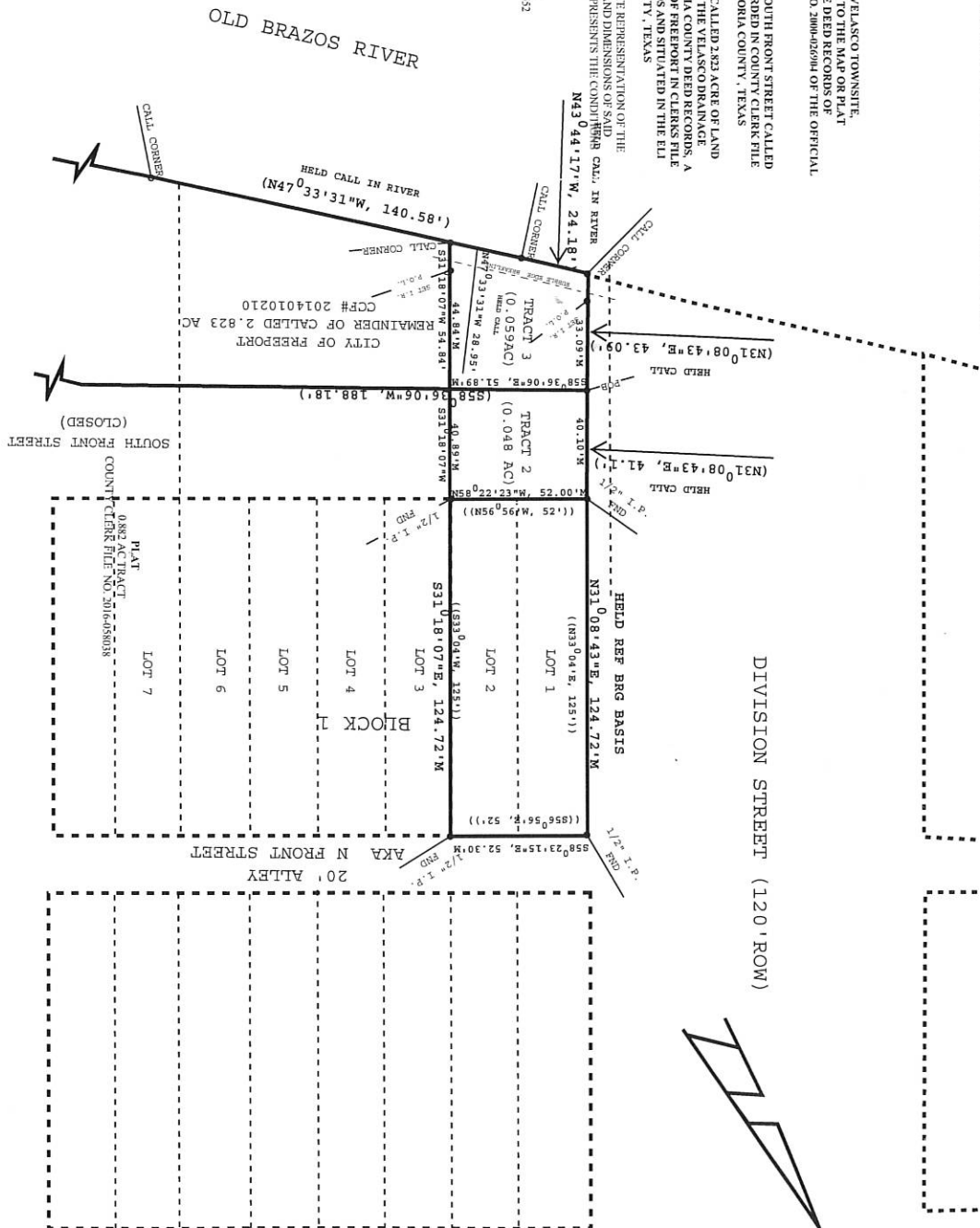
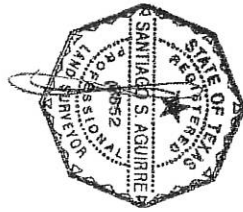
TRACT 2, A 210.51 S.E. 60.88 AC PORTION OUT OF SOUTH FRONT STREET CALLED CLOSED IN A PLAT OF A 8.882 TRACT OF LAND RECORDED IN COUNTY CLERK FILE NO. 2016-08063 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS

TRACT 3, A 257.15 S.E. 60.89 AC PORTION OUT OF A CALLED 263 ACRES OF LAND OUT OF A CALLED 12.83 ACRE TRACT CONVEYED TO THE VELASCO DRAINAGE DISTRICT IN VOLUME 36, PAGE 15 OF THE BRAZORIA COUNTY DEED RECORDS, A PORTION OF WHICH WAS CONVEYED TO THE CITY OF FREEPORT IN CLERKS FILE NO. 2014-00210 OF THE BRAZORIA COUNTY DEED RECORDS AND NOTED IN THE ELI MITCHELL SURVEY, ABSTRACT 79, BRAZORIA COUNTY, TEXAS

THE PLAT HEREON IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF THE PROPERTY AS DETERMINED BY A SURVEY, THE LINES AND DIMENSIONS OF SAID PROPERTY BEING AS INDICATED BY THE PLAT AND REPRESENTS THE CONDITION FOUND IN THE FIELD AS OF THIS DATE.

DATE: JUNE 11, 2021
S.S. AGUIRRE, REGISTERED PROFESSIONAL LAND SURVEYOR, TX. NO. 2552

6401-291 LITTLE CT
LAKE JACKSON, TEXAS
979-482-3529





UNIMPROVED PROPERTY CONTRACT

NOTICE: Not For Use For Condominium Transactions



1. **PARTIES:** The parties to this contract are City Of Freeport (Seller) and Lucy Ware, Aaron Ware (Buyer). Seller agrees to sell and convey to Buyer and Buyer agrees to buy from Seller the Property defined below.

2. **PROPERTY:** Lot _____, Block _____, Addition _____, City of Freeport, County of Brazoria, Texas, known as 77541 (address/zip code), or as described on attached exhibit together with all rights, privileges and appurtenances pertaining thereto (Property).

RESERVATIONS: Any reservation for oil, gas, or other minerals, water, timber, or other interests is made in accordance with an attached addendum.

3. SALES PRICE:

- A. Cash portion of Sales Price payable by Buyer at closing. \$ _____
The term "Cash portion of the Sales Price" does not include proceeds from borrowing of any kind or selling other real property except as disclosed in this contract.
- B. Sum of all financing described in the attached: ☒ Third Party Financing Addendum, ☐ Loan Assumption Addendum, ☐ Seller Financing Addendum. \$ 71,600.00
- C. Sales Price (Sum of A and B) \$ 71,600.00

4. LEASES:

- A. Except as disclosed in this contract, Seller is not aware of any leases affecting the Property. After the Effective Date, Seller may not, without Buyer's written consent, create a new lease, amend any existing lease, or convey any interest in the Property.
- B. **NATURAL RESOURCE LEASES:** "Natural Resource Lease" means an existing oil and gas, mineral, water, wind, or other natural resource lease affecting the Property to which Seller is a party. Seller ☐ is ☐ is not a party to a Natural Resource Lease. If Seller is a party to a Natural Resource Lease, check one of the following:
- ☐ (1) Seller has delivered to Buyer a copy of all the Natural Resource Leases.
- ☐ (2) Seller has not delivered to Buyer a copy of all the Natural Resource Leases. Seller shall provide to Buyer a copy of all the Natural Resource Leases within 3 days after the Effective Date. Buyer may terminate the contract within _____ days after the date the Buyer receives all the Natural Resource Leases and the earnest money shall be refunded to Buyer.

5. EARNEST MONEY AND TERMINATION OPTION:

- A. **DELIVERY OF EARNEST MONEY AND OPTION FEE:** Within 3 days after the Effective Date, Buyer must deliver to Stewart Title (Escrow Agent) at 190 Abner Jackson Pkwy #100, Lake Jackson, Tx 77541 (address): \$ _____ as earnest money and \$ _____ as the Option Fee. The earnest money and Option Fee shall be made payable to Escrow Agent and may be paid separately or combined in a single payment.
- (1) Buyer shall deliver additional earnest money of \$ _____ to Escrow Agent within _____ days after the Effective Date of this contract.
- (2) If the last day to deliver the earnest money, Option Fee, or the additional earnest money falls on a Saturday, Sunday, or legal holiday, the time to deliver the earnest money, Option Fee, or the additional earnest money, as applicable, is extended until the end of the next day that is not a Saturday, Sunday, or legal holiday.
- (3) The amount(s) Escrow Agent receives under this paragraph shall be applied first to the Option Fee, then to the earnest money, and then to the additional earnest money.
- (4) Buyer authorizes Escrow Agent to release and deliver the Option Fee to Seller at any time without further notice to or consent from Buyer, and releases Escrow Agent from liability for delivery of the Option Fee to Seller. The Option Fee will be credited to the Sales Price at closing.
- B. **TERMINATION OPTION:** For nominal consideration, the receipt of which Seller acknowledges, and Buyer's agreement to pay the Option Fee within the time required, Seller grants Buyer the unrestricted right to terminate this contract by giving notice of termination to Seller within _____ days after the Effective Date of this contract (Option Period). Notices under this paragraph must be given by 5:00 p.m. (local time where the Property is located) by the date specified. If Buyer gives notice of termination within the time prescribed: (i) the Option Fee will not be refunded and Escrow Agent shall release any Option Fee remaining with Escrow Agent to Seller; and (ii) any earnest money will be refunded to Buyer.

TXR-1607

Initialed for identification by Buyer AW AW and Seller _____

TREC NO. 9-16

- C. **FAILURE TO TIMELY DELIVER EARNEST MONEY:** If Buyer fails to deliver the earnest money within the time required, Seller may terminate this contract or exercise Seller's remedies under Paragraph 15, or both, by providing notice to Buyer before Buyer delivers the earnest money.
- D. **FAILURE TO TIMELY DELIVER OPTION FEE:** If no dollar amount is stated as the Option Fee or if Buyer fails to deliver the Option Fee within the time required, Buyer shall not have the unrestricted right to terminate this contract under this Paragraph 5.
- E. **TIME: Time is of the essence for this paragraph and strict compliance with the time for performance is required.**
6. **TITLE POLICY AND SURVEY:**
- A. **TITLE POLICY:** Seller shall furnish to Buyer at ☒ Seller's ☐ Buyer's expense an owner's policy of title insurance (Title Policy) issued by Stewart Title (Title Company) in the amount of the Sales Price, dated at or after closing, insuring Buyer against loss under the provisions of the Title Policy, subject to the promulgated exclusions (including existing building and zoning ordinances) and the following exceptions:
- (1) Restrictive covenants common to the platted subdivision in which the Property is located.
 - (2) The standard printed exception for standby fees, taxes and assessments.
 - (3) Liens created as part of the financing described in Paragraph 3.
 - (4) Utility easements created by the dedication deed or plat of the subdivision in which the Property is located.
 - (5) Reservations or exceptions otherwise permitted by this contract or as may be approved by Buyer in writing.
 - (6) The standard printed exception as to marital rights.
 - (7) The standard printed exception as to waters, tidelands, beaches, streams, and related matters.
 - (8) The standard printed exception as to discrepancies, conflicts, shortages in area or boundary lines, encroachments or protrusions, or overlapping improvements:
- ☒ (i) will not be amended or deleted from the title policy; or
- ☐ (ii) will be amended to read, "shortages in area" at the expense of ☐ Buyer ☐ Seller.
- (9) The exception or exclusion regarding minerals approved by the Texas Department of Insurance.
- B. **COMMITMENT:** Within 20 days after the Title Company receives a copy of this contract, Seller shall furnish to Buyer a commitment for title insurance (Commitment) and, at Buyer's expense, legible copies of restrictive covenants and documents evidencing exceptions in the Commitment (Exception Documents) other than the standard printed exceptions. Seller authorizes the Title Company to deliver the Commitment and Exception Documents to Buyer at Buyer's address shown in Paragraph 21. If the Commitment and Exception Documents are not delivered to Buyer within the specified time, the time for delivery will be automatically extended up to 15 days or 3 days before the Closing Date, whichever is earlier. If the Commitment and Exception Documents are not delivered within the time required, Buyer may terminate this contract and the earnest money will be refunded to Buyer.
- C. **SURVEY:** The survey must be made by a registered professional land surveyor acceptable to the Title Company and Buyer's lender(s). (Check one box only)
- ☐ (1) Within _____ days after the Effective Date of this contract, Seller shall furnish to Buyer and Title Company Seller's existing survey of the Property and a Residential Real Property Affidavit promulgated by the Texas Department of Insurance (T-47 Affidavit). **If Seller fails to furnish the existing survey or affidavit within the time prescribed, Buyer shall obtain a new survey at Seller's expense no later than 3 days prior to Closing Date.** If the existing survey or affidavit is not acceptable to Title Company or Buyer's lender(s), Buyer shall obtain a new survey at ☐ Seller's ☐ Buyer's expense no later than 3 days prior to Closing Date.
- ☐ (2) Within _____ days after the Effective Date of this contract, Buyer shall obtain a new survey at Buyer's expense. Buyer is deemed to receive the survey on the date of actual receipt or the date specified in this paragraph, whichever is earlier.
- ☐ (3) Within _____ days after the Effective Date of this contract, Seller, at Seller's expense shall furnish a new survey to Buyer.
- D. **OBJECTIONS:** Buyer may object in writing to (i) defects, exceptions, or encumbrances to title: disclosed on the survey other than items 6A(1) through (7) above; or disclosed in the Commitment other than items 6A(1) through (9) above; (ii) any portion of the Property lying in a special flood hazard area (Zone V or A) as shown on the current Federal Emergency Management Agency map; or (iii) any exceptions which prohibit the following use or activity:

Buyer must object the earlier of (i) the Closing Date or (ii) _____ days after Buyer receives the Commitment, Exception Documents, and the survey. Buyer's failure to object within the time allowed will constitute a waiver of Buyer's right to object; except that the requirements in Schedule C of the Commitment are not waived. Provided Seller is not obligated to incur any expense, Seller shall cure any timely objections of Buyer or any third party lender within 15 days after Seller receives the objections (Cure Period) and the Closing Date will be extended as necessary. If objections are not cured within the Cure Period, Buyer may, by delivering notice to Seller within 5 days after the end of the Cure Period: (i) terminate this contract and the earnest money will be refunded to Buyer; or (ii) waive the objections. If Buyer does not terminate

(Address of Property)

within the time required, Buyer shall be deemed to have waived the objections. If the Commitment or survey is revised or any new Exception Document(s) is delivered, Buyer may object to any new matter revealed in the revised Commitment or survey or new Exception Document(s) within the same time stated in this paragraph to make objections beginning when the revised Commitment, survey, or Exception Document(s) is delivered to Buyer.

E. TITLE NOTICES:

(1) ABSTRACT OR TITLE POLICY: Broker advises Buyer to have an abstract of title covering the Property examined by an attorney of Buyer's selection, or Buyer should be furnished with or obtain a Title Policy. If a Title Policy is furnished, the Commitment should be promptly reviewed by an attorney of Buyer's choice due to the time limitations on Buyer's right to object.

(2) MEMBERSHIP IN PROPERTY OWNERS ASSOCIATION(S): The Property ☐ is ☒ is not subject to mandatory membership in a property owners association(s). If the Property is subject to mandatory membership in a property owners association(s), Seller notifies Buyer under §5.012, Texas Property Code, that, as a purchaser of property in the residential community identified in Paragraph 2 in which the Property is located, you are obligated to be a member of the property owners association(s). Restrictive covenants governing the use and occupancy of the Property and all dedicatory instruments governing the establishment, maintenance, and operation of this residential community have been or will be recorded in the Real Property Records of the county in which the Property is located. Copies of the restrictive covenants and dedicatory instruments may be obtained from the county clerk. **You are obligated to pay assessments to the property owners association(s). The amount of the assessments is subject to change. Your failure to pay the assessments could result in enforcement of the association's lien on and the foreclosure of the Property.**

Section 207.003, Property Code, entitles an owner to receive copies of any document that governs the establishment, maintenance, or operation of a subdivision, including, but not limited to, restrictions, bylaws, rules and regulations, and a resale certificate from a property owners' association. A resale certificate contains information including, but not limited to, statements specifying the amount and frequency of regular assessments and the style and cause number of lawsuits to which the property owners' association is a party, other than lawsuits relating to unpaid ad valorem taxes of an individual member of the association. These documents must be made available to you by the property owners' association or the association's agent on your request.

If Buyer is concerned about these matters, the TREC promulgated Addendum for Property Subject to Mandatory Membership in a Property Owners Association should be used.

(3) STATUTORY TAX DISTRICTS: If the Property is situated in a utility or other statutorily created district providing water, sewer, drainage, or flood control facilities and services, Chapter 49, Texas Water Code, requires Seller to deliver and Buyer to sign the statutory notice relating to the tax rate, bonded indebtedness, or standby fee of the district prior to final execution of this contract.

(4) TIDE WATERS: If the Property abuts the tidally influenced waters of the state, §33.135, Texas Natural Resources Code, requires a notice regarding coastal area property to be included in the contract. An addendum containing the notice promulgated by TREC or required by the parties must be used.

(5) ANNEXATION: If the Property is located outside the limits of a municipality, Seller notifies Buyer under §5.011, Texas Property Code, that the Property may now or later be included in the extraterritorial jurisdiction of a municipality and may now or later be subject to annexation by the municipality. Each municipality maintains a map that depicts its boundaries and extraterritorial jurisdiction. To determine if the Property is located within a municipality's extraterritorial jurisdiction or is likely to be located within a municipality's extraterritorial jurisdiction, contact all municipalities located in the general proximity of the Property for further information.

(6) PROPERTY LOCATED IN A CERTIFICATED SERVICE AREA OF A UTILITY SERVICE PROVIDER: Notice required by §13.257, Water Code: The real property, described in Paragraph 2, that you are about to purchase may be located in a certificated water or sewer service area, which is authorized by law to provide water or sewer service to the properties in the certificated area. If your property is located in a certificated area there may be special costs or charges that you will be required to pay before you can receive water or sewer service. There may be a period required to construct lines or other facilities necessary to provide water or sewer service to your property. You are advised to determine if the property is in a certificated area and contact the utility service provider to determine the cost that you will be required to pay and the period, if any, that is required to provide water or sewer service to your property. The undersigned Buyer hereby acknowledges receipt of the foregoing notice at or before the execution of a binding contract for the purchase of the real property described in Paragraph 2 or at closing of purchase of the real property.

(7) PUBLIC IMPROVEMENT DISTRICTS: If the Property is in a public improvement district, Seller must give Buyer written notice as required by §5.014, Property Code. An addendum containing the required notice shall be attached to this contract.

(Address of Property) _____

- (8) TEXAS AGRICULTURAL DEVELOPMENT DISTRICT: The Property ☐ is ☒ is not located in a Texas Agricultural Development District. For additional information, contact the Texas Department of Agriculture.
- (9) TRANSFER FEES: If the Property is subject to a private transfer fee obligation, §5.205, Property Code requires Seller to notify Buyer as follows: The private transfer fee obligation may be governed by Chapter 5, Subchapter G of the Texas Property Code.
- (10) PROPANE GAS SYSTEM SERVICE AREA: If the Property is located in a propane gas system service area owned by a distribution system retailer, Seller must give Buyer written notice as required by §141.010, Texas Utilities Code. An addendum containing the notice approved by TREC or required by the parties should be used.
- (11) NOTICE OF WATER LEVEL FLUCTUATIONS: If the Property adjoins an impoundment of water, including a reservoir or lake, constructed and maintained under Chapter 11, Water Code, that has a storage capacity of at least 5,000 acre-feet at the impoundment's normal operating level, Seller hereby notifies Buyer: "The water level of the impoundment of water adjoining the Property fluctuates for various reasons, including as a result of: (1) an entity lawfully exercising its right to use the water stored in the impoundment; or (2) drought or flood conditions."
- (12) REQUIRED NOTICES: The following notices have been given or are attached to this contract (for example, MUD, WCID, PID notices): _____

7. PROPERTY CONDITION:

- A. ACCESS, INSPECTIONS AND UTILITIES: Seller shall permit Buyer and Buyer's agents access to the Property at reasonable times. Buyer may have the Property inspected by inspectors selected by Buyer and licensed by TREC or otherwise permitted by law to make inspections. Seller at Seller's expense shall immediately cause existing utilities to be turned on and shall keep the utilities on during the time this contract is in effect.

NOTICE: Buyer should determine the availability of utilities to the Property suitable to satisfy Buyer's needs.

- B. ACCEPTANCE OF PROPERTY CONDITION: "As Is" means the present condition of the Property with any and all defects and without warranty except for the warranties of title and the warranties in this contract. Buyer's agreement to accept the Property As Is under Paragraph 7B (1) or (2) does not preclude Buyer from inspecting the Property under Paragraph 7A, from negotiating repairs or treatments in a subsequent amendment, or from terminating this contract during the Option Period, if any.

(Check one box only)

- ☒ (1) Buyer accepts the Property As Is.
- ☐ (2) Buyer accepts the Property As Is provided Seller, at Seller's expense, shall complete the following specific repairs and treatments: _____

(Do not insert general phrases, such as "subject to inspections" that do not identify specific repairs and treatments.)

- C. COMPLETION OF REPAIRS AND TREATMENTS: Unless otherwise agreed in writing, Seller shall complete all agreed repairs and treatments prior to the Closing Date and obtain any required permits. The repairs and treatments must be performed by persons who are licensed to provide such repairs or treatments or, if no license is required by law, are commercially engaged in the trade of providing such repairs or treatments. Seller shall: (i) provide Buyer with copies of documentation from the repair person(s) showing the scope of work and payment for the work completed; and (ii) at Seller's expense, arrange for the transfer of any transferable warranties with respect to the repairs and treatments to Buyer at closing. If Seller fails to complete any agreed repairs and treatments prior to the Closing Date, Buyer may exercise remedies under Paragraph 15 or extend the Closing Date up to 5 days, if necessary, for Seller to complete repairs and treatments.

- D. ENVIRONMENTAL MATTERS: Buyer is advised that the presence of wetlands, toxic substances, including asbestos and wastes or other environmental hazards, or the presence of a threatened or endangered species or its habitat may affect Buyer's intended use of the Property. If Buyer is concerned about these matters, an addendum promulgated by TREC or required by the parties should be used.

E. SELLER'S DISCLOSURE:

- (1) Seller ☐ is ☒ is not aware of any flooding of the Property which has had a material adverse effect on the use of the Property.
- (2) Seller ☐ is ☒ is not aware of any pending or threatened litigation, condemnation, or special assessment affecting the Property.
- (3) Seller ☐ is ☒ is not aware of any environmental hazards that materially and adversely affect the Property.
- (4) Seller ☐ is ☒ is not aware of any dumpsite, landfill, or underground tanks or containers now or previously located on the Property.
- (5) Seller ☐ is ☐ is not aware of any wetlands, as defined by federal or state law or regulation, affecting the Property.
- (6) Seller ☐ is ☒ is not aware of any threatened or endangered species or their habitat affecting the Property.
- (7) Seller ☐ is ☒ is not aware that the Property is located ☐ wholly ☐ partly in a floodplain.
- (8) Seller ☐ is ☒ is not aware that a tree or trees located on the Property has oak wilt.
- If Seller is aware of any of the items above, explain (attach additional sheets if necessary): _____

8. BROKERS AND SALES AGENTS:

A. **BROKER OR SALES AGENT DISCLOSURE:** Texas law requires a real estate broker or sales agent who is a party to a transaction or acting on behalf of a spouse, parent, child, business entity in which the broker or sales agent owns more than 10%, or a trust for which the broker or sales agent acts as a trustee or of which the broker or sales agent or the broker or sales agent's spouse, parent or child is a beneficiary, to notify the other party in writing before entering into a contract of sale. Disclose if applicable: Lucy Ware hold a Texas Real Estate License.

B. **BROKERS' FEES:** All obligations of the parties for payment of brokers' fees are contained in separate written agreements.

9. CLOSING:

A. The closing of the sale will be on or before October 30, 2023, or within 7 days after objections made under Paragraph 6D have been cured or waived, whichever date is later (Closing Date). If either party fails to close the sale by the Closing Date, the non-defaulting party may exercise the remedies contained in Paragraph 15.

B. At closing:

- (1) Seller shall execute and deliver a general warranty deed conveying title to the Property to Buyer and showing no additional exceptions to those permitted in Paragraph 6 and furnish tax statements or certificates showing no delinquent taxes on the Property.
- (2) Buyer shall pay the Sales Price in good funds acceptable to the Escrow Agent.
- (3) Seller and Buyer shall execute and deliver any notices, statements, certificates, affidavits, releases, loan documents, transfer of any warranties, and other documents reasonably required for the closing of the sale and the issuance of the Title Policy.
- (4) There will be no liens, assessments, or security interests against the Property which will not be satisfied out of the sales proceeds unless securing the payment of any loans assumed by Buyer and assumed loans will not be in default.
- (5) Private transfer fees (as defined by Chapter 5, Subchapter G of the Texas Property Code) will be the obligation of Seller unless provided otherwise in this contract. Transfer fees assessed by a property owners' association are governed by the Addendum for Property Subject to Mandatory Membership in a Property Owners Association.

10. POSSESSION: Seller shall deliver to Buyer possession of the Property in its present or required condition upon closing and funding.

11. SPECIAL PROVISIONS: (This paragraph is intended to be used only for additional informational items. An informational item is a statement that completes a blank in a contract form, discloses factual information, or provides instructions. Real estate brokers and sales agents are prohibited from practicing law and shall not add to, delete, or modify any provision of this contract unless drafted by a party to this contract or a party's attorney. _____)

12. SETTLEMENT AND OTHER EXPENSES:

A. The following expenses must be paid at or prior to closing:

(1) Expenses payable by Seller (Seller's Expenses):

(a) Releases of existing liens, including prepayment penalties and recording fees; release of Seller's loan liability; tax statements or certificates; preparation of deed; one-half of escrow fee; and other expenses payable by Seller under this contract.

(b) Seller shall also pay an amount not to exceed \$ _____ to be applied in the following order: Buyer's Expenses which Buyer is prohibited from paying by FHA, VA, Texas Veterans Land Board or other governmental loan programs, and then to other Buyer's Expenses as allowed by the lender.

(2) Expenses payable by Buyer (Buyer's Expenses): Appraisal fees; loan application fees; origination charges; credit reports; preparation of loan documents; interest on the notes from date of disbursement to one month prior to dates of first monthly payments; recording fees; copies of easements and restrictions; loan title policy with endorsements required by lender; loan-related inspection fees; photos; amortization schedules; one-half of escrow fee; all prepaid items, including required premiums for flood and hazard insurance, reserve deposits for insurance, ad valorem taxes and special governmental assessments; final compliance inspection; courier fee; repair inspection; underwriting fee; wire transfer fee; expenses incident to any loan; Private Mortgage Insurance Premium (PMI), VA Loan Funding Fee, or FHA Mortgage Insurance Premium (MIP) as required by the lender; and other expenses payable by Buyer under this contract.

B. If any expense exceeds an amount expressly stated in this contract for such expense to be paid by a party, that party may terminate this contract unless the other party agrees to pay such excess. Buyer may not pay charges and fees expressly prohibited by FHA, VA, Texas Veterans Land Board or other governmental loan program regulations.

13. PRORATIONS AND ROLLBACK TAXES:

A. **PRORATIONS:** Taxes for the current year, interest, rents, and regular periodic maintenance fees, assessments, and dues (including prepaid items) will be prorated through the Closing Date. The tax proration may be calculated taking into consideration any change in exemptions that will affect the current year's taxes. If taxes for the current year vary from the amount prorated at closing, the parties shall adjust the prorations when tax statements for the current year are available. If taxes are not paid at or prior to closing, Buyer shall pay taxes for the current year.

(Address of Property)

- B. **ROLLBACK TAXES:** If this sale or Buyer's use of the Property after closing results in the assessment of additional taxes, penalties or interest (Assessments) for periods prior to closing, the Assessments will be the obligation of Buyer. If Assessments are imposed because of Seller's use or change in use of the Property prior to closing, the Assessments will be the obligation of Seller. Obligations imposed by this paragraph will survive closing.
14. **CASUALTY LOSS:** If any part of the Property is damaged or destroyed by fire or other casualty after the Effective Date of this contract, Seller shall restore the Property to its previous condition as soon as reasonably possible, but in any event by the Closing Date. If Seller fails to do so due to factors beyond Seller's control, Buyer may (a) terminate this contract and the earnest money will be refunded to Buyer (b) extend the time for performance up to 15 days and the Closing Date will be extended as necessary or (c) accept the Property in its damaged condition with an assignment of insurance proceeds, if permitted by Seller's insurance carrier, and receive credit from Seller at closing in the amount of the deductible under the insurance policy. Seller's obligations under this paragraph are independent of any other obligations of Seller under this contract.
15. **DEFAULT:** If Buyer fails to comply with this contract, Buyer will be in default, and Seller may (a) enforce specific performance, seek such other relief as may be provided by law, or both, or (b) terminate this contract and receive the earnest money as liquidated damages, thereby releasing both parties from this contract. If Seller fails to comply with this contract, Seller will be in default and Buyer may (a) enforce specific performance, seek such other relief as may be provided by law, or both, or (b) terminate this contract and receive the earnest money, thereby releasing both parties from this contract.
16. **MEDIATION:** It is the policy of the State of Texas to encourage resolution of disputes through alternative dispute resolution procedures such as mediation. Any dispute between Seller and Buyer related to this contract which is not resolved through informal discussion will be submitted to a mutually acceptable mediation service or provider. The parties to the mediation shall bear the mediation costs equally. This paragraph does not preclude a party from seeking equitable relief from a court of competent jurisdiction.
17. **ATTORNEY'S FEES:** A Buyer, Seller, Listing Broker, Other Broker, or Escrow Agent who prevails in any legal proceeding related to this contract is entitled to recover reasonable attorney's fees and all costs of such proceeding.
18. **ESCROW:**
- A. **ESCROW:** The Escrow Agent is not (i) a party to this contract and does not have liability for the performance or nonperformance of any party to this contract, (ii) liable for interest on the earnest money and (iii) liable for the loss of any earnest money caused by the failure of any financial institution in which the earnest money has been deposited unless the financial institution is acting as Escrow Agent. Escrow Agent may require any disbursement made in connection with this contract to be conditioned on Escrow Agent's collection of good funds acceptable to Escrow Agent.
- B. **EXPENSES:** At closing, the earnest money must be applied first to any cash down payment, then to Buyer's Expenses and any excess refunded to Buyer. If no closing occurs, Escrow Agent may: (i) require a written release of liability of the Escrow Agent from all parties before releasing any earnest money; and (ii) require payment of unpaid expenses incurred on behalf of a party. Escrow Agent may deduct authorized expenses from the earnest money payable to a party. "Authorized expenses" means expenses incurred by Escrow Agent on behalf of the party entitled to the earnest money that were authorized by this contract or that party.
- C. **DEMAND:** Upon termination of this contract, either party or the Escrow Agent may send a release of earnest money to each party and the parties shall execute counterparts of the release and deliver same to the Escrow Agent. If either party fails to execute the release, either party may make a written demand to the Escrow Agent for the earnest money. If only one party makes written demand for the earnest money, Escrow Agent shall promptly provide a copy of the demand to the other party. If Escrow Agent does not receive written objection to the demand from the other party within 15 days, Escrow Agent may disburse the earnest money to the party making demand reduced by the amount of unpaid expenses incurred on behalf of the party receiving the earnest money and Escrow Agent may pay the same to the creditors. If Escrow Agent complies with the provisions of this paragraph, each party hereby releases Escrow Agent from all adverse claims related to the disbursement of the earnest money.
- D. **DAMAGES:** Any party who wrongfully fails or refuses to sign a release acceptable to the Escrow Agent within 7 days of receipt of the request will be liable to the other party for (i) damages; (ii) the earnest money; (iii) reasonable attorney's fees; and (iv) all costs of suit.
- E. **NOTICES:** Escrow Agent's notices will be effective when sent in compliance with Paragraph 21. Notice of objection to the demand will be deemed effective upon receipt by Escrow Agent.
19. **REPRESENTATIONS:** All covenants, representations and warranties in this contract survive closing. If any representation of Seller in this contract is untrue on the Closing Date, Seller will be in default. Unless expressly prohibited by written agreement, Seller may continue to show the Property and receive, negotiate and accept back up offers.
20. **FEDERAL TAX REQUIREMENTS:** If Seller is a "foreign person," as defined by Internal Revenue Code and its regulations, or if Seller fails to deliver an affidavit or a certificate of non-foreign status to Buyer that Seller is not a "foreign person," then Buyer shall withhold from the sales proceeds an amount sufficient to comply with applicable tax law and deliver the same to the Internal Revenue Service together with appropriate tax forms. Internal Revenue Service regulations require filing written reports if currency in excess of specified amounts is received in the transaction.

21. NOTICES: All notices from one party to the other must be in writing and are effective when mailed to, hand-delivered at, or transmitted by fax or electronic transmission as follows:

To Buyer at: 344 Timbercreek Drive

To Seller at: _____

Lake Jackson , TX 77566

Phone: _____

Phone: _____

E-mail/Fax: lucy@birdsongrealtors.com

E-mail/Fax: _____

E-mail/Fax: _____

E-mail/Fax: _____

With a copy to Buyer's agent at: _____

With a copy to Seller's agent at: _____

22. AGREEMENT OF PARTIES: This contract contains the entire agreement of the parties and cannot be changed except by their written agreement. Addenda which are a part of this contract are (check all applicable boxes):

- ☒ Third Party Financing Addendum
- ☐ Seller Financing Addendum
- ☐ Addendum for Property Subject to Mandatory Membership in a Property Owners Association
- ☐ Buyer's Temporary Residential Lease
- ☐ Seller's Temporary Residential Lease
- ☐ Addendum for Reservation of Oil, Gas and Other Minerals
- ☐ Addendum for "Back-Up" Contract
- ☐ Addendum Concerning Right to Terminate Due to Lender's Appraisal
- ☐ Addendum containing Notice of Obligation to Pay Improvement District Assessment

- ☐ Addendum for Coastal Area Property
- ☐ Environmental Assessment, Threatened or Endangered Species and Wetlands Addendum
- ☐ Addendum for Property Located Seaward of the Gulf Intracoastal Waterway
- ☐ Addendum for Sale of Other Property by Buyer
- ☐ Addendum for Property in a Propane Gas System Service Area

☒ Other (list): EXHIBIT A

23. CONSULT AN ATTORNEY BEFORE SIGNING: TREC rules prohibit real estate brokers and sales agents from giving legal advice. READ THIS CONTRACT CAREFULLY.

Buyer's
Attorney is: _____

Seller's
Attorney is: _____

Phone: _____

Phone: _____

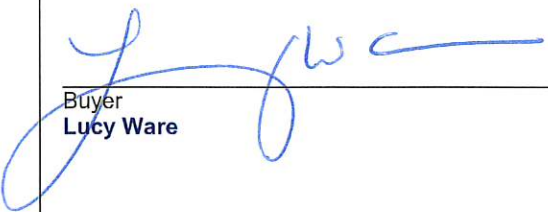
Fax: _____

Fax: _____

E-mail: _____

E-mail: _____

EXECUTED the _____ day of _____, _____ (Effective Date).
(BROKER: FILL IN THE DATE OF FINAL ACCEPTANCE.)



Buyer
Lucy Ware

Seller
City Of Freeport



Buyer
Aaron Ware

Seller



The form of this contract has been approved by the Texas Real Estate Commission. TREC forms are intended for use only by trained real estate license holders. No representation is made as to the legal validity or adequacy of any provision in any specific transactions. It is not intended for complex transactions. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, (512) 936-3000 (<http://www.trec.texas.gov>) TREC NO. 9-16. This form replaces TREC NO. 9-15.

BROKER INFORMATION

(Print name(s) only. Do not sign)

Birdsong Real Estate**9005957**

Other Broker Firm

License No.

Listing Broker Firm

License No.

represents

☐ Buyer only as Buyer's agent

represents

☐ Seller and Buyer as an intermediary☐ Seller as Listing Broker's subagent☐ Seller only as Seller's agent**LUCY WARE****459855**

Associate's Name

License No.

Listing Associate's Name

License No.

Team Name

Team Name

Lucy@BirdsongRealtors.com**(979)292-9308**

Associate's Email Address

Phone

Listing Associate's Email Address

Phone

Ryan Birdsong**522256**

Licensed Supervisor of Associate

License No.

Licensed Supervisor of Listing Associate

License No.

232 Plantation Drive**(979)292-9308**

Other Broker's Address

Phone

Listing Broker's Office Address

Phone

Lake Jackson**Tx****77566**

City

State

Zip

City

State

Zip

Selling Associate's Name

License No.

Team Name

Selling Associate's Email Address

Phone

Licensed Supervisor of Selling Associate

License No.

Selling Associate's Office Address

City

State

Zip

Disclosure: Pursuant to a previous, separate agreement (such as a MLS offer of compensation or other agreement between brokers), Listing Broker has agreed to pay Other Broker a fee (_____). This disclosure is for informational purposes and does not change the previous agreement between brokers to pay or share a commission.

OPTION FEE RECEIPT

Receipt of \$ _____ (Option Fee) in the form of _____
is acknowledged.

Escrow Agent **Stewart Title**

_____ Date

EARNEST MONEY RECEIPT

Receipt of \$ _____ Earnest Money in the form of _____
is acknowledged.

Escrow Agent

Received by

Email Address

Date/Time

Address

Phone

City

State

Zip

Fax

CONTRACT RECEIPT

Receipt of the Contract is acknowledged.

Escrow Agent

Received by

Email Address

Date

Address

Phone

City

State

Zip

Fax

ADDITIONAL EARNEST MONEY RECEIPT

Receipt of \$ _____ additional Earnest Money in the form of _____
is acknowledged.

Escrow Agent

Received by

Email Address

Date/Time

Address

Phone

City

State

Zip

Fax

**THIRD PARTY FINANCING ADDENDUM**

TO CONTRACT CONCERNING THE PROPERTY AT

Freeport

(Street Address and City)

1. **TYPE OF FINANCING AND DUTY TO APPLY AND OBTAIN APPROVAL:** Buyer shall apply promptly for all financing described below and make every reasonable effort to obtain approval for the financing, including but not limited to furnishing all information and documents required by Buyer's lender. (Check applicable boxes):

☒ A. **CONVENTIONAL FINANCING:**

☒ (1) A first mortgage loan in the principal amount of \$ 71,600.00 (excluding any financed PMI premium), due in full in _____ year(s), with interest not to exceed _____ % per annum for the first _____ year(s) of the loan with Origination Charges as shown on Buyer's Loan Estimate for the loan not to exceed _____ % of the loan.

☐ (2) A second mortgage loan in the principal amount of \$ _____ (excluding any financed PMI premium), due in full in _____ year(s), with interest not to exceed _____ % per annum for the first _____ year(s) of the loan with Origination Charges as shown on Buyer's Loan Estimate for the loan not to exceed _____ % of the loan.

☐ B. **TEXAS VETERANS LOAN:** A loan(s) from the Texas Veterans Land Board of \$ _____ for a period in the total amount of _____ years at the interest rate established by the Texas Veterans Land Board.

☐ C. **FHA INSURED FINANCING:** A Section _____ FHA insured loan of not less than \$ _____ (excluding any financed MIP), amortizable monthly for not less than _____ years, with interest not to exceed _____ % per annum for the first _____ year(s) of the loan with Origination Charges as shown on Buyer's Loan Estimate for the loan not to exceed _____ % of the loan.

☐ D. **VA GUARANTEED FINANCING:** A VA guaranteed loan of not less than \$ _____ (excluding any financed Funding Fee), amortizable monthly for not less than _____ years, with interest not to exceed _____ % per annum for the first _____ year(s) of the loan with Origination Charges as shown on Buyer's Loan Estimate for the loan not to exceed _____ % of the loan.

☐ E. **USDA GUARANTEED FINANCING:** A USDA-guaranteed loan of not less than \$ _____ (excluding any financed Funding Fee), amortizable monthly for not less than _____ years, with interest not to exceed _____ % per annum for the first _____ year(s) of the loan with Origination Charges as shown on Buyer's Loan Estimate for the loan not to exceed _____ % of the loan.

☐ F. **REVERSE MORTGAGE FINANCING:** A reverse mortgage loan (also known as a Home Equity Conversion Mortgage loan) in the original principal amount of \$ _____ (excluding any financed PMI premium or other costs), with interest not to exceed _____ % per annum for the first _____ year(s) of the loan with Origination Charges as shown on Buyer's Loan Estimate for the loan not to exceed _____ % of the loan. The reverse mortgage loan ☐ will ☐ will not be an FHA insured loan.

☐ G. **OTHER FINANCING:** A loan not of a type described above from _____ (name of lender) in the principal amount of \$ _____ due in _____ year(s), with interest not to exceed _____ % per annum for the first _____ year(s) of the loan with Origination Charges not to exceed _____ % of the loan. Buyer ☐ does ☐ does not waive all rights to terminate the contract under Paragraph 2B of this addendum for the loan described in this paragraph.

2. **APPROVAL OF FINANCING:** Approval for the financing described above will be deemed to have been obtained when Buyer Approval and Property Approval are obtained. **Time is of the essence for this paragraph and strict compliance with the time for performance is required.**

TXR-1901

Initialed for identification by Buyer JP AN and Seller _____

TREC NO. 40-10

(Address of Property)

A. BUYER APPROVAL (Check one box only):

☒ This contract is subject to Buyer obtaining Buyer Approval. If Buyer cannot obtain Buyer Approval, Buyer may give written notice to Seller within 30 days after the effective date of this contract and this contract will terminate and the earnest money will be refunded to Buyer. If Buyer does not terminate the contract under this provision, the contract shall no longer be subject to the Buyer obtaining Buyer Approval. Buyer Approval will be deemed to have been obtained when (i) the terms of the loan(s) described above are available and (ii) lender determines that Buyer has satisfied all of lender's requirements related to Buyer's assets, income and credit history.

☐ This contract is not subject to Buyer obtaining Buyer Approval.

B. PROPERTY APPROVAL: If Buyer's lender determines that the Property does not satisfy lender's underwriting requirements for the loan (including but not limited to appraisal, insurability, and lender required repairs) Buyer, not later than 3 days before the Closing Date, may terminate this contract by giving Seller: (i) notice of termination; and (ii) a copy of a written statement from the lender setting forth the reason(s) for lender's determination. If Buyer terminates under this paragraph, the earnest money will be refunded to Buyer. If Buyer does not terminate under this paragraph, Property Approval is deemed to have been obtained.

3. **SECURITY:** If required by Buyer's lender, each note for the financing described above must be secured by vendor's and deed of trust liens.

4. **FHA/VA REQUIRED PROVISION:** If the financing described above involves FHA insured or VA financing, it is expressly agreed that, notwithstanding any other provision of this contract, the purchaser (Buyer) shall not be obligated to complete the purchase of the Property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise: (i) unless the Buyer has been given in accordance with HUD/FHA or VA requirements a written statement issued by the Federal Housing Commissioner, Department of Veterans Affairs, or a Direct Endorsement Lender setting forth the appraised value of the Property of not less than \$ _____ or (ii) if the contract purchase price or cost exceeds the reasonable value of the Property established by the Department of Veterans Affairs. The 3-day notice of termination requirements in 2.B. does not apply to this Paragraph 4.

A. The Buyer shall have the privilege and option of proceeding with consummation of the contract without regard to the amount of the appraised valuation or the reasonable value established by the Department of Veterans Affairs.

B. If FHA financing is involved, the appraised valuation is arrived at to determine the maximum mortgage the Department of Housing and Urban Development will insure. HUD does not warrant the value or the condition of the Property. The Buyer should satisfy himself/herself that the price and the condition of the Property are acceptable.

C. If VA financing is involved and if Buyer elects to complete the purchase at an amount in excess of the reasonable value established by the VA, Buyer shall pay such excess amount in cash from a source which Buyer agrees to disclose to the VA and which Buyer represents will not be from borrowed funds except as approved by VA. If VA reasonable value of the Property is less than the Sales Prices, Seller may reduce the Sales Price to an amount equal to the VA reasonable value and the sale will be closed at the lower Sales Price with proportionate adjustments to the down payment and the loan amount.

5. **AUTHORIZATION TO RELEASE INFORMATION:**

A. Buyer authorizes Buyer's lender to furnish to Seller or Buyer or their representatives information relating to the status of the approval for the financing.

B. Seller and Buyer authorize Buyer's lender, title company, and Escrow Agent to disclose and furnish a copy of the closing disclosures and settlement statements to the parties' respective brokers and sales agents provided under Broker Information.

Buyer Lucy WareSeller City Of FreeportBuyer Aaron Ware

Seller _____



This form has been approved by the Texas Real Estate Commission for use with similarly approved or promulgated contract forms. Such approval relates to this form only. TREC forms are intended for use only by trained real estate license holders. No representation is made as to the legal validity or adequacy of any provision in any specific transactions. It is not intended for complex transactions. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, (512) 936-3000 (<http://www.trec.texas.gov>) TREC No. 40-10. This form replaces TREC No. 40-9.



Information About Brokerage Services

Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

TYPES OF REAL ESTATE LICENSE HOLDERS:

- **A BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- **A SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

AS AGENT FOR OWNER (SELLER/LANDLORD): The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

AS AGENT FOR BUYER/TENANT: The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

AS AGENT FOR BOTH - INTERMEDIARY: To act as an intermediary between the parties the broker must first obtain the written agreement of each party to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

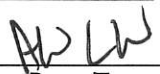
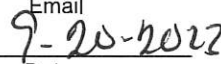
- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
 - that the owner will accept a price less than the written asking price;
 - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
 - any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

AS SUBAGENT: A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

LICENSE HOLDER CONTACT INFORMATION: This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

Birdsong Real Estate	9005957	info@birdsongrealtors.com	(979)297-4200
Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
Ryan Birdsong	522256	lucy@birdsongrealestate.com	(979)297-4200
Designated Broker of Firm	License No.	Email	Phone
Ryan Birdsong	522256	info@BirdsongRealtors.com	(979)297-4200
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
Lucy Ware	459855	lucy@birdsongrealtors.com	979-292-9308
Sales Agent/Associate's Name	License No.	Email	Phone
			
Buyer/Tenant/Seller/Landlord Initials		Date	

Regulated by the Texas Real Estate Commission
TXR-2501

Birdsong Realtors, 232 Plantation Dr Lake Jackson TX 77566
Lucy Ware

Information available at www.trec.texas.gov

IABS 1-0 Date

Phone: 979-292-9308

Fax: 979-297-9059

0 Front and

Produced with Lone Wolf Transactions (zipForm Edition) 717 N Harwood St, Suite 2200, Dallas, TX 75201

www.lwolf.com

PROPERTY**PARCEL ONE:**

.1070 acre of land more or less, out of Closed Front Street and Part of Tract D18, out of Abstract 99, City of Freeport, Brazoria County, Texas.

PARCEL TWO:

.24252 acre of land more or less known as the remainder of a part of Division Street right-of-way, a publicly dedicated right-of-way located south of Mystery Harbor Lane, and adjacent to the western boundary line of Applicant's property in Brazoria County, Texas

PRICE

Seventy-one thousand, six hundred and 00/100 Dollars (\$71,600.00). Payable at closing.

NOTES:

- 1. ALL COORDINATES AND BEARINGS ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 27).
- 2. ALL DISTANCES ARE HORIZONTAL SURFACE LEVEL LENGTHS.
- 3. NO TITLE COMMITMENT WAS PROVIDED FOR THIS SURVEY, THERE MAY BE ITEMS OF RECORD WHICH AFFECT THIS PROPERTY, NOT SHOWN HEREON.

GERARDO MEJIA
CALLED 0.42 ACRE
16-029300 B.C.O.R.

JAY MEJIA
(CALLED 50'x174.35' TRACT)
18-041524 B.C.O.R.

SUBJECT
0.284 ACRE

BLOCK 1
VELASCO TOWNSITE
VOLUME 32, PAGE 14 B.C.D.R.

FRONT STREET

OLD BRAZOS RIVER

MEAN HIGHER HIGH WATER

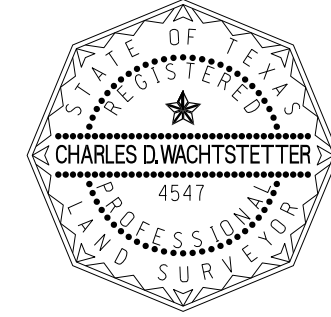
VELASCO DRAINAGE DISTRICT
RESIDUAL OF A CALLED 12.83 ACRES
VOLUME 363, PAGE 155 B.C.D.R.

BRAZOSPORT WATER AUTHORITY
0.015 ACRE EASEMENT

CITY OF FREEPORT
CALLED 2.823 ACRES
14-020712 B.C.O.R.

SURVEY PLAT
OF
0.284 ACRE

OUT OF THE
DIVISION STREET
RIGHT-OF-WAY
IN THE
VELASCO TOWNSITE
RECORDED IN
VOLUME 32, PAGE 14
OF THE
BRAZORIA COUNTY PLAT RECORDS
IN THE
ELI MITCHELL SURVEY
ABSTRACT 99
CITY OF FREEPORT
BRAZORIA COUNTY, TEXAS
FOR
THE CITY OF FREEPORT

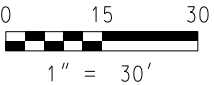


Charles D. Wachtstetter
CHARLES D. WACHTSTETTER
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 4547

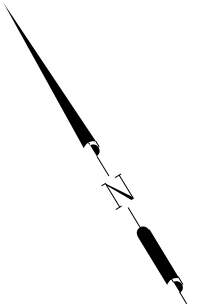


Doyle & Wachtstetter, Inc.
Surveying and Mapping GPS/GIS
131 COMMERCE STREET, CLUTE, TEXAS 77531
OFFICE: 979.265.3622 FAX: 979.265.9940 FIRM NO.: 10024500

SURVEYED:	3-25-22	BOOK:	FREEPORT VOL. 15	PROJ. NO.:	14103-22-01
DRAWN BY:	3-25-22	CHECKED:		REVISED:	NONE



- LEGEND
- FOUND PIPE/IRON ROD
 - SET 5/8" IRON ROD
 - ⦿ POWER POLE
 - OH— OVERHEAD WIRE
 - TELEPHONE PEDESTAL



ANGLETON REAL ESTATE APPRAISAL
217 SEBESTA ROAD, ANGLETON, TEXAS 77515
TELEPHONE (979-849-9600) OR (979-849-3334) FAX (979-849-8358)

BARRY A. COLEMAN
TEXAS APPRAISER CERTIFICATION
NUMBER TX-1324203-G

WILLIAM E. COLEMAN, SRA
TEXAS APPRAISER LICENSE
NUMBER TX-1360034 R

March 2, 2022

Mr. Tim Kelty, City Manager
City of Freeport
200 West 2nd Street #232
Freeport, Texas 77541

APPRAISAL:

Off Division St. R-O-W
Ware Purchase
Freeport, Texas 77541

.....\$800.00

Thank you.


Barry Coleman

APPRAISAL OF:

**0.1070 Acres off North Front Street
Freeport, Texas 77541**

FOR:

**Mr. Tim Kelty, City Manager
City of Freeport
200 West 2nd Street #232
Freeport, Texas 77541**

AS OF:

February 13, 2022

BY:

**ANGLETON REAL ESTATE APPRAISAL
217 SEBESTA ROAD
ANGLETON, TEXAS 77515**

ANGLETON REAL ESTATE APPRAISAL
217 SEBESTA ROAD, ANGLETON, TEXAS 77515
TELEPHONE (979-849-9600) OR (979-849-3334) FAX (979-849-8358)

BARRY A. COLEMAN
TEXAS APPRAISER CERTIFICATION
NUMBER TX-1324203-G

RONALD W. BARKER
TEXAS APPRAISER CERTIFICATION
NUMBER TX-1327929-G

WILLIAM E. COLEMAN
TEXAS APPRAISER LICENSE
NUMBER - TX-1360034-R

March 2, 2022

Mr. Tim Kelty, City Manager
City Of Freeport
200 West 2nd Street #232
Freeport, Texas 77541

Dear Mr. Kelty,

Pursuant to your request, we have this date completed an appraisal of the property located off North Front Street, Freeport, Texas, legally described as:

.1070 acres of land more or less, out of Closed South Front Street and Part of Tract D18, out of Abstract 99, City of Freeport, Brazoria County, Texas.

This parcel is valued as landlocked, with no access to a public street or alley, and is considered best use for assemblage purposes.

The purpose of this letter is to estimate the market value of the fee simple estate of the subject property, as is, as of February 13, 2022.

As presented in FIRREA 12 CFR Part 34, Market Value is defined as:

“The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. Buyer and seller are typically motivated;
- b. Both parties are well informed or well advised and each acting in what he considers his own best interest;
- c. A reasonable time is allowed for exposure in the open market;
- d. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto;

- e. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

It is our opinion, based on inspection and analysis, subject to contingent and limiting conditions, that that the subject property has a market value of:

**TWENTY THREE THOUSAND THREE HUNDRED DOLLARS
(\$23,300.00)**

Your attention is directed to the narrative report containing pertinent facts, analysis and conclusions pertaining to the subject property and final estimate of value.

This appraisal has been prepared in accordance with and conforms to the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

Thank you for the opportunity of serving you in regard to this matter.

Respectfully submitted,



Barry A. Coleman
Texas Appraiser Certification
License # TX-1324203-G

TYPE OF REPORT

This is an Appraisal Report as defined by the Uniform Standards of Professional Appraisal Practice, a written report intended to comply with requirements as set out in Standards Rule 2-2(b), of The Uniform Standards of Professional Appraisal Practice.

CLIENT AUTHORIZATION / CLIENT IDENTITY

SR 1-2 (2); 2-2(I)

The client ordering this appraisal report is Mr. Tim Kelty, City Manager, City of Freeport, Texas. This report is the sole property of the client or persons specifically authorized by the client, and any other reader is considered an unintended user.

INTENDED USE OF THE APPRAISAL

Based on communication with the client at the time of the assignment, the intended use of this report is to assist the client in determining market value for marketing procedures.

SCOPE OF WORK

The scope of the appraisal report involved inspection, analysis and data collection to conform with the Uniform Standards of Professional Appraisal Practice (USPAP), as promulgated by the Appraisal Standards Board of the Appraisal Foundation authorized by Congress as the source of Appraisal Standards and Appraiser Qualifications, effective April 27, 1987. It is the intent of this report to conform with all requirements as set out by FIRREA (The Financial Institutions Reform, Recovery and Enforcement Act).

Physical inspection of the subject property was made by the appraiser. The physical inspection included photographing the site. **The subject site lies along the Brazos River Channel waterfront; however, per Clients Instructions, it is valued as if it does not have any public access.**

The neighborhood was physically inspected and analyzed for physical characteristics, amenities, land uses and market trends in an effort to assist the appraisers in determining highest and best use of the subject property and the collection of sales data.

The neighborhood or subject market area was researched in an effort to obtain the most recent and similar land sales, improved sales and market rentals. This process involved researching County Plat and Deed records, area multiple listing services, appraiser files and inquiries with area brokers and others active in the real estate industry. Every effort has been made to confirm sales and rental data for accuracy. Sales data selection included factors such as date of sale, size, location and physical characteristics. The appraiser signing this report collected and analyzed the sales and the rentals utilized in the appraisal and applied all applicable approaches.

As required by Standard 2-2(b), omission of any approach to value, for any specific reason, is explained in the appraisal process herein.

PURPOSE OF THE ASSIGNMENT

The purpose of this report is to develop an opinion of market value of the subject property, as is, as of the effective date of appraisal. A current economic definition of market value agreed upon by agencies that regulate federal financial institutions in the United State of America is as follows.

“The most probable price which a property should being in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. buyer and seller are typically motivated;
- b. both parties are well informed or well advised, and each acting in what he considers his own best interest;
- c. a reasonable time is allowed for exposure in the open market;
- d. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.”

EFFECTIVE DATE OF THE APPRAISAL

SR 1-2 (d); 2-2(vi)

The effective date of appraisal is the date which the value opinion applies and is generally the date of inspection. The effective date of this report is February 13, 2022.

DATE OF THE REPORT

The date of the report is generally the date of the transmittal letter. The date of this report is March 2, 2022.

PROPERTY INTEREST APPRAISED

SR 1-2 (e) (iii)

The subject property is appraised as fee simple estate, or complete ownership, with all the bundle of rights, without regard to liens or encumbrances, as a whole and subject to any easements, reservations or restrictions of record. Any non real estate items included in the valuation herein, such as machinery, furnishings, fixtures or equipment will be set out and described in the improvement analysis and valued in the cost section of this report.

LEGAL DESCRIPTION

SR 2-2a (iii)

.1070 acres of land more or less, out of Closed South Front Street and Part of Tract D18, out of Abstract 99, City of Freeport, Brazoria County, Texas.

OWNERSHIP

Title to the subject property is held in the name of City of Freeport, as filed and recorded in the Official Records of Brazoria County, Texas.

HISTORY OF OWNERSHIP / SALES HISTORY / CURRENT AGREEMENTS

The subject property's ownership has been vested, as shown above, for many years. No sales history or current agreements are noted.

TAX INFORMATION

The property is not subject to taxation, as a publicly owned tract of land; however, it is appraised and lies within the following taxing entities, as follows:

County of Brazoria
Brazosport Independent School District
City of Freeport
Velasco Drainage District
Brazos River Harbor Navigation District – Port of Freeport
Brazosport College District

The assessed value placed on the subject property, account number #655270, by the Brazoria County Appraisal District for taxing purposes, is \$64,390.00. The total rate is calculated to be \$2.598124 per hundred. The site valued herein, is part of a larger parcel found under this taxing account number, and is not valued individually.

EXPOSURE TIME

Assuming adequate exposure and normal marketing efforts, the estimated exposure time (i.e., the length of time the subject property would have been exposed for sale in the market had it sold at the market value concluded to in this analysis as of the date of this valuation) would have been within about 3-12 months.

EXTRAORDINARY ASSUMPTIONS

As of the effective date of this report, the appraiser has not received any official meeting minutes or notifications other than verbal instructions to value the site as land locked, with no public access. This report is made on the extraordinary assumption that the site is indeed landlocked, with regard to improved public access. A major assumption of this analysis is that because of the abandoned access, the site's Highest and Best Use, is now assemblage with adjacent properties, and/or public infrastructural, transportation, and/or recreational use. The value indication will be impacted should the subject's access, or lack thereof, be different than what is described, herein.

COMPETENCY RULE

Prior to accepting the assignment, the appraiser properly identified the problem and considered the knowledge and experience required to complete the assignment competently. The appraisers have completed appraisal reports on similar type properties and are competent to appraise this property.

CONFIDENTIALITY OF THE ETHICS RULE

An appraiser must protect the confidential nature of the appraiser – client relationship. An appraiser must not disclose confidential factual data obtained from a client or the results of an assignment prepared for a client to anyone other than: 1) the client or personal specifically authorized by the client; 2) state enforcement agencies and such third parties as may be authorized by due process of law; and 3) a duly authorized professional peer review committee. It is unethical for a member of a duly authorized peer review committee to disclose confidential information or factual data presented to the committee.

NEIGHBORHOOD DATA

A neighborhood is considered that area most closely surrounding the subject property. It may be a specific subdivision, a section of a community or in a small town or city, an entire community and may be comprised of a mixture of commercial, residential or agricultural utilizations.

Comparable sales used may or may not be within the defined neighborhood, but should be similar in present and future land use trends.

A neighborhood is an area with distinguishing characteristics, and is often defined by physical boundaries such as streets or roads, bodies of water, waterways or railroad tracks, and is often designed by zoning ordinances or deed restrictions.

A neighborhood generally goes through stages of growth, stability, decline and revitalization. These stages affect value when compared to other neighborhoods. Growth is a period during which the neighborhood gains public favor and acceptance; stability is a period of equilibrium without marked gains or losses; decline is a period of diminishing demand; and revitalization is a period of renewal, modernization and increasing demand.

The four forces affecting value are social, economic, governmental and environmental. Social considerations include population density, education and age levels, occupant employment type, neighborhood organizations and educational, medical, social and recreational services available. Economic considerations include income levels, degree of owner occupancy, rent levels, property value levels, vacancy rates, type of construction, age of properties and property use changes. Governmental considerations include such factors as land use and size, terrain, use density, noise levels or other nuisances, traffic volume, property maintenance and upkeep, availability and quality of utilities, surrounding development and proximity to churches, employment, shopping, schools and employment centers.

The subject neighborhood is physically defined as the Old Brazos riverfront area, within the City of Freeport, along with the adjacent commercial and residential neighborhoods.

It is an estimated 90 percent built up. Land uses are a mixture of commercial, both neighborhood and tourist related properties, and residential, with some light industrial uses.

Access within the neighborhood is ample and provided by various city and state maintained streets and arterials.

All public utilities serve the neighborhood and capacity is adequate for existing and future development.

Neighborhood appeal is rated average. The defined area's market is relatively stable, and is influenced by the Brazosport Industrial Complex and the Port of Freeport. The subject is located

along the Old Brazos River Channel. There are public and private land uses along the river. The subject area has been the focus of various redevelopment projects.

Fire and police protection are ample and provided by the City of Freeport.

Schools, churches, shopping, medical facilities and employment centers are all within close proximity.

SITE ANALYSIS

The subject property is located within the northern portion of the City of Freeport. It is physically situated off of the southwest side of North Front Street, and additionally lies along the Old Brazos River Channel's northeast frontage. The tract is irregular in shape, and contains a total estimated area of .1070 acre, or 4,661 Sq. Ft. Access to the property is provided by navigable frontage along the Brazos River Channel. It is noted that the river access is limited to smaller craft, as the site is located upstream of the FM 1495 bridge. The bridge height would limit watercraft passage due to clearance being lower than commercial boat sale or tower clearance requirements. Indeed, most of the larger craft frontages along the Old Brazos River Channel are downstream of FM 1495. Larger watercraft can access between the areas of the flood protection gateway, and the Port of Freeport railroad trestle structure. The site is zoned W-1R, Waterfront Single Family Residential. No utilities are available as the site is landlocked. It is assumed there are no existing easements of any type. According to F.E.M.A. flood maps, panel number 48039C0780I, the subject property is situated within a designated zone "X", within the portion lying along the raised levee. The areas along, and including the sides of the levee, lying off water, are designated zone "A". The appraiser notes that the available flood maps are somewhat inconclusive as to exactly what portions of the property may be subject to build-up requirements and/or development restrictions. The subject is situated within census tract number 6643. Surrounding land uses are a mixture of commercial and residential uses. Reasonable inspection of the property revealed no known or obvious existing or potential environmental hazards. The value expressed in this report is based on the property being free of contamination or exposure to hazardous materials. The value in this report assumes no diminution in value due to the results of any environmental assessments, studies, or remediation reports. The subject is currently a vacant, riverfront tract used for levee construction and flood protection, along the river channel.



VIEW OF SUBJECT SITE



VIEW OF OLD BRAZOS RIVER LEVEE ACROSS SITE



VIEW OF OLD BRAZOS RIVER FRONTAGE



VIEW OF OLD BRAZOS RIVER FRONTAGE



VIEW FACING EAST ALONG NORTH FRONT STREET



VIEW FACING WEST ALONG NORTH FRONT STREET

Subject to the zoning & building ordinance now in force in the City of Freeport, Tx. Old Lake Subdiv.
 There are no other tracts or adjacent tracts shown according to the terms of this property.
 (xxx) indicates record plat call and dimensions. CLIENTS FILE NO. 2014010210 FIELD FOR REFERENCE REGARDING BASIS OF THIS SURVEY
 (xxx) indicates record plat call and dimensions. CLIENTS FILE NO. 2014010210 FIELD FOR REFERENCE REGARDING BASIS OF THIS SURVEY
 M indicates field measured call and dimensions

- State of Texas
- County of Brazoria

SURVEY PLAT OF

TRACT 1- LOTS ONE (1) TWO (2) BLOCK ONE (1) OF VILLASO TOWNSHIP, FREEPORT, BRAZORIA COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 21, PAGE 14 OF THE DEED RECORDS OF BRAZORIA COUNTY AND IN COUNTY CLERK FILE NO. 200-0294 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS

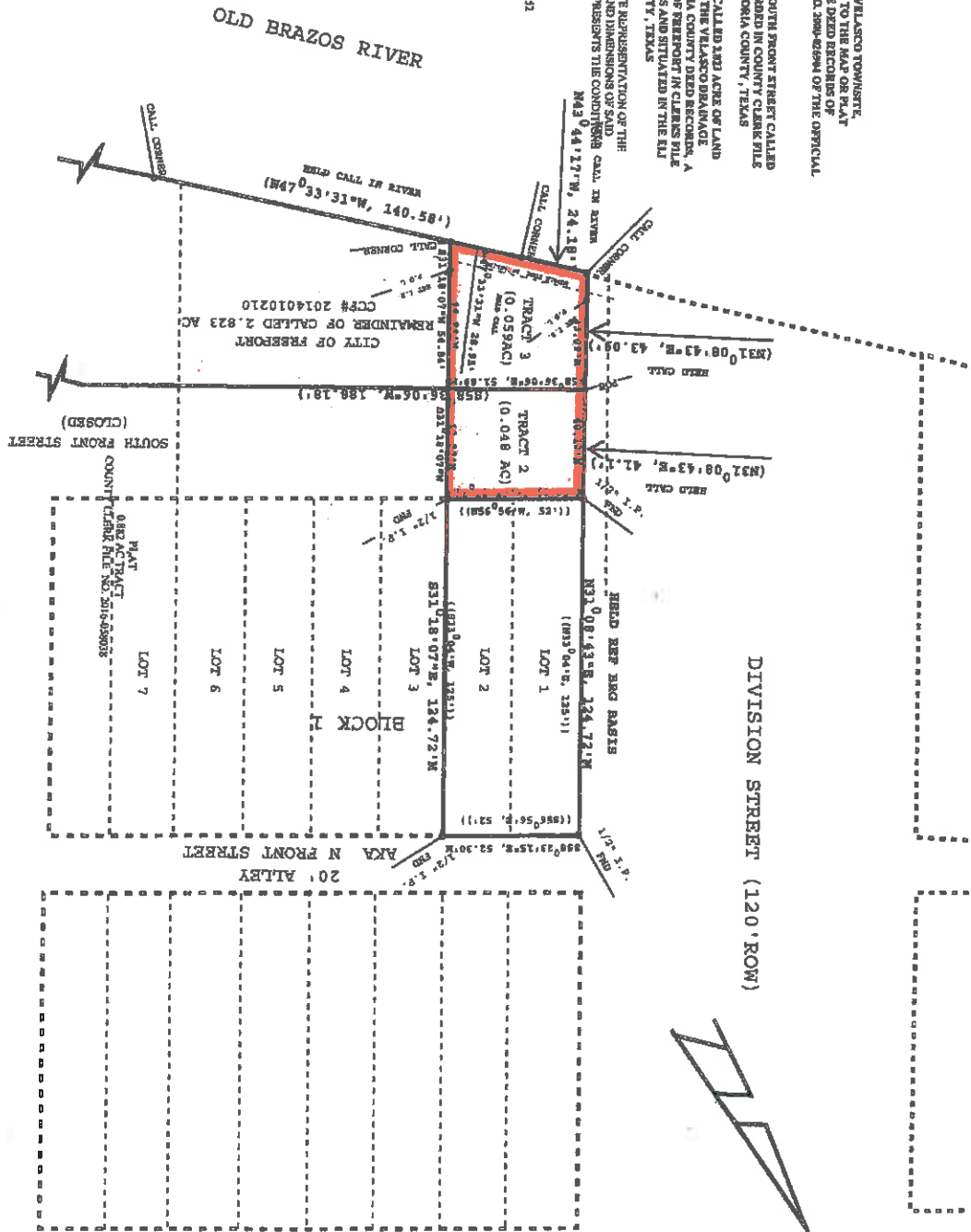
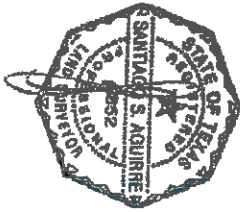
TRACT 2- 2.20151 AC. 626 AC. PORTION OUT OF SOUTH FRONT STREET CALLED CLOSED IN A PLAT OF A TRACT OF LAND RECORDED IN COUNTY CLERK FILE NO. 201-0288 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS

TRACT 3- 1.3571 AC. 1.3571 AC. TRACT CONVEYED TO THE VILLASO DEANAGE DISTRICT IN VOLUME 21, PAGE 14 OF THE DEED RECORDS OF BRAZORIA COUNTY AND IN COUNTY CLERK FILE NO. 200-0294 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS

THE PLAT HEREON IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF THE PROPERTY AS DETERMINED BY SURVEY, THE LINES AND DIMENSIONS OF SAID PROPERTY BEING AS INDICATED BY THE PLAT AND REPRESENTS THE CONDITIONS FOUND IN THE FIELD AS OF THIS DATE.

DATE: JUNE 11, 2021
 SCALE: 1"=50'

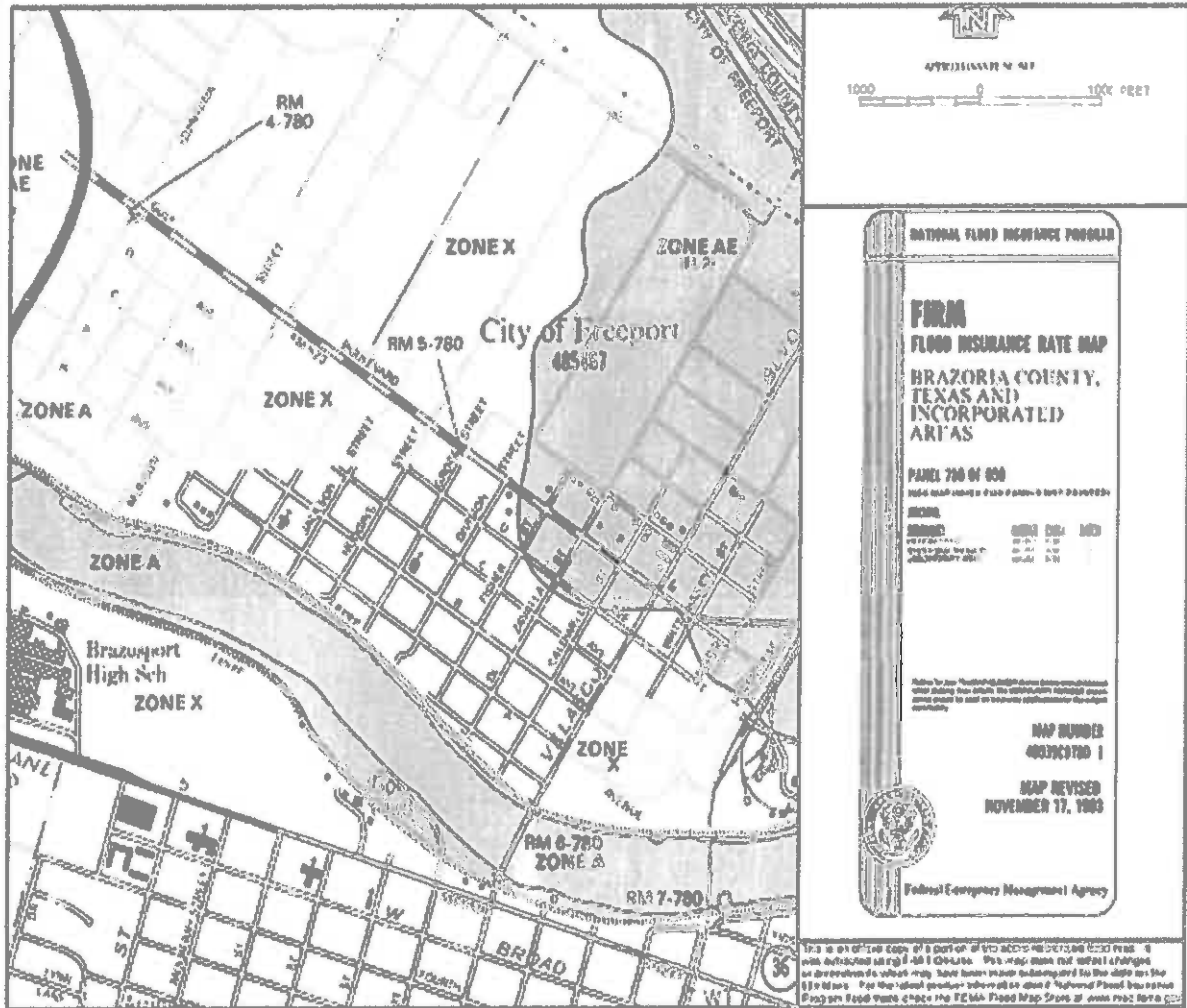
BY: [Signature]
 SURVEYOR
 LICENSE NO. 12345
 COUNTY OF BRAZORIA, TEXAS





30m
100ft

FLOOD MAPS



HIGHEST AND BEST USE

Highest and Best Use is not an absolute fact but reflects an appraiser's opinion based on market knowledge and an analysis of prevailing market conditions. Highest and Best Use is defined as:

"The highest and best use of the land, which at time of appraisal, is legal and which will yield the highest net return in the reasonably foreseeable future."

In appraisal theory and practice, highest and best use represents the premises upon which value is based. There are two types of highest and best use. One is of the site or land as vacant. The other is as improved.

The first type, as vacant, assumes that the site is vacant or can be made vacant through removal of improvements. In analysis of this type, the appraiser must determine the best utilization of the site or what improvements should be placed thereon. If a site being studied is not vacant, it is often analyzed as though it were. The appraiser must determine if the existing improvements represent the best use of the site.

The second type, as improved, considers the use of the property as it exists. Consideration must be made as to whether the improvements should remain as they are at the time of appraisal, or whether they should be renovated, remodeled, expanded or replaced. Consideration must also be made as to whether utilization of existing improvements should remain the same. Generally the existing improvements or use will continue until the value of the land or site, in its highest and best use, exceeds the sum of the entire property, plus the cost to remove improvements.

Implicit in the above definitions of highest and best use are the concepts of time (duration period of that estimated highest and best use) and social, economic, governmental and physical (including locational) factors which influence value.

In both definitions of highest and best use there are four criteria that must be met. These are that the highest and best use must be physically possible, legally permissible, financially feasible and maximally productive.

The subject is a narrow strip lying along the Old Brazos River Channel. It upstream of most of the commercial waterfront utilized for larger vessel commercial uses. It lies in an area where the watercraft access is suitable for smaller boats. Most of the surrounding properties are residential or public use properties. Most of the riverfront uses in this area are residential, public properties, and passive recreational.

The subject has no access, other than river access by watercraft, and/or pedestrian access via adjacent property. The appraiser feels that the limited access characteristics render the subject "landlocked". Further, the levee severely limits most potential uses other than assemblage with adjacent tracts.

THE APPRAISAL PROCESS

Real estate valuation is a problem solving process in which support for a defined value is sought under market conditions existing at a specific point in time. The process is sensitive to the reactions of a typical purchaser for a particular type of property. Market value is the most probable sales price which a property will bring, and this price depends upon the typical purchaser reaction to the various supply and demand factors which affect the property being appraised. The highest and best use of the property, in relation to surrounding competitive properties, is particularly important. The appraiser then must seek answers to economic questions posed by the property under appraisal, questions which can only be answered through analysis of the behavior and motives of market participants.

Value cannot be known with absolute certainty, as neither the methods or techniques employed by the appraiser, nor the data available, lend themselves to precise quantification and scientific manipulation. A valuation is, therefore, no more than a researched, logical and supportable estimate made by a qualified appraiser, as of a specific date.

The appraisal problem is ordinarily solved through the use of the three generally accepted valuation techniques. Each technique has an individual concept and provides a separate indication of value for the subject property. The separately conceived value indications tend to form a zone of reasonability, and under the process known as correlation, the final value conclusion is found within this zone.

The three generally accepted approaches to the estimation of value are the Cost Approach, the Direct Sales Comparison Approach and the Income Approach. All of the data utilized in these approaches comes from market evidence in one form or another.

Within the Cost Approach, there are four basic steps required to arrive at a value indication. The first is to estimate the value of the land as if vacant and available for development to its highest and best use. A replacement cost estimate of existing improvements is then made. An estimate of depreciation from all causes is then subtracted from the developed replacement cost estimate of the improvements. The depreciation estimate includes consideration of deterioration of the physical qualities of the improvements, as well as obsolescence attributed to both functional and external considerations. The final step in the Cost Approach is the compilation of the depreciated estimated replacement cost of the improvements, to which is added the estimated land value, giving a value estimate of the property by the Cost Approach.

The subject property is essentially vacant land, and is being appraised as such; therefore, the Cost Approach is not necessary or applicable in this case.

The Direct Sales Comparison Approach produces a value estimate by comparing similar properties, which have been sold recently, or are currently under contract with all contingencies removed, to the subject property. An estimate of the degree of comparability is made by comparing such value influencing factors as financing terms, condition of sale, site value, quality of construction, age and condition, utility, equipment, amenities and marketability. Sale properties judged to be comparable tend to set a range in which the value of the subject property will fall. The Principle of Substitution is the controlling factor in this approach to value.

The Direct Sales Comparison Approach has been used, in this case to value the land, a portion being waterfront, and a portion being off water, interior situated. Research indicates a lack of improved sales applicable to the subject site, as improved.

The Income Approach is concerned with the present worth of future benefits of the property. Again, four basic steps are required for a value indication. These are the estimate of economic rent or income, expenses, economic life of the improvements and the selection of an appropriate capitalization rate for processing the net income. In this application, the appraiser estimates a gross annual income which the property should produce to attract investors in the market. From the gross income, expenses are subtracted to obtain a net income before recapture projection. Expenses include taxes, insurance, operating and maintenance costs and replacement reserves. An estimate of the economic life of the improvements requires a determination of the probable duration of the income stream. Rate selection requires market scrutiny for an interest rate reflective of current conditions. An applicable capitalization technique is then asserted, and the net income estimate is processed by the proper rate for a value estimate of the property.

The subject property is not leased or utilized for income related purposes, therefore, the Income Approach is not applicable or necessary, in this case.

MARKET APPROACH

The Direct Sales Comparison Approach is the method of estimating market value by making direct comparisons of the subject, with similar properties that sold recently, under normal sales conditions. Adjustments to sales are often necessary to enhance comparability. The first adjustments required are for market conditions, which include condition of sale and financing terms. Secondly, adjustments are made for physical characteristics such as site value, improvements size, quality of construction, age, condition, appeal, off-street parking allowance, equipment and other amenities. This approach applies the principle of substitution in that a prudent purchaser would pay no more for a real property, than the cost of acquiring an equally desirable substitute on the open market. Therefore, sales and/or listing of properties with comparable location, characteristics and/or future earning capabilities would influence a prudent purchaser by offering alternative investments. This is the only approach which directly reflects the balance of supply and demand in actual trading in the market place. Units of comparison employed in the market are used to compare the comparable sales directly to the subject. Assuming reliable sales information to be available, this method is often recommended above all others.

Two units of comparison are derived from this approach, physical and economic. The physical unit of comparison is value derived by dividing the sale price of the similar properties, by the square foot, room, unit or other unit of comparison, depending upon property type. The economic unit of comparison applies to income characteristics of similar properties. Units of comparison may be the gross rent multiplier for residential properties or the gross income multiplier for income producing properties. The gross income multiplier is derived by dividing the sales price of similar properties, by the gross annual income. The gross income multiplier is then applied to the gross income of the subject property to derive an indicated estimate of value by this method.

The subject is vacant land, therefore, the direct sales comparison approach, "LAND" only is used herein.

LAND VALUE

The estimation of land value is critical to the accuracy of an appraisal. Comparisons should be consistent, and only comparable properties should be used for comparison purposes. In estimated the value of the subject site, as if vacant and available to be put to its highest and best use, the Direct Sales Comparison Approach has been utilized. This technique is the method of estimating market value by making direct comparison of the subject property to similar properties that sold recently under normal sales conditions. Adjustments are often required to enhance comparability for market and physical characteristics. Market adjustments include financing, condition of sale and date of sale. Physical characteristic adjustments include access, size, location or other variables. This approach applies the principal of substitution in that a prudent purchaser would pay no more for a real property than the cost of acquiring an equally desirable substitute property on the open market. Therefore, sales and or listings of properties with comparable location, characteristics and future earning capabilities, would influence a prudent purchaser by indication the price level for alternative properties.

Properties considered similar for comparison purposes follow.

LAND SALE NO. 1

GRANTOR: City of Freeport

GRANTEE: Crow & Speir

DATE OF SALE: 6-12-2019

RECORDING: 2019-030401

LEGAL DESCRIPTION: .291 acre, out of Tract 2, Henninger S/D, Tract II,
Abstract 211, City of Freeport, Brazoria County, Texas

LOCATION: Old Brazos River; Off North Front Street.
Freeport, Texas

CONSIDERATION: \$10,000.00, or \$.79/Sq. Ft, land only

SIZE: 12,676 Sq. Ft.

SHAPE: Irregular

UTILITIES: None

ACCESS: None

EASEMENTS: none adverse noted

USE AT SALE: Vacant

REMARKS: The tract was purchased for assemblage purposes to gain
water frontage and size.

LAND SALE NO. 2

GRANTOR:	Cundieff Family Partnership
GRANTEE:	WKB Ventures
DATE OF SALE:	10-26-21
RECORDING:	2021-072429
LEGAL DESCRIPTION:	Lot 1A, Brazos Shore S/D, Section I, City of Freeport, Brazoria County, Texas
LOCATION:	Second Street Freeport, Texas
CONSIDERATION:	\$60,000 or \$4.98 Sq. Ft.
SIZE:	12,037 Sq. Ft.
SHAPE:	Rectangular
UTILITIES:	All Public
ZONING / RESTRICTIONS:	Residential
ACCESS:	Second Street
EASEMENTS:	Several easements regarding electrical, shared drive, etc... No adverse easements or encroachments noted.
USE AT SALE:	Vacant
REMARKS:	The property was purchased at a considerable discount due to the easements. The seller stated he sold the site at a discount of 50% because of all the easements, shared drive.

LAND SALE NO. 3

GRANTOR: City of Freeport

GRANTEE: Jay Mejia

DATE OF SALE: July 2, 2018

RECORDING: 2018-041524

LEGAL DESCRIPTION: .2001 acre; Part of Abandoned South Front Street R-O-W, next to Tract F, Abstract 99, City of Freeport, Brazoria County, Texas

LOCATION: North Front Street
Freeport, Texas

CONSIDERATION: \$45,800.00 or \$5.25/Sq. Ft.

SIZE: 8,717.5 Sq. Ft.

SHAPE: Rectangular

UTILITIES: Public

ZONING / RESTRICTIONS: WR-1A

ACCESS: North Front; Brazos riverfront

EASEMENTS: Typical utility

USE AT SALE: Vacant riverfront tract

REMARKS: The lot was a partial purpose of the Division Street R-O-W, City of Freeport, Brazoria County, Texas.

COMMENTS

Sale #1 is the purchase of landlocked property by adjacent property owners for assemblage, access to River and size purposes Sale #2 is located across the River, and east of the FM 1495 Bridge. It was subject to several easements. Sale #3 was the sale of property almost adjacent to the subject property. It fronted on North Front street with all public utilities available.

Sales reflect a value range of \$.79 to \$5.25 per square foot. Not knowing the particulars regarding sale one, the greatest weight is given to sales two and three, reflecting a value of \$5.00 per Sq. Ft. to be reasonable for the subject site.

4,661 Sq. Ft X \$5.00/Sq. Ft. = \$23,305.00 or (\$23,300.00 Rounded)

TWENTY THREE THOUSAND THREE HUNDRED DOLLARS

(\$23,300.00)

CORRELATION AND CONCLUSION

Value Indicated by the Cost Approach	=	N/A
Value Indicated by Direct Sales Comparison	=	\$23,300.00
Value Indicated by the Income Approach	=	N/A

The Cost Approach is one of the three recognized approaches to value and is an important indicator. The strength of this approach is that it is applicable to all types of improved properties and is valid if cost and land value estimates are accurate; the greatest factor being the accuracy of estimated depreciation. The weakness of this approach is that it does not necessarily reflect prevailing market conditions or, in the case of income producing properties, consider vacancies. The ultimate objective of the appraisal is to estimate the value, not cost; therefore, the Cost Approach is generally given the least weight or reliance.

The Direct Sales Comparison Approach is the only approach which directly reflects the balance of supply and demand in actual trading within the marketplace. The approach applies the principal of substitution and actually compares sales of like properties. The weakness of this approach is the availability of recent sales of comparable property type, as well as variations in location, condition, quality of construction, size and dates of sale. The comparable sales utilized in the direct sales comparison approach have been confirmed and are considered the most recent and similar to the subject for comparison purposes.

The Income Approach is based on the assumption that there is a direct relationship between the amount of income a property produces and its market value. Value, by this approach, is therefore the present worth of anticipated future income benefits. This approach is extremely reliable in estimating the value of income producing properties. It considers actual market conditions prevailing at the date of appraisal. The weakness or strength of this approach depends upon the accuracy of the three basic steps: forecasting income and expenses, deriving net income and choosing the appropriate rate and capitalizing the net income by the appropriate technique.

The greatest reliance has been given to the value indicated by the Market Approach.

The final estimate of market value, as is, as of February 13, 2022, is:

TWENTY THREE THOUSAND THREE HUNDRED DOLLARS
(\$23,300.00)

ASSUMPTIONS AND LIMITING CONDITIONS

1. No responsibility is assumed for the legal description or for matters including legal and title considerations. Title to the property is assumed to be good and marketable unless otherwise noted.
2. The property is appraised as if free and clear of any and all liens or encumbrances unless otherwise noted.
3. Responsible ownership and competent property management are assumed.
4. Information, estimates and opinions furnished to the appraiser and contained in this report were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser can be assumed by the appraiser.
5. All engineering is assumed to be correct. Any plot plans, building sketches, or other illustrative material in this report are included to assist the reader in visualizing the property.
6. It is assumed that there are no hidden or unapparent conditions on the property, subsoil or structures that render them more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws.
8. It is assumed that all applicable zoning and use regulations and restrictions are in compliance.
9. It is assumed that all required licenses, certificates of occupancy, consents or other legislative or administrative authority from any local, state or federal government or private entity or organization has been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. Unless otherwise agreed upon, possession of this report or a copy thereof, does not carry with it the right of publication. It may not be used for any other purpose by any person other than the party to whom it is addressed without written consent of the appraiser and then only with property written qualification and only in its entirety.
11. The appraiser preparing this appraisal report is not required to give further consultation, testimony, or be in attendance in court on behalf of the client unless arrangements have been previously made.

12. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the organization with which the appraiser is associated) shall be disseminated to the public through advertising, public relations, news, sales or other media without the prior consent and approval of the appraiser.
13. Unless otherwise stated in this report, the existence of hazardous material may or may not be present on the property. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, lead based paint or other potentially hazardous materials which may be in any improvements or whose presence may contaminate the soil and ground water may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property, or on or in the adjacent property being appraised. No responsibility is assumed for such conditions, or for any expertise or engineering knowledge required to disclose them. The client is urged to retain an expert in the field, if desired.
14. Any other unknown conditions which could affect the property such as the discovery of archaeological sites, old cemeteries, etc., are assumed not to exist to the detriment of the property for purposed of this appraisal.
15. The values as concluded herein are entirely contingent upon the subject property not being within or subject to a federally designated potential endangered species area as defined by the U.S. Fish and Wildlife Service, which, as a result, might otherwise limit, restrict and/or prevent development of the subject property to its highest and best use.

CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analysis, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial and unbiased analysis, opinions and conclusions.
3. All contingent and limiting conditions are contained herein (imposed by the terms of the assignment or by the undersigned affecting the analysis, opinions and conclusions contained in the report).
4. All conclusions and opinions, concerning the real estate, that are set forth in the appraisal report were prepared by the appraiser whose signature appears on the appraisal report, unless indicated as "Review Appraiser". No change of any item in the appraisal report shall be made by anyone other than the appraiser, and appraiser shall have no responsibility for any such unauthorized change.
5. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
6. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
7. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
8. My compensation for completing this assignment is not contingent upon the development of report of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
9. My analysis, opinions and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
10. The appraiser Barry Coleman, has made a personal inspection of the property that is the subject of this report. No other significant professional assistance in the inspection, research, and processing of this appraisal was provided.
11. I have appraised similar type facilities and am competent to appraise these types of properties.
12. The appraiser **has not** performed appraisal services related to the subject property within the last three year period preceding the acceptance of this assignment. The previous appraisal was for loan processing procedures.
13. The estimate of market value in this appraisal report is not based in whole, or in part, upon race, color, religion, sex, handicap, national origin or familial status of the present owners or occupants or owners in the vicinity of the property appraised.

14. I am currently certified by the Texas Appraiser Licensing and Certification Board, through December 31, 2022.


Barry A. Coleman
Texas Appraiser Certification
Number TX-1324203-G

QUALIFICATIONS OF THE APPRAISER

Barry A. Coleman is the owner of Angleton Real Estate Appraisal, with offices located at 217 Sebesta Road, Angleton, Texas. He has been actively engaged in the full time real estate appraisal business since April 1985.

CERTIFICATIONS/LICENSES:

Texas Real Estate Salesman License No. 362589-03
State Certified General Real Estate Appraiser, Certification Number TX-1324203-G

EDUCATION:

Graduate of Angleton High School - 1982
Successfully completed required courses and acquired salesman license - 1985.
Brazosport College - TREC Courses
28 hours of mandatory continuing education courses and USPAP update courses are required every two years by the Appraisal Standards Board and I have met these requirements since 1990.

EXPERIENCE:

Appraisal experience includes assignments as follows:

Country Clubs, Motels, Medical Offices, Office buildings and office complexes, Convenience Stores, Shopping centers, Industrial complexes, Office-warehouses, Subdivisions, Farms and ranches, Single family dwellings, Multi-family dwellings, Churches, Restaurants and fast foods, Fabricating shops, Mobile home parks, Automobile dealerships, Estates, Grain elevators, Carwashes, Mini-storage facilities, Marinas, Day care centers, Airports, Hospitals, Community water systems, Private schools, Lumber yards, Ball rooms, Service stations and special use properties such as Docking facilities, Material yards and Bulk stations. Also included are Eminent Domain Appraisals for drainage easements, Powerline easements and Pipeline rights-of-way.

PARTIAL LIST OF CLIENTS:

Financial Institutions:

First Prosperity Bank, N.A.; Texas Gulf Bank, N.A.; First State Bank - Clute; Brazoswood National Bank - Richwood; Express Bank; Bank of America; First National Bank - Alvin; First State Bank of Moulton; First National Bank - Lake Jackson; NCNB Texas National Bank; Ameritrust Texas, N.A.; Commercial State Bank; LaPort State Bank; Wells Fargo Bank; Texas National Bank - Tomball; First National Bank - Eagle Lake; Colorado Valley Bank - LaGrange; Compass Bank; Marchants Bank; NationsBank; First Community Bank, N.A.; Texas Independent Bank - Dallas; Union Planters Bank.

Mortgage Companies:

First Interstate Mortgage Company; Prudential Relocation; Manufacturers Hanover Servicing, Inc.; Great Southwest Savings; Banc One Mortgage; Coldwell Banker Relocation; Greater Houston Financial Services, Inc.; I.T.T. Small Business Finance; PNL Credit Company, LLC - Fort Worth; Phoenix Mortgage Company; Metropolitan Mortgage and Securities Company, Inc.; Chemical National Mortgage Corporation; The Lending Center-Houston; Texas Independent Mortgage Company, Irving; Strategic Mortgage Services, California; Inspections Over America, Livingston; Acquisition Funding, Angleton; Mortgage Specialists, Inc., Fort Worth; Bayside Mortgage, Deer Park; Wells Fargo Mortgage.

APPRAISAL OF:

0.24252 Acre, more or less, off North Front Street,
known as Division Street R-O-W,
Freeport, Texas 77541

FOR:

Mr. Tim Kelty, City Manager
City of Freeport
200 West 2nd Street #232
Freeport, Texas 77541

AS OF:

February 13, 2022

BY:

**ANGLETON REAL ESTATE APPRAISAL
217 SEBESTA ROAD
ANGLETON, TEXAS 77515**

ANGLETON REAL ESTATE APPRAISAL
217 SEBESTA ROAD, ANGLETON, TEXAS 77515
TELEPHONE (979-849-9600) OR (979-849-3334) FAX (979-849-8358)

BARRY A. COLEMAN
TEXAS APPRAISER CERTIFICATION
NUMBER TX-1324203-G

RONALD W. BARKER
TEXAS APPRAISER CERTIFICATION
NUMBER TX-1327929-G

WILLIAM E. COLEMAN
TEXAS APPRAISER LICENSE
NUMBER - TX-1360034-R

March 2, 2022

Mr. Tim Kelty, City Manager
City Of Freeport
200 West 2nd Street #232
Freeport, Texas 77541

Dear Mr. Kelty,

Pursuant to your request, we have this date completed an appraisal of the property located on North Front Street, Freeport, Texas, legally described as:

0.24252 Acre, more or less, off North Front Street, known as Division Street R-O-W,
City of Freeport, Brazoria County, Texas.

The purpose of this appraisal report is to estimate the market value of the fee simple estate of the subject property, as is, as of February 13, 2022.

As presented in FIRREA 12 CFR Part 34, Market Value is defined as:

“The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. Buyer and seller are typically motivated;
- b. Both parties are well informed or well advised and each acting in what he considers his own best interest;
- c. A reasonable time is allowed for exposure in the open market;
- d. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto;

- e. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

It is our opinion, based on inspection and analysis, subject to contingent and limiting conditions, that that the subject property has a market value of:

**FORTY EIGHT THOUSAND THREE HUNDRED DOLLARS
(\$48,300.00)**

Your attention is directed to the narrative report containing pertinent facts, analysis and conclusions pertaining to the subject property and final estimate of value.

This appraisal has been prepared in accordance with and conforms to the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

Thank you for the opportunity of serving you in regard to this matter.

Respectfully submitted,



Barry A. Coleman
Texas Appraiser Certification
License # TX-1324203-G

TYPE OF REPORT

This is an Appraisal Report as defined by the Uniform Standards of Professional Appraisal Practice, a written report intended to comply with requirements as set out in Standards Rule 2-2(b), of The Uniform Standards of Professional Appraisal Practice.

CLIENT AUTHORIZATION / CLIENT IDENTITY

SR 1-2 (2); 2-2(I)

The client ordering this appraisal report is Mr. Tim Kelty, City Manager, City of Freeport, Texas. This report is the sole property of the client or persons specifically authorized by the client, and any other reader is considered an unintended user.

INTENDED USE OF THE APPRAISAL

Based on communication with the client at the time of the assignment, the intended use of this report is to assist the client in determining market value for marketing procedures.

SCOPE OF WORK

The scope of the appraisal report involved inspection, analysis and data collection to conform with the Uniform Standards of Professional Appraisal Practice (USPAP), as promulgated by the Appraisal Standards Board of the Appraisal Foundation authorized by Congress as the source of Appraisal Standards and Appraiser Qualifications, effective April 27, 1987. It is the intent of this report to conform with all requirements as set out by FIRREA (The Financial Institutions Reform, Recovery and Enforcement Act).

Physical inspection of the subject property was made by the appraiser. The physical inspection included photographing the site. **No survey was provided, and the value contained herein is subject to change upon completion of a survey.**

The neighborhood was physically inspected and analyzed for physical characteristics, amenities, land uses and market trends in an effort to assist the appraisers in determining highest and best use of the subject property and the collection of sales data.

The neighborhood or subject market area was researched in an effort to obtain the most recent and similar land sales, improved sales and market rentals. This process involved researching County Plat and Deed records, area multiple listing services, appraiser files and inquiries with area brokers and others active in the real estate industry. Every effort has been made to confirm sales and rental data for accuracy. Sales data selection included factors such as date of sale, size, location and physical characteristics. The appraiser signing this report collected and analyzed the sales and the rentals utilized in the appraisal and applied all applicable approaches.

As required by Standard 2-2(b), omission of any approach to value, for any specific reason, is explained in the appraisal process herein.

PURPOSE OF THE ASSIGNMENT

The purpose of this report is to develop an opinion of market value of the subject property, as is, as of the effective date of appraisal, **subject to a Survey, depicting the location of the BWA Water Line easement and an Abandoned Storm Drain traversing the property. The Value contained herein is subject to change based on survey.** A current economic definition of market value agreed upon by agencies that regulate federal financial institutions in the United State of America is as follows.

“The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. buyer and seller are typically motivated;
- b. both parties are well informed or well advised, and each acting in what he considers his own best interest;
- c. a reasonable time is allowed for exposure in the open market;
- d. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.”

EFFECTIVE DATE OF THE APPRAISAL

SR 1-2 (d); 2-2(vi)

The effective date of appraisal is the date which the value opinion applies and is generally the date of inspection. The effective date of this report is February 13, 2022.

DATE OF THE REPORT

The date of the report is generally the date of the transmittal letter. The date of this report is March 2, 2022.

PROPERTY INTEREST APPRAISED

SR 1-2 (e) (iii)

The subject property is appraised as fee simple estate, or complete ownership, with all the bundle of rights, without regard to liens or encumbrances, as a whole and subject to any easements, reservations or restrictions of record. Any non real estate items included in the valuation herein, such as machinery, furnishings, fixtures or equipment will be set out and described in the improvement analysis and valued in the cost section of this report.

LEGAL DESCRIPTION

SR 2-2a (iii)

0.24252 Acre, more or less, off North Front Street, known as Division Street R-O-W,
City of Freeport, Brazoria County. Texas .

OWNERSHIP

Title to the subject property is held in the name of City of Freeport, as filed and recorded in the Official Records of Brazoria County, Texas.

HISTORY OF OWNERSHIP / SALES HISTORY / CURRENT AGREEMENTS

The subject property's ownership has been vested, as shown above, for many years. No sales history or current agreements are noted.

TAX INFORMATION

The property is not subject to taxation, as a publicly owned tract of land; however, it is appraised and lies within the following taxing entities, as follows:

County of Brazoria
Brazosport Independent School District
City of Freeport
Velasco Drainage District
Brazos River Harbor Navigation District – Port of Freeport
Brazosport College District

The assessed value placed on the subject property, account number #693303, by the Brazoria County Appraisal District for taxing purposes, is \$19,610.00. The total rate is calculated to be \$2.598124 per hundred.

EXPOSURE TIME

Assuming adequate exposure and normal marketing efforts, the estimated exposure time (i.e., the length of time the subject property would have been exposed for sale in the market had it sold at the market value concluded to in this analysis as of the date of this valuation) would have been within about 3-12 months.

EXTRAORDINARY ASSUMPTIONS

An extraordinary assumption is made off of drawings furnished the appraiser as to the BWA Water Lines placement within the Right-of-Way. If the calculations made herein of useable water frontage of 48.3 feet changes, based off a current survey depicting the actual easement lines, the value is subject to change. Another extraordinary assumption is made, that the storm water line traversing the property can be removed, and that the site can be leveled and utilized for single family residential use.

COMPETENCY RULE

Prior to accepting the assignment, the appraiser properly identified the problem and considered the knowledge and experience required to complete the assignment competently. The appraisers have completed appraisal reports on similar type properties and are competent to appraise this property.

CONFIDENTIALITY OF THE ETHICS RULE

An appraiser must protect the confidential nature of the appraiser – client relationship. An appraiser must not disclose confidential factual data obtained from a client or the results of an assignment prepared for a client to anyone other than: 1) the client or personal specifically authorized by the client; 2) state enforcement agencies and such third parties as may be authorized by due process of law; and 3) a duly authorized professional peer review committee. It is unethical for a member of a duly authorized peer review committee to disclose confidential information or factual data presented to the committee.

NEIGHBORHOOD DATA

A neighborhood is considered that area most closely surrounding the subject property. It may be a specific subdivision, a section of a community or in a small town or city, an entire community and may be comprised of a mixture of commercial, residential or agricultural utilizations.

Comparable sales used may or may not be within the defined neighborhood, but should be similar in present and future land use trends.

A neighborhood is an area with distinguishing characteristics, and is often defined by physical boundaries such as streets or roads, bodies of water, waterways or railroad tracks, and is often designed by zoning ordinances or deed restrictions.

A neighborhood generally goes through stages of growth, stability, decline and revitalization. These stages affect value when compared to other neighborhoods. Growth is a period during which the neighborhood gains public favor and acceptance; stability is a period of equilibrium without marked gains or losses; decline is a period of diminishing demand; and revitalization is a period of renewal, modernization and increasing demand.

The four forces affecting value are social, economic, governmental and environmental. Social considerations include population density, education and age levels, occupant employment type, neighborhood organizations and educational, medical, social and recreational services available. Economic considerations include income levels, degree of owner occupancy, rent levels, property value levels, vacancy rates, type of construction, age of properties and property use changes. Governmental considerations include such factors as land use and size, terrain, use density, noise levels or other nuisances, traffic volume, property maintenance and upkeep, availability and quality of utilities, surrounding development and proximity to churches, employment, shopping, schools and employment centers.

The subject neighborhood is physically defined as the Old Brazos riverfront area, within the City of Freeport, along with the adjacent commercial and residential neighborhoods.

It is an estimated 90 percent built up. Land uses are a mixture of commercial, both neighborhood and tourist related properties, and residential, with some light industrial uses.

Access within the neighborhood is ample and provided by various city and state maintained streets and arterials.

All public utilities serve the neighborhood and capacity is adequate for existing and future development.

Neighborhood appeal is rated average. The defined area's market is relatively stable, and is influenced by the Brazosport Industrial Complex and the Port of Freeport. The subject is located

along the Old Brazos River Channel. There are public and private land uses along the river. The subject area has been the focus of various redevelopment projects.

Fire and police protection are ample and provided by the City of Freeport.

Schools, churches, shopping, medical facilities and employment centers are all within close proximity.

SITE ANALYSIS

The subject property is located within the northern portion of the City of Freeport. It is physically situated along the south side of North Front Street. It is estimated to contain a total area of .24252 acre of land, or 10,564.02 feet more or less (subject to survey) with 48.3 feet of useable and accessible water frontage along the Old Brazos River Channel. A levee borders the water frontage and according to the city of Freeport, nothing may be built on the levee that may harm the structural integrity. A 15 foot wide, BWA Water Line Easement is located on the property, along with a supposed, abandoned storm water drain line. The site has an elevated, non-surfaced area traversing the center of it, from North Front Street to the top of the levee. It is assumed that the portion of this raised area, not contained within the BWA Water Line Easement, may be leveled and brought back to natural grade if needed. Also, is assumed that prior to any construction, that the Storm Water Drain pipes may be removed, and that its removal will not affect the integrity of the levee. If any detriment is found to the Levee from the removal of this storm water drain, then the levee would have to be repaired to its former structural integrity.

The tract is basically rectangular in shape.

It is noted that the river access is limited to smaller craft, as the site is located upstream of the FM 1495 bridge. The bridge height would limit watercraft passage due to clearance being lower than commercial boat sale or tower clearance requirements. Indeed, most of the larger craft frontages along the Old Brazos River Channel are downstream of FM 1495. Larger watercraft can access between the areas of the flood protection gateway, and the Port of Freeport railroad trestle structure. The site is zoned W-1R, Waterfront Single Family Residential. All utilities are assumed available. According to F.E.M.A. flood maps, panel number 48039C0780I, the subject property is situated within a designated zone "X", within the portion lying along the raised levee. The areas along, and including the sides of the levee, lying off water, are designated zone "A". The appraiser notes that the available flood maps are somewhat inconclusive as to exactly what portions of the property may be subject to build-up requirements and/or development restrictions. The subject is situated within census tract number 6643. Surrounding land uses are a mixture of commercial and residential uses. Reasonable inspection of the property revealed no known or obvious existing or potential environmental hazards. The value expressed in this report is based on the property being free of contamination or exposure to hazardous materials. The value in this report assumes no diminution in value due to the results of any environmental assessments, studies, or remediation reports. The subject is currently a vacant, riverfront tract that is the remnants of the Division Street Right-of-Way.



VIEW OF SUBJECT SITE



VIEW OF OLD BRAZOS RIVER LEVEE ACROSS SITE



VIEW OF OLD BRAZOS RIVER FRONTAGE



VIEW OF OLD BRAZOS RIVER FRONTAGE



**VIEW OF ACCESS POINT FOR BRAZOS RIVERER WATER AUTHORITY WATERLINE
EASEMENT TRAVERSING SUBJECT SITE**



**VIEW OF STORM DRAIN CULVERTS EXTENDING FROM
RIVER TOWARD FRONT STREET**



VIEW OF SUBJECT FACING NORTH FROM TOP OF LEVEE



VIEW FACING WEST ALONG NORTH FRONT STREET

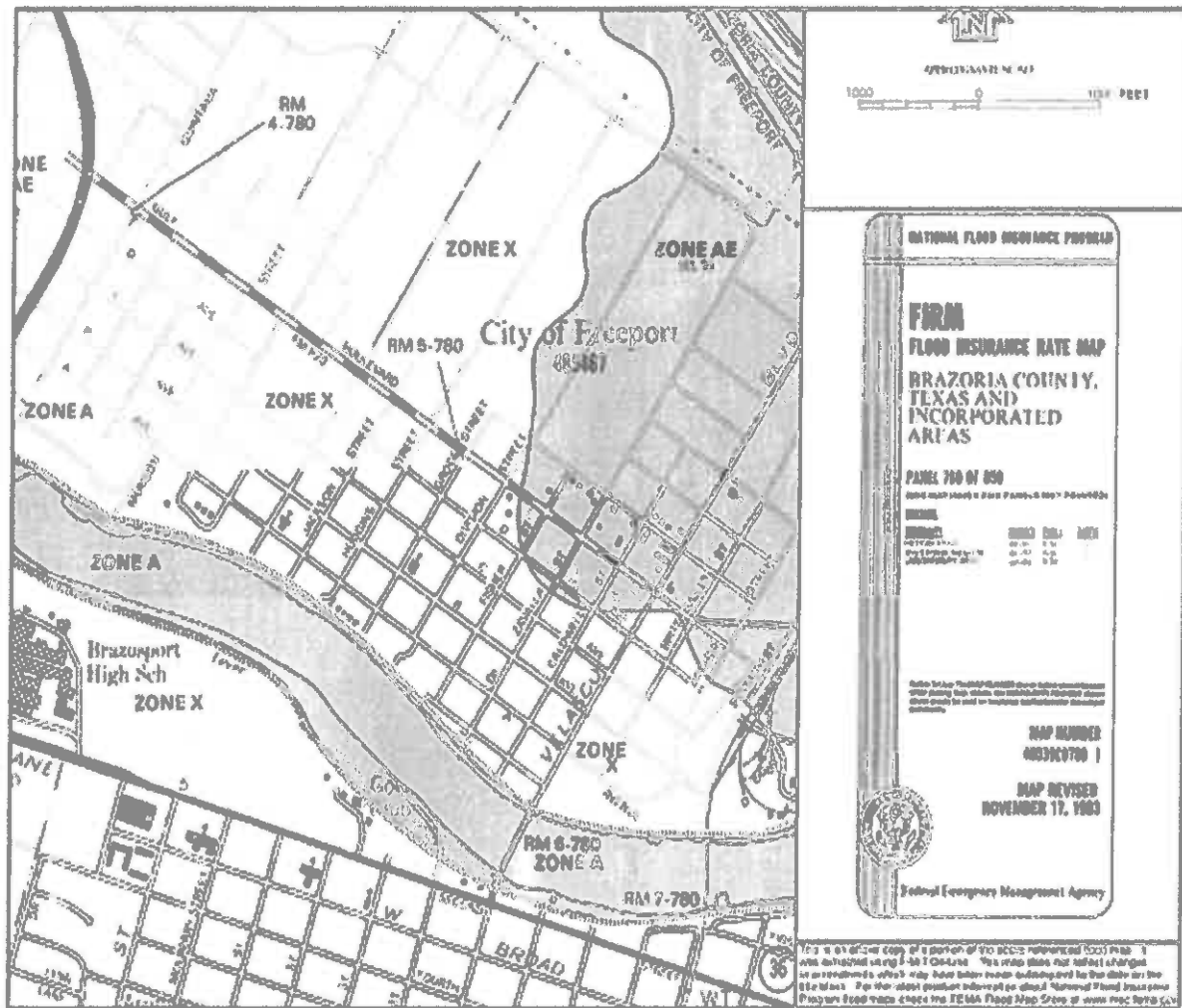


VIEW FACING EAST ALONG NORTH FRONT STREET



30m
100ft

FLOOD MAPS



HIGHEST AND BEST USE

Highest and Best Use is not an absolute fact but reflects an appraiser's opinion based on market knowledge and an analysis of prevailing market conditions. Highest and Best Use is defined as:

"The highest and best use of the land, which at time of appraisal, is legal and which will yield the highest net return in the reasonably foreseeable future."

In appraisal theory and practice, highest and best use represents the premises upon which value is based. There are two types of highest and best use. One is of the site or land as vacant. The other is as improved.

The first type, as vacant, assumes that the site is vacant or can be made vacant through removal of improvements. In analysis of this type, the appraiser must determine the best utilization of the site or what improvements should be placed thereon. If a site being studied is not vacant, it is often analyzed as though it were. The appraiser must determine if the existing improvements represent the best use of the site.

The second type, as improved, considers the use of the property as it exists. Consideration must be made as to whether the improvements should remain as they are at the time of appraisal, or whether they should be renovated, remodeled, expanded or replaced. Consideration must also be made as to whether utilization of existing improvements should remain the same. Generally the existing improvements or use will continue until the value of the land or site, in its highest and best use, exceeds the sum of the entire property, plus the cost to remove improvements.

Implicit in the above definitions of highest and best use are the concepts of time (duration period of that estimated highest and best use) and social, economic, governmental and physical (including locational) factors which influence value.

In both definitions of highest and best use there are four criteria that must be met. These are that the highest and best use must be physically possible, legally permissible, financially feasible and maximally productive.

The subject is the remnants of the Division Street Right-of-Way. There is a 15 foot wide BWA Water Line Easement located on the site. An undefined, storm water drain line is also located on the site. It upstream of most of the commercial waterfront utilized for larger vessel commercial uses. It lies in an area where the watercraft access is suitable for smaller boats. Most of the surrounding properties are residential or public use properties. Most of the riverfront uses in this area are residential, public properties, and passive recreational.

The subject fronts along North Front Street and all public utilities are assumed available to the site. It is assumed that the highest and best use is for Single Family Residential Development.

THE APPRAISAL PROCESS

Real estate valuation is a problem solving process in which support for a defined value is sought under market conditions existing at a specific point in time. The process is sensitive to the reactions of a typical purchaser for a particular type of property. Market value is the most probable sales price which a property will bring, and this price depends upon the typical purchaser reaction to the various supply and demand factors which affect the property being appraised. The highest and best use of the property, in relation to surrounding competitive properties, is particularly important. The appraiser then must seek answers to economic questions posed by the property under appraisal, questions which can only be answered through analysis of the behavior and motives of market participants.

Value cannot be known with absolute certainty, as neither the methods or techniques employed by the appraiser, nor the data available, lend themselves to precise quantification and scientific manipulation. A valuation is, therefore, no more than a researched, logical and supportable estimate made by a qualified appraiser, as of a specific date.

The appraisal problem is ordinarily solved through the use of the three generally accepted valuation techniques. Each technique has an individual concept and provides a separate indication of value for the subject property. The separately conceived value indications tend to form a zone of reasonability, and under the process known as correlation, the final value conclusion is found within this zone.

The three generally accepted approaches to the estimation of value are the Cost Approach, the Direct Sales Comparison Approach and the Income Approach. All of the data utilized in these approaches comes from market evidence in one form or another.

Within the Cost Approach, there are four basic steps required to arrive at a value indication. The first is to estimate the value of the land as if vacant and available for development to its highest and best use. A replacement cost estimate of existing improvements is then made. An estimate of depreciation from all causes is then subtracted from the developed replacement cost estimate of the improvements. The depreciation estimate includes consideration of deterioration of the physical qualities of the improvements, as well as obsolescence attributed to both functional and external considerations. The final step in the Cost Approach is the compilation of the depreciated estimated replacement cost of the improvements, to which is added the estimated land value, giving a value estimate of the property by the Cost Approach.

The subject property is essentially vacant land, and is being appraised as such; therefore, the Cost Approach is not necessary or applicable in this case.

The Direct Sales Comparison Approach produces a value estimate by comparing similar properties, which have been sold recently, or are currently under contract with all contingencies removed, to the subject property. An estimate of the degree of comparability is made by comparing such value influencing factors as financing terms, condition of sale, site value, quality of construction, age and condition, utility, equipment, amenities and marketability. Sale properties judged to be comparable tend to set a range in which the value of the subject property will fall. The Principle of Substitution is the controlling factor in this approach to value.

The Direct Sales Comparison Approach has been used, in this case to value the land, a portion being waterfront, and a portion being off water, interior situated. Research indicates a lack of improved sales applicable to the subject site, as improved.

The Income Approach is concerned with the present worth of future benefits of the property. Again, four basic steps are required for a value indication. These are the estimate of economic rent or income, expenses, economic life of the improvements and the selection of an appropriate capitalization rate for processing the net income. In this application, the appraiser estimates a gross annual income which the property should produce to attract investors in the market. From the gross income, expenses are subtracted to obtain a net income before recapture projection. Expenses include taxes, insurance, operating and maintenance costs and replacement reserves. An estimate of the economic life of the improvements requires a determination of the probable duration of the income stream. Rate selection requires market scrutiny for an interest rate reflective of current conditions. An applicable capitalization technique is then asserted, and the net income estimate is processed by the proper rate for a value estimate of the property.

The subject property is not leased or utilized for income related purposes, therefore, the Income Approach is not applicable or necessary, in this case.

MARKET APPROACH

The Direct Sales Comparison Approach is the method of estimating market value by making direct comparisons of the subject, with similar properties that sold recently, under normal sales conditions. Adjustments to sales are often necessary to enhance comparability. The first adjustments required are for market conditions, which include condition of sale and financing terms. Secondly, adjustments are made for physical characteristics such as site value, improvements size, quality of construction, age, condition, appeal, off-street parking allowance, equipment and other amenities. This approach applies the principle of substitution in that a prudent purchaser would pay no more for a real property, than the cost of acquiring an equally desirable substitute on the open market. Therefore, sales and/or listing of properties with comparable location, characteristics and/or future earning capabilities would influence a prudent purchaser by offering alternative investments. This is the only approach which directly reflects the balance of supply and demand in actual trading in the market place. Units of comparison employed in the market are used to compare the comparable sales directly to the subject. Assuming reliable sales information to be available, this method is often recommended above all others.

Two units of comparison are derived from this approach, physical and economic. The physical unit of comparison is value derived by dividing the sale price of the similar properties, by the square foot, room, unit or other unit of comparison, depending upon property type. The economic unit of comparison applies to income characteristics of similar properties. Units of comparison may be the gross rent multiplier for residential properties or the gross income multiplier for income producing properties. The gross income multiplier is derived by dividing the sales price of similar properties, by the gross annual income. The gross income multiplier is then applied to the gross income of the subject property to derive an indicated estimate of value by this method.

The subject is vacant land, therefore, the direct sales comparison approach, "LAND" only is used herein.

LAND VALUE

The estimation of land value is critical to the accuracy of an appraisal. Comparisons should be consistent, and only comparable properties should be used for comparison purposes. In estimated the value of the subject site, as if vacant and available to be put to its highest and best use, the Direct Sales Comparison Approach has been utilized. This technique is the method of estimating market value by making direct comparison of the subject property to similar properties that sold recently under normal sales conditions. Adjustments are often required to enhance comparability for market and physical characteristics. Market adjustments include financing, condition of sale and date of sale. Physical characteristic adjustments include access, size, location or other variables. This approach applies the principal of substitution in that a prudent purchaser would pay no more for a real property than the cost of acquiring an equally desirable substitute property on the open market. Therefore, sales and or listings of properties with comparable location, characteristics and future earning capabilities, would influence a prudent purchaser by indication the price level for alternative properties.

Properties considered similar for comparison purposes follow.

LAND SALE NO. 1

GRANTOR: Cundieff Family Partnership

GRANTEE: Petr A. Richardson Revocable Trust

DATE OF SALE: 12-7-2021

RECORDING: 2021-080435

LEGAL DESCRIPTION: Lot 1, Brazos Shore S/D, Section I, City of Freeport,
Brazoria County, Texas

LOCATION: Old Brazos River; Second Street
Freeport, Texas

CONSIDERATION: \$100,000.00, or \$1,975.00 per F.F. River

SIZE: 10,517 Sq. Ft.

SHAPE: Rectangular

UTILITIES: All

ACCESS: Second Street

EASEMENTS: none adverse noted

USE AT SALE: Vacant

REMARKS: The tract was purchased for Residential home construction.

LAND SALE NO. 2

GRANTOR: Cundieff Family Partnership

GRANTEE: WKB Ventures

DATE OF SALE: 10-26-21

RECORDING: 2021-072429

LEGAL DESCRIPTION: Lot 1A, Brazos Shore S/D, Section I, City of Freeport, Brazoria County, Texas

LOCATION: Second Street
Freeport, Texas

CONSIDERATION: \$60,000 or \$4.98 Sq. Ft.; \$976.00 F.F. River

SIZE: 12,037 Sq. Ft.

SHAPE: Rectangular

UTILITIES: All Public

ZONING / RESTRICTIONS: Residential

ACCESS: Second Street

EASEMENTS: Several easements regarding electrical, shared drive, etc...
No adverse easements or encroachments noted.

USE AT SALE: Vacant

REMARKS: The property was purchased at a considerable discount due to the easements. The seller stated he sold the site at a discount of 50% because of all the easements, shared drive.

LAND SALE NO. 3

GRANTOR: Cundieff Family Partnership

GRANTEE: Chase Theriot

DATE OF SALE: 4-26-2021

RECORDING: 2021-027047

LEGAL DESCRIPTION: Lot 8, Brazos Shore S/D, Section I, City of Freeport,
Brazoria County, Texas

LOCATION: Old Brazos River; Second Street
Freeport, Texas

CONSIDERATION: \$120,000.00, or \$2,231.00 per F.F. River

SIZE: 12,887 Sq. Ft.

SHAPE: Rectangular

UTILITIES: All

ACCESS: Second Street

EASEMENTS: None adverse noted

USE AT SALE: Vacant

REMARKS: The tract was purchased for Residential home construction.

COMMENTS

All sales have River Frontage and are located across the river and east of the subject. Sale two had several easements and the seller discounted the sales price 50% for these. Sales reflect a value range of \$976.00 to \$2,231.00 per front foot of river frontage. A value of \$1,000.00 per front foot is considered to be reasonable for the subject site.

48.3 F.F. X \$1,000.00 per F.F. = \$48,300.00

FORTY EIGHT THOUSAND THREE HUNDRED DOLLARS

(\$48,300.00)

CORRELATION AND CONCLUSION

Value Indicated by the Cost Approach	=	N/A
Value Indicated by Direct Sales Comparison	=	\$48,300.00
Value Indicated by the Income Approach	=	N/A

The Cost Approach is one of the three recognized approaches to value and is an important indicator. The strength of this approach is that it is applicable to all types of improved properties and is valid if cost and land value estimates are accurate; the greatest factor being the accuracy of estimated depreciation. The weakness of this approach is that it does not necessarily reflect prevailing market conditions or, in the case of income producing properties, consider vacancies. The ultimate objective of the appraisal is to estimate the value, not cost; therefore, the Cost Approach is generally given the least weight or reliance.

The Direct Sales Comparison Approach is the only approach which directly reflects the balance of supply and demand in actual trading within the marketplace. The approach applies the principal of substitution and actually compares sales of like properties. The weakness of this approach is the availability of recent sales of comparable property type, as well as variations in location, condition, quality of construction, size and dates of sale. The comparable sales utilized in the direct sales comparison approach have been confirmed and are considered the most recent and similar to the subject for comparison purposes.

The Income Approach is based on the assumption that there is a direct relationship between the amount of income a property produces and its market value. Value, by this approach, is therefore the present worth of anticipated future income benefits. This approach is extremely reliable in estimating the value of income producing properties. It considers actual market conditions prevailing at the date of appraisal. The weakness or strength of this approach depends upon the accuracy of the three basic steps: forecasting income and expenses, deriving net income and choosing the appropriate rate and capitalizing the net income by the appropriate technique.

The greatest reliance has been given to the value indicated by the Market Approach.

The final estimate of market value, as is, as of February 13, 2022, is:

FORTY EIGHT THOUSAND THREE HUNDRED DOLLARS
(\$48,300.00)

ASSUMPTIONS AND LIMITING CONDITIONS

1. No responsibility is assumed for the legal description or for matters including legal and title considerations. Title to the property is assumed to be good and marketable unless otherwise noted.
2. The property is appraised as if free and clear of any and all liens or encumbrances unless otherwise noted.
3. Responsible ownership and competent property management are assumed.
4. Information, estimates and opinions furnished to the appraiser and contained in this report were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser can be assumed by the appraiser.
5. All engineering is assumed to be correct. Any plot plans, building sketches, or other illustrative material in this report are included to assist the reader in visualizing the property.
6. It is assumed that there are no hidden or unapparent conditions on the property, subsoil or structures that render them more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws.
8. It is assumed that all applicable zoning and use regulations and restrictions are in compliance.
9. It is assumed that all required licenses, certificates of occupancy, consents or other legislative or administrative authority from any local, state or federal government or private entity or organization has been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. Unless otherwise agreed upon, possession of this report or a copy thereof, does not carry with it the right of publication. It may not be used for any other purpose by any person other than the party to whom it is addressed without written consent of the appraiser and then only with property written qualification and only in its entirety.
11. The appraiser preparing this appraisal report is not required to give further consultation, testimony, or be in attendance in court on behalf of the client unless arrangements have been previously made.

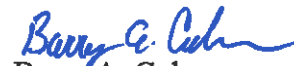
12. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the organization with which the appraiser is associated) shall be disseminated to the public through advertising, public relations, news, sales or other media without the prior consent and approval of the appraiser.
13. Unless otherwise stated in this report, the existence of hazardous material may or may not be present on the property. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, lead based paint or other potentially hazardous materials which may be in any improvements or whose presence may contaminate the soil and ground water may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property, or on or in the adjacent property being appraised. No responsibility is assumed for such conditions, or for any expertise or engineering knowledge required to disclose them. The client is urged to retain an expert in the field, if desired.
14. Any other unknown conditions which could affect the property such as the discovery of archaeological sites, old cemeteries, etc., are assumed not to exist to the detriment of the property for purposed of this appraisal.
15. The values as concluded herein are entirely contingent upon the subject property not being within or subject to a federally designated potential endangered species area as defined by the U.S. Fish and Wildlife Service, which, as a result, might otherwise limit, restrict and/or prevent development of the subject property to its highest and best use.

CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analysis, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial and unbiased analysis, opinions and conclusions.
3. All contingent and limiting conditions are contained herein (imposed by the terms of the assignment or by the undersigned affecting the analysis, opinions and conclusions contained in the report).
4. All conclusions and opinions, concerning the real estate, that are set forth in the appraisal report were prepared by the appraiser whose signature appears on the appraisal report, unless indicated as "Review Appraiser". No change of any item in the appraisal report shall be made by anyone other than the appraiser, and appraiser shall have no responsibility for any such unauthorized change.
5. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
6. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
7. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
8. My compensation for completing this assignment is not contingent upon the development of report of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
9. My analysis, opinions and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
10. The appraiser Barry Coleman, has made a personal inspection of the property that is the subject of this report. No other significant professional assistance in the inspection, research, and processing of this appraisal was provided.
11. I have appraised similar type facilities and am competent to appraise these types of properties.
12. The appraiser **has not** performed appraisal services related to the subject property within the last three year period preceding the acceptance of this assignment. The previous appraisal was for loan processing procedures.
13. The estimate of market value in this appraisal report is not based in whole, or in part, upon race, color, religion, sex, handicap, national origin or familial status of the present owners or occupants or owners in the vicinity of the property appraised.

14. I am currently certified by the Texas Appraiser Licensing and Certification Board, through December 31, 2022.


Barry A. Coleman
Texas Appraiser Certification
Number TX-1324203-G

QUALIFICATIONS OF THE APPRAISER

Barry A. Coleman is the owner of Angleton Real Estate Appraisal, with offices located at 217 Sebesta Road, Angleton, Texas. He has been actively engaged in the full time real estate appraisal business since April 1985.

CERTIFICATIONS/LICENSES:

Texas Real Estate Salesman License No. 362589-03
State Certified General Real Estate Appraiser, Certification Number TX-1324203-G

EDUCATION:

Graduate of Angleton High School - 1982
Successfully completed required courses and acquired salesman license - 1985.
Brazosport College - TREC Courses
28 hours of mandatory continuing education courses and USPAP update courses are required every two years by the Appraisal Standards Board and I have met these requirements since 1990.

EXPERIENCE:

Appraisal experience includes assignments as follows:

Country Clubs, Motels, Medical Offices, Office buildings and office complexes, Convenience Stores, Shopping centers, Industrial complexes, Office-warehouses, Subdivisions, Farms and ranches, Single family dwellings, Multi-family dwellings, Churches, Restaurants and fast foods, Fabricating shops, Mobile home parks, Automobile dealerships, Estates, Grain elevators, Carwashes, Mini-storage facilities, Marinas, Day care centers, Airports, Hospitals, Community water systems, Private schools, Lumber yards, Ball rooms, Service stations and special use properties such as Docking facilities, Material yards and Bulk stations. Also included are Eminent Domain Appraisals for drainage easements, Powerline easements and Pipeline rights-of-way.

PARTIAL LIST OF CLIENTS:

Financial Institutions:

First Prosperity Bank, N.A.; Texas Gulf Bank, N.A.; First State Bank - Clute; Brazoswood National Bank - Richwood; Express Bank; Bank of America; First National Bank - Alvin; First State Bank of Moulton; First National Bank - Lake Jackson; NCNB Texas National Bank; Ameritrust Texas, N.A.; Commercial State Bank; LaPort State Bank; Wells Fargo Bank; Texas National Bank - Tomball; First National Bank - Eagle Lake; Colorado Valley Bank - LaGrange; Compass Bank; Marchants Bank; NationsBank; First Community Bank, N.A.; Texas Independent Bank - Dallas; Union Planters Bank.

Mortgage Companies:

First Interstate Mortgage Company; Prudential Relocation; Manufacturers Hanover Servicing, Inc.; Great Southwest Savings; Banc One Mortgage; Coldwell Banker Relocation; Greater Houston Financial Services, Inc.; I.T.T. Small Business Finance; PNL Credit Company, LLC - Fort Worth; Phoenix Mortgage Company; Metropolitan Mortgage and Securities Company, Inc.; Chemical National Mortgage Corporation; The Lending Center-Houston; Texas Independent Mortgage Company, Irving; Strategic Mortgage Services, California; Inspections Over America, Livingston; Acquisition Funding, Angleton; Mortgage Specialists, Inc., Fort Worth; Bayside Mortgage, Deer Park; Wells Fargo Mortgage.

**BARRY ALBERT COLEMAN
2117 SEBESTA RD
ANGLETON, TX 77515**



**TEXAS APPRAISER LICENSING &
CERTIFICATION BOARD**

Certified General Real Estate Appraiser

Appraiser: Barry Albert Coleman

License #: TX 1324203 G

License Expires: 12/31/2022

**Having provided satisfactory evidence of the qualifications required
by the Texas Appraiser Licensing and Certification Act, Occupations
Code, Chapter 1103, authorization is granted to use this title:
Certified General Real Estate Appraiser**

**For additional information or to file a complaint please contact TALCB
at www.talcb.texas.gov.**


**Chelsea Buchholtz
Commissioner**



City Council Agenda Item #7.

Title: Consideration and possible action approving the agreement for a consent to encroachment between property owner Pamela Dancy and the City of Freeport.

Date: December 18, 2023

From: Lance Petty, Interim City Manager

Staff Recommendation: Staff recommends that Ms. Dancy seek a written agreement with the City of Freeport to allow the Carport to remain on City Property, with certain requirements.

Item Summary: There is a carport that was built on City property without permits at 313 S. Front Street.

Background Information: Code Enforcement was notified of a possible violation; a carport across a property line. Upon further investigation and a survey, the carport is approximately 2.6 feet over the property line onto City Property. A Code Enforcement Violation notice was sent to Pam Dancy. Ms. Dancy is now seeking a written agreement with the City of Freeport to allow the Carport to remain on City Property.

Special Considerations: The agreement would allow the carport to remain, with the allowance that if the City needs to remove it in the future, it will be done without liability to the City.

Financial Impact: n/a

Board or 3rd Party Recommendation: n/a

Supporting Documentation:

1. Encroachment Document (Dancy)
2. Highlight survey

CONSENT TO ENCROACHMENT

THE STATE OF TEXAS
COUNTY OF BRAZORIA

§
§
§

KNOW ALL BY THESE PRESENTS:

WHEREAS, Pam Dancy (the "Owner") is the owner of certain property located in Freeport, Texas, as more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes (the "Property"); and

WHEREAS, the Owner and the City of Freeport (the "City") agree to enter into an encroachment agreement ("Consent to Encroachment") to address a portion of a carport located on the Property that overhangs into the City's right-of-way (the "Improvements"), as further identified and highlighted in Exhibit "A"; and

WHEREAS, Owner has appealed a finding by the City that her improvements actually overhang into the City's right-of-way to the Freeport Board of Adjustments, and such appeal is pending; and

WHEREAS, by entering into this agreement the City agrees to dismiss its proposed enforcement and Owner agrees to dismiss her pending appeal; and

WHEREAS, Owner further requests that the City Council approve this Consent to Encroachment allowing such encroachment in said right-of-way knowing that such Consent to Encroachment will be recorded in the Official Public Records of Brazoria County, Texas; and

WHEREAS, the Owner agrees to the conditions set out herein.

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

Section 1. That after review and consideration of the above agreement from the Owner and the above recitals which are found to be true and correct, adopted and incorporated herein, and for and in consideration of such agreement and recitals, permission is hereby granted for the Improvements to be located in the above described City right-of-way, said encroachment into such right-of-way being in highlighted and identified in a copy of a plat attached as Exhibit "A," with the full understanding that such permission do not constitute an abandonment of any City rights or interest. Should any maintenance and or repairs to the Improvements become necessary at any

time for any reason whatsoever, such repairs will be at the sole expense of the Owner, or any subsequent owner, of the Property.

Section 2. That as a condition of and in consideration thereof, the City retains a general right-of-way easement for the benefit of the City and other utilities which have or will have facilities located therein. It is specifically provided that should it be determined at any time in the future that ingress and/or egress access is necessary by the City, other public utilities or their respective agents for necessary maintenance, replacement, relocation, repair and all other rights incidental to and necessary in connection with said retained rights, the City or respective utility will not be responsible for damages of any kind or nature to the Improvements by reason of said maintenance or repairs. It is particularly understood that as a condition of the approving of any encroachment that there will not be created any burden or liability of any kind or nature with regard to the use made of the right-of-way. Owner, or its successors or assigns, at their sole expense, understands and agrees that the encroachment of the Improvements may not interfere with the installation, maintenance, repair of any existing or future infrastructure improvements authorized within the City's right-of-way. As a further condition to the encroachment, it is understood that the City may require that the encroachment of the Improvements into the City's right-of-way be removed or altered in order to permit the installation, maintenance, repair of any **necessary** future infrastructure improvements authorized within the City's right-of-way. "Necessary future infrastructure improvements" are defined as infrastructure improvements approved by written resolution by a majority vote of the City Council, specifically pertaining to the right-of-way adjacent to Owner's property described in Exhibit A, with a specific finding in said resolution by the City Council that the improvements cannot be completed without removal of the encroachment. Owner, or its successors and assigns, shall, at their sole expense, cause the removal or alteration of such encroachment within thirty (30) day notification by certified mail that the City Council has approved the "necessary future infrastructure improvement" along with a copy of the passed City Council Resolution to that effect. Should Owner, or its successors or assigns, fail or refuse to remove or alter such encroachment within the prescribed period following demand, City may cause such removal or alteration and Owner, or its successors and assigns, shall be liable for all costs and expenses incurred by City.

Section 3. That, in consideration of the City allowing such encroachment, Owner or its successors or assigns do agree that this Consent to Encroachment shall be placed of record in

the Official Public Records of Brazoria County, Texas as notice to all parties of interest and the public as a covenant running with the land. AS FURTHER CONSIDERATION, OWNER (INCLUDING ITS SUCCESSORS AND ASSIGNS) WILL RELEASE, HOLD HARMLESS AND INDEMNIFY THE CITY AS TO THE RIGHT-OF-WAY. OWNER (INCLUDING ITS SUCCESSORS AND ASSIGNS) FURTHER AGREES TO ASSUME FULL RESPONSIBILITY AND LIABILITY FOR ANY ACTIVITIES IN CONNECTION WITH THE ABOVE-DESCRIBED ENCROACHMENT IN THE RIGHT-OF-WAY AND THE IMPROVEMENTS CONSTRUCTED THEREON AS SET FORTH HEREIN, AND HEREBY AGREE TO INDEMNIFY, PROTECT AND HOLD HARMLESS THE CITY, ITS EMPLOYEES, AGENTS AND ASSIGNS OF AND FROM ALL CLAIMS, DEMANDS, AND CAUSES OF ACTIONS OF EVERY KIND AND CHARACTER, INCLUDING THE COST OF DEFENSE THEREOF, FOR ANY INJURY TO, INCLUDING DEATH OF, PERSONS AND ANY LOSSES FOR DAMAGES TO PROPERTY CAUSED BY OR ARISING OUT OF, OR ALLEGED TO ARISE OUT OF, EITHER DIRECTLY, INDIRECTLY OR IN CONNECTION WITH, THE ABOVE-DESCRIBED ENCROACHMENT IN THE RIGHT-OF-WAY AND THE IMPROVEMENTS CONSTRUCTED THEREON.

Section 4. Except for the Improvements specifically identified in Exhibit “A” that encroach into the City’s right-of-way, the Owner shall keep the right-of-way clear of obstructions and shall insure that the right-of-way is accessible to maintenance equipment and personnel as provided in this Consent to Encroachment.

Section 5. Owner or its successors and assigns agree that, in the event the Improvements subject to this Agreement are removed or otherwise destroyed by fire or other causes, no other Improvement shall be rebuilt that shall encroach upon the City’s right-of-way without approval from the City Council of the City.

Section 6. The approval of this encroachment is limited to the Improvements into the City’s right-of-way and does not authorize any other structures to encroach into the said right-of-way.

Section 7. The covenants and agreements contained herein shall run with the land and shall inure to the benefit of and shall be binding upon Owner and the City and their respective successors and assigns.

OWNER:

By: _____

Printed Name: _____

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §

 This instrument was acknowledged before me on this _____ day of _____, 2023, by Pam Dancy, Owner of the Property.

(NOTARY SEAL)

Notary Public, State of Texas

PASSED, APPROVED, AND ADOPTED on this ____ day of _____, 2023.

CITY:

Brooks Bass, Mayor

ATTEST:

Clarisa Molina, City Secretary

STATE OF TEXAS §
COUNTY OF BRAZORIA §

 This instrument was acknowledged before me on this _____ day of _____, 2023, by Brooks Bass as Mayor of the City of Freeport, a Texas municipality.

(NOTARY SEAL)

Notary Public, State of Texas

Please Return Recorded Copy to:

**Attn: City Manager
City of Freeport, Texas
200 W. 2nd Street
Freeport, Texas 77541**

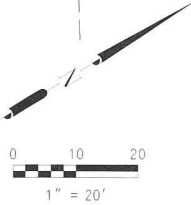
EXHIBIT “A”

Plat of Property and Identified Encroachment of the Improvements

**BRAZORIA COUNTY
TEXAS**

LOT 16
BRIDGEPOINT SUBDIVISION

**ELI MITCHELL SURVEY
ABSTRACT 99**



OLD BRAZOS RIVER

TOE OF LEVEE

VELASCO DRAINAGE DISTRICT
CALLED 4.04 ACRES
2008-000317 B.C.O.R.

LEVEE

TOE OF LEVEE

FND. 1/2" I.R.

N 31° 10' 06" E 114.87'

FND. 3/4" I.P.

MERRY MARTHA WHERRY
VOLUME 1709, PAGE 365 B.C.D.R.

SUBJECT 0.309 ACRE

N 65° 13' 48" W 125.63'

125.63'

4.4'

FND. SQUARE BOLT

CARPORT

2.6'

CITY OF VELASCO
679/58 B.C.D.R.

S 31° 33' 19" W 100.48'

SET 3/4" I.R.

S 58° 39' 07" E 125.50'

10' UTILITY EASEMENT

SOUTH FRONT STREET (40' R.O.W.)

**SURVEY PLAT
OF
0.309 ACRE**

CONVEYED TO
MERRY MARTHA WHERRY
AS RECORDED IN
VOLUME 1709, PAGE 365
OF THE
BRAZORIA COUNTY DEED RECORDS
IN THE
**ELI MITCHELL SURVEY
ABSTRACT 99**
BRAZORIA COUNTY, TEXAS
FOR
THE CITY OF FREEPORT

313 SOUTH FRONT STREET

I, CHARLES D. WACHTSTETTER, REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE ABOVE PLAT IS A TRUE REPRESENTATION OF A SURVEY MADE UNDER MY SUPERVISION, ON THE GROUND, AND THAT THERE ARE NO EXCESSES NOR INTRUSIONS ON THIS PROPERTY, EXCEPT AS SHOWN.
DATE SURVEYED: JULY 20, 2023

NOTES:

1. ALL COORDINATES AND BEARINGS ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 27).
2. ALL DISTANCES ARE HORIZONTAL SURFACE LEVEL LENGTHS.
3. NO TITLE COMMITMENT WAS PROVIDED FOR THIS SURVEY, THERE MAY BE ITEMS OF RECORD WHICH AFFECT THIS PROPERTY, NOT SHOWN HEREON.
4. THERE ARE ADDITIONAL IMPROVEMENTS ON THIS PROPERTY NOT SHOWN HEREON.

LEGEND

- FOUND IRON PIPE/ROD
- SET 5/8" IRON ROD W/SURVEY CAP "CDW"
- ⊙ POWER POLE
- OH— OVERHEAD WIRE
- WM WATER METER
- +— WIRE FENCE



Charles D. Wachtstetter
CHARLES D. WACHTSTETTER
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 4547

Doyle & Wachtstetter, Inc.
Surveying and Mapping GPS GIS
131 COMMERCE STREET, CLUTE, TEXAS 77531
OFFICE: 979.265.3622 FAX: 979.265.9940 FIRM NO.: 10024500
DRAWN BY: MJC 7-24-23 CHECKED: CDW 7-24-23 REVISION: NONE



City Council Agenda Item #8.

Title: Consideration and possible action approving Resolution 2023-2828 designating signatories of City Bank Accounts.

Date: December 18, 2023

From: Cathy Ezell, Finance Director

Staff Recommendation: Staff recommends approval of the Resolution.

Item Summary: The authorized signatories for the City's Texas Gulf account requires updating to reflect staffing changes. This resolution will add Lance Petty, Interim City Manager and Ashlee Ferguson, Financial Analyst as signatories on the bank account along with maintaining Catherine Ezell, Finance Director and Brooks Bass, Mayor as signatories on the bank account. By having four signatories, there is a back up for the City Manager and Finance Director in case having the backup signer is necessary.

Background Information: Texas Gulf Bank requires a resolution designating which City Officials are authorized to open accounts, sign checks, and other transactions for City funds. A letter is also required to make changes to the signatories.

Special Considerations: N/A

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Resolution 2023-2828 - Bank Signatories 2023

RESOLUTION NO. 2023-2828

A RESOLUTION OF THE CITY COUNCIL OF FREEPORT, TEXAS, DESIGNATING SIGNATORIES OF CITY BANK ACCOUNTS.

WHEREAS, the City of Freeport, has funds held by Texas Gulf Bank, N.A.; and

WHEREAS, the authorized persons listed for the City of Freeport accounts require updating based on the appointment of the Interim City Manager Jerry L. Petty, during the November 21, 2023 special meeting; and

WHEREAS, banks with whom the City does business normally require a City resolution designating which City officials are authorized to open bank accounts and to execute checks and other orders for payment of City funds; and

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. The City of Freeport approves the actions needed to update the authorized persons listed for all City of Freeport bank accounts.
2. The following persons namely be and are hereby authorized to sign/execute and submit all the necessary papers, letters, agreements, documents, writings, submissions etc. to the financial institutions listed above as may be required for day-to-day transaction, operation and correspondence:

Brooks Bass, Mayor
Jerry L Petty, Interim City Manager
Catherine Ezell, Finance Director
Ashlee Ferguson, Financial Analyst

3. That this Resolution shall continue in force until express written notice of its rescission or modification has been furnished to and received by a Bank.

PASSED AND APPROVED this 18th day of December 2023

ATTEST:

APPROVED:

Claris Molina, Interim City Secretary

Brooks Bass, Mayor

APPROVED AS TO FORM ONLY

Olson & Olson, City Attorney



City Council Agenda Item #9.

Title: Consideration and possible action approving Resolution 2023-2829 amending designated signatories of City TexPool Account.

Date: December 18, 2023

From: Cathy Ezell, Finance Director

Staff Recommendation: Staff recommends approval of the Resolution.

Item Summary: The list of authorized persons for the City's TexPool account requires updating to reflect the change in staff. This resolution will add Interim City Manager Lance Petty and Financial Analyst Ashlee Ferguson as signatories to the TexPool account along with maintaining Catherine Ezell Finance Director as a signatory and Mayor Bass as restricted inquiry only user. By having three signatories, there is a back-up put in place.

Background Information: TexPool requires a resolution designating which City Officials are authorized to open accounts, execute wire moving funds into the City's bank account, and other transaction for City Funds. Additionally, the Interim City Manager, Finance Director, and Financial Analyst will be listed as Representatives with full access, and the Mayor will have inquiry access only.

Special Considerations: N/A

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Resolution 2023-2829 TexPool Signatories 2023
2. Texpool Resolution Redacted

RESOLUTION NO. 2023-2829

A RESOLUTION OF THE CITY COUNCIL OF FREEPORT, TEXAS, AMENDING DESIGNATED SIGNATORIES OF CITY TEXPOOL ACCOUNT.

WHEREAS, the City of Freeport, has funds held by Texas Local Government Investment Pool (“TexPool”), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.; and

WHEREAS, the authorized persons listed for the City of Freeport accounts require updating based on a change in staffing; and

WHEREAS, TexPool requires a City resolution designating which City officials are authorized to open accounts and to execute wires and other transactions of City funds; and

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. The City of Freeport approves the actions needed to update the authorized persons listed for all City of Freeport TexPool accounts.
2. The following persons namely be and are hereby authorized to sign/execute and submit all the necessary papers, letters, agreements, documents, writings, submissions etc. to the financial institutions listed above as may be required for day-to-day transaction, operation and correspondence:

Jerry L. Petty, City Manager
Catherine Ezell, Finance Director
Ashlee Ferguson, Financial Analyst

3. The following persons namely be and are hereby authorized to perform only inquiries regarding the City Accounts:

Brooks Bass, Mayor

4. The Mayor is hereby authorized to execute a TexPool Resolution Amending Authorized Representatives, in the form attached hereto as Exhibit A.
5. That this Resolution shall be effective December 18, 2023 continue in force until express written notice of its rescission or modification.

PASSED AND APPROVED this 18th day of December 2023

ATTEST:

APPROVED:

Clarisa Molina, Interim City Secretary

Brooks Bass, Mayor

APPROVED AS TO FORM ONLY

Olson & Olson, City Attorney



Resolution Amending Authorized Representatives

Please complete this form to amend or designate Authorized Representatives. *This document supersedes all prior Authorized Representative forms.*

* Required Fields

1. Resolution

WHEREAS,

City of Freeport

Participant Name*

Location Number*

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool / Texpool Prime"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool Prime account or (2) is no longer employed by the Participant; and
- That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representative(s) of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

- | | | | |
|---------------------|---------------------|-----------------------|--|
| 1. Catherine Ezell | | Finance Director | |
| Name | Title | | |
| 9 7 9 8 7 1 0 1 0 7 | 9 7 9 2 3 3 8 8 6 7 | cezell@freeport.tx.us | |
| Phone | Fax | Email | |
| <div></div> | | | |
| Signature | | | |
- | | | | |
|---------------------|---------------------|-----------------------|--|
| 2. Jerry L. Petty | | Interim City Manager | |
| Name | Title | | |
| 9 7 9 2 3 3 3 5 2 6 | 9 7 9 2 3 3 8 8 6 7 | lpetty@freeport.tx.us | |
| Phone | Fax | Email | |
| <div></div> | | | |
| Signature | | | |
- | | | | |
|---------------------|---------------------|--------------------------|--|
| 3. Ashlee Ferguson | | Financial Analyst | |
| Name | Title | | |
| 9 7 9 8 7 1 0 1 1 2 | 9 7 9 2 3 3 8 8 6 7 | aferguson@freeporttx.gov | |
| Phone | Fax | Email | |
| <div></div> | | | |
| Signature | | | |

1. Resolution (continued)

4.		
	Name	Title
	Phone	Fax
	Signature	

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Catherine Ezell

Name

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. *This limited representative cannot perform transactions.* If the Participant desires to designate a representative with inquiry rights only, complete the following information.

Brook Bass	Mayor
Name	Title

9 7 9 2 3 3 3 5 2 6	9 7 9 2 3 3 8 8 6 7	bbass@freeport.tx.us
Phone	Fax	Email

D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the day of , 2 0 .

Note: Document is to be signed by your Board President, Mayor or County Judge and attested by your Board Secretary, City Secretary or County Clerk.

City of Freeport

Name of Participant*

SIGNED

Signature*
Brooks Bass
Printed Name*
Mayor
Title*

ATTEST

Signature*
Clarisa Molina
Printed Name*
Interim City Secretary
Title*

2. Delivery Instructions

Please return this document to **TexPool Participant Services:**

Email: texpool@dstsystems.com

Fax: 866-839-3291



City Council Agenda Item #10.

Title: Consideration and possible action approving Resolution 2023-2830 to amend Texas Class authorized representatives.

Date: December 18, 2023

From: Cathy Ezell, Finance Director

Staff Recommendation: Staff recommends approval of the Resolution.

Item Summary: The authorized signatories for the City's Texas Class account requires updating to reflect staffing changes. This resolution will add Lance Petty, Interim City Manager, and Ashlee Ferguson, Financial Analyst as signatories on the Texas Class account, along with maintaining Catherine Ezell, Finance Director, as a signatory and Brooks Bass as an inquiry only participant. By having three signatories, there is a back-up in place.

Background Information: Texas Class requires a resolution designating which City officials are authorized to open accounts, execute wires moving funds into the City's bank account, and other transactions for City funds.

Special Considerations: N/A

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Resolution 2023-2830 - Texas Class Signatories 2023
2. Texas Class Amend Redacted

RESOLUTION NO. 2023-2830

A RESOLUTION OF THE CITY COUNCIL OF FREEPORT, TEXAS, AMENDING DESIGNATED SIGNATORIES OF CITY TEXAS CLASS ACCOUNT.

WHEREAS, the City of Freeport, has funds held by Texas Class, a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.; and

WHEREAS, the authorized persons listed for the City of Freeport accounts require updating based on a change in staffing; and

WHEREAS, Texas Class requires a City resolution designating which City officials are authorized to open accounts and to execute wires and other transactions of City funds; and

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. The City of Freeport approves the actions needed to update the authorized persons listed for all City of Freeport Texas Class accounts.
2. The following persons namely be and are hereby authorized to sign/execute and submit all the necessary papers, letters, agreements, documents, writings, submissions etc. to the financial institutions listed above as may be required for day-to-day transaction, operation and correspondence:

Jerry L. Petty, City Manager
Catherine Ezell, Finance Director
Ashley Ferguson, Financial Analyst

3. The following persons namely be and are hereby authorized to perform only inquiries regarding the City Accounts:

Brooks Bass, Mayor

4. The Finance Director is hereby authorized to execute a contract amendment, in the form attached hereto as Exhibit A.
5. That this Resolution shall be effective December 18, 2023 continue in force until express written notice of its rescission or modification.

PASSED AND APPROVED this 18th day of December 2023

ATTEST:

APPROVED:

Clarisa Molina, Interim City Secretary

Brooks Bass, Mayor

APPROVED AS TO FORM ONLY

Olson & Olson, City Attorney

**Contact Amendment Form**

Effective Date: 12/13/2023

Participant # [REDACTED]

Entity Name: City of Freeport

Individuals to be AddedJerry L Petty
Print First and Last Name***(Signature Required if Authorized Signer)***jpetty@freeport.tx.us
Email (Required)Interim City Manager
Title

979-233-3526

Phone (Required)

979-233-8867

Fax

Permissions (must check only one)

- ☒ Authorized Signer to Move Funds*
- ☐ Read Only Access

Representative**

- ☒ Yes
- ☐ No

Ashlee Ferguson
Print First and Last Name***(Signature Required if Authorized Signer)***aferguson@freeporttx.gov
Email (Required)Financial Analyst
Title

979-871-0112

Phone (Required)

979-233-8867

Fax

Permissions (must check only one)

- ☒ Authorized Signer to Move Funds*
- ☐ Read Only Access

Representative**

- ☒ Yes
- ☐ No

*Authorized Signers can view all account information, approve changes to the account and request transactions. Read-Only contacts can view account information.

**Each account requires one representative (must be authorized signer); a new representative must be assigned when one is removed.

Individuals to be RemovedTimothy Kelty
Print Full Name

Print Full Name

City Manager
Title

Title

Representative?*☒ Yes ☐ No☐ Yes ☐ No

The above changes have been duly approved by a current Authorized Signer:

Signature
Catherine Ezell
Print Name12/18/2023
Date
Finance Director
Title**Note:** All completed forms should be sent to the Client Service team via the contact information listed below. 09/2023717 17th Street, Suite 1850
Denver, Colorado 80202T (800) 707-6242
F (855) 848-9910clientservices@texasclass.com
www.texasclass.com



Contact Amendment Form

Effective Date: 12/13/2023

Participant # [REDACTED]

Entity Name: City of Freeport

Individuals to be Added

Brooks Bass
Print First and Last Name

*(Signature Required if Authorized Signer)

bbass@freeport.tx.us
Email (Required)

Mayor
Title

979-233-3526

Phone (Required)

979-233-8867

Fax

Permissions (must check only one)

☐ Authorized Signer to Move Funds*

☒ Read Only Access

Representative**

☒ Yes

☐ No

Print First and Last Name

Title

*(Signature Required if Authorized Signer)

Phone (Required)

Email (Required)

Fax

Permissions (must check only one)

☒ Authorized Signer to Move Funds*

☐ Read Only Access

Representative**

☒ Yes

☐ No

*Authorized Signers can view all account information, approve changes to the account and request transactions. Read-Only contacts can view account information.

**Each account requires one representative (must be authorized signer); a new representative must be assigned when one is removed.

Individuals to be Removed

Print Full Name

Title

Representative?*

☒ Yes ☐ No

Print Full Name

Title

☐ Yes ☐ No

The above changes have been duly approved by a current Authorized Signer:

Signature
Catherine Ezell
Print Name

12/18/2023
Date
Finance Director
Title

Note: All completed forms should be sent to the Client Service team via the contact information listed below. 09/2023

717 17th Street, Suite 1850
Denver, Colorado 80202

T (800) 707-6242
F (855) 848-9910

clientservices@texasclass.com
www.texasclass.com



City Council Agenda Item #11.

Title: Consideration and possible action to approve the Windstorm Insurance Policy Renewal.

Date: December 18, 2023

From: Cathy Ezell, Finance Director

Staff Recommendation: Staff recommends the approval of the City's windstorm and hail insurance policy renewal for 2024 as proposed by Victor Insurance for TWIA (Texas Windstorm Insurance Association).

Item Summary: Victor Insurance has provided a Windstorm & Hail Property effective January 6, 2024. Victor Insurance works in conjunction with the Texas Municipal Intergovernmental Risk Pool. They shop for various carriers to provide the City with the best possible policies. The coverage premium is \$84,332.00. The 2024 premium cost is the same as 2023.

The annual renewal is being brought to Council because the amount exceeds \$50,000.

Background Information: We continue to work with the carrier to ensure that all buildings insured meet the requirements to obtain and keep coverage.

Special Considerations: N/A

Financial Impact: The cost has been budgeted in the FY2023-2024 budget.

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. TWIA Renewal Offer
2. TWIA Acceptance Form

CITY OF FREEPORT
200 W 2ND ST
FREEPORT, TX 77541



Texas Windstorm Insurance Association

4801 Southwest Parkway
Building 1, Suite 200, Austin, TX 78735

PO Box 99090 Austin,
TX 78709-9090

www.twia.org
(800) 788-8247

TWCB0000883522



Policy Renewal Offer

Offer Date:	12/02/2023	Agent Name:	Victor Insurance Managers LLC Victor Insurance Managers LLC (11829)
Offer Reference Number:	0009928209	Agent Phone:	(713) 787-2431
Policy Number:	TWCB0000883522	Agent Address:	500 Dallas Street Suite 1400 Houston, TX 77002 Montgomery
Property Location:	200-210 W 2nd ST Freeport, TX 77541 Brazoria		

Dear City of Freeport,

This packet contains the information you need to renew your Texas Windstorm Insurance Association (TWIA) policy.

Your current policy expires soon. To ensure you do not have a lapse in coverage, we must receive payment no later than the 10th day following the due date listed below. Payments received after that may cause your policy effective date to change to the date your payment was received.

To make a payment online and view your billing and payment options, please log into your TWIA account at www.twia.org. Payments made online will post to your account immediately.

Payments mailed to the address listed on the coupon will post to your account using the date payment is received. If making payment close to the due date, avoid a lapse in coverage by paying online. If that isn't an option, use an alternative mailing method listed on the back of this page.

Proposed Policy Effective Date	Proposed Policy Expiration Date	Total Premium	Payment Due Date	Amount Due
January 06, 2024	January 06, 2025	\$84,322.00	01/06/2024	\$84,322.00

Payments received on or after 02/06/2024 will be returned without a policy issued.

If you have questions regarding this renewal offer, please contact your agent or TWIA at (800) 788-8247.

Sincerely,
Texas Windstorm Insurance Association

Detach and return with payment. Please do not send cash.

Policy or Offer Number	Total Premium	Due Date	Amount Due	Amount Enclosed
0009928209	\$84,322.00	01/06/2024	\$84,322.00	

Make check payable to Texas Windstorm Insurance Association and include your offer/policy reference number on your check. **Please do not mail any other correspondence to this address.**

Insured:
City of Freeport
200 W 2nd St
Freeport, TX 77541

Mail To:
Texas Windstorm Insurance Association
P.O. Box 843146
Dallas TX 75284-3146

200000009928209000000008432200



Alternative Mailing Methods

NOTICE: All payments mailed using the below methods must be mailed to the Texas Windstorm Insurance Association address listed below. They will not be accepted at the post office box address listed on the detachable payment coupon.

If mailing your payment, to ensure your policy will go into effect without a lapse in coverage, mail your payment no later than the 10th day following the due date by using one of the following alternative mailing methods:

- USPS Registered Mail
- USPS Certified Mail
- USPS Priority Mail Express
- Regular mail that is hand cancelled by USPS
- Other services that provide acceptable, traceable proof of mail date

When using an alternative mailing method, please make checks payable and send payment to:

Texas Windstorm Insurance Association
4801 Southwest Parkway
Building 1, Suite 200
Austin, TX 78735

ONLINE PAYMENTS: You can also make a payment online by logging into your TWIA account at www.twia.org. Payments made online will post to your account immediately.



Renewal Offer Summary

COVERAGES - Windstorm and Hail Only

COVERAGE SUMMARY		
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TOTAL POLICY PREMIUM: **\$84,322**
Minimum earned premium applies

LOCATION INFORMATION: LOCATION 1		
LOCATION ADDRESS	COUNTY	TERRITORY CODE
200-210 W 2nd ST Freeport, TX 77541	Brazoria	10

COVERAGE SUMMARY - BUILDING ID: 1		
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BUILDING AND BUSINESS PROPERTY	LIMITS	PREMIUMS
<u>Coverage A</u>		
Building Coverage	\$4,344,000	\$33,215
Deductible 2% (\$1000 min)	\$86,880	-\$12,759
Coinsurance Waived		

Construction Type: Pre-Engineered Metal (ISO 3)
 Property Class Code: 9999
 Property Class Description: Unkown CSP Class Code - PC7 Migration Policy

<u>Coverage B</u>		
Business Personal Property Coverage	\$80,000	\$409
Deductible 2% (\$1000 min)	\$1,600	-\$53
Coinsurance 80%		

LOCATION INFORMATION: LOCATION 2		
LOCATION ADDRESS	COUNTY	TERRITORY CODE
430 N Brazosport Freeport, TX 77541	Brazoria	10

COVERAGE SUMMARY - BUILDING ID: 2**BUILDING AND BUSINESS PROPERTY****LIMITS****PREMIUMS**Coverage A

Building Coverage	\$1,632,000	\$10,384
Deductible 2% (\$1000 min)	\$32,640	-\$3,323
Coinsurance 80%		

Construction Type: Pre-Engineered Metal (ISO 3)

Property Class Code: 9999

Property Class Description: Unkown CSP Class Code - PC7 Migration Policy

Coverage B

Business Personal Property Coverage	\$303,000	\$1,549
Deductible 2% (\$1000 min)	\$6,060	-\$341
Coinsurance 80%		

LOCATION INFORMATION: LOCATION 3

LOCATION ADDRESS	COUNTY	TERRITORY CODE
510 S Avenue A Freeport, TX 77541	Brazoria	10

COVERAGE SUMMARY - BUILDING ID: 3**BUILDING AND BUSINESS PROPERTY****LIMITS****PREMIUMS**Coverage A

Building Coverage	\$928,000	\$16,337
Deductible 2% (\$1000 min)	\$18,560	-\$4,248
Coinsurance 80%		

Construction Type: Masonry (ISO 2)

Property Class Code: 9999

Property Class Description: Unkown CSP Class Code - PC7 Migration Policy

Coverage B

Business Personal Property Coverage	\$521,000	\$7,470
Deductible 2% (\$1000 min)	\$10,420	-\$1,942
Coinsurance 80%		

LOCATION INFORMATION: LOCATION 4

LOCATION ADDRESS	COUNTY	TERRITORY CODE
500 N Brazosport Freeport, TX 77541	Brazoria	10

COVERAGE SUMMARY - BUILDING ID: 4		
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BUILDING AND BUSINESS PROPERTY	LIMITS	PREMIUMS
<u>Coverage A</u>		
Building Coverage	\$233,000	\$4,101
Deductible 2% (\$1000 min)	\$4,660	-\$820
Coinsurance 80%		

Construction Type: Masonry (ISO 2)

Property Class Code: 9999

Property Class Description: Unkown CSP Class Code - PC7 Migration Policy

Coverage B

Business Personal Property Coverage	\$36,000	\$516
Deductible 2% (\$1000 min)	\$1,000	-\$67
Coinsurance 80%		

LOCATION INFORMATION: LOCATION 5		
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LOCATION ADDRESS	COUNTY	TERRITORY CODE
110 Skinner ST Freeport, TX 77541	Brazoria	10

COVERAGE SUMMARY - BUILDING ID: 5		
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BUILDING AND BUSINESS PROPERTY	LIMITS	PREMIUMS
<u>Coverage A</u>		
Building Coverage	\$258,000	\$4,541
Deductible 2% (\$1000 min)	\$5,160	-\$954
Coinsurance 80%		

Construction Type: Masonry (ISO 2)

Property Class Code: 9999

Property Class Description: Unkown CSP Class Code - PC7 Migration Policy

Coverage B

Business Personal Property Coverage	\$15,000	\$215
Deductible 2% (\$1000 min)	\$1,000	-\$43
Coinsurance 80%		

LOCATION INFORMATION: LOCATION 6		
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LOCATION ADDRESS	COUNTY	TERRITORY CODE
803 N Front ST Freeport, TX 77541	Brazoria	10

COVERAGE SUMMARY - BUILDING ID: 6
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BUILDING AND BUSINESS PROPERTY	LIMITS	PREMIUMS
<u>Coverage A</u>		
Building Coverage	\$682,000	\$12,006
Deductible 2% (\$1000 min)	\$13,640	-\$3,122
Coinsurance 80%		

Construction Type: Masonry (ISO 2)
Property Class Code: 9999
Property Class Description: Unkown CSP Class Code - PC7 Migration Policy

<u>Coverage B</u>		
Business Personal Property Coverage	\$75,000	\$1,076
Deductible 2% (\$1000 min)	\$1,500	-\$140
Coinsurance 80%		

LOCATION INFORMATION: LOCATION 7

LOCATION ADDRESS	COUNTY	TERRITORY CODE
410 Brazosport BLVD Freeport, TX 77541	Brazoria	10

COVERAGE SUMMARY - BUILDING ID: 7
--

BUILDING AND BUSINESS PROPERTY	LIMITS	PREMIUMS
<u>Coverage A</u>		
Building Coverage	\$125,000	\$2,201
Deductible 2% (\$1000 min)	\$2,500	-\$330
Coinsurance 80%		

Construction Type: Masonry (ISO 2)
Property Class Code: 9999
Property Class Description: Unkown CSP Class Code - PC7 Migration Policy

LOCATION INFORMATION: LOCATION 8

LOCATION ADDRESS	COUNTY	TERRITORY CODE
131 E 4th ST Freeport, TX 77541	Brazoria	10

COVERAGE SUMMARY - BUILDING ID: 8

BUILDING AND BUSINESS PROPERTY	LIMITS	PREMIUMS
<u>Coverage A</u>		
Building Coverage	\$1,103,000	\$19,418
Deductible 2% (\$1000 min)	\$22,060	-\$5,825
Coinsurance 80%		

Construction Type: Masonry (ISO 2)
Property Class Code: 9999
Property Class Description: Unkown CSP Class Code - PC7 Migration Policy

<u>Coverage B</u>		
Business Personal Property Coverage	\$63,000	\$904
Deductible 2% (\$1000 min)	\$1,260	-\$118
Coinsurance 80%		

LOCATION INFORMATION: LOCATION 9

LOCATION ADDRESS	COUNTY	TERRITORY CODE
303 East Park Avenue Freeport, TX 77541	Brazoria	10

COVERAGE SUMMARY - BUILDING ID: 9

BUILDING AND BUSINESS PROPERTY	LIMITS	PREMIUMS
<u>Coverage A</u>		
Building Coverage	\$120,000	\$2,026
Deductible 2% (\$1000 min)	\$2,400	-\$304
Coinsurance 80%		

Construction Type: Frame (ISO 1)
Property Class Code: 9999
Property Class Description: Unkown CSP Class Code - PC7 Migration Policy

<u>Coverage B</u>		
Business Personal Property Coverage	\$40,000	\$542
Deductible 2% (\$1000 min)	\$1,000	-\$70
Coinsurance 80%		

LOCATION INFORMATION: LOCATION 10

LOCATION ADDRESS	COUNTY	TERRITORY CODE
212 West Park Avenue Freeport, TX 77541	Brazoria	10

COVERAGE SUMMARY - BUILDING ID: 10**BUILDING AND BUSINESS PROPERTY****LIMITS****PREMIUMS**Coverage A

Building Coverage

\$125,000

\$2,201

Deductible 2% (\$1000 min)

\$2,500

-\$330

Coinsurance 80%

Construction Type: Steel Frame (ISO 4)

Property Class Code: 9999

Property Class Description: Unkown CSP Class Code - PC7 Migration Policy

POLICY FORMS AND ENDORSEMENTS**FORMS APPLICABLE TO ALL COVERAGES**

COVERAGE FORM	FORM NUMBER	EDITION	LIMIT	PREMIUMS
TWIA Commercial Policy	TWCP	04/01/2020	N/A	Included

FORMS APPLICABLE TO SPECIFIC BUILDING COVERAGES

BUILDING ID	COVERAGE	COVERAGE FORM	FORM NUMBER	EDITION	LIMIT	PREMIUMS
1	A,B	Replacement Cost Coverage - Coverage A (Building) and Coverage B (Business Personal Property)	TWIA-164	11/08/2019	N/A	Included
2	A,B	Replacement Cost Coverage - Coverage A (Building) and Coverage B (Business Personal Property)	TWIA-164	11/08/2019	N/A	Included
3	A,B	Replacement Cost Coverage - Coverage A (Building) and Coverage B (Business Personal Property)	TWIA-164	11/08/2019	N/A	Included
4	B	Replacement Cost Coverage - Coverage A (Building) and Coverage B (Business Personal Property)	TWIA-164	11/08/2019	N/A	Included
5	B	Replacement Cost Coverage - Coverage A (Building) and Coverage B (Business Personal Property)	TWIA-164	11/08/2019	N/A	Included
6	A,B	Replacement Cost Coverage - Coverage A (Building) and Coverage B (Business Personal Property)	TWIA-164	11/08/2019	N/A	Included
8	A,B	Replacement Cost Coverage - Coverage A (Building) and Coverage B (Business Personal Property)	TWIA-164	11/08/2019	N/A	Included
9	A,B	Replacement Cost Coverage - Coverage A (Building) and Coverage B (Business Personal Property)	TWIA-164	11/08/2019	N/A	Included
10	A	Replacement Cost Coverage - Coverage A (Building) and Coverage B (Business Personal Property)	TWIA-164	11/08/2019	N/A	Included

Victor Insurance Managers Inc.
Windstorm & Hail Proposal
(applicable to TWIA Policy only)

PROPOSAL ACCEPTANCE FORM

Please sign and return this form to Victor Insurance Managers

Please Return To:

Victor Insurance Managers Inc.
500 Dallas Street, Ste 1400, Houston, TX 77002
Jessica.mendez@victorinsurance.com

PREMIUM PAYMENT

Your coverage will become effective on the date shown on the TWIA Commercial Renewal Offer Summary provided the appropriate documents and full payment have been received by TWIA on or before the effective date of coverage.

You have the following options for making payment. **Please indicate your selection below:**

- ☒ The District will make payment directly to Texas Windstorm Insurance Association (TWIA)
(Recommended)
- ☐ Payment will be made by TMLIRP, on your behalf, in the amount of the total premium. TMLIRP will coordinate all billing of the TWIA windstorm policies and you will be invoiced separately by TMLIRP.

Windstorm & Hail Coverages Accepted

Option	Coverage	Deductible	Total Limit	Premium
☐	Commercial	2% per item, minimum \$1,000	\$10,683,000	\$84,322

By accepting this proposal, you acknowledge and understand a minimum policy premium may apply, you have met all eligibility requirements regarding flood coverage at certain locations and you have reviewed the windstorm location's schedule and are in agreement with the locations and limits used in this proposal.

I, the undersigned, as an authorized representative of:

City of Freeport

do hereby accept on behalf of the above named political
subdivision the portions of the proposal as indicated above.

Signature of Authorized

Official: _____

Title: Mayor Date: _____

TMLIRP OFFICE USE ONLY

Contribution: _____ Verified by: _____ Contract #: _____

☐ New Member ☐ Member Re-awarding ☐ Member Adding Coverage



City Council Agenda Item #12.

Title: Consideration and possible action to approving Ordinance 2023-2714 for Budget Amendment #2 for Fiscal Year 2024.

Date: December 18, 2023

From: Cathy Ezell, Finance Director

Staff Recommendation: Staff recommends approval of the Ordinance for Budget Amendment #2 for Fiscal Year 2024.

Item Summary: The proposed budget amendment will fund the overage of Fire Station #2, appropriate funds for the roll of the fueling station that began in Fiscal Year 2023, and correct the funding of the FMP Kitchen.

Background Information: It is estimated that the cost for Fire Station #2 will be approximately \$160,000 over budget. This budget amendment will use the increase in revenue from the Freeport Industrial District to fund the overages of the Fire Station #2 project. The budget amendment will also move forward funds for the fueling station that began in Fiscal Year 2023. This project was not part of initial roll forward of funds in Budget Amendment #1. The budget amendment for the FMP Kitchen placed the funds in the Equipment and Replacement fund instead of the Facilities and Grounds Fund. This will be corrected with this budget amendment.

Special Considerations: N/A

Financial Impact: The revenues and expenditures will increase by \$160,000 for Fire Station #2. The other two items will have a \$0.00 affect on the budget as one is a roll forward of a project and the other is a reclassification of the funds from one project fund to another project fund.

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. BA#02 FY 2024 Ordinance 2023-2714
2. Exhibit A #2

3. Fire Station 2 Project expenses 07102023

ORDINANCE NO. 2023-2714

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; 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 July 31, 2023, the City Manager presented to the City Council a proposed budget of the expenditures of the City of Freeport for the fiscal year 2024 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 6, 2022, 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 2023-2024 fiscal year of the City was approved by the City Council by Ordinance No. 2023-2705, read, passed and adopted on the 11th day of September, 2023.

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 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 under the condition the "undesigned" 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 2023-2024 as amended by Ordinance No. 2023-2713, read, passed and adopted on November 6, 2023 and 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 18th day of December 2023

.

Brooks Bass, Mayor

ATTEST:

Clarisa Molina, Interim City Secretary

APPROVED AS TO FORM AND CONTENT:

David Olson, City Attorney

**City of Freeport
Budget Adjustment #2
Fiscal Year 2024**

Department	Account Number	Description	FY2023-2024 Original Budget	FY2023-2024 Current Budget	FY2023-2024 2nd Budget Amendment	FY2023-2024 Amended Budget
General Fund						
<u>Revenue</u>						
	10-312-020	Freeport Indust. Dist	1,390,500	1,390,500	160,000	1,550,500
		Total Revenue	1,390,500	1,390,500	160,000	1,550,500
<u>Expenditures</u>						
Service Center	10-420-899	Capital Projects	-	-	68,640	68,640
		Total Administration	-	-	68,640	68,640
Transfers	10-710-021	Transfer to Facilities & Grounds	461,750	461,750	160,000	621,750
		Total Police	461,750	461,750	160,000	621,750
		Fund Balance			(68,640)	
		Total Genral Fund	\$ 461,750	\$ 461,750	\$ -	\$ 690,390
Facilities & Grounds CIP Fund						
<u>Revenue</u>						
	22-710-010	Transfer from General Fund	461,750	461,750	160,000	621,750
		Total Revenue	461,750	461,750	160,000	621,750
	21-530-899	Capital Outlay - Fire	-	442,703	160,000	602,703
	21-655-899	Capital Outlay - Service Center	40,000	40,000	40,000	80,000
		Fund Balance			(40,000)	
		Total Facilities & Grounds CIP Fund	\$ 40,000	\$ 482,703	\$ -	\$ 682,703
Vehicle & Equipment Fund						
	22-655-899	Capital Outlay	\$ 40,000	\$ 80,000	\$ (40,000)	\$ 40,000
		Fund Balance			40,000	
		Total Vehicle & Equipment Fund	\$ 40,000	\$ 80,000	\$ -	\$ 40,000



CITY OF FREEPORT
FREEPORT FIRE & EMS DEPARTMENT

131 East 4th Street
Freeport, Texas 77541
Phone (979) 233-2111
Fax (979) 233-4103

Christopher Motley
Chief / EMC

Mike Praslicka
EMS Coordinator

Jason Shafer
Fire Marshal

Fire station #2 Modular Building

<u>Modular Buildings</u>	\$219,949.00
Fire Alarm system	\$12,557.73
Fire Suppression Stove	\$3,944.75
Ramp Access	\$15,870.00*
Plumbing (Fixtures to city sewer)	\$7,370.00
CenterPoint Natural Gas	\$2,120.00***
CenterPoint Electric	\$0.00
Electrician (underground to ATS, two buildings)	\$30,000.00****
Electrical ATS ASCO Switch	\$3,700.00*
<u>Subtotal</u>	<u>\$295,511.48</u>

This does not include dig underground for contractor work

<u>Engine Bays</u>	\$170,227.00
Bollards (4)	\$375.00
Driveway approach from roadway to building	\$50,736.00
Survey: Form Board Survey	\$500.00
Windstorm Inspection/Engineering	\$3,350.00
<u>Subtotal</u>	<u>\$225,188.00</u>

<u>Generator</u>	
Concrete Generator Pad	\$2,040.00
Generator Check and Service Verbal Estimate	\$5,000.00
<u>Subtotal</u>	<u>\$7,040.00</u>

<u>Site Prep</u>	
City of Freeport: 6"-12" crown surface (Modular Building)	\$10,000.00
Site Prep Apparatus Building (Pending building elevation)	
<u>Subtotal</u>	<u>\$10,000.00</u>

<u>Infrastructure:</u>		
Driveway Culverts	PW Estimate	\$1,226.00
Telephone/IT/Phones	IT Budget	\$2,500.00
Water Supply Fire water 6"		\$41,000.00
	<u>Subtotal</u>	<u>\$44,726.00</u>
	Total:	\$582,465.48
	Budget:	\$426,095.00
	<i>Estimated Overage</i>	<i>\$156,370.48</i>

** Quote Pending

*** CenterPoint \$17.00 per foot main line (100 ft), service line per foot \$7.00 (60ft).

**** Pending conversation with Public Works and Penney's electric

Visit us online at www.freeport.tx.us
facebook.com/FreeportFire
fire@freeport.tx.us



City Council Agenda Item #13.

Title: Consideration and possible action approving Ordinance No. 2023-2715 for Budget Amendment #3 for Fiscal Year 2023.

Date: December 18, 2023

From: Cathy Ezell, Finance Director

Staff Recommendation: Staff recommends approval of Budget Amendment #3 for the City of Freeport.

Item Summary: In reviewing all departments after the payment of all invoices, it was determined that a third budget amendment for Fiscal Year 2022-2023 was necessary. This budget amendment accounts for any year-end overages in individual departments.

Background Information: The budget amendment re-allocates funds in the General Fund from the Administration department to other different departments to cover the department's overages. The overages are attributed to:

- Increased computer maintenance costs
- Increased Retirement costs
- Increased Postage
- Increase Senior projects
- Pump replacement

Special Considerations: N/A

Financial Impact: The amount of the expenditures being reallocated between departments is \$21,800. The net effect to the budget is \$0.00.

Board or 3rd Party Recommendation:

Supporting Documentation:

1. BA#03 FY 2023 Ordinance 2023-2715
2. Exhibit A BA #3

ORDINANCE NO. 2023-2715

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; 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 1, 2022, the City Manager presented to the City Council a proposed budget of the expenditures of the City of Freeport for the fiscal year 2023 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 6, 2022, 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 2022-2023 fiscal year of the City was approved by the City Council by Ordinance No. 2022-2674, read, passed and adopted on the 12th day of September, 2022.

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 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 under the condition the "undesigned" 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 2022-2023 as amended by Ordinance No. 2022-2684, read, passed and adopted on December 5, 2022, as amended by Ordinance No. 2023-2711 and adopted October 16, 2023 and 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 18th day of December 2023

Brooks Bass, Mayor

ATTEST:

Clarisa Molina, Interim City Secretary

APPROVED AS TO FORM AND CONTENT:

David Olson, City Attorney

City of Freeport
End of Year Budget Adjustment
Fiscal Year 2023
Budget Adjustment #3

Department General Fund	Account Number	Description	FY2022-2023	FY2022-2023	FY2022-2023	FY2022-2023
			Original Budget	Current Budget	2nd Budget Amendment	Amended Budget
<u>Expenditures</u>						
Administration						-
						-
	10-410-545	Building Maintenance	50,000	300,000	(21,800)	278,200
		Total Administration	50,000	300,000	(21,800)	278,200
Information Technology	10-417-543	Electronic/Computer Maint	124,875	165,875	1,000	166,875
		Total IT	124,875	165,875	1,000	166,875
Fire	10-530-230	TMRS	105,820	105,820	1,000	106,820
		Total Service Center	105,820	105,820	1,000	106,820
Building	10-558-311	Postage	2,000	7,000	500	7,500
		Total Municipal Court	2,000	7,000	500	7,500
Sr. Citizen Commission	10-579-484	Sr Citizens Projects	6,000	5,300	200	5,500
		Total Police	6,000	5,300	200	5,500
Library	10-650-899	Capital Outlay	-	-	3,100	3,100
		Total Fire	-	-	3,100	3,100
Golf	10-656-899	Capital Outlay	-	43,440	16,000	59,440
		Total EMS	-	43,440	16,000	59,440
<u>Total Expenditures</u>					<u>\$ -</u>	
Total General Fund					<u>\$ -</u>	

DPW
Monthly Report
December 2023



DPW Monthly Report December 2023

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DPW Monthly Report December 2023

Description

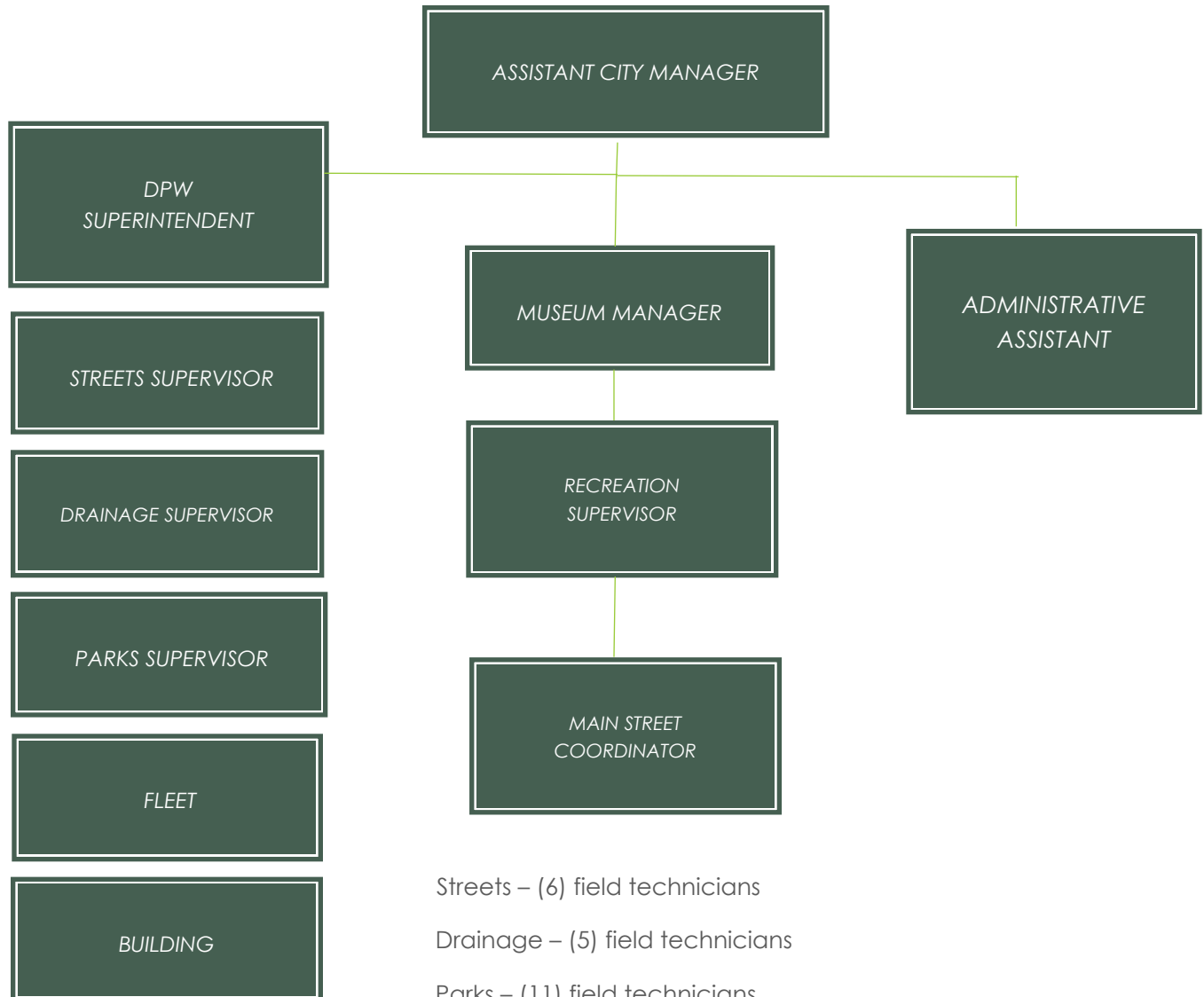
The DPW is administered by the Assistant City Manager. It is the responsibility of the department to successfully manage the City of Freeport infrastructure systems, City owned facilities, equipment, fleet, recreation and museum.

The department's mission and primary function is to provide a superior public service. In order to meet this goal, the operating function responsibilities of the department are assigned to eight groups. Each group is under the direction of a supervisor whose responsibilities include quality inspection, workload scheduling, contract management, and customer service. Each supervisor is responsible for coordinating the personnel and equipment resources of their respective divisions.

- Administration Division: under the Direction of the Assistant City Manager, this division manages the public works office, customer service, scheduling, reporting and public communication.
- Streets Division: Under the direction of the Streets Supervisor, this division provides street maintenance services to the community by pothole patching, curb, gutter and sidewalk repair and replacement of city streets and alleys. This division also provides sign maintenance which includes the installation and repair of roadway signs and the repair and maintenance of roadway markings within the city's right-of-way.
- Drainage Division: Under the direction of the Drainage Supervisor, this division is responsible for all repairs and maintenance of the city's stormwater collection system. This division also installs new culvert piping upon customer permitting.
- Parks Division: Under the direction of the Parks/Grounds/Facilities Supervisor, this division provides services to the community by conducting preservation and beautification of the City's parks, ball fields, building grounds and open spaces.
- Fleet Division: Under the direction of the Assistant City Manager, this division is responsible for all repairs and maintenance of the city's Fleet
- Building Maintenance Division: Under the direction of the Public Works Superintendent, this division provides services to the community by conducting preventative maintenance and repairs on all city property and buildings.
- Recreation Division: Under the direction of the Recreation Supervisor, this division provides services to the community through recreation, events and programs
- Museum Division: Under the Museum Manager, this division provides services to the community through museum, events and programs.

DPW Monthly Report December 2023

DPW Organizational Chart



Streets – (6) field technicians

Drainage – (5) field technicians

Parks – (11) field technicians

Fleet – (1) mechanic technician

Building – (1) lead technician

Museum – (1) assistant

Recreation – (1) event coordinator, (3) PT, (16) lifeguards

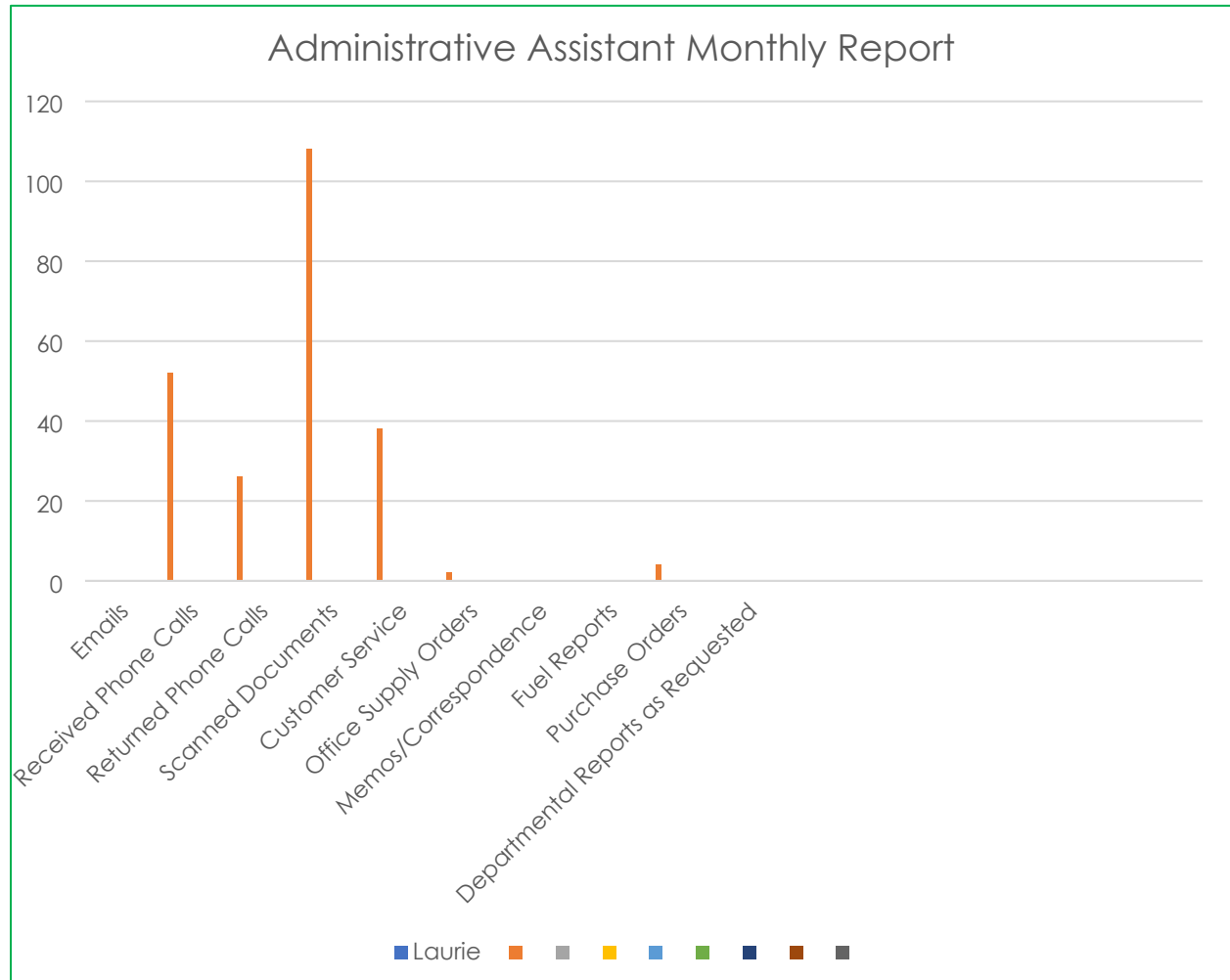
DPW Monthly Report December 2023

Administration Division:

under the Direction of the Assistant City Manager, this division manages the public works office, customer service, scheduling, reporting and public communication

Key Highlights This Month:

- Work Orders
- Expenditures



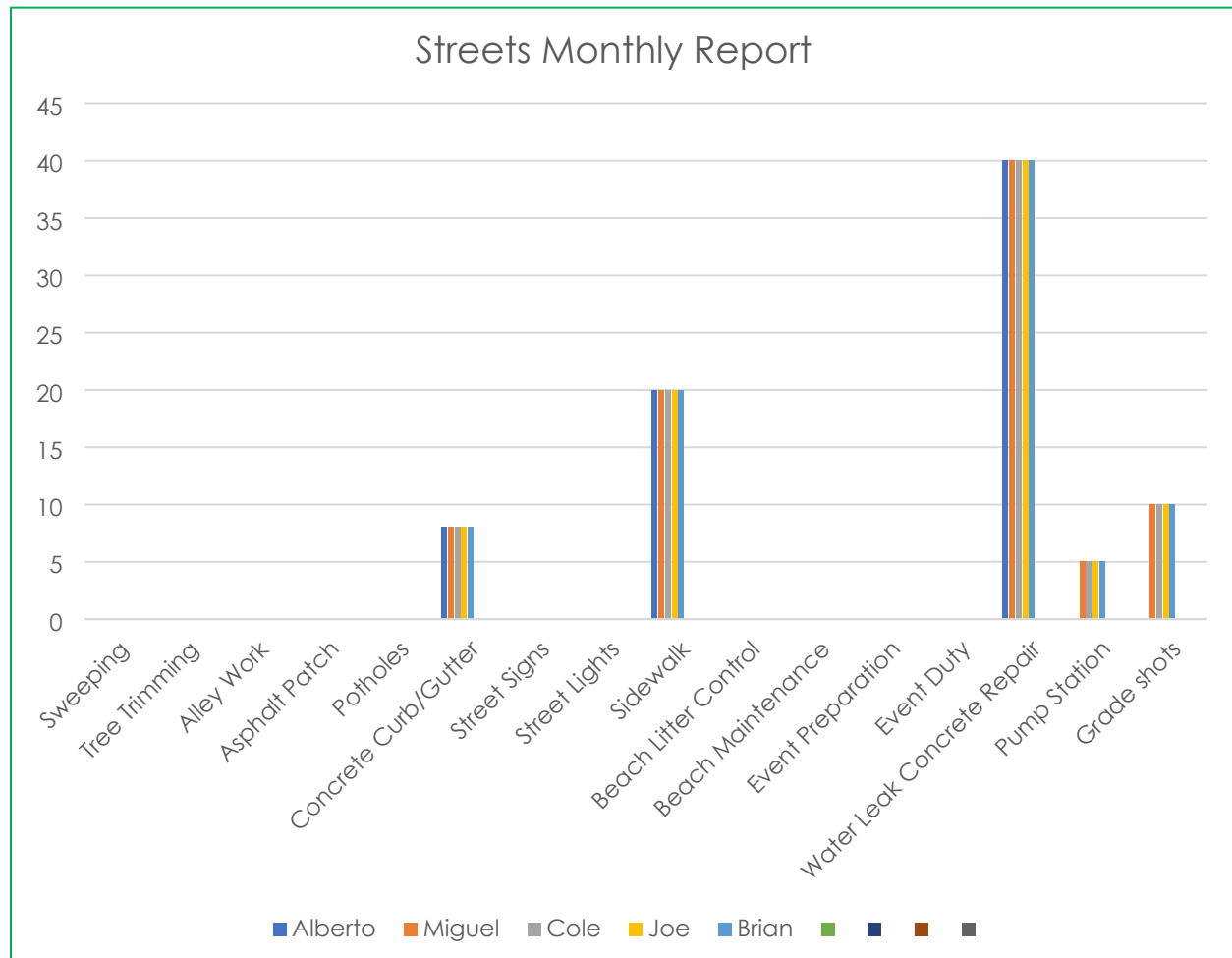
DPW Monthly Report December 2023

Streets Division:

Under the direction of the Streets Supervisor, this division provides street maintenance services to the community by pothole patching, curb, gutter and sidewalk repair and replacement of city streets and alleys. This division also provides sign maintenance which includes the installation and repair of roadway signs and the repair and maintenance of roadway markings within the city's right-of-way.

Key Highlights This Month:

- Repair 10 concrete patches from water leak repairs
- Set up and pour Inlet
- Saw cut and pour trench for electrical at Service Center



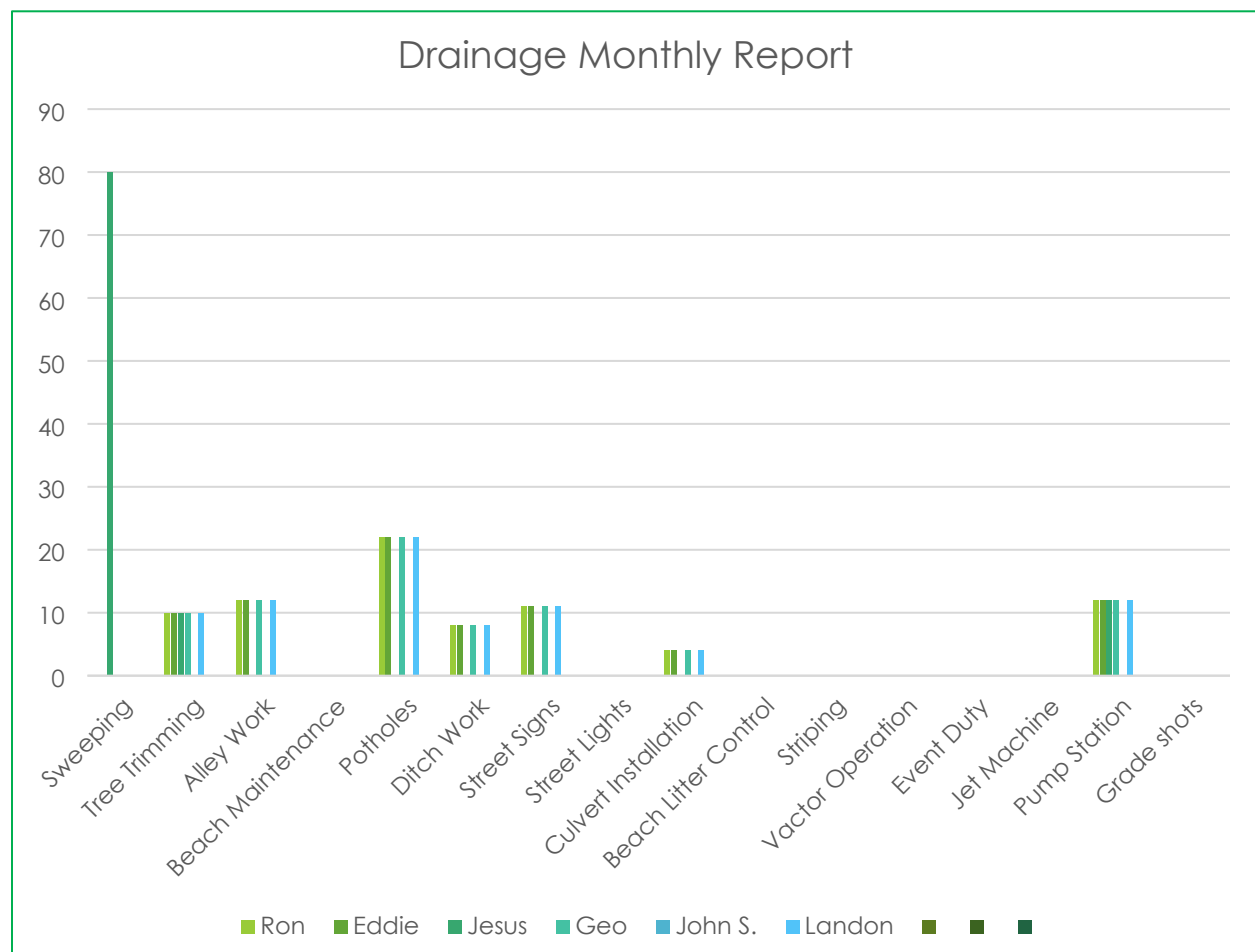
DPW Monthly Report December 2023

Drainage Division:

Under the direction of the Drainage Supervisor, this division is responsible for all repairs and maintenance of the city's stormwater collection system. This division also installs new culvert piping upon customer permitting.

Key Highlights This Month:

- Street Sweeping
- Mow/Weed Control all Wards
- Clean Inlets in all Wards

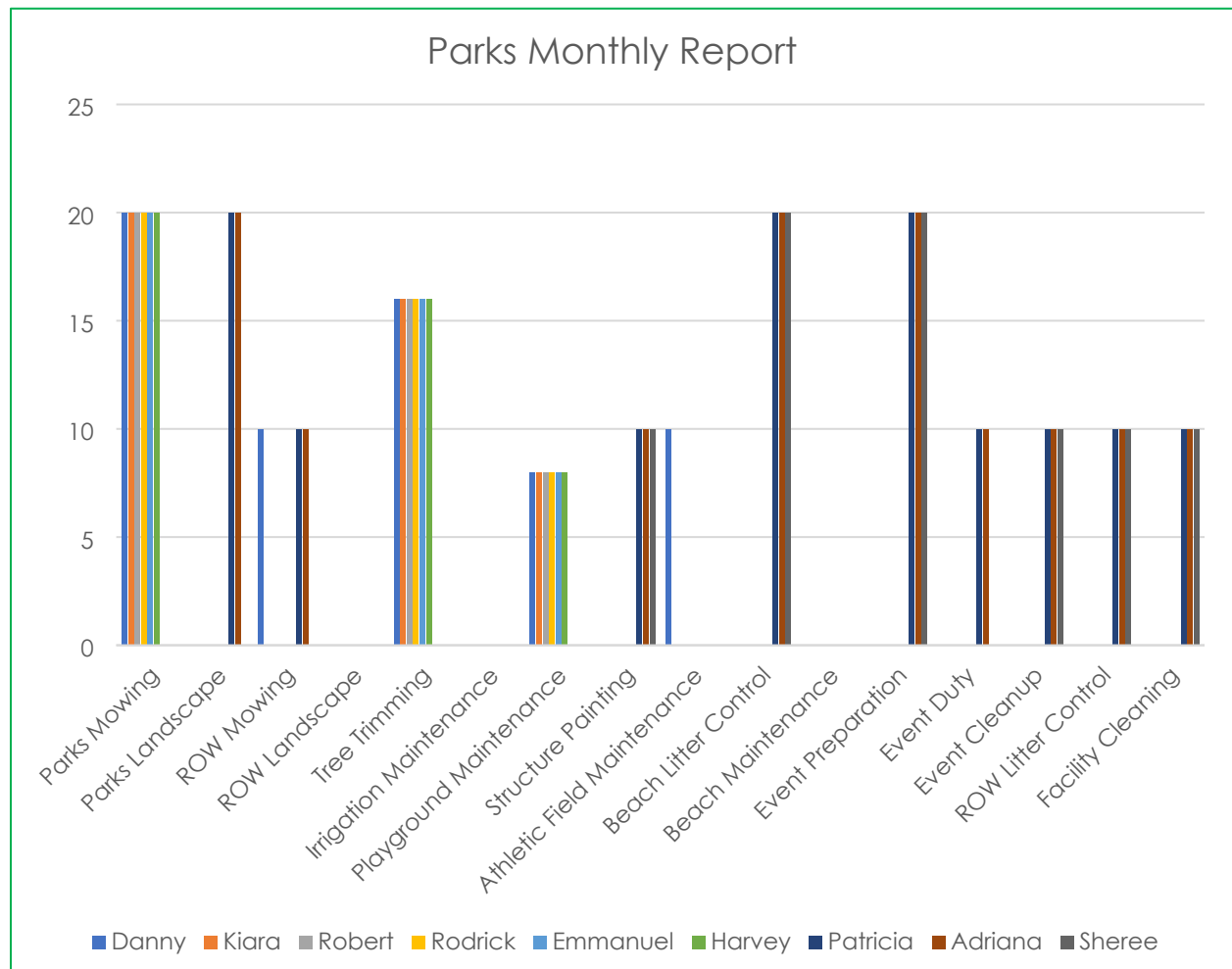


DPW Monthly Report December 2023

Parks Division:

Under the direction of the Parks/Grounds/Facilities Supervisor, this division provides services to the community by conducting preservation and beautification of the City's parks, ball fields, building grounds and open spaces.

- Park Maintenance (9)
- Athletic Field Maintenance (5)
- Christmas Lights



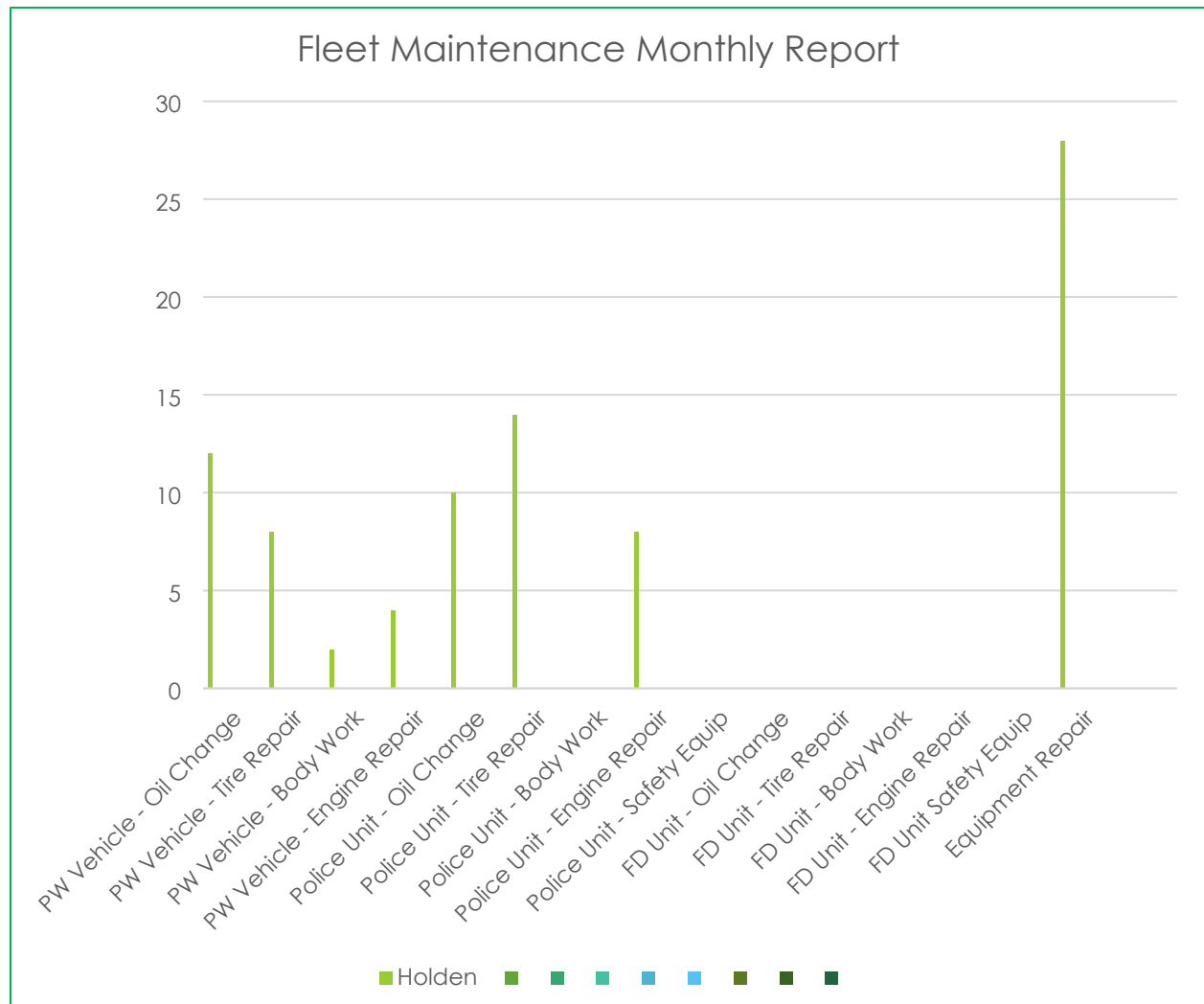
DPW Monthly Report December 2023

Fleet Division:

Under the direction of the Assistant City Manager, this division is responsible for all repairs and maintenance of the city's Fleet

Key Highlights This Month:

- Repair Unit55
- Repair Unit 26
- Repair Roll up Service Center



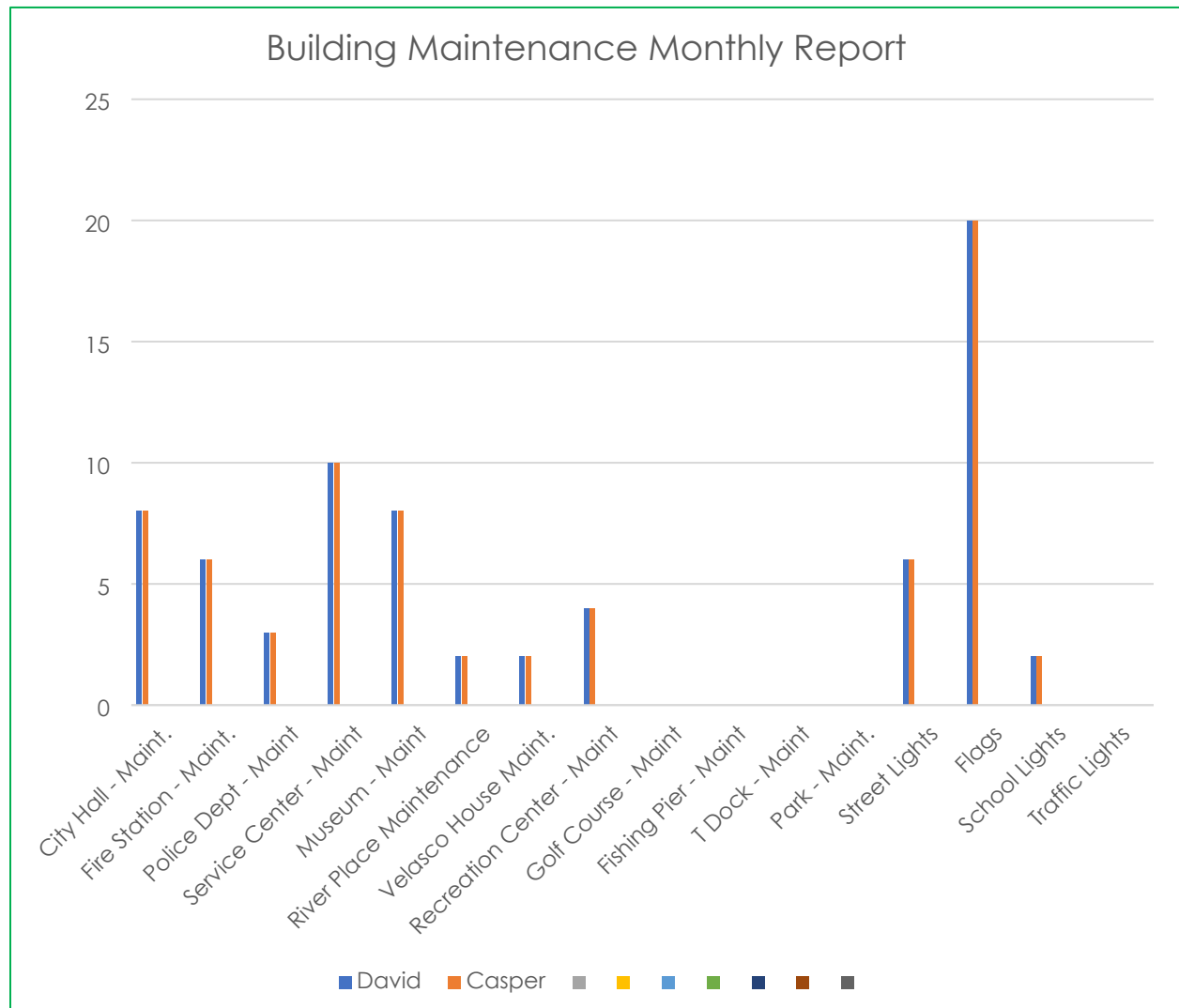
DPW Monthly Report December 2023

Building Maintenance Division:

Under the direction of the Public Works Superintendent, this division provides services to the community by conducting preventative maintenance and repairs on all city property and buildings.

Key Highlights This Month:

- Repair Electrical in FMP
- Flags/Banners
- Repair Lights in Memorial Park



DPW Monthly Report December 2023

Recreation Division:

Under the direction of the Recreation Supervisor, this division provides services to the community through recreation, events and programs

- Seniors Day & Commissions Meeting- November 20th
(Every 3rd Monday of the month)
- Staff Updates- We are in the process of hiring one part time Rec Attendant
- Programs- We have one Zumba instructor that has class 8:30- 9:30 a.m. on Mondays and Wednesdays and 10- 11am on Saturdays and 6- 7 p.m. on Mondays, Wednesdays and Fridays.
- Events- We had Super Feast on October 26, 2023. We are working on Holiday on the Brazos.

Facebook Data:

- October 2023 – 3561 people like the Freeport Recreation Page
- October 2023 – 3910 people follow the Freeport Recreation Page

Revenue:

- Adult Daily Pass \$100.00
- Child Daily Pass \$12.00
- Senior Daily Pass \$36.00
- Student Daily Pass \$72.00

Attendance:

- Monthly Membership Family 30
- Monthly Membership Individual 197
- Monthly Membership Senior 67
- Monthly Memberships Youth 5
- City Employees 8

Recreation:

- | | |
|---|------------|
| • No. hrs. sports field used | 13 |
| • Facility rental revenue | \$1,475.00 |
| • Total No. hrs. of use for non-revenue rentals | 11 hrs. |
| • Facility rentals | 22 |
| • Sports field rentals | 3 |
| • Total No. of contract classes | 22 |
| • No. of events co-sponsored by department | 3 |
| • No. of non-profit services at park facilities at no cost for rental | 0 |

DPW Monthly Report December 2023

Museum Division:

Under the Museum Manager, this division provides services to the community through museum, events and programs.

November 2023 Notes: November began with Main Street's Dia de Los Muertos Procession on November 2nd in which 144 visitors visited the museum and our Dia de Los Muertos Altars exhibition. Allowing the museum to be open during Downtown events has increased visitation. From November 8th through the 9th, Wade attended the Texas Independence Trail Region's Texian Rally Conference in Seguin. There, Wade accepted the 2022 Spirit of Texas Independence award for the museum's Fort Velasco Exhibit and Living History program. With the museum's new logo approved by Main Street, Wade moved forward in rebranding the museum. This began with replacing all old signage within the museum. On November 15th, 2 of 4 new display cases were received from Gaylord archival, but one of the vitrines was damaged in transit. Wade immediately reported this and Gaylord has submitted a claim to have it replaced. Waiting on delivery of the last two large display cases. With the closure of the Dia de Los Muertos Altars exhibit on November 11th, our Museum Attendant Rene worked hard to prepare the Exhibit Hall space for us to host the Freeport Police Department's Blue Santa program. The PD began prepping immediately. Towards the end of the month, Wade worked alongside David and Casper of the Maintenance department to plan out the repainting of the museum's façade. Lola Sauter, aka Lola Stardust, agreed to return to paint the museum's new logo on the façade in December. Plans were finalized for a January 4th grand re-opening of the museum. Museum staff worked with Main Street to prepare for the Christmas on the Coast market in early December.





MAIN STREET

F R E E P O R T

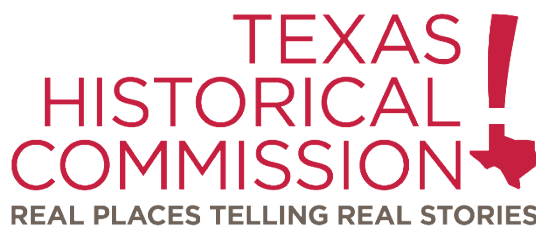
Ana Silbas, Main Street Coordinator

Freeport Main Street

Our Mission

The mission of the Freeport Main Street Program is to economically revitalize and historically preserve the downtown area to foster an environment which celebrates our rich history and diversity and offers economic, social and cultural opportunities.

Freeport Main Street is an affiliate community of the Texas Main Street Program, under the Community Heritage Development Division of the Texas Historical Commission and Main Street America.



1 Continue to Build Partnerships through Community Outreach

With Freeport Main Street in the Catalyst Phase (First Three Years), it is vital to continue the process of building relationships with residents, local corporations, civic organizations, community leaders and local and regional economic development partners.

2 The Four Point Main Street Approach

The work of Freeport Main Street is driven by the Four Point Main Street Approach, which focuses on design, organization, promotion and economic vitality.

3 The Main Street American Evaluation Framework

In order to continue the growth of Freeport Main Street, there are six standards to guide the historic preservation and economic revitalization of Downtown Freeport, which include:

- I. Broad-Based Community Commitment to Revitalization
- II. Inclusive Leadership and Organizational Capacity
- III. Diversified Funding and Sustainable Program Operations

DPW Monthly Report December 2023

IV. Strategy-Driven Programming

V. Preservation-Based Economic Development

VI. Demonstrated Impact and Results

2023 November Impact

Events Attended

Brazoria County Hispanic Chamber of Commerce: State of the County- November 14th

The Brazoria County Hispanic Chamber of Commerce hosted their annual State of the County Luncheon with keynote speakers, which included County Judge Matt Sebesta, Dr. Solis-Brazosport College President and Dr. Exley, Alvin Community College Present. The presentation topics included recent developments and ongoing projects in Brazoria County, education, partnerships, workforce development and community engagement.

Día de Los Muertos Wrap Up Meeting- November 15th

Día de Los Muertos: A Month of Remembrance was a joint partnership between several community organizations which included the Brazoria County Library System, Brazoria County Hispanic Chamber of Commerce, Brazoria County Historical Museum, Freeport Historical Museum, Freeport Main Street, Lake Jackson Museum and the Center for the Arts & Sciences. This community organization committee hosted Día de Los Muertos events across the county. Overall, the (first post COVID) Community Procession hosted by Freeport Main Street was a success. This meeting led to the discussion of ideas for next year, improvements and scheduling of dates. The photos from this event are posted on our Facebook page: Main Street Freeport TX.

Meetings

UTSA Center for Urban and Regional Planning Research- November 6th

Ian Caine, Director of Center for Urban and Regional Planning Research made a visit to Freeport to present to City Council on Freeport Main Street's Historic Design Guidelines & Comprehensive Downtown Plan Project. Caine met with Tim Kelty-City Manager, Robert Johnson-Executive Director FEDC, Margaret McMahan-Chair and Irene Ocañas-Vice Chair to discuss areas of focus for project. Additionally, Main Street Coordinator facilitated a walking tour of downtown and driving tour of the City of Freeport. Lastly, Main Street Coordinator and Ian Caine presented an overview of the project at the November 6th City Council meeting.

Texas Main Street South Region Meeting- November 8th

Main Street Coordinator joined other Main Street Managers from the South Region to cover revised **accreditation standards** from Main Street America as well as **2024 contracts with TMSP**.

DPW Monthly Report December 2023

Freeport Historical Commission & Main Street Advisory Board Training-November 16th

The Freeport Historical Commission & Main Street Advisory Board was scheduled to meet on November 16th. However, there was not a quorum present.

Texas Main Street Design Team Meeting: Ora Theater-November 17th

Main Street Coordinator, Main Street Advisory Board Member Sandra Wood-Wicke and Robert Johnson- Executive Director of Freeport Economic Development Corporation met with the Texas Main Street Design Team---Jaime Crawley, Architect & Design Lead and Bryce Hendrickson, Project Design Specialist to discuss the Ora Theater and the Design Assistance Process.

Projects

Building Inventory

Main Street Coordinator is currently working on the creation of a Downtown Building Inventory through a compilation of data from the Brazoria County Appraisal District and documentation collected by N.C. "Nat" Hickey. This data will also be used to complete our DowntownTX page.

Friends of Freeport Main Street

Main Street Coordinator is currently working on the creation of Friends of Freeport Main Street. The purpose of this program is to serve as a community outreach initiative to engage community stakeholders in the revitalization efforts of Historic Downtown Freeport.

Downtown Survey

The Economic Vitality Subcommittee and the Main Street Coordinator are working together to develop a downtown survey to gain a better understanding of what amenities residents would like to see downtown and insight into the needs of downtown business owners.

Historic Design Guidelines and A Comprehensive Downtown Plan

The Design Subcommittee and the Main Street Coordinator are working together on the Historic Design Guidelines and Comprehensive Downtown Plan project with Ian Caine and the UTSA Center for Urban and Regional Planning Research. Freeport Economic Development Corporation has agreed to support this project and assist financially in the amount of \$30,000.00. The remainder of the cost will be covered by the City of Freeport. The project will now go before City Council for two readings.

Día de Los Muertos Procession

Freeport Main Street's Día de Los Muertos Procession took place on November 2, 2023 from 6pm-8:30pm in Historic Downtown Freeport. The vendors included: Tropical Gulf Coast Shaved Ice & Snacks, Norma's Candy Creations, Taco Lolis, Domino's, Artesanias de Colores and Angleton Family Dental. Our event entertainment included Mariachi Orgullo de Houston, Westside Elementary Ballet Folklorico and St. Jerome's Ballet Folklorico. To honor the Best Dressed Día de Los Muertos Outfit, Perez Roofing & Construction donated a gift basket!

DPW Monthly Report December 2023

NexTrex Community Recycling Challenge

As part of beautification and sustainability efforts, the Freeport Main Street Program began seeking the assistance of residents to earn benches for downtown through a recycling collection program. The goal of the program is to collect 1,000 lbs. of plastic within a one-year time period to earn a Trex bench. The Brazosport Breakfast Lions Club has agreed to partner with Freeport Main Street for this community initiative. Additionally, Freeport Main Street has partnered with the Freeport Police Department to place a recycling bin at the entrance of Council Chambers. Residents are allowed to donate soft plastics to help Freeport Main Street meet our goal! Thus far (10) 40-gallon bags have been collected from collection sites.

Christmas on the Coast Market

Freeport Main Street's Christmas on the Coast Market is set for December 2, 2023 from 12pm-4pm in Downtown Freeport. The event will include food/craft vendors, live entertainment, moonwalks and Santa. This event is currently in the planning process.



Human Resources Monthly Report

Date: December 8, 2023

HR TEAM: Donna Fisher

HR Services Team Priorities and Results for November 2023:

- **Welcomes and Well-wishes:**
 - **We are excited to welcome:**
 - **Adrian Garcia – Part-time Range Attendant – Golf Course**
 - **Katherine Pate – Part-time EMT – Fire/EMS**
 - **Rodrick Green – Maintenance Technician – Parks Department**
 - **Alyssa Schnettler – Part-time Pro Shop Attendant – Golf Course**
- **Training/Coaching/Performance Improvement:**
 - **Performance Issues Addressed:** We had zero (0) employee terminations for performance this month.
- **Employee Turnover/Recruiting/Hiring Progress:**
 - **Employee Turnover:** We had two (2) employee separations in November. One employees from the Golf Course, and one employee from the Police Department
 - **Internal Transfers/Promotions:**
 - **Lance Petty promoted from Assistant City Manager to Interim City Manager**
 - **Amaya Warren promoted from Interim Golf Course Coordinator to Golf Course Coordinator**
 - **Lily Celedon transferred from Interim AP/Payroll Clerk to AP/Payroll Clerl**
 - **Recruiting:** Active recruiting searches include:
 - Part-time EMT
 - Firefighter/EMT – Full and Part Time
 - Part-time Crossing Guard
 - Police Officer
 - Maintenance Technician – Street Department
 - Telecommunications Officer (Dispatch) – Police Department
 - Part-time Water Service Line Technician – Public Works
 - City Secretary
 - **Recruiting Sources** include: City website, The Facts Online, Texas Municipal League, Strategic Government Resources, Workforce Solutions, Industry-specific organizations, Community College programs for maintenance and Police, social media, and networking.
- **Risk Management and Insurance Updates:**
 - **Unemployment Claims:** We had zero (0) unemployment appeals during the month of November. We have won one (1) unemployment appeal case this calendar year (Jan.- December). The City's account will not be charged for this unemployment claim.

- **Workers Compensation Claims:** We had one (1) active Workers Comp. claim in November. All information for the 2022-2023 Workers' Compensation Audit has been uploaded to the auditor.
- **Family & Medical Leave Cases (FMLA)-** We had two (2) active FMLA cases in November.
- **Employee Benefits:** EEO-4 bi-annual report was completed and submitted
- **Training/Development:** We held a training on Ethical Behavior for Local Government with 11 employees attending.

Priorities for December:

- **Training/Development** – Contact Department Heads to assist with making sure employees have completed all assigned training before December 31, 2023. Will attend a class on conducting Administrative Investigations December 5-7.

Monthly Golf Course Report November 2023

For the month of November we were able to surpass our revenue goal of \$49700 by \$13,478. We were only \$1000 off from having our best November to date even with receiving 7.50" of rain which is our highest rainfall for a November in the last 14 years.

Our fall tournament season came to a close as we had one of our best fall seasons to date. We saw three new events this fall season, with one fundraiser coming all the way from Houston. To me it's a huge plus for the city to have this many guests and fundraisers from out of the area chose Freeport as their event host.

We also did our annual overseeding of the greens this month and could not have gotten any better weather during that time. The outcome was overseed establishing ahead of schedule and the greens are in very good shape as we go into the winter. This overseed process definitely gives us an advantage over our neighboring courses.

One negative to address as I have mentioned before is the mold we still have in the proshop. Guests have pointed it out, and I feel it needs to be addressed correctly for the safety of my staff and our members and guests. We also have areas on the upstairs floor that are rotten and cause a safety hazard.

Thanks

Brian

Golf Course Goals vs Actuals 2023-2024

Goal

Category	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Totals
Green Fee	20,000	13,000	12,000	11,000	11,000	22,000	22,000	23,000	22,000	17,000	16,000	16,000	205,000
Rec(taxable)	0	0	0	0	0	0	0	0	0	0	0	0	0
Golf Cart	10,000	8,000	8,000	6,000	6,000	10,000	11,000	11,000	12,000	11,000	11,000	11,000	115,000
Merchandise	13,000	10,000	10,000	9,000	9,000	18,000	19,000	20,000	20,000	17,000	15,000	15,000	175,000
Prep Food	800	700	500	500	500	1,300	1,400	1,500	1,500	1,100	1,100	1,100	12,000
Beer Sales	7,000	6,000	6,000	6,000	5,000	9,000	9,000	9,000	9,000	8,000	8,000	8,000	90,000
Drinks/Chips	3,500	2,000	1,500	1,500	1,500	3,000	4,000	4,000	4,000	4,000	3,000	3,000	35,000
Memberships	12,000	10,000	12,000	9,000	10,000	10,000	12,000	12,000	11,000	11,000	11,000	10,000	130,000
Total	\$66,300	\$49,700	\$50,000	\$43,000	\$43,000	\$73,300	\$78,400	\$80,500	\$79,500	\$69,100	\$65,100	\$64,100	\$762,000

Actual

Category	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Totals
Green Fee	25,793	23,227											49,020
Rec(taxable)	0	0											
Golf Cart	9,302	8,069											17,371
Merchandise	13,310	11,174											24,484
Prep Food	892	900											1,793
Beer Sales	7,195	5,270											12,465
Drinks/Chips	3,934	3,084											7,018
Memberships	13,759	11,454											25,213
Total	\$74,185	\$63,178	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$137,363

Over/Under	\$7,885	\$13,478											\$21,363
-------------------	----------------	-----------------	--	--	--	--	--	--	--	--	--	--	-----------------

Rounds of Golf

Month	Fy2022-2023	Fy2023-2024
OCT	2692	2363
NOV	1153	2109
DEC	2028	
JAN	2125	
FEB	2176	
MAR	2961	
APR	2740	
MAY	2776	
JUN	3094	
JUL	3393	
AUG	2811	
SEP	2897	
	30846	4472

Memberships

Month	FY2022-2023	FY2023-2024
OCT	194	188
NOV	184	186
DEC	186	
JAN	174	
FEB	178	
MAR	195	
APR	192	
MAY	196	
JUN	186	
JUL	162	
AUG	183	
SEP	187	

□

Revune for the fiscal years

	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-2021	2021-2022	2022-2023	2023-224
October	\$ 47,009.00	\$ 38,020.00	\$ 44,541.00	\$ 42,949.00	\$ 40,175.00	\$ 50,996.00	\$ 41,662.00	\$ 40,670.00	\$ 34,325.00	\$ 35,953.00	\$ 33,172.00	\$ 40,639.00	\$ 27,027.00	\$ 34,039.00	\$ 42,407.50	\$ 62,202.91	\$ 51,147.84	\$ 76,592.04	\$ 74,167.03
November	\$ 27,799.00	\$ 33,807.00	\$ 33,020.00	\$ 44,707.00	\$ 39,303.00	\$ 36,034.00	\$ 42,510.00	\$ 44,313.00	\$ 28,636.00	\$ 26,980.00	\$ 19,944.00	\$ 31,995.00	\$ 30,448.00	\$ 23,229.00	\$ 43,338.77	\$ 64,634.00	\$ 56,586.76	\$ 33,383.62	\$ 63,177.89
December	\$ 34,148.00	\$ 25,466.00	\$ 37,308.00	\$ 36,530.00	\$ 20,950.00	\$ 35,136.00	\$ 31,312.00	\$ 32,256.00	\$ 29,786.00	\$ 29,645.00	\$ 26,178.00	\$ 24,651.00	\$ 20,856.00	\$ 40,933.00	\$ 48,990.47	\$ 56,927.48	\$ 62,544.32	\$ 53,930.64	
January	\$ 38,163.00	\$ 19,599.00	\$ 23,783.00	\$ 40,207.00	\$ 21,224.00	\$ 27,521.00	\$ 49,248.00	\$ 25,563.00	\$ 37,898.00	\$ 20,982.00	\$ 36,242.00	\$ 57,636.00	\$ 30,342.00	\$ 30,229.00	\$ 23,365.55	\$ 56,651.51	\$ 47,116.31	\$ 61,756.57	
February	\$ 29,092.00	\$ 31,360.00	\$ 29,207.00	\$ 40,299.00	\$ 16,893.00	\$ 32,118.00	\$ 27,440.00	\$ 36,248.00	\$ 32,762.00	\$ 31,605.00	\$ 30,448.00	\$ 30,449.00	\$ 21,772.00	\$ 26,749.00	\$ 37,454.31	\$ 41,451.22	\$ 49,126.05	\$ 62,570.03	
March	\$ 44,484.00	\$ 50,244.00	\$ 45,181.00	\$ 51,193.00	\$ 52,873.00	\$ 64,305.00	\$ 39,994.00	\$ 58,128.00	\$ 44,011.00	\$ 29,929.00	\$ 34,261.00	\$ 39,413.00	\$ 52,056.00	\$ 52,147.00	\$ 56,303.83	\$ 67,691.37	\$ 69,982.06	\$ 91,891.25	
April	\$ 52,898.00	\$ 44,170.00	\$ 54,841.00	\$ 60,003.00	\$ 58,698.00	\$ 57,655.00	\$ 57,937.00	\$ 46,802.00	\$ 51,866.00	\$ 33,553.00	\$ 28,234.00	\$ 58,911.00	\$ 60,713.00	\$ 82,079.00	\$ 13,723.75	\$ 75,786.66	\$ 93,650.43	\$ 93,909.09	
May	\$ 49,583.00	\$ 50,784.00	\$ 59,984.00	\$ 65,535.00	\$ 46,083.00	\$ 53,246.00	\$ 57,607.00	\$ 51,940.00	\$ 56,256.00	\$ 48,499.00	\$ 30,164.00	\$ 50,065.00	\$ 57,692.00	\$ 62,730.00	\$ 28,942.99	\$ 58,401.78	\$ 92,185.04	\$ 86,160.00	
June	\$ 38,039.00	\$ 52,831.00	\$ 65,674.00	\$ 62,065.00	\$ 59,492.00	\$ 59,357.00	\$ 61,151.00	\$ 55,923.00	\$ 48,913.00	\$ 26,082.00	\$ 8,162.00	\$ 37,417.00	\$ 53,075.00	\$ 58,322.00	\$ 62,154.13	\$ 63,469.78	\$ 80,131.95	\$ 98,988.00	
July	\$ 40,396.00	\$ 35,250.00	\$ 58,329.00	\$ 62,141.00	\$ 40,405.00	\$ 52,427.00	\$ 50,465.00	\$ 50,193.00	\$ 44,700.00	\$ 43,387.00	\$ 36,186.00	\$ 37,656.00	\$ 52,448.00	\$ 69,071.00	\$ 50,746.13	\$ 57,641.43	\$ 81,808.90	\$ 96,210.00	
August	\$ 40,352.00	\$ 41,420.00	\$ 38,504.00	\$ 63,134.00	\$ 48,395.00	\$ 44,385.00	\$ 45,158.00	\$ 48,075.00	\$ 46,545.00	\$ 43,727.00	\$ 30,306.00	\$ 23,868.00	\$ 58,221.00	\$ 67,005.00	\$ 58,155.52	\$ 57,091.00	\$ 59,695.18	\$ 88,042.00	
September	\$ 35,529.00	\$ 37,527.00	\$ 23,756.00	\$ 49,098.00	\$ 41,066.00	\$ 44,276.00	\$ 42,282.00	\$ 34,895.00	\$ 25,984.00	\$ 21,813.00	\$ 26,082.00	\$ 2,160.00	\$ 15,674.00	\$ 38,567.00	\$ 57,786.23	\$ 45,708.61	\$ 68,991.57	\$ 111,496.00	
Total	\$ 477,492.00	\$ 460,478.00	\$ 514,128.00	\$ 617,861.00	\$ 485,557.00	\$ 557,456.00	\$ 546,766.00	\$ 525,006.00	\$ 481,682.00	\$ 392,155.00	\$ 339,379.00	\$ 434,860.00	\$ 480,324.00	\$ 585,100.00	\$ 523,369.18	\$ 707,657.75	\$ 812,966.41	\$ 954,929.24	\$ 137,344.92



CITY OF FREEPORT
FREEPORT FIRE & EMS DEPARTMENT

131 East 4th Street
Freeport, Texas 77541
Phone (979) 233-2111
Fax (979) 233-4103

Christopher Motley
Chief / EMC

Mike Praslicka
Deputy Chief
EMS Coordinator

Micheal Dumas
Deputy Chief
Fire Marshal

To: Mr. Lance Petty, Interim City Manager

From: Christopher D. Motley, Fire Chief

Date: December 18, 2023

Re: November 2023

Response alarms: Fire - 29
 EMS - 162
 Total - 191

Significant Events: Air Ambulance transport: 1
 Request mutual aid into the city EMS response: 3 FIRE 1
 Mutual aid given to other cities to cover EMS response: 0 FIRE 1
 Two EMS units working calls at the same time: 38
 Three working EMS alarms: 4
 Four working EMS alarms: 2
 Five working EMS alarms: 0
 Transport rate: 67%

Infrastructure: Fire Station #1 Driveway repair: No update.
 Station #2: Addressing site plan and utilities
 CenterPoint Power approved new utilities.
 Station #2 RFP-Engine Apparatus Building New Construction
 Station #2 Completing the firehouse plans.

Emergency Management: Preparing emergency management response to natural disasters.
 Municipal EMC monthly meeting collaboration of local planning.

Mitigation Grants: No Report.

Grants: FEMA AFG Grant: Preparing stats for program
 Texas forestry Grant: Award Large Truck Chassis: \$100,000.00



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Christopher Motley
Chief / EMC

Mike Praslicka
Deputy Chief
EMS Coordinator

Micheal Dumas
Deputy Chief
Fire Marshal

Personnel:

Staffing:

Fire Fighter Vacancy: Three (Full-time)
Fire Fighter Vacancy: Two (Part-time)
EMS Vacancy: Three (Part-time).
Employee testing: Scheduled 1, Tested: 1, No Show: 0
Interviews: One
Backgrounds: In progress: 2 complete: 0
Job Offers: 0
Employee of the Month: None

Training Employees:

Brazosport College Excel: Chris Motley
TEEX Vehicle Extrication: FEMA Grant
Evelyn Betancourt, Jacob Botello, Abdiel Martinez
Texas EMS Conference: Austin
Jessica Dyson, Michael Shafer, Chris Motley
Human Resources training

EMS Proctor:

Brazosport College EMS Students Field Proctor: No students

Injuries:

None.

Events:

Brazoria County Firefighter Association, Meeting
Brazoria County Firefighter Association Fire Field -Building Design
Concerns Citizens Flag Ceremony
Freeport Fall Market Day
Freeport Police Department Blue Santa pancakes with Santa
Freeport Thanksgiving Super feast

Prevention:

Council Chambers are sanitized by staff prior to each council meeting.

Public Relations:

Blue Santa Program
Freeport Main Street Programs

Announcements:

N/A

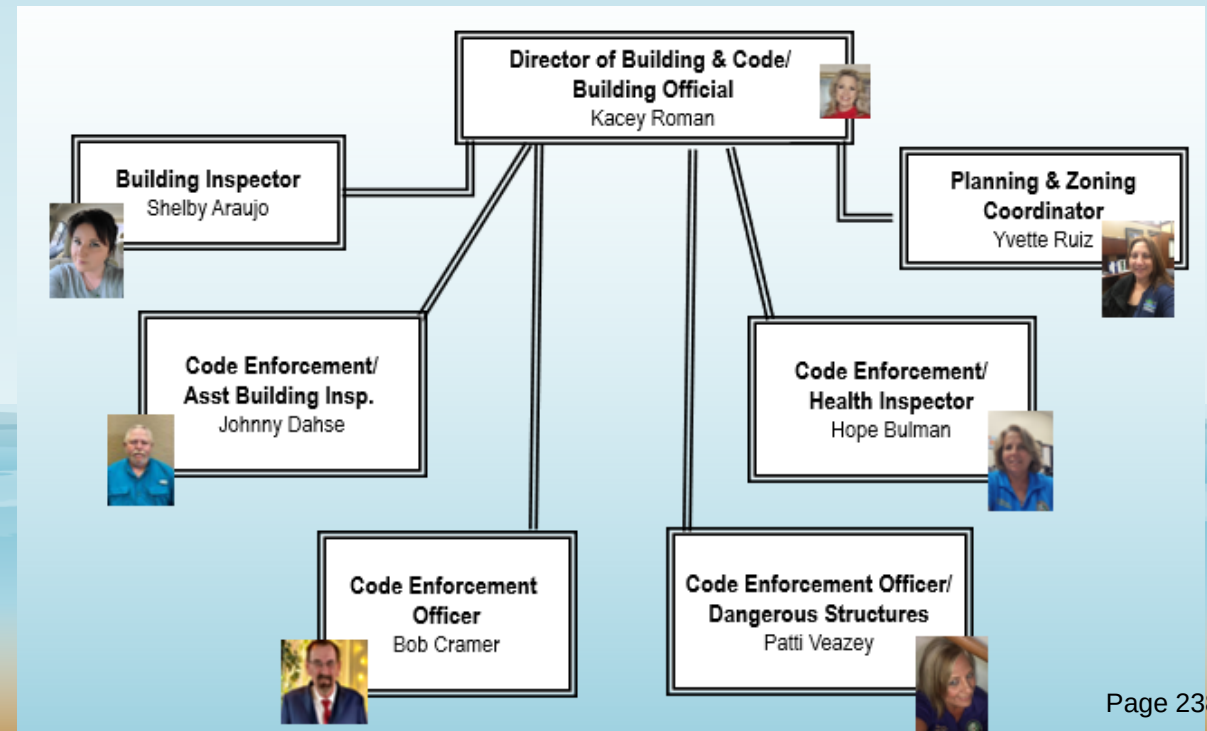
Community Development



The Community Development Department is responsible for working with the citizens of Freeport and its development community, Boards and Commissions, and the elected officials while managing current and long-range planning, permitting and inspections, code enforcement and other activities in support of the City of Freeport. Our goal is to make our City a Healthy, Safe and Prosperous place to work and live.

Building Permits & Inspections
Health Permits & Inspections
Code Enforcement
Short Term Rental Inspections
Planning & Zoning
Board of Adjustments
Permit Desk Operations

Educate - Assist - Uplift



Citizen Outreach

Christmas on the Coast Festival



At City-Sponsored Events, members of the Building & Code Department staff attend and give out information and handouts to the public.

Code Enforcement Officer Robert “Bob” Cramer attended the Christmas on the Coast Festival in Downtown Freeport.

Citizen Outreach

Complimentary Handouts Given Out at the Christmas Festival

- ***One free Garbage Bag***

“Don’t Mess with Texas”

Garbage Bags are for sale at City Hall!

- ***Free Length of Twine
for Brush Bundling***

The Bulk Waste requirements were given out, along with a 4 ft length of twine to assist in bundling.



Food Establishment Inspections

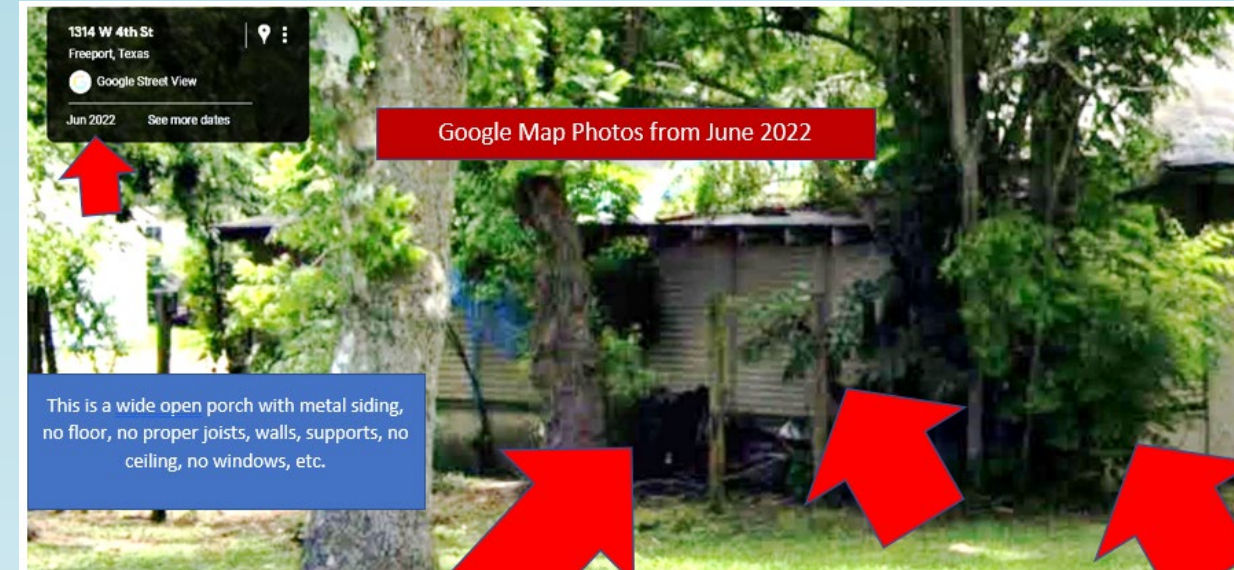
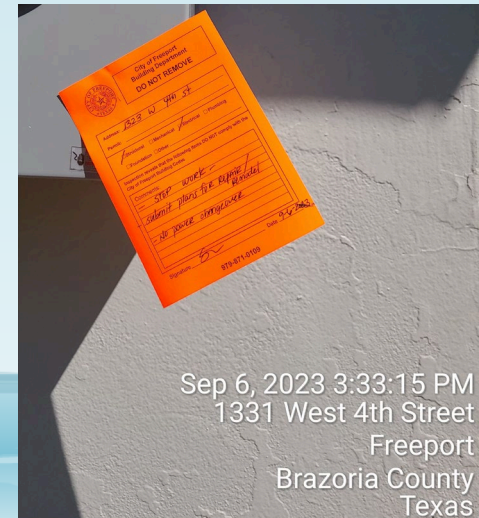
Maria's Kitchen	94
Mitchell's Pier	98
Belly's On The Brazos	73
On The River Restaurant	71
Brazos Place Behavioral Health Center	97
CVS	98
Red Top	96
Drini's Pizza	85
Dollar Tree #7667	99
Christmas On The Coast	
Norma's Candy Creation	Pass
Smokin Mike's BarBQ	Pass
Tropical Gulf Coast Shaved Ice & Snacks	Pass

Building Department Concern

Work without Remodeling Permit 1323 W 4th



- On September 6, 2023, Building Inspector Shelby Araujo was called to do a “Service Change Out” Electrical inspection at 1323 W. 4th.
- Upon further inspection, Shelby noted that most of the house had been gutted, there was new electrical wires throughout, new studs, new doors, new windows, etc, and no remodeling permits had been pulled. She red-tagged the property to Stop Work and get a Remodeling Permit.
- The remodeler, Peter Rooney, has refused to get additional permits “for a few holes in the sheetrock”, and is now threatening to sue the City because Angleton and Lake Jackson don’t require permits for this type of work.
- Angleton and Lake Jackson Building Officials have verified that permits would be required in both cities for this type of remodel. (via emails and photos sent)
- Update: Several email requests for information have been sent, but Mr. Rooney has not submitted any documents for a Remodeling Permit as of 12/13/23.



Open Records Requests

The Building Department has received a marked increase in the number of Public Information Requests for activity within the Building & Code Department each month. Staff spends over 20+ hours each month compiling data for Requested Information. This does not include time spent by other departments, such as IT, Finance, Administration, etc. The following are requests received just in the past 30 days.

Requestor	Request
Karla Clark	Any/All City of Freeport Code Cases pertaining to Bridge Harbor Yacht Club for 2023.
Karla Clark	All violations said Marina has been sighted for, and dates of any repairs have been completed and inspected to verify they are safe for the community. 2. The time schedule the City has set for completion of repairs. 3. Any additional violations that BHYC has been sited with since the summer citations were made.
Melanie Oldham	Copies of all Freeport City Hall tests for Air Quality – Mold, Asbestos, etc.
Jeff Pena	Provide me with all documents, emails, and communications between City of Freeport staff and short-term rental operators (as defined in city ordinance) for the last 60 months. 2. Provide me with all documents, records, canceled checks, other records of hotel occupancy taxes due and payments made for short term rental operators for the last 60 months. 3. Provide me with all Hotel Occupancy Tax reports and other documents filed by short term rental operators with the City showing the amount of hotel occupancy taxes due for the last 60 months. 4. Provide me with all Hotel Occupancy Tax documents and records you have received from the Texas Comptroller's Office showing the amount of Hotel Occupancy Taxes due or collected related to all short-term rental operators for the last 60 months.

Pedestrian safety

 crazy jake <crazyjake2591@gmail.com>
To: Kacey Roman

 FollowUp. Completed on Wednesday, October 11, 2023.
You forwarded this message on 7/25/2023 3:25 PM.

More bricks could fall at any time. At least barricade the sidewalk directly beneath the danger zone.



From:
Park Ave Lofts

To whom it may concern:

I wish to appeal your determination that my building at 226 W Park violates sections 304 and 302.7 of the IPMC. Please notify me of the appeals procedure moving forward.

Thank you.

Park Avenue Lofts

A handwritten signature in blue ink, appearing to be "Jeff Pena", written over the typed name "Park Avenue Lofts".

Code Enforcement received an email complaint about bricks falling off the property located at 226 W. Park. Jeff Pena was notified by certified letter of the violation and given a time frame to repair. Instead of repairing, Mr. Pena appealed the issue to the Board of Adjustments.

The item went before the Board of Adjustments for deliberation on October 26, 2023.

The Board denied Mr. Pena's Appeal and ordered that the area be barricaded and netted within 7 days, and repaired within 30 days.

Update: Mr. Pena barricaded the area but did not provide the netting. No permits have been pulled, the repairs have not yet been made, and Mr. Pena is currently in violation of the Board of Adjustments Order.

Jeff Pena Code Enforcement Appeal

The City of Freeport is ONLINE!!

This program covers every area of Community Development and has modules that we can use for possible Rental Registration and Inspections.

- Business Licensing
- Code Enforcement
- Permitting
- Planning & Zoning
- Short Term Rentals
- Request Tracking
- Online Portal



<https://www.citizenserve.com/>

This enables our Contractors, Business Owners and Citizens to conduct business online, and provide greater tracking and reporting abilities for staff.

Staff has been working diligently on the implementation and has spend hundreds of hours working on the implementation and transition.

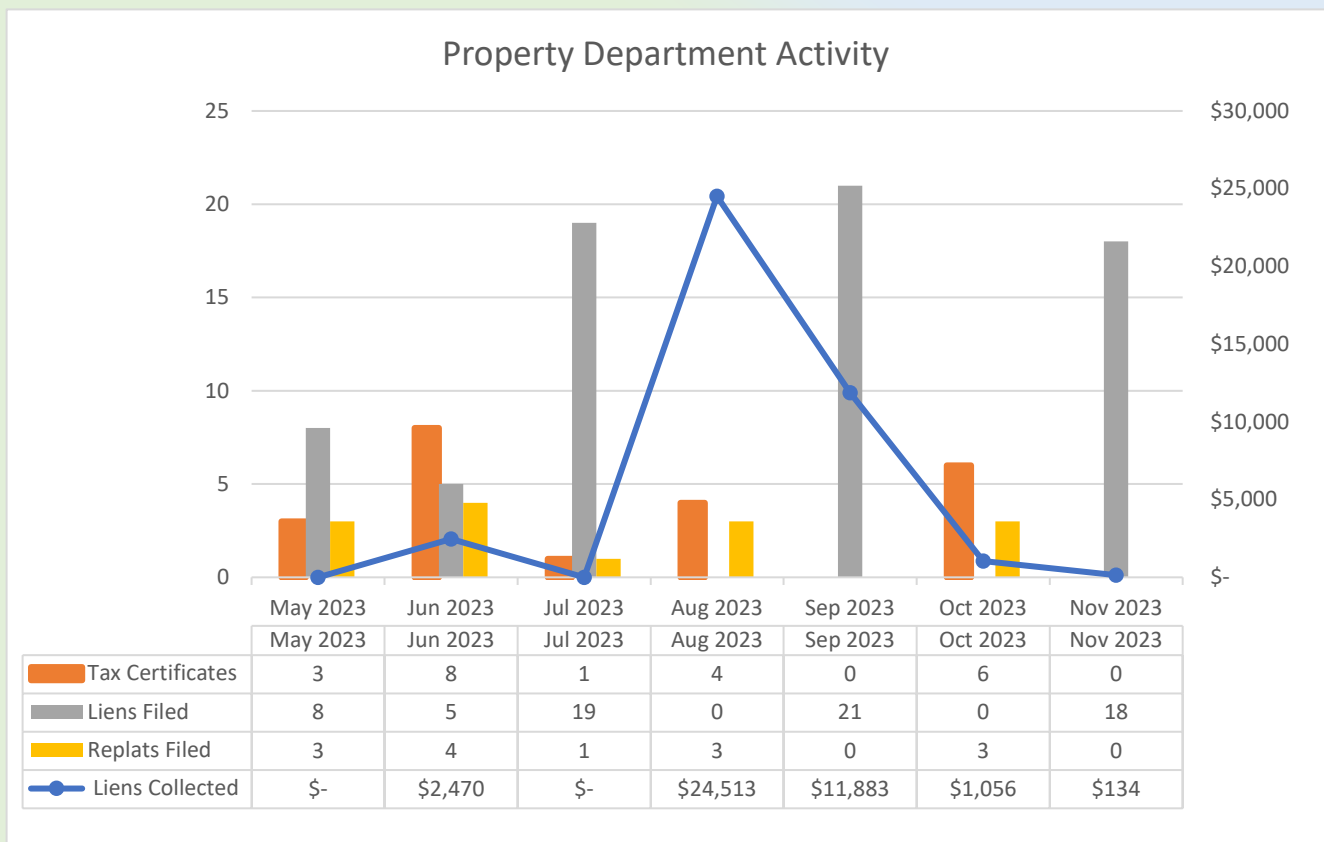
We appreciate your understanding during this transition period!

Property & GIS Monthly Report

November 2023

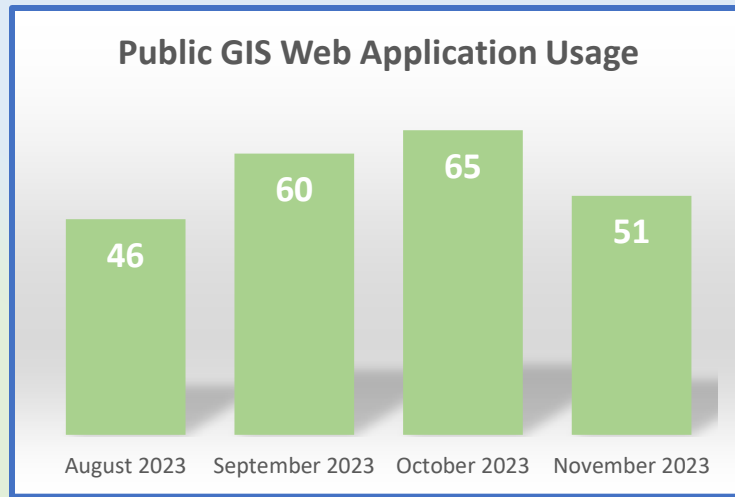
Property:

- Lien Calculations/Payoff Preparations/Releases
 - Liens Collected: \$ 133.69
 - Lien Payoff Preparations: 7
 - Liens Released: 1
- Brazoria County Tax Office – Tax Certificates (0)
- Brazoria County Clerk – File Liens (18) & Replats (0)
- New Address Assignments: 0



GIS:

- Update ownership data
- 200' Replat maps with ownership
- 911 Address Range Verifications
- New Address Assignments
- Lead/Copper Water Lines Data Formatting
- Departmental Data Information Requests
- Apartment Complexes
- Buildable Lots (City Owned)
- Departmental Web Applications



Projects:

- Illumination Street Lights -Installation
 - Centerpoint – Permits w/ City Approved – Should be completed by December 2023 (2022 Lighting Plan) COMPLETE
 - Centerpoint Scheduling 2023 Lights (Permitting) 60%
- Liens – Catalog by Block & Lot 25%
- Lead/Copper Water Lines – Field Work to Commence 20%
- Hard Copy Documentation scanning into Click Scan 20%

Information Technology

Monthly Report

- Golf Course network reconfiguration and wireless upgrade.
- TXDIR compliance with new city issued mobile devices.
- Interactive Museum display completed.
- Improved inter-city communication groups
- AT&T First Net collaboration for new City line options and emergency services.

Upcoming Projects

- Fire Department workstation Refresh FY' 24
- Public information request improvements.
- Radius Authentication Citywide WIFI security
- MDM Management
- Website Redesign and improved Online job application submissions.
- Physical security access upgrades to Rec Center / Fire Dpt / City Hall

DECEMBER 2023





Reporting period14 Nov 2023 00:00 - 14 Dec 2023 21:46

Managed endpoints

59 -8%

Active endpoints

59

Blocked threats

16 -38%

Company risk score

77%

Inventory:

49 / -5

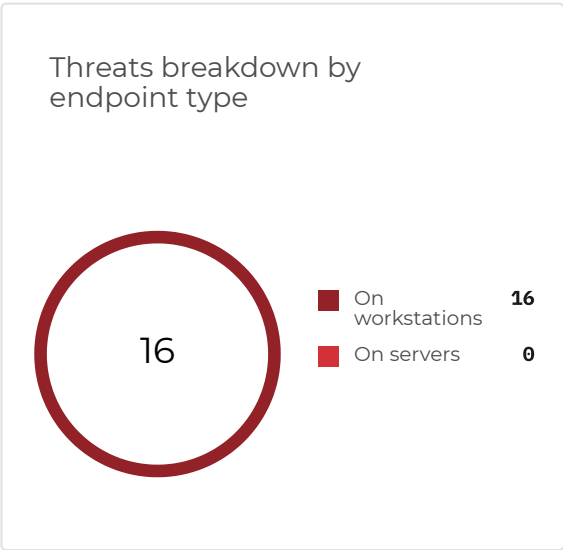
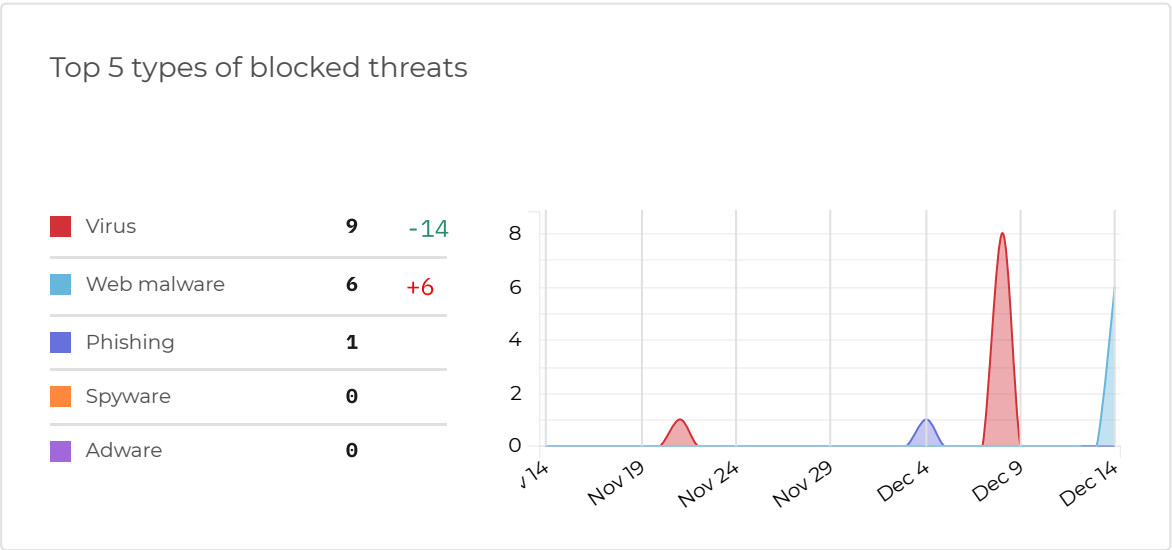
0

9

50 / -5

1

9

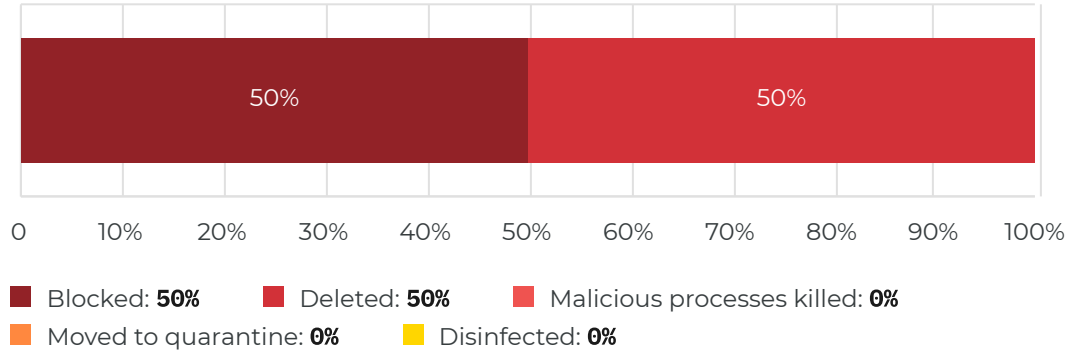


Incidents status

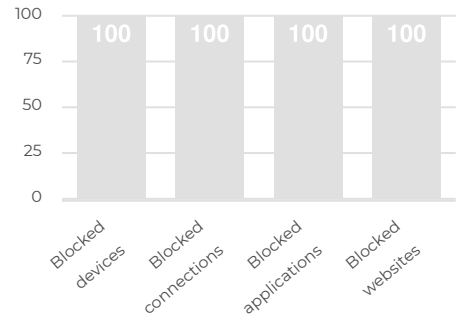


No information available. To retrieve data about your company's **Incidents Status**, please consider a compatible [license key](#).

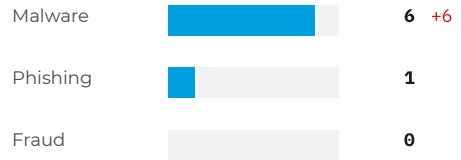
Remediation actions



Policy rule-based detections



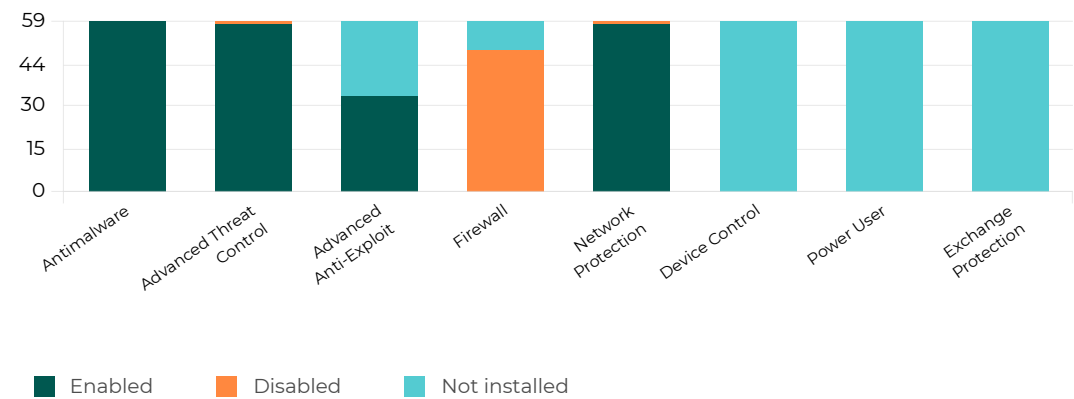
Blocked websites



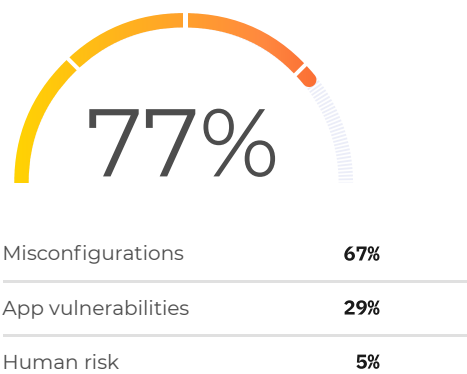
Blocked network attack techniques

Initial access	0
Credential access	0
Discovery	0
Lateral movement	0
Crimeware	0

Endpoint modules status



Company risk score



Endpoint modules status details

	Enabled	Disabled	Not installed
Antimalware	59	0	0
Advanced Threat Control	58	1	0
Advanced Anti-Exploit	33	0	26
Firewall	0	49	10

	Enabled	Disabled	Not installed
Network Protection	58	1	0
Device Control	0	0	59
Power User	0	0	59
Exchange Protection	0	0	59

Filter statement

Filters

Months in Event Date

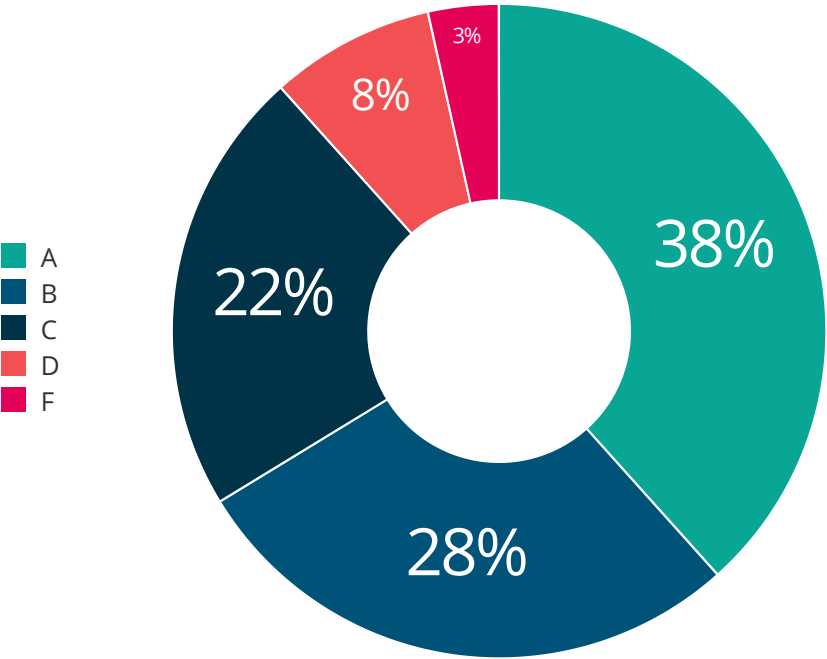
Last Month

|

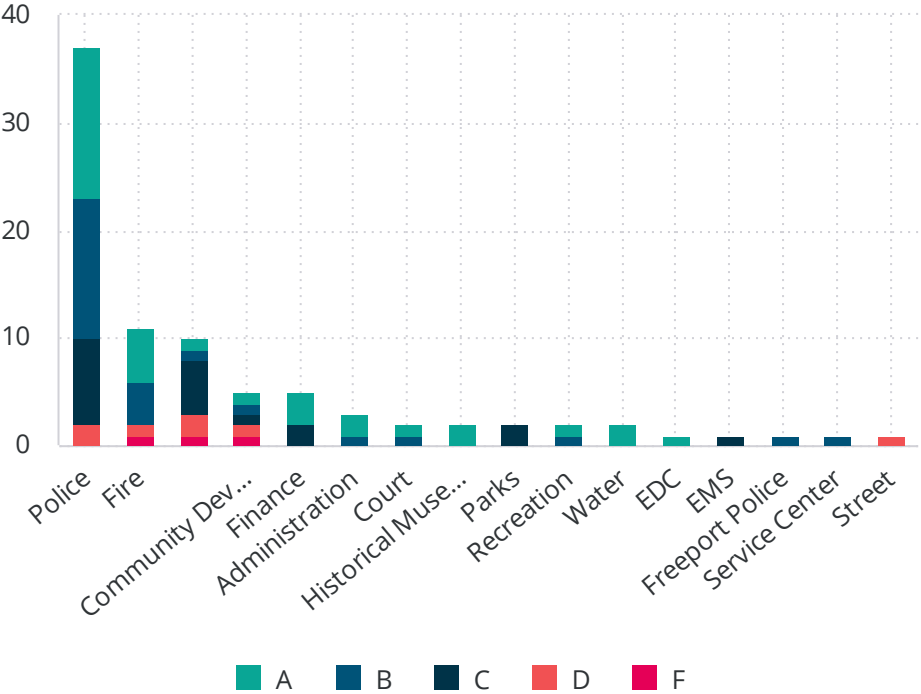
Test Campaign

No

Learner grades



Department grade ranking

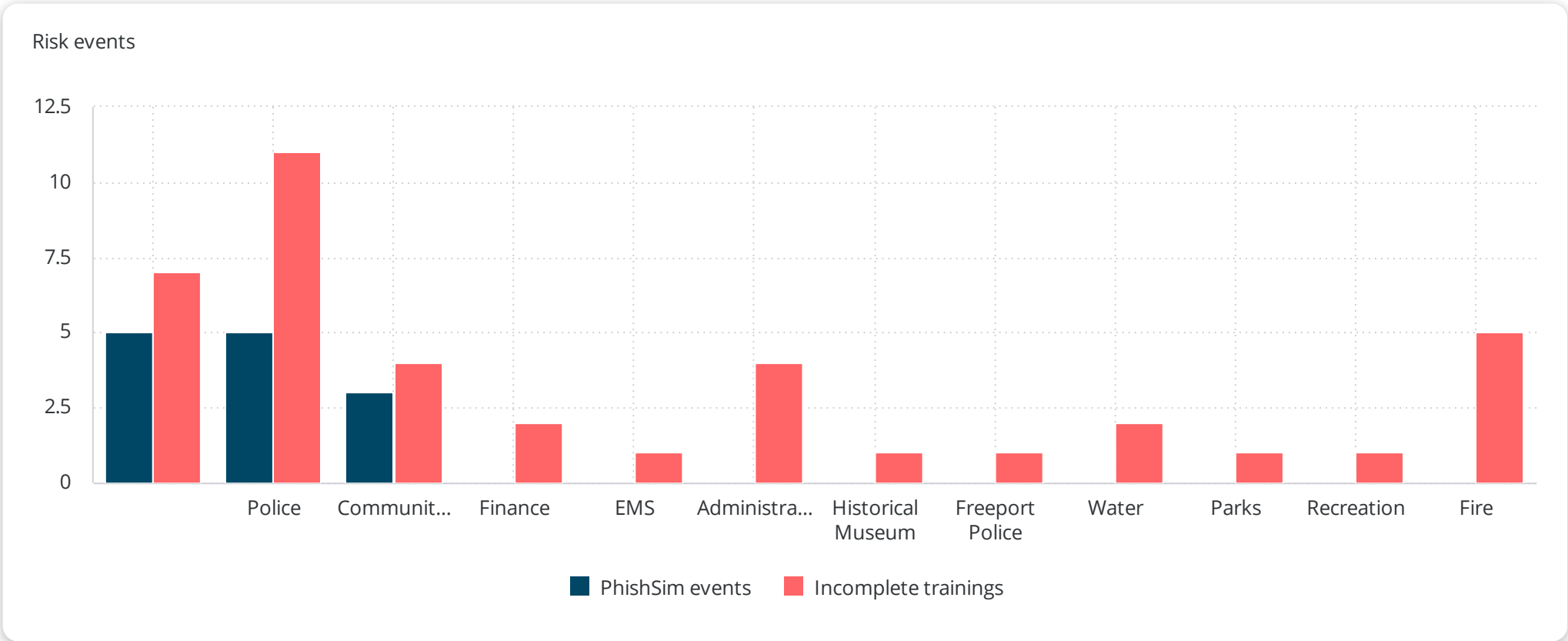


Filter statement

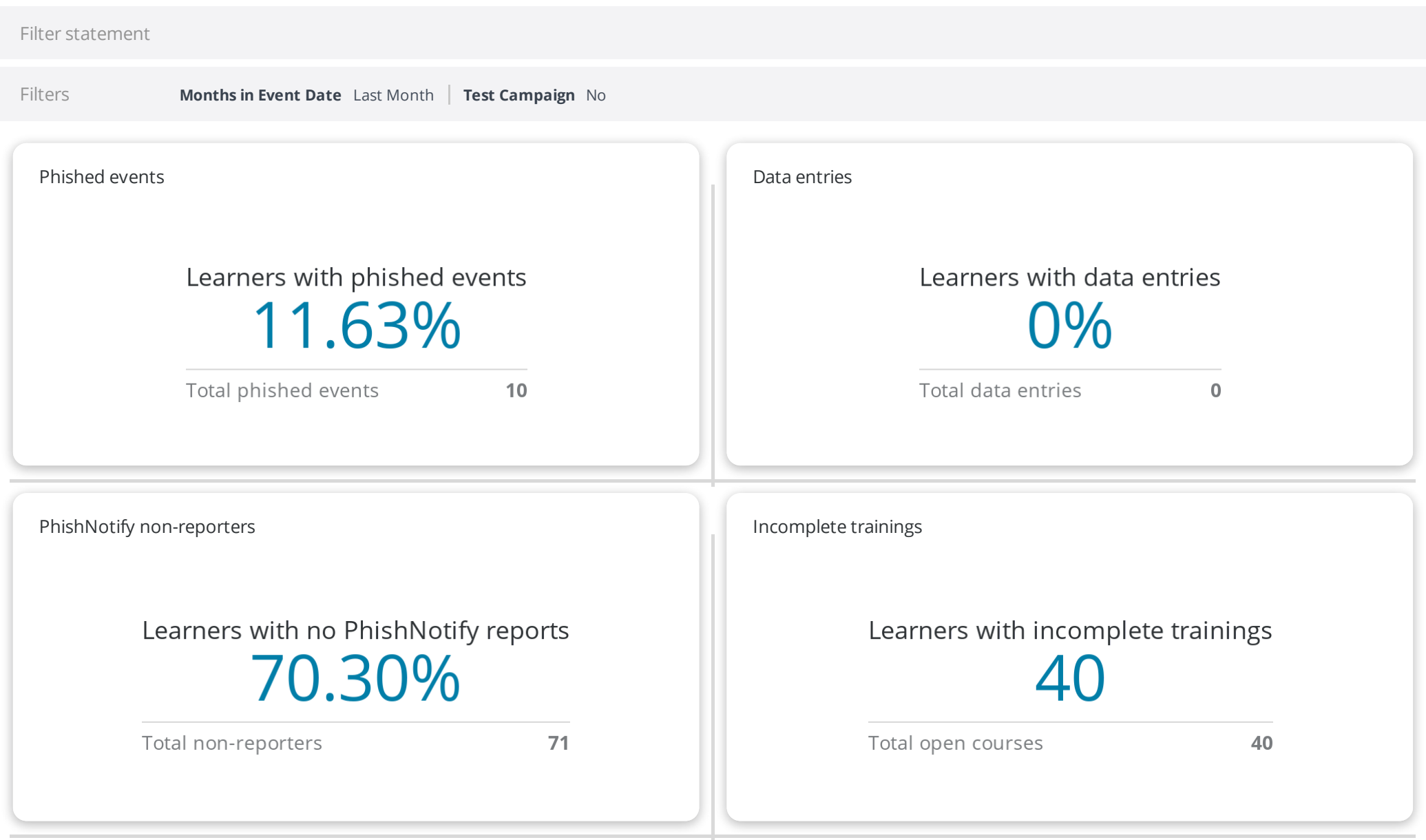
Filters

Months in Event DateLast Month

Test CampaignNo



Performance summary



Filter statement

Filters

Months in Event DateLast Month

Test CampaignNo

Quarter over quarter



Filter statement

Filters

Months in Event Date

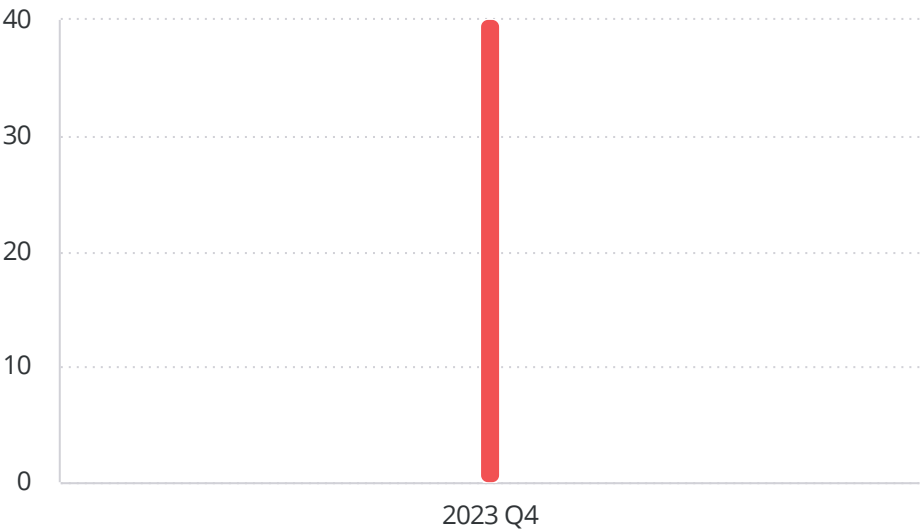
Last Month

|

Test Campaign

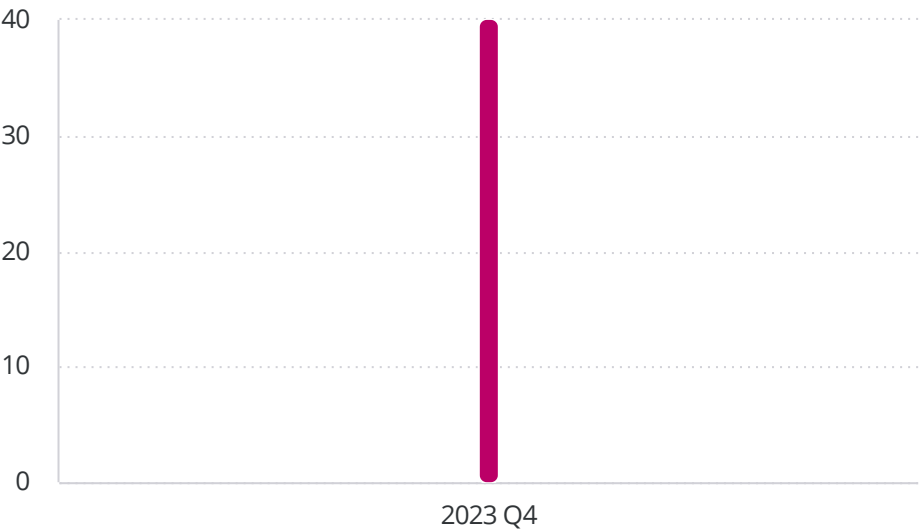
No

PhishNotify reports



Last quarter and this quarter

Incomplete trainings



Last quarter and this quarter



Closed Ticket 31 days by Category

Description:

Category: Service Desk

Server Hostname: support.0cwrseesmgcerdzoaboqdri0wg.bx.internal.cloudapp.net

Generated: 12/01/2023 01:00:16

1 row: Category: Hardware::Other Hardware

1 row: Category: Hardware::Phone::Desk

1 row: Category: Hardware::Phone::Mobile

3 rows: Category: Hardware::Printer::Desk/Office

1 row: Category: Hardware::Tablet/iPad

2 rows: Category: Network

12 rows: Category: Other

1 row: Category: Software::Install

2 rows: Category: Software::Issue

12/01/2023



Finance, Court & Water Departments

Title: Monthly Report for November 30, 2023

Date: December 18, 2023

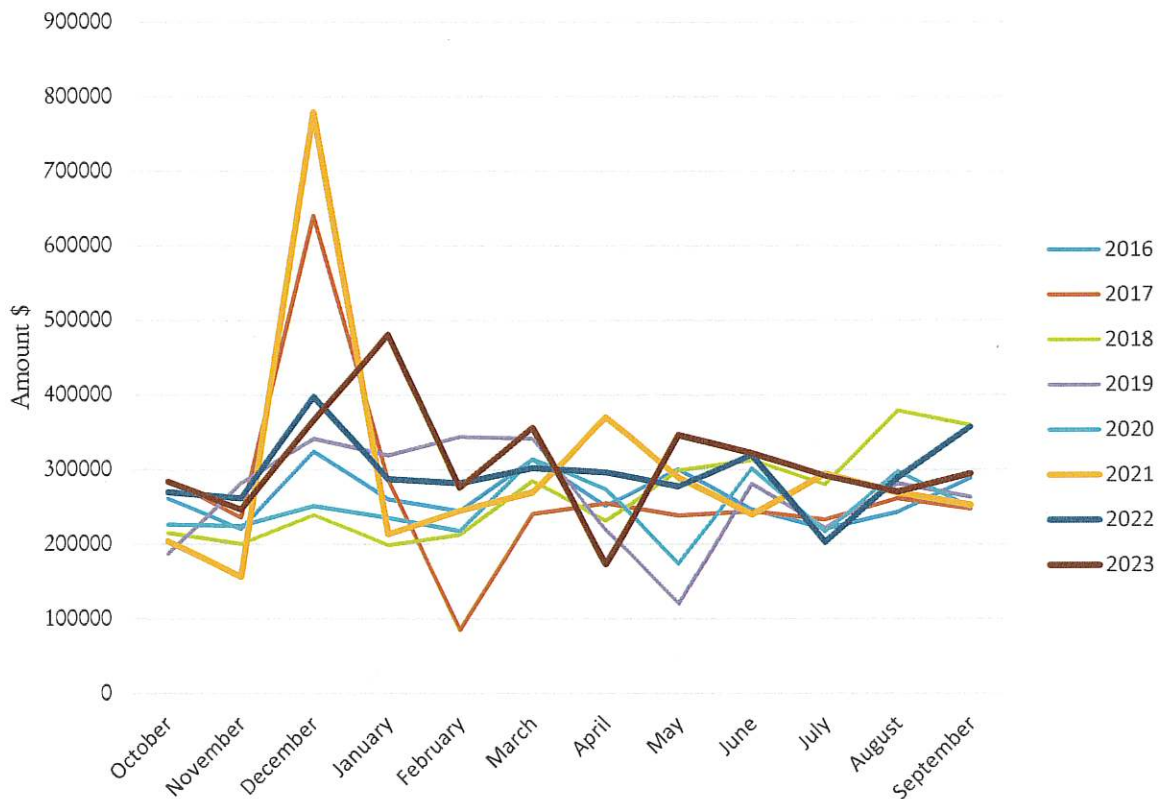
From: Cathy Ezell, Finance Director

Financial Information

The General Fund:

The revenues collected for the General fund as of November 30, 2023 are \$730,635 or 3.88% of the total budgeted revenues. Sales tax revenue is collected two months in arrears. The sales tax collections received are more than last year at this time.

Comparison of Sales Tax Revenue by Year



The expenditures for the General Fund as of November 30, 2023 are \$2,894,490 or 14.85% of the budgeted expenditures. See the attached Monthly Financial Report for more detail.

The revenues are under the expenditures by \$2,163,854. The fund balance or reserves of the General Fund as of November 30, 2023 is \$5,373,640. This is 27.56% of the expenditure budget.

Water & Sewer Fund

The revenues for the Water & Sewer Fund as of November 30, 2023 are \$1,511,896 or 19.31% of the budgeted revenues. See the attached Monthly Financial Report for more detail.

The expenditures for the Water & Sewer Fund as of November 30, 2023 are \$444,100 or 5.92% of the budgeted expenditures. See the attached Monthly Financial Report for more detail.

The revenues are over the expenditures by \$1,067,796. The fund balance or reserves for the Water & Sewer Fund as of November 30, 2023 is \$1,606,241. This fund balance is only 21.41% of the operating expenditures.

Customer Service Department – Water & Court

We are continuing with the cross-training of employees. Also, we are working with Veolia to identify dead meters and idle accounts.

The review of all court records continues. Municipal Court has fully migrated to Incode 10 as of October 31, 2022. Standard Operating Procedures have been created for Municipal Court.

We began training on the process of scanning Municipal Court records into Incode software in September 2023 and hope that this will go live within the next two months. Then move to the Water/Sewer records, Human Resources records, invoice and purchase orders

Other

We created a departmental calendar for informational flyers to be included in the water bills each month.

The Finance Department will go paperless after the first of the year.

**City of Freeport
Monthly Financial Report
As of November 30, 2023
General Fund**

	FY2023	Adopted	Amended	Year to Date	% YTD
	Actuals	FY2024	FY2024	Actual	Budget
		Budget	Budget		
Beginning Fund Balance	\$ 5,920,910	\$ 6,124,699	\$ 7,537,494	\$ 7,537,494	
Revenues					
EMS	\$ 800,844	\$ 644,000	\$ 644,000	\$ 56,313	8.74%
Property Taxes	3,195,965	3,715,000	3,715,000	175,161	4.71%
Industrial Taxes	8,954,728	8,896,690	8,896,690	-	0.00%
Sales Tax	2,475,948	2,300,000	2,300,000	1,625	0.07%
Franchise & Other Taxes	727,113	685,000	685,000	94,208	13.75%
Permits	538,477	238,025	238,025	18,955	7.96%
Charges for Services	801,721	799,350	799,350	133,468	16.70%
Recreation/Rental	82,361	100,500	100,500	12,481	12.42%
Golf	928,555	762,000	762,000	116,769	15.32%
Municipal Court	156,062	257,700	257,700	25,284	9.81%
Grants	1,509,322	12,000	12,000	(1,225)	-10.21%
Lease Income	123,009	104,300	104,300	-	0.00%
Miscellaneous	852,158	303,000	303,000	97,597	32.21%
Total Revenues	21,146,264	\$ 18,817,565	\$ 18,817,565	\$ 730,635	3.88%
Expenditures					
Administration	\$ 2,324,218	\$ 1,837,276	\$ 1,837,276	\$ 257,152	14.00%
Information Technology	266,762	443,279	443,279	102,923	23.22%
Service Center	201,141	203,433	203,433	54,460	26.77%
Municipal Court	277,484	228,473	228,473	31,167	13.64%
Police	4,912,493	5,577,060	5,577,060	943,655	16.92%
Fire	1,485,074	1,613,204	1,613,204	218,018	13.51%
EMS	903,040	1,084,197	1,084,197	125,582	11.58%
Emergency Management	-	-	-	-	
Code Enforcement	449,649	494,627	494,627	90,835	18.36%
Building	276,327	334,742	334,742	50,605	15.12%
Garbage Collection	747,174	750,000	750,000	63,790	8.51%
Street & Drainage	1,439,818	1,562,130	1,562,130	224,576	14.38%
Beach Fund Expense	30,745	42,850	42,850	(1,063)	-2.48%
Main Street	-	139,352	139,352	6,836	4.91%
Historical Museum	291,245	241,979	241,979	27,378	11.31%
Sr Citizens Commission	7,588	17,500	17,500	5,247	29.98%
Library	36,451	37,700	37,700	4,401	11.67%
Parks	1,185,861	1,340,247	1,340,247	143,872	10.73%
Golf	1,346,379	1,288,322	1,288,322	132,979	10.32%
Recreation	349,138	542,986	542,986	38,145	7.03%
Interfund Transfer to	3,149,095	1,866,250	1,866,250	398,933	21.38%
Interfund Transfer from	(150,000)	(150,000)	(150,000)	(25,000)	16.67%
Total Expenditures	19,529,679	\$ 19,495,607	\$ 19,495,607	\$ 2,894,490	14.85%
Revenue Over/(Under)					
Expenditures	\$ 1,616,584	\$ (678,042)	\$ (678,042)	\$ (2,163,854)	
Ending Fund Balance	\$ 7,537,494	\$ 5,446,657	\$ 6,859,452	\$ 5,373,640	

City of Freeport
Monthly Financial Report
As of November 30, 2023
Water Sewer Fund

	FY2023	Adopted	Amended	Year to Date	% YTD
	Actuals	FY2024	FY2024	Actual	Budget
		Budget	Budget		
Beginning Fund Balance	\$ 99,707	\$ (205,471)	\$ 538,445	\$ 538,445	
Revenues					
Interlocal Revenue	\$ 3,691	\$ 4,000	\$ 4,000	\$ -	0.00%
Interest	20,074	9,000	9,000	3,502	38.91%
Misc Income	(106)	-	-	115	N/A
Misc Income Return Checks	975	1,000	1,000	200	20.00%
Utility Reimbursements	132,784	110,000	110,000	-	0.00%
Community Dev Grant	-	-	-	-	N/A
Grant - CDBG GLO	598,335	-	-	-	N/A
FEMA Reimbursement	-	-	-	-	N/A
Cash Over or Short	(11)	-	-	-	N/A
Water Revenue	4,279,390	4,888,350	4,888,350	958,805	19.61%
Water Revenue - Misc	-	-	-	-	N/A
Sewer Revenue	2,808,110	2,661,650	2,661,650	522,956	19.65%
Sewer Revenue - Misc	-	-	-	-	N/A
Sewer Surcharge	-	-	-	-	N/A
Water Tap Fee	30,426	20,000	20,000	-	0.00%
Sewer Tap Fee	4,429	4,000	4,000	-	0.00%
Bad Debt Write-Off	1,491	1,000	1,000	708	70.80%
Connect & Disconnect Fees	149,779	130,000	130,000	25,610	19.70%
Transfer from General Fund	-	-	-	-	N/A
Total Revenues	8,029,368	\$ 7,829,000	\$ 7,829,000	\$ 1,511,896	19.31%
Expenditures					
Salaries	\$ 100,584	\$ 249,719	\$ 249,719	\$ 13,481	5.40%
Benefits	53,831	75,718	75,718	9,642	12.73%
Supplies	33,202	70,950	70,950	1,603	2.26%
Services	6,236,390	6,526,976	6,526,976	294,509	4.51%
Maintenance	58,587	100,000	100,000	27,323	27.32%
Sundry	20,094	25,800	25,800	22,300	86.43%
Capital Outlay	606,439	-	-	-	N/A
Debt Service Fees	30,053	-	-	-	N/A
Transfer to Debt Service	301,450	304,250	304,250	50,242	16.51%
Transfer to CO2021 Bond Fund	-	-	-	-	N/A
Transfer to General Fund	150,000	150,000	150,000	25,000	16.67%
Total Expenditures	\$ 7,590,630	\$ 7,503,413	\$ 7,503,413	\$ 444,100	5.92%
Revenue Over/(Under)					
Expenditures	\$ 438,738	\$ 325,587	\$ 325,587	\$ 1,067,796	
Ending Fund Balance	\$ 538,445	\$ 120,116	\$ 864,032	\$ 1,606,241	



City of Freeport Municipal Court
November 2023 Statistics

	November	Year-to-Date
Citations Issued	160	365
Number of Violations Issued	182	418
Court Payments Received	\$ 20,773.63	\$ 46,904.46

	November	November
Warrants Issued	40	\$ 15,483.30
Total Active Warrants	2,576	\$ 1,019,834.48

	Number of Persons on Docket
Court Attendance	75



City of Freeport Utility Billing
November 2023 Statistics

Total Active Accounts	3,502	
Total Services Disconnected	73	
Total New Services	60	
Billed Consumption - Water	24,474,255	\$ 364,709.84
Billed Consumption - Sewer	14,311,255	228,593.56
Billed Garbage		72,093.66
Billed Ambulance		6,935.89
Total Billed		<u>\$ 672,332.95</u>

City of Freeport
Capital Projects
As of November 30, 2023

Project	Project Status	Budget/Estimated Cost	Spent To Date	Remaining Budget
Fund 67 - 2021 CO Bond Fund				
Lift Station 3, 4, and 14 Rehabilitation	Complete	\$ 1,730,004.45	\$ 1,730,004.45	\$ -
FM 1495 Water Line Relocation	Construction has begun	481,665.00	459,759.99	21,905.01
Phase I SSOI Engineering	Underway	215,926.00	22,974.00	192,952.00
Sanitary Sewer Collection GLO Project	Construction has begun	59,316.26	-	59,316.26
Wastewater Treatment Plant Grant Match	Bids were received	60,520.00	-	60,520.00
Avenue H Sewer Line Replacement Grant Match	Complete	41,366.19	41,366.19	-
WWTP Improvements	Engineering has begun	1,928,630.00	-	1,928,630.00
Sewer Line Replacement SSOI	CCTV & Manhole inspections underway	482,572.10	-	482,572.10
Lift Station Pumps	Obtaining Bids	151,348.93	-	151,348.93
Total Fund 66 - 2021 CO Bond Fund		\$ 5,151,348.93	\$ 2,254,104.63	\$ 2,897,244.30

Fund 66 - 2020 CO Bond Fund				
Streets & Drainage Projects		\$ 6,375,000.00		
Total Budget for Street Projects				
2019-2020 Asphalt Streets - County Interlocal carried over to 2021	Complete	\$ 206,053.24	\$ 206,053.24	\$ -
2020-2021 Asphalt Streets - County Interlocal	Complete	321,260.88	321,260.88	-
2020-2021 Water/Sewer Relocation - Asphalt Streets	Complete	230,704.84	230,704.84	-
2021-2022 Asphalt Streets - County Interlocal	Complete	333,531.08	333,531.08	-
2021-2022 alley Sewer Relocation - Asphalt Streets	Complete	66,676.49	66,676.49	-
2022 Phase 1 Concrete Streets - Engineering	Complete	316,203.58	316,203.58	-
2022 Phase 1 Concrete Streets - Construction	Complete	2,348,887.44	2,348,887.44	(0.00)
2022-2023 Phase 2 Concrete Streets - Engineering	Construction Observation	426,380.00	426,380.00	-
2022-2023 Phase 2 Concrete Streets - Construction	Under Construction	2,157,895.63	2,157,895.63	-
Velasco Pump Station Improvements	Complete	316,707.00	316,706.61	0.39
Heritage House Renovations	On Hold	375,000.00	-	375,000.00
City Hall Renovations	Awarded contract for construction. Asbestos removal has begun.	1,138,382.00	542,197.88	596,184.12
Total Funding Fund 66 - 2020 CO Bond Fund		\$ 8,237,682.18	\$ 7,266,497.67	\$ 971,184.51

Fund 14 - Streets & Drainage Funds				
Road Failure - Avenue D	Complete	\$ 49,000.00	\$ 49,000.00	\$ -
Asphalt Streets 2022-2023	Waiting for County to begin construction	446,041.00	4,002.90	442,038.10
Entry Road for Park	Complete	150,000.00	101,655.10	48,344.90
Streets & Drainage Project	Project to be determined	516,611.00	-	516,611.00
2022-2023 Phase 2 Concrete Streets - Construction	Under Construction	1,641,328.37	573,959.67	1,067,368.70
Road Failure - 1420 10th Street	Complete	17,000.00	17,000.00	-
Rebuild Stormwater Pump	Complete	24,269.00	24,268.29	0.71
Repair Ally East 5th at Cherry	Complete	72,120.00	72,119.38	0.62
2022-2023 Phase 2 Concrete Streets - Engineering	Construction Observation	50,000.00	37,817.45	12,182.55
Replace Asphalt Ave C & Quintanna	Complete	30,000.00	30,000.00	-
Stormwater Pump	Complete	12,954.88	12,954.88	-
Repair Stormwater Pump	Complete	42,810.92	42,810.92	-
Asphalt Streets 2023-2024	Waiting for County to begin construction	570,178.00	-	570,178.00
Stormwater Project	Waiting for Project to be determined	500,000.00	-	500,000.00
Total Funding Fund 14 - Streets & Drainage Fund		\$ 4,122,313.17	\$ 965,588.59	\$ 2,086,546.58

Fund 21 - Facilities & Grounds CIP					
City Hall Renovations	Awarded contract for construction. Asbestos has begun.				
Temp. Modular Building	Bid for building has been awarded.	\$ 750,000.00	\$ 2,503.00	\$	747,497.00
Fire Station 1 Driveway	To be quoted	426,095.00	-		426,095.00
Radio Antenna Repairs - Fire	Repair has begun	10,000.00	-		10,000.00
Greens Resurfacing	To be bid	11,665.00	5,057.17		6,607.83
Tee Renovations	Construction has begun.	375,000.00	-		375,000.00
Pumphouse Renovations	To be bid	55,000.00	-		55,000.00
Jail Facility Renovation	To be bid	40,000.00	-		40,000.00
Replacement of Main Electric Dist. Panel	Construction has begun.	115,000.00	-		115,000.00
Police Department Parking Lot Improvements	To be quoted	20,000.00	-		20,000.00
New Evidence Lockers	Ordered	20,000.00	-		20,000.00
Server Room Ventilation	To be quoted	11,000.00	-		11,000.00
Museum Remodel	To be quoted	12,500.00	-		12,500.00
New Display Cases	To be quoted	22,500.00	-		22,500.00
Library Nesting Training Tables	Complete	11,500.00	11,500.00		-
Park Equipment	To be quoted	6,750.00	-		6,750.00
Riverplace Exterior Metal Coating	Waiting to determine project	10,000.00	-		10,000.00
Splashpad Renovation	To be quoted	30,000.00	-		30,000.00
FMP Kitchen Remodel	To be quoted	10,000.00	-		10,000.00
Fuel Tank	Supplies ordered	40,000.00	9,250.93		30,749.07
	Construction has begun.	68,639.30	30,000.00		38,639.30
	Total Fund 21 - Facilities & Grounds CIP	\$ 2,045,649.30	\$ 58,311.10	\$	1,987,338.20

Fund 22 - Vehicle & Equipment Replacement Fund					
Replace 2 Ambulances	Ordered & Received Some Outfitting				
Equipping new reserve firefighters	To be quoted	\$ 600,000.00	\$ 397,489.06	\$	202,510.94
Furnishings/Appliances Fire Station 2	To be quoted	12,000.00	-		12,000.00
Fire-Portable Radios	Ordered	30,000.00	-		30,000.00
Fire-Reserve PPE	To be quoted	36,400.00	-		36,400.00
5210 Tractor	Complete	19,100.00	-		19,100.00
Slope Mower	To be quoted	36,000.00	35,539.02		460.98
Zmaster 72" Mower	To be bid	59,000.00	-		59,000.00
Vehicle Replacement - Police	Complete	17,000.00	17,619.42		(619.42)
Generator - Police	Ordered	376,006.00	103,800.20		272,205.80
Replace Gate Motor	Waiting on electrical work to be completed	60,000.00	19,671.20		40,328.80
Sever Switch Replacement	To be quoted	15,000.00	-		15,000.00
New Motion Cyber Security	To be quoted	15,000.00	-		15,000.00
Offsite Backup & Software	To be quoted	14,000.00	-		14,000.00
One Ton Dump Truck	Complete	90,000.00	80,861.64		9,138.36
1/2 Ton 4X4 Work Truck	Order	120,000.00	-		120,000.00
3/4 Yard Concrete Mixer	Complete	10,000.00	4,200.00		5,800.00
Generators	Request for Proposals will go out in December for Lift Station Generators	60,000.00	-		60,000.00
	Total Fund 22 - Vehicle & Equipment Replacement	1,579,506.00	659,180.54		920,325.46

Fund 23 - Technology Fund					
Access Control Panel	Ordered				
		\$ 23,645.47	\$ -	\$	23,645.47
		\$ 23,645.47	\$ -	\$	23,645.47

Fund 25 - Projects Fund				
Demolition of OA Fleming	Demolished waiting property transfer	\$	240,000.00	\$ - \$ 240,000.00
Infrastructure OA Fleming Streets	Waiting for Property Transfer		1,500,000.00	- 1,500,000.00
Infrastructure OA Water/Sewer	Waiting for Property Transfer		1,000,000.00	- 1,000,000.00
Lift Station	Engineering has begun		1,200,000.00	- 1,200,000.00
OA Fleming Park	Waiting for Property Transfer		600,000.00	- 600,000.00
	Total Fund 25 - Projects Fund	\$	4,540,000.00	\$ - \$ 4,540,000.00

Grant Funded Projects				
CDBG MIT 2016 HUD - Sanitary Sewer Collection System SSOI	Construction has begun.	\$	5,931,626.00	\$ 782,377.22 \$ 5,149,248.78
CDGB MIT Harvey - Wastewater Treatment Plant Improvements	Bids will be received in September		5,991,468.00	386,923.20 5,604,544.80
Lift Station #3 Generator	Request for Proposal will go out in December		36,000.00	- 36,000.00
Lift Station #4 Generator	Request for Proposal will go out in December		36,000.00	- 36,000.00
Lift Station #14 Generator	Request for Proposal will go out in December		36,000.00	- 36,000.00
		\$	12,031,094.00	\$ 1,169,300.42 \$ 10,861,793.58

Other Projects				
Unicode Migration Project	Content Manger will begin implementation in October.		208,000.00	77,503.25 130,496.75
		\$	208,000.00	\$ 77,503.25 \$ 130,496.75



FREEPORT POLICE DEPARTMENT

430 N. Brazosport Blvd • Freeport, TX 77541 • 979.239.1211 • Fax 979.239.2075

Danny Gillchriest
Captain

Jennifer Howell
Chief of Police

Corey Brinkman
Lieutenant

NOVEMBER POLICE REPORT

I. CALLS FOR SERVICE

1765 calls for service were reported for the month.
Zuercher Records Management System (RMS) reports to follow.

II. INCIDENTS

136 cases were reported for the month.
Zuercher Records Management System (RMS) reports to follow.

III. TRAFFIC STOPS

323 traffic stops were reported for the month.
Zuercher Records Management System (RMS) reports to follow.

IV. TRAINING

Training performed in accordance with the Texas Commission on Law Enforcement (TCOLE).
- Various training during the month to include for a total of 97 hours across the department.

V. COMMUNITY EVENTS

The police department participated in the following events for this month:
- Festival of Lights

The following are upcoming events:

- Blue Santa Pancake Breakfast December 2nd
- Blue Santa Store the week of December 11th
- Blue Santa First Responder Parade December 12th and 14th

VI. COMPLAINTS and COMPLIMENTS

Complaint over tow companies and heavy haul. Meeting occurred with the tow companies and issues addressed.

Complaint over how a case was handled from over twenty years ago. Still being investigated.

Multiple compliments regarding our staff and how the school incident was handled.

VII. STAFFING

DISPATCHERS:

Dispatch is currently short 3 positions.



JAILERS:

Full staff.

ACOS:

We are full staff.

POLICE OFFICERS:

We currently are short 2 position.

PROMOTIONS:

None.

Freeport Police Department

Monthly Call For Service CC

Printed on December 15, 2023

Description	Totals	
911 CALL	64	64
911 HANG UP	34	34
ABANDONED VEHICLE	2	2
ACCIDENT - HIT & RUN	6	6
ACCIDENT - MAJOR	3	3
ACCIDENT - MINOR	18	18
ALARM - BUSINESS	24	24
ALARM - RESIDENTIAL	4	4
AMBULANCE CALL - FREEPORT	136	136
AMBULANCE CALL - OYSTER CREEK	15	15
AMBULANCE CALL - SURFSIDE	11	11
ANIMAL CONTROL - GENERAL	170	170
ASSAULT	7	7
ATTEMPT TO SERVE - WARRANT	3	3
AUTO THEFT	1	1
BAR CHECK	31	31
BEACH PATROL	2	2
BROADCAST	11	11
BURGLARY - BUILDING	2	2
CITY ORDINANCE VIOLATION	8	8
CIVIL MATTER	24	24
CIVIL STANDBY	3	3
CLERK CHECK	43	43
CLOSE PATROLLING AREA	299	299
CLOSE PATROL REQUEST	4	4
COURTESY TRANSPORT	1	1
CPS RELATED INVESTIGATION	11	11
CRIMINAL MISCHIEF	6	6
CRIMINAL TRESPASSING	9	9
DEBRIS IN ROADWAY	4	4
DISCHARGE FIREARM	4	4
DISTURBANCE PHYSICAL	10	10
DISTURBANCE VERBAL	20	20
DISTURBANCE WEAPONS	2	2
Duplicate Call	2	2
FIRE - ALARM	2	2
FIRE CALL	17	17
FIRE CALL MUTUAL AID	1	1
FIREWORKS	1	1
FLAGGED DOWN	7	7
FOLLOW UP	17	17
FOUND PROPERTY	7	7

Description	Totals	
FRAUD	6	6
GAS/CHEMICAL RELEASE	6	6
HARASSMENT	4	4
HIGH WATER	1	1
HOSPICE DEATH	1	1
INSPECTION	6	6
JAIL DUTY	4	4
JUVENILE COMPLAINTS	11	11
K9 INSPECTION	1	1
LOST ARTICLE/PROPERTY	1	1
MENTAL HEALTH CALL/REFERAL	6	6
MISCELLANEOUS	47	47
MISSING JUVENILE	2	2
MISSING PERSON	2	2
MOTORIST ASSIST	12	12
NARCOTICS COMPLAINT	1	1
NOISE COMPLAINT	20	20
OPEN DOOR/WINDOW	1	1
OTHER AGENCY ASSIST	12	12
PANHANDLING	2	2
PARKING VIOLATION	5	5
PRISONER TRANSPORT	12	12
PUBLIC INTOXICATION	1	1
RECKLESS DRIVER	18	18
RECOVER RUNAWAY	1	1
REPORT DROPPED IN ERROR	6	6
REPOSESSION VEHICLE	15	15
RUNAWAY	3	3
SPEAK WITH OFFICER	48	48
SPECIAL ASSIGNMENT	1	1
SPECIAL WATCH	1	1
SUBJECT CONTACT	24	24
SUSPICIOUS CIRCUMSTANCE	21	21
SUSPICIOUS NOISE	4	4
SUSPICIOUS SUBJECT	22	22
SUSPICIOUS VEHICLE	19	19
TERRORISTIC THREATS	5	5
THEFT	20	20
TOWED VEHICLE	1	1
TRAFFIC COMPLAINT	12	12
TRAFFIC CONTROL	1	1
TRAFFIC STOP	268	268
UNWANTED SUBJECT	21	21
WARRANT MUNICIPAL	1	1
WATER / STREET DEPT CALLOUT	21	21
WELFARE CONCERN	11	11

Description**Totals**

	11	11
Totals	1765	1765

Freeport Police Department

Monthly Incidents CC

Printed on December 15, 2023

Reported	Case Number	Offenses	Description
11/01/23	FPD23-1423	CITY WARRANT	TRAFFIC STOP
11/01/23	FPD23-1424	INCIDENT REPORT	AMBULANCE CALL - FREEPORT
11/01/23	FPD23-1425	CRIMINAL MISCHIEF/CLASS C	CRIMINAL MISCHIEF
11/01/23	FPD23-1426	CITY WARRANT	TRAFFIC STOP
11/01/23	FPD23-1427	THEFT PROP >=\$2,500<\$30K	THEFT
11/02/23	FPD23-1428	INCIDENT REPORT	INCIDENT REPORT
11/02/23	FPD23-1429	INCIDENT REPORT	ABANDONED VEHICLE
11/02/23	FPD23-1430	INCIDENT REPORT	JUVENILE COMPLAINTS
11/02/23	FPD23-1431	FRAUD - GENERAL	FRAUD
11/02/23	FPD23-1432	CITY WARRANT	WARRANT MUNICIPAL
11/02/23	FPD23-1433	INCIDENT REPORT	RUNAWAY
11/02/23	FPD23-1434	INCIDENT REPORT	TRAFFIC STOP
11/02/23	FPD23-1435	DRIVING WHILE INTOXICATED	TRAFFIC STOP
11/03/23	FPD23-1436	FAILED TO STOP AT DESIGNATED	TRAFFIC STOP
11/03/23	FPD23-1437	INCIDENT REPORT	FOUND PROPERTY
11/04/23	FPD23-1438	PUBLIC INTOXICATION	SUBJECT CONTACT
11/04/23	FPD23-1439	INCIDENT REPORT	ABANDONED VEHICLE
11/04/23	FPD23-1440	CRIMINAL MISCHIEF >=\$100<\$750	CRIMINAL MISCHIEF
11/05/23	FPD23-1441	PUBLIC INTOXICATION	SUSPICIOUS CIRCUMSTANCE
11/05/23	FPD23-1442	INCIDENT REPORT	AMBULANCE CALL - FREEPORT
11/05/23	FPD23-1443	INCIDENT REPORT	SUSPICIOUS CIRCUMSTANCE
11/05/23	FPD23-1444	PUBLIC INTOXICATION	DISTURBANCE WEAPONS
11/06/23	FPD23-1445	DUTY ON STRIKING UNATTENDED	ACCIDENT - MINOR
11/06/23	FPD23-1446	BURGLARY OF BUILDING	BURGLARY - BUILDING
11/06/23	FPD23-1447	POSS DEL DRUG PARAPHERNALIA	SUSPICIOUS CIRCUMSTANCE
11/06/23	FPD23-1448	PUBLIC INTOXICATION	RECKLESS DRIVER
11/07/23	FPD23-1449	THEFT PROP >=\$100<\$750	THEFT
11/07/23	FPD23-1451	INCIDENT REPORT	FOUND PROPERTY
11/07/23	FPD23-1450	THEFT PROP >=\$100<\$750	THEFT
11/07/23	FPD23-1452	OTHER JURISDICTION WARRANT	TRAFFIC STOP
11/07/23	FPD23-1453	INCIDENT REPORT	FOUND PROPERTY
11/07/23	FPD23-1454	THEFT CLASS C	THEFT
11/08/23	FPD23-1455	INCIDENT REPORT	911 CALL
11/08/23	FPD23-1456	FAILURE TO MAINTAIN FINANCIAL	TRAFFIC STOP
11/09/23	FPD23-1457	RESIST ARREST SEARCH OR	SUSPICIOUS SUBJECT
11/09/23	FPD23-1458	DEATH INVESTIGATION	AMBULANCE CALL - FREEPORT
11/09/23	FPD23-1459	POSS CS PG 1/1-B <1G; OTHER	UNWANTED SUBJECT
11/09/23	FPD23-1460	FRAUD - GENERAL	FRAUD
11/09/23	FPD23-1461	PUBLIC INTOXICATION	911 CALL
11/09/23	FPD23-1462	FRAUD - GENERAL	SPEAK WITH OFFICER
11/09/23	FPD23-1463	INCIDENT REPORT	SPEAK WITH OFFICER
11/09/23	FPD23-1464	FAIL TO REMAIN AND REPORT	ACCIDENT - HIT & RUN
11/09/23	FPD23-1465	POSS CS PG 1/1-B <1G; DRIVING	SUSPICIOUS VEHICLE

Reported	Case Number	Offenses	Description
11/10/23	FPD23-1466	OTHER JURISDICTION WARRANT	DISTURBANCE PHYSICAL
11/10/23	FPD23-1467	INCIDENT REPORT	MENTAL HEALTH CALL/REFERAL
11/10/23	FPD23-1468	ASSAULT INT/RECK BREATH/CIRC	ASSAULT
11/10/23	FPD23-1469	PUBLIC INTOXICATION	DISTURBANCE PHYSICAL
11/10/23	FPD23-1470	CRIMINAL MISCHIEF >=\$100<\$750	UNWANTED SUBJECT
11/10/23	FPD23-1471	OTHER JURISDICTION WARRANT	PRISONER TRANSPORT
11/11/23	FPD23-1472	AGG ASSAULT W/DEADLY	ASSAULT
11/11/23	FPD23-1473	INCIDENT REPORT	MENTAL HEALTH CALL/REFERAL
11/11/23	FPD23-1474	CAPIAS WARRANT	TRAFFIC STOP
11/12/23	FPD23-1475	AGG ASSAULT W/DEADLY	ASSAULT
11/12/23	FPD23-1477	INCIDENT REPORT	AMBULANCE CALL - FREEPORT
11/12/23	FPD23-1476	RESIST ARREST SEARCH OR	CITY ORDINANCE VIOLATION
11/12/23	FPD23-1478	ASSAULT CAUSES BODILY INJURY	ASSAULT
11/12/23	FPD23-1479	TETHERING	CITY ORDINANCE VIOLATION
11/12/23	FPD23-1480	INCIDENT REPORT	FOUND PROPERTY
11/13/23	FPD23-1481	THEFT PROP >=\$100<\$750	THEFT
11/13/23	FPD23-1482	CITY WARRANT	PRISONER TRANSPORT
11/13/23	FPD23-1484	PAROLE VIOLATION	MISSING PERSON
11/13/23	FPD23-1483	UNAUTH USE OF VEHICLE	UNAUTH USE OF A VEHICLE
11/13/23	FPD23-1485	THEFT CLASS C	THEFT
11/14/23	FPD23-1487	BURGLARY OF BUILDING	THEFT
11/14/23	FPD23-1486	INCIDENT REPORT	ANIMAL CONTROL - GENERAL
11/15/23	FPD23-1488	CAPIAS WARRANT	TRAFFIC STOP
11/15/23	FPD23-1489	INCIDENT REPORT	MENTAL HEALTH CALL/REFERAL
11/15/23	FPD23-1490	CPS/APS REFERRAL	JUVENILE COMPLAINTS
11/15/23	FPD23-1491	AGG ASSAULT CAUSES SERIOUS	ASSAULT
11/15/23	FPD23-1492	INCIDENT REPORT	CIVIL MATTER
11/16/23	FPD23-1493	INCIDENT REPORT	ABANDONED VEHICLE
11/16/23	FPD23-1494	THEFT PROP >=\$100<\$750	THEFT
11/16/23	FPD23-1495	LEAVING CHILD UNATTENDED IN A	FLAGGED DOWN
11/16/23	FPD23-1496	PUBLIC INTOXICATION	CRIMINAL TRESPASSING
11/17/23	FPD23-1497	OTHER JURISDICTION WARRANT	911 CALL
11/17/23	FPD23-1498	INCIDENT REPORT	MISCELLANEOUS
11/17/23	FPD23-1499	FORGERY FINANCIAL	FORGERY
11/17/23	FPD23-1500	CREDIT CARD OR DEBIT CARD	CREDIT/DEBIT CARD ABUSE
11/17/23	FPD23-1501	THEFT PROP >=\$750<\$2,500	THEFT
11/18/23	FPD23-1502	ASSAULT CAUSES BODILY INJURY	DISTURBANCE VERBAL
11/18/23	FPD23-1503	CITY WARRANT	PRISONER TRANSPORT
11/19/23	FPD23-1504	PUBLIC INTOXICATION	911 CALL
11/19/23	FPD23-1505	INCIDENT REPORT	AUTO THEFT
11/19/23	FPD23-1506	INCIDENT REPORT	HOSPICE DEATH
11/19/23	FPD23-1507	INCIDENT REPORT	AMBULANCE CALL - FREEPORT
11/19/23	FPD23-1508	INCIDENT REPORT	OTHER AGENCY ASSIST
11/19/23	FPD23-1509	INCIDENT REPORT	911 CALL
11/20/23	FPD23-1510	FAILURE TO MAINTAIN FINANCIAL	TRAFFIC STOP
11/20/23	FPD23-1511	CRIMINAL MISCHIEF >=\$100<\$750	UNWANTED SUBJECT
11/20/23	FPD23-1512	THEFT CLASS C	THEFT

Reported	Case Number	Offenses	Description
11/20/23	FPD23-1513	PUBLIC INTOXICATION	SUSPICIOUS SUBJECT
11/21/23	FPD23-1514	ACCIDENT INVOLVING DAMAGE TO	ACCIDENT - HIT & RUN
11/21/23	FPD23-1515	OTHER JURISDICTION WARRANT	MISCELLANEOUS
11/21/23	FPD23-1516	THEFT CLASS C	THEFT
11/21/23	FPD23-1517	INCIDENT REPORT	FOUND PROPERTY
11/21/23	FPD23-1518	INCIDENT REPORT	RUNAWAY
11/22/23	FPD23-1519	ASSAULT FAM/HOUSE MEM	ASSAULT
11/22/23	FPD23-1520	THEFT CLASS C	SPEAK WITH OFFICER
11/23/23	FPD23-1521	DEATH INVESTIGATION; INCIDENT	AMBULANCE CALL - FREEPORT
11/23/23	FPD23-1522	INCIDENT REPORT	ASSAULT
11/23/23	FPD23-1523	TERRORISTIC THREAT PEACE	DISTURBANCE VERBAL
11/24/23	FPD23-1524	INCIDENT REPORT	MISSING PERSON
11/24/23	FPD23-1525		CRIMINAL TRESPASSING
11/24/23	FPD23-1526	ASSAULT BY PHYSICAL CONTACT	DISTURBANCE PHYSICAL
11/24/23	FPD23-1527	THEFT PROP <\$2,500 2/MORE	BURGLARY - BUILDING
11/24/23	FPD23-1528	CITY WARRANT	SUBJECT CONTACT
11/25/23	FPD23-1529	THEFT PROP >=\$750<\$2,500	THEFT
11/25/23	FPD23-1530	RESIST ARREST SEARCH OR	DRIVING WHILE INTOXICATED
11/25/23	FPD23-1531	INCIDENT REPORT	INCIDENT REPORT
11/25/23	FPD23-1532	INCIDENT REPORT	ANIMAL CONTROL - GENERAL
11/25/23	FPD23-1534	INCIDENT REPORT	MENTAL HEALTH CALL/REFERAL
11/25/23	FPD23-1533	INCIDENT REPORT	TRAFFIC STOP
11/25/23	FPD23-1535	POSS CS PG 1/1-B <1G	TRAFFIC STOP
11/26/23	FPD23-1536	CAPIAS WARRANT	TRAFFIC STOP
11/26/23	FPD23-1537	FAIL TO REMAIN AND REPORT	ACCIDENT - HIT & RUN
11/26/23	FPD23-1538	FAILURE TO APPEAR	WARRANT MUNICIPAL
11/26/23	FPD23-1539	INCIDENT REPORT	TERRORISTIC THREATS
11/27/23	FPD23-1540	INCIDENT REPORT	SUSPICIOUS CIRCUMSTANCE
11/27/23	FPD23-1541	INCIDENT REPORT	PRISONER TRANSPORT
11/27/23	FPD23-1542	ASSAULT CAUSES BODILY INJ	SPEAK WITH OFFICER
11/27/23	FPD23-1543	CURRENT ADDRESS NOT ON DL	TRAFFIC STOP
11/27/23	FPD23-1544	CPS/APS REFERRAL	AMBULANCE CALL - FREEPORT
11/28/23	FPD23-1545	CRIMINAL TRESPASS	911 CALL
11/28/23	FPD23-1546	CRIMINAL MISCHIEF >=\$100<\$750	CRIMINAL MISCHIEF
11/28/23	FPD23-1547	CITY WARRANT	PRISONER TRANSPORT
11/28/23	FPD23-1548	INCIDENT REPORT	SPEAK WITH OFFICER
11/29/23	FPD23-1549	POSS CS PG 1/1-B >=1G<4G	DISTURBANCE VERBAL
11/29/23	FPD23-1550	PUBLIC INTOXICATION W/3 PRIOR	SUSPICIOUS SUBJECT
11/29/23	FPD23-1551		ANIMAL CONTROL - GENERAL
11/29/23	FPD23-1552	INCIDENT REPORT	SUSPICIOUS CIRCUMSTANCE
11/29/23	FPD23-1553	THEFT OF FIREARM	THEFT
11/29/23	FPD23-1554	SPEEDING; OPEN CONTAINER;	TRAFFIC STOP
11/29/23	FPD23-1555	FORGERY FINANCIAL	FRAUD
11/29/23	FPD23-1556	INCIDENT REPORT	ASSAULT
11/29/23	FPD23-1557	INCIDENT REPORT	RUNAWAY
11/30/23	FPD23-1558		ANIMAL CONTROL - GENERAL

Reported

Case Number

Offenses

Description

Total Records: 136

Freeport Police Department

Monthly Traffic Stops CC

Printed on December 15, 2023

Descriptions	Totals	
Advice Given	2	2
Arrest	30	30
Arrest; Citation Issued	3	3
Citation Issued	96	96
CVE - No Violation	2	2
Handled By Officer / Deputy	5	5
Report Taken	1	1
Written Warning Issued	184	184
Totals	323	323