



**AGENDA
REGULAR MEETING
FREEPORT CITY COUNCIL
MONDAY, JANUARY 22, 2024 AT 6:00 PM**

Mayor:

Brooks Bass

Council Members:

Jeff Pena

Jerry Cain

George Matamoros

Winston Rossow

City Manager:

Lance Petty

THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON MONDAY, JANUARY 22, 2024 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. Wastewater Treatment Plant Status Update From Freese and Nichols Engineering (**Lance Petty**)

CONSENT AGENDA:

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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.

2. Consideration and possible action on the approval of City Council Meeting Minutes, from January 8, 2024. (**Clarisa Molina**)
3. Consideration and possible action on the approval of road closures for Mardi Gras on Saturday, February 10, 2024. (**Ana Silbas**)
4. Consideration and possible action on the approval of road closures for Community Resource Fair on Saturday, February 24, 2024. (**Ana Silbas**)
5. Consideration and possible action approving the date change for the 2nd meeting in February from Monday, February 19, 2024 to Tuesday, February 20, 2024 for the President's Day Holiday. (**Clarisa Molina**)
6. Consideration and possible action approving Resolution No. 2024-2831 for the Joint Election Agreement and Contract for Election Services with Brazoria County and the City of Freeport. (**Clarisa Molina**)

COUNCIL BUSINESS – REGULAR SESSION:

7. Consideration and possible action on awarding Professional Engineering Services to Kimley Horn. (**Lance Petty**)
8. Consideration of approving Ordinance No. 2024-2717 calling the Annual General Election for the City of Freeport for the first Saturday in May, being May 4, 2024 at which voters of said City residing in Wards B and D shall be permitted to vote for or against the candidates for positions B and D on the City Council of the City of Freeport and at which voters of said City shall elect at large a Mayor for said City. (**Clarisa Molina**)
9. Consideration and possible action regarding the recommendations of the Freeport Charter Review Committee to place items for consideration on the upcoming ballot for the Freeport Elections in May of 2024. (**Lance Petty**)
10. Consideration and possible action to adopt Ordinance No. 2024-2718 calling the Charter Amendment Election. (**Lance Petty**)
11. Consideration and possible action on re-allocation of golf course green re-surfacing funds to fairway and turf improvements. (**Brian Dybala**)

12. Consideration and possible action on reallocation of golf course equipment funds to purchase two mowers. **(Brian Dybala)**
13. Consideration and possible action approving Resolution No. 2024-2832 amending the personnel policy handbook regarding changes to the City's social media policy. **(Donna Fisher)**
14. Consideration and possible action approving the sale of Block 46, Lot 13. **(Laura Cramer)**
15. Discussion on Payment of Hotel Occupancy Taxes by Short Term Rental Businesses **(Lance Petty)**

WORK SESSION:

16. 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. City Manager Lance Petty announcements and comments.
 - G. Updates on current infrastructure.
 - H. Update on reports / concerns from Department heads.

CLOSED SESSION:

17. Executive Session: regarding (Personnel Matters) a.) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; (contract with City Manager - Lance Petty) and Update on Investigation into complaints filed against Councilman Pena pursuant to section 551.074. (Deliberations about Real Property) b.) Deliberate agreement on property located at 1201 N. Avenue H pursuant to section 551.072. (Consultation with Attorney) c.) Update on Covarrubias action pursuant to section 551.071.

COUNCIL BUSINESS – REGULAR SESSION:

18. Take any action resulting from Executive Session.

ADJOURNMENT:

19. 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,
City Secretary, City of Freeport, Texas



MEMORANDUM



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www.freese.com

TO: Lance Petty – Interim City Manager
FROM: David Hunn – Freese and Nichols, Inc.
SUBJECT: Package Wastewater Treatment Plant Replacement Update
DATE: 1/17/2024
PROJECT: CDBG-MIT No. 22-085-047-D300

The following is an update of the actions taken since the last Council Meeting to determine ways to close the funding gap for the Package Wastewater Treatment Plant Replacement:

1. Potential to reduce electrical scope of work and costs

Following the Grant Administrator's confirmation that reduction of scope of no more than 25% of the bid amount would be allowed on Non-Grant bid items, FNI has continued to work with Wharton-Smith to identify items that could reduce or defer the cost of the package plant contract.

Below is an update on the potential cost reductions for the two electrical options previously presented for consideration:

- a. Option 1 – Defer construction of the new Motor Control Center (MCC) by:
 - i. Continue to run existing equipment from their current MCCs.
 - ii. Construct a new MCC adjacent to the new package plant that will only serve the package plant.
 - 1. MCC equipment will be outdoors on a foundation with weather-proof enclosures.
 - 2. Service for the MCC will come from the adjacent overhead line.
 - 3. A duct bank will be constructed to allow the new package plant to be powered by the existing generator during emergency operation.
 - 4. Based on pricing provided by Wharton-Smith, a savings of \$1,665,000 could be realized with this option.

- b. Option 2 – Defer construction of the new MCC by:
 - i. Continue to run existing equipment from their current MCCs by:
 - ii. Construct a new MCC adjacent to the new package plant that will only serve the new package plant. This is similar to Option 1, with the exception that a building will be constructed to house the MCC:
 - 1. The new MCC building will be smaller building (approximately 15' x 25')
 - 2. As with Option 1, power for the MCC will be taken from the adjacent overhead power line.
 - 3. A duct bank will be constructed to allow the new package plant to be powered by the existing generator during emergency operation.
 - 4. Based on pricing provided by Wharton-Smith, a savings of \$1,289,300 could be realized with this option.

2. Defer construction of new chemical feed facilities

- a. Continue to use the existing chemical feed facilities and defer construction of all the new chemical feed facilities in this project.
 - i. This would allow for a full deduction of the \$520,000 for these facilities.

3. Authorization to Use Grant Fund

Currently the Grant Administrator has indicated that GLO has not given Authorization to Use Grant Funds (AUGF). Awarding the project prior to receiving this authorization will jeopardize the current grant funding.

The Texas Historical Commission (THC) has determined that an archeological survey will not be required for this project. However, this change required that the Finding of No Significant Impact (FONSI) needed to be re-advertised for public comment. The FONSI was reposted for public comment at City Hall on December 13, 2023 and left on display until January 2, 2024.

The Environmental Review Record was submitted on January 12th. There will be a 15 day comment period after which we should receive comments from the GLO on Saturday, January 27th. If no significant comments are received, Authorization to Use Grant Funds could be issued by January 29, 2024. Immediately following the comment period, the City will submit a Request to Release Grant Funds.

Both bidders had agreed to hold their bids until January 18, 2024. However, the timing of the Authorization to use Grant Funds did not coincide with the City Council's meeting schedule and did not allow time for any unanticipated delay that may occur. For these reasons, FNI is contacted both bidders to provide written confirm that they would hold their bid pricing for an additional 30 days allowing for the contract to be awarded by February 17, 2024

4. Request for additional grant funding

We are currently working with the Grant Administrator to request additional funds for the package plant. Currently many projects are facing the same issues with cost escalation. The chances of receiving additional grant funding for this project are low, but we feel that this request should be made on the City's behalf to make sure we have explored this option.

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, January 8, 2024 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:

- Lance Petty, City Manager
- Tommy Ramsey, Interim City Attorney
- Clarisa Molina, Interim City Secretary/Administrative Assistant
- Cathy Ezell, Finance Director
- Toby Cohen, IT Manager
- Donna Fisher, Human Resource Director
- Kacey Roman, Building Official
- Jennifer Howell, Police Chief
- Chris Motley, Fire Chief
- Rudy Ragle, Utility Manager

Visitors:

David McGinty	Sam Reyna
G. Green	Lamar Jordan
Karla Clark	Con McCleester
Melanie Oldham	Diane McCleester
Manning Rollerson	Pamela Dancy
Margaret Bachman	Charles Johnson
Ron Bachman	Patti Richardson
Scott McKay	

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:

Melanie Oldham resides at 1206 West 5th Street. She said, being a new member of the Historical Main Street committee, she was reading the books provided to her by Ms. Ana and discovered how important HOT taxes are for the citizens. She said different City Councils can vote on how the HOT taxes can be used. Ms. Oldham said HOT taxes could be used for revitalization of a downtown historic district. She said the regulations and ordinances should be enforced by everybody because this money would go towards positive things. She said there is one building downtown that has a wooden fence, but there is nothing to keep people from going in there. She asked the Council to look into securing the buildings in the downtown.

Manning Rollerson resides at 126 West 6th Street. He said he came to the Council because he made a decision he feels the citizens of Freeport need change. Mr. Rollerson said 40 years ago the City government was doing the same thing the City Council has done. He said 40 years ago Walker Royalty walked away with \$20 million and Olson & Olson were representing the City. He said then the issue with Raymond Garivey was that the Council did not want to be forthcoming with the citizens of Freeport until they had to find out on the late show. Mr. Rollerson said then the issue with Braztex LLC that the Council covered for. He said there is the issue that the Council threw away cases the other night with the same law firm, Olson & Olson. He said then, there was Covarrubias \$345,000 and the Council said withdraw and dismiss without cause. Mr. Rollerson said the cause was the \$345,000 that triggered him to the separation package. He said the truth is needed and terminated as such. He said to stop paying people to do wrong because that is what is being done. Mr. Rollerson said this is why he filed Article 1 of the City charter against Councilman Matamoros, Councilman Rossow, and Councilman Cain. He said he let the Mayor go. He said the ones being elected never get in trouble. He said the Council is too busy and not making sure the house is not being robbed, but it is being robbed on their watch. He said the Council should all be recalled.

PRESENTATIONS/ANNOUNCEMENTS:

AOKA Engineering – Presentation to provide services to the City for Plan Review, Permitting and Inspections.

Stephen Encino said they are a third- party company that helps with plan review and inspections. He said essentially anything when it comes down to permitting. He said they have professionals that are ICC certified as well as master code professionals which is the highest designation for any type of plans examiners within the industry. He said they help with an array of things like building, plan review, and inspections for brand new buildings as well as remodels. He said they also help with anything civil if the city were to need it, as far as project management, fire protection, health services, and training services. He said they would love work for with the city if possible to help make the building department more robust especially with the growth the city is seeing.

Mayor Bass asked what is exactly do they do and what services can they provide the City? Stephen Encino replied and said plan review and inspections. Mr. Encino said building inspections and review architectural plans for Code to make sure they are up to code based on what the city standards and ordinances are. Mayor Bass asked how quick would this be done? Mr. Encino replied and said they have a guaranteed turnaround times on plan review it says five business days and they average about three. Mr. Encino said for inspections the next day a 24 hour turnaround time on inspections. Mayor Bass asked who scheduled the inspections? Mr. Encino said depending on the process with the City whether it is a permit dedicated clerk or they have contractors essentially funneled into a scheduling system. Mayor Bass asked if an individual applied for a permit and does not have the proper documentation the company does not do anything about that? Mr. Encino said they review the architectural plans and if they do not have the permit approved through the city they do not touch it unless approved by the city first. Mr. Encino said if the city needed a dedicated permit clerk they can also do that but typically the city would have that in place. Mayor Bass asked City Manager Lance Petty what is his position on this is? City Manager Lance Petty said he does not have a position right now and he wanted to hear more about the company and look more into it. Mr. Petty said if this is something the Council wants to pursue and RFP would have to be issued and once the RFP's are back they can compare apples to apples.

Mayor Bass said he does not believe the issues come from the Code Department issuing from the City of Freeport. Mayor Bass asked if an individual came in with a handwritten drawing and wants it to be approved is that something that would be approved? Mr. Encino said in the state of Texas it does not have to be architecturally or engineered stamped but technically if it is legible yes. Mayor Bass asked what does the city currently accept? City Manager Lance Petty said currently the staff does accept hand drawings and work with the residents. Mayor Bass asked how specific do they have to be? Mr. said measurement wise, as long as the measurements, exits, and anything to do with fire and code as long as it can be measured to the city ordinance that should be enough. Mr. Encino said if there is issues throughout the plan review process they are in constant communication with either the resident or contractor to get updated.

Councilman Cain asked where they are office out of? Stephen Encino said the headquarters is in Fort Worth but do have an office in Houston and Austin.

Mayor Bass asked how many cities are they doing this for in Brazoria County? Stephen Encino said none at the time.

Sam Reyna asked if this is more like an electronic software program? Stephen Encino said no, it is not an electronic software. Mr. Encino said they have a software to be able to track permits, and typically they work with the city if they have their own software or they also provide a free software as well.

Karla Clark said what she is understanding is they are a third party but they have structural inspectors, electrical, plumbing and if work is needed to be done they will come down in a 24 hour period and what all do they inspect on? Stephen Encino said yes when it comes down to anything code it is a 24 hour turnaround times. AOKA Building Official Jason Ellison said they can do it all from electrical, mechanical, building, plumbing, architectural plan review, structural plan review, fire code, inspections, fire code plan review, and are pretty much a one stop shop and whatever is needed they can do. AOKA Building Official Jason Ellison said this is a brand new company and a new motto that is quality and communication, he said if anyone has a question they provide their phone numbers and they can get in touch with them right away and if it is something that has to be done the same day he is just down the road. AOKA Building Official Jason Ellison said he wants to get involved in this community mainly because he loves it and lives here and is familiar with this area.

COUNCIL BUSINESS – REGULAR SESSION:

Consideration and possible action on the approval of City Council Meeting Minutes, from December 18, 2023.

A motion was made by Councilman Cain to approve the City Council Meeting Minutes, from December 18, 2023, seconded by Councilman Matamoros with all present voting "Aye" 4-0, council unanimously approved the motion. Councilman Pena was not present for this motion.

Public Hearing: Consideration and possible action amending Ordinance No. 2023-2712 regarding changes to City of Freeport Zoning Ordinance section 155.501 Standards for Residential Infill Development to allow single family residences and carports to be built on single 25-foot lots.

Mayor Bass opened the Public Hearing at 6:17P.M.

Building Official Kacey Roman said this item had been to the City Council before being instructed to table it and was taken before Planning and Zoning. She said the Planning and Zoning did have a public hearing on this, and wanted the Council to know two of the members were absent that night. She said the three members that were there made a quorum, and it was a unanimous vote to approve this. Ms. Roman said the suggested changes to the ordinance were as follows: for the following changes to apply to both cottages and small cottages, allow for single family residences (small cottage and cottages) to be built on single 25ft lots, should be allowed with a Limited Use "L" Requirement (not a Specific Use Permit), must have 2 paved off-street

parking spots, are not required to have a garage or carport if there is enclosed Outdoor Storage provided, minimum setbacks 15ft front, 5 side, 5 rear, if parking in rear with a developed alley- 15 ft front setback, if parking in the front-25ft front setback, minimum lot are 2,5000 sq ft, minimum lot width 25 ft, minimum Dwelling size 850 sq ft. with outdoor storage closed/ building, number of existing lots needed-1, and clarification: do not require the lots to have a developed alleyway, and do not restrict parking to the rear.

George Green asked why they want to keep building beachfront houses in the middle of a regular neighborhood? He said these houses are great on the water front but do not belong in a neighborhood like this. He said these houses are trailers on stilts in the middle of the neighborhood. Mr. Green said he is concerned about these houses being in the neighborhood and with no place to park.

Lamar Jordan is the owner of some 25ft Velasco lots. He said orphan lots is the term coined by the City staff for lots that cannot be paired up. He said as a property owner he appreciates the consideration of some proposed changes to the City's ordinances that will allow the construction of houses on 25ft lots. Mr. Jordan said he thinks it is only fair that the owners of the property be allowed to use their property. He said what there is now under the current zoning laws is a complete prohibition of using their property. He said he hopes for change. He said this ordinance as he reads it is all positive changes. He said it allows construction of a single family residence called small cottage housing on a 25ft lot, 850 sq ft minimum, without outdoor storage required, making it possible for a more affordable one-story house that will better blend into existing neighborhoods than a two-story house. Mr. Jordan said this ordinance has dropped the garage or carport requirement as Councilman Jerry Cain suggested. He said it does have a parking requirement for two paved off-street spots. He said the front setbacks vary according to front or rear access, but it does maintain the five-foot setbacks on the sides, which is universal for all residential construction. Mr. Jordan said he would like to point out that there is nothing about zero lot lines like Realty World asked for several years ago. He said this ordinance also dropped a specific use permit as suggested by Councilman Jeff Pena. He said, in an effort to avoid delays and another layer of unnecessary government bureaucracy, he is right, all the required notices and more public hearings are not needed. He said he knows that specific use permits are sometimes required, but it is usually with regard to commercial property and instances of certain businesses, and if the permit is denied, the property owner will have to find another type of business to use the property. He said that in this case regarding these lots, if a special use permit was denied, there are no alternatives to permit the use of ones property. Mr. Jordan said there needs to be a way to use these 25ft lots. He said everybody wants more rooftops in Freeport and everybody would like to have more affordable options for people to own a home. He said the problem is most people would prefer a lot to be vacant if it is next door to them, and they should buy it and not have their government craft an overly restrictive ordinance that prevents the neighboring property owner from the use of their land. He said the neighbors may have enjoyed living next door to a vacant lot for years, they may have been mowing it for years, it may look like part of their yard, they may feel like it is theirs, but it is not. He said they have not paid for it, do not have a title for it, they do not pay the taxes on it, and it is not theirs. Mr. Jordan said after three Planning and Zoning meetings and this being the second Council meeting considering all of this, he wants to thank everyone for their time and efforts on this, including the City staff, P&Z commissioners, Mayor, and all the Council members. He said this ordinance is good.

Charles Johnson said he lives at the corner of North Avenue M 1203 and Skinner St. He said he chose to live in Freeport because he wanted to make that community there a better place to live. He said there was a 25ft lot to the west side where he was building a house. He said he was finally able to purchase the 25ft lot, but he had already built the house and could not stretch it out to the 25ft lot. Mr. Johnson said he is against putting 25ft lot houses in between the houses they have in that area and all over Freeport. He said he wants his neighborhood to look good and not look like a Third World country in the city. He said this is not fair, and it is not right. He said something must be done that will make Freeport look good and look better. Mr. Johnson said the people that own these 25ft lots are looking to make money off of them. He said as a citizen of Freeport he wants something in the neighborhoods that they can be proud of. He said he wants what is right and best for Freeport and not what is right for somebody's pocket.

Scot McKay of Simple Homes thanked the City staff, City Attorney, Planning and Zoning, Mayor, and Council for the hard work and persistent work to develop this ordinance. He said this has taken an incredible amount of time, effort, and cooperation among many people, and it is greatly appreciated. Mr. McKay said he believes this is a win for everybody. He said this is making it possible for affordable housing to be built in Freeport. He said he believes it is a win for the City and new homes mean a growing tax base. He said this means an increase in school enrollment and residents are more likely to spend their money and their disposable income here rather than in the surrounding cities. He said he believes it is a win for the lot of owners. He said they now have the opportunity to do something with their land if they so choose, and are no longer limited to only maintaining the lots and paying taxes. He said he believes it is a win even for the neighborhoods. Mr. McKay said this brightens a neighborhood by having a positive impact by encouraging neighbors and taking pride in homeownership. He said he also believes it is a win for the builders wanting to construct affordable housing, it gives to them a chance to meet a critical need to enhance the City of Freeport and be a blessing to a family. He thanked the Council for creating this ordinance and bringing a big win for Freeport.

Melanie Oldham said she has to respectfully disagree. She said she has heard this conversation for two years, and she wishes that all five of the Planning Commission board members would have been there. She said it said about limited use permits and this means they would not have to tell people that they were going to build tiny homes on the 25ft lots. She said with the specific use permit she understands there would be a compromise where they would come before and have builders. She said if they are going to build them right and quality quality, they should not have any problem getting a special use permit and the adjacent homeowners would have to be notified. She said if nothing else, a specific use permit should be asked for to be fair to the adjacent homeowners that have lots between them.

Manning Rollerson said he knows the Council knows how he feels about building houses in Freeport. He said nobody in the community came out about the housing issue. He said people are living in houses that are killing them. He said his cousin died in a trailer from a skin disease because she got it from the trailer. Mr. Rollerson said there are people living in conditions in these places because they are unsafe homes here and the community only comes out when it is next door to them. He said he does not care if there is next door to them there are people that are living on the streets and are living in conditions that are not safe. He said there is an environmental issue in this city, and they want to cry about who is next door to their house. He said he wants homes in this city. Mr. Rollerson said the 380 houses that were built for \$300,000 and \$400,000 when they were supposed to be built for low income. He said the \$8.9 million was for homes and for the Council to stop people that do not want houses built. He said they do not come until they want something. He said for the Council to get some houses.

Mayor Bass asked the difference between paved and concrete? Building Official Kacey Roman said the impervious paved surface does not have to be concrete, they could do black top or asphalt. Mayor Bass said he is not for that. Ms. Roman said right now it is not allowed to park on gravel, but it has to be a black top or concrete. She said that is what the impervious surface is defined as right now. Mayor Bass said paved asphalt already has repairs on that versus a paved parking lot with oil leaking from a car, it will break down the oil in the asphalt. Mayor Bass asked the difference between limited use versus specific use permit? Building Official Kacey Roman said for a specific use they would have to go before Planning and Zoning every time to get a permit. She said a limited use permit allows people to build without them having to go before Planning and Zoning, but there are specific restrictions. Mayor Bass asked what changed from the last time when it required a specific use permit? Ms. Roman said there were citizens present at the last meeting with discussion that were trying to be more business friendly and were worried that some of the deals might fall through if the land was purchased and went for a specific use permit and were denied the specific use permit, and now they have land they can not use and this might discourage builders. Mayor Bass asked, how would a specific use permit for a 25ft lot, what is a typical reason for its denial? Ms. Roman said it would probably have to take into consideration the lot on the side if a building had been built without a permit, and it is already over a property

line and putting another building right up against another building might be a reason for denial. She also said if a drainage ditch slopes too far and the lot is not buildable, and other circumstances. Ms. Roman also said if the lot is next to a school it would cause a hazard if the driveway of the school is too close. Mayor Bass said these examples are not bad examples to work off of, and it is still under the guidances of the offices of the City in regard to specific rules that there are. Ms. Roman said the international building codes have to be followed. She said it would not create a fire hazard because they do not require less than the 5ft side setbacks that is standard across the United States. Ms. Roman said it allows 10ft between the buildings so it is 5ft on your side and 5ft on theirs with a 10ft gap between the buildings that would not create a fire hazard for the communities.

Carolyn Johnson resides at 1203 North Avenue M. She said she is not against the 25ft lots, but she is against building in between houses. She said if there are several 25ft lots where you can have several of those houses in one area, that would be a reason to allow them to have the 25ft lots. She said if in the ordinance it said they would be restricted from building between houses that are existing that are on 50ft lots, then it would be a good way for the builder to use the lots. She said there are lots that can be used to build houses that are very similar. She said they do not have a choice and can not move their houses. She said she built her house and made it nice and there were no 25ft lots. Ms. Johnson said they are all about the same distance from the street and with no alleys in that area. She said if the driveway was not at the back of the house, the front would have to be used and that is how the house would be out of line with the rest of the houses. She said in her opinion there are things that can be done with 25ft houses and not hurt the people that already have homes that can not pick them up and move them. She said she wanted the Council to consider this ordinance as it is not proper, but if more things are added to it, then it will be easier for those who already have houses to accept 25ft lots in the area.

Councilman Pena said he recently read an article in the Facts that someone had written a letter to the editor referencing the article about Nerada Real Estate investments. He said the letter claimed to say how bad and downtrodden it is in Freeport because of the low income. He said there were no economic opportunities, high crimes, and the city hall did not provide adequate services for the residents. Councilman Pena said he hopes there is a responsive letter to the person that wrote the article to the Facts newspaper to let them know they are categorically incorrect about Freeport. He said Freeport is ripe with opportunity. He said to ask the City of Brazoria that was given the ETJ to or ask the Port that was given a tract of land which is called the East End for \$9million. He said there are so many relators that are frustrated that there is not enough housing in Freeport. He said how can people say they are pro-residential and put up barriers that slow down and or stop development. He said you can not be both, you can not be anti-industrial and anti-residential because that just makes you anti-freeport and anti-growth. He said this tells him there are voids in people's knowledge base and there are those demonized ideas of what a 25ft lot is and what it is not. Councilman Pena said the second cancer development next to overreaching code enforcement is nemi syndrome. He said nemi syndrome is the biggest obstacle to development. He said when he thinks about nemi syndrome he thinks about all the residents that are over in Bridge Harbor that said they did not want Kisuma in their backyard. He said he would appreciate code enforcement to reduce and lower the hurdles. Councilman Pena said he is glad Planning and Zoning and those that were there had the sense to say let's move this forward and make the changes that make sense to have more development, houses, families, and a future Freeport. Councilman Pena said when talking about incentives that it is the language of businessmen but also the language of every resident here. He said if somebody wanted to build a 20ft wide home on a 25ft lot, they asked which neighbor would allow them to go to the left or the right, and they got a 25% discount on their property tax. He said he guarantees there will be fewer people complaining about it and would be lining up to say yes live next to them.

Councilman Cain asked currently how many 25ft vacant lots are there in the City? Building Official Kacey Roman said she would say more than 50 for sure, but closer to 100.

Councilman Matamoros said while doing his research on this there are well over 135 lots. He said the majority of those lots are in contiguous plots of land that can not be developed. He said, but they are really talking about 15 lots, maybe max 20 lots, in the Velasco Heights subdivision. He said the majority of those lots are built in or

within existing housing. He said people come to Freeport and say it is a great place to live. He said the neighborhoods that have been together for 60 years plus make it a great place to live in Freeport. He said when this first came up, this was his first encounter in city politics. Councilman Matamoros said there was a builder who wanted to put houses on zero lot lines. He said there was a deal with the developer and residents received notification about this, and they went to a Board of Adjustment meeting and said this is not what they want as residents, and he was one of those residents. He said, while at the meeting, the residents said if this was done correctly, they would be for it, and it dropped and thought it was over. Councilman Matamoros said he has been the liaison for the Board of Adjustments and Planning and Zoning and speaks to the residents who this affects, which is the majority of the residents within his ward. He said the residents in his ward were not for this, but they are for development, but if it is done right. He said when talking to residents throughout the ward, some residents were at the meeting tonight speaking about this, and he had been called a liar by Jeff, Mario and others, who said there were no residents who were against this. He said this is why he asked for this to be tabled at the last council meeting. Councilman Matamoros said he spoke with Ms. Roman and, at the time, with Mr. Kelty and said maybe there could be an agreement on this if there were stipulations. He said stipulation number one was a specific use permit, that way if there is a lot in between two existing houses those residents can be made aware before it is being built. He said the second compromise was to make sure the parking is in the back, the way the neighborhoods look would change and are trying to do it as minimal as possible. He said if doing the parking in the back would alleviate the issues that are being seen now with some of the streets, especially in the Avenues in Velasco Heights which are barely 16ft wide. He said adding more and more houses with parking in the front, inevitably they are going to park on the road, and it will create other issues and also change the neighborhood. Councilman Matamoros said he thinks if the parking is in the back it can be agreed on. He said, but this brought up another issue with having no alleys in the back. He said the City does not have the funds to take care of that and to institute new alleys. He said for the property owner or builder who wants to build on these 25ft lots it would be their dime to put an alley. He said this was agreed on, and it went through Planning and Zoning which passed, went to the Council where there was some push back, which is fine, it is City Government. He said this is back with some changes. Councilman Matamoros said he lives probably three houses down from a 25ft lot. He said he did not purchase his house to have a house built and make his neighborhood look different from what it is now. He said Ms. Richardson had said too bad. Councilman Matamoros said she has lived in Freeport for less than two years. He said he has lived in Freeport for 40 years. He said there are a lot of individuals who have recently moved to the City who do not care about the charm that has made it, and they just see dollar signs. He said it has been brought up about people being able to profit off their investments, which he is not against of. He said there are people who have tried to purchase lots in between but were told no or were given high prices, so it was not feasible. Councilman Matamoros said if an ordinance can be made that does not change the existing-owned residents of Freeport he is all for it, but as it is written now, this is not something that he could go and look at the people he represents in their face and say this is what is best for Freeport and them because it is not. He said it is going to change the way the neighborhoods look now, and it would not make it a place people would want to come to and make it their home.

Councilman Pena said he never said that George did not have somebody who did not want this. He said he heard about this meeting when the meeting happened and, of course there were people who did not want this. He said people lost their jobs because of the meeting. He said the former EDC Director lost his job because of that meeting. Councilman Pena said it is a little disingenuous when you say you like these 25ft lots, but so long the parking is in the back, and it is kind of crawfishing the whole argument because, in reality it will say it is in the back, but for those streets that do not have an alley that is a dead deal right there in terms of a compromise that is not a real compromise it is pitched up because they know it is cost prohibitive and no developer is going to develop the alley not for an infill but maybe for those acres on Avenue J and Skinner that were sold for \$150,000. He said, but for the infill for the streets that do not have alleys, it is silly to even say that you are compromised. He said let's be honest and not put up a compromise as a smoke screen for what it is really not, it is not a compromise, it is a trick. He said let's look for a real compromise and thought Councilman Cain did that and said when there are allies they would put them in the back and when there are no alleys, they would be put

in the front, and the reason why was because it is also cost prohibitive to the City to maintain if new alleys are put in. He said to be smart about this, he asked why do we have development, and why do we have an EDC? He said they are trying to cultivate investment, development, commerce, new homes, new families, and new ideas, not 60-year-old ideas. He said he thinks the generosity and the kindness and the hospitality of everybody in Freeport would actually be very open and welcoming to a young family who is just trying to get into a starter home. He asked if anybody really believes that a 25ft lot 15ft wide is a forever home? He said it might be a retirement home or might be a starter home, but let's give all those folks who are looking for affordable housing a chance and why not here in Freeport.

Patti Richardson resides at 21 North Avenue A. She said she just wanted to make sure the Council knew that when she came here three years ago she came with a dream that she would be part of the growth and the improvement of Freeport. She said we live in an industrial town. She said the illnesses and the things that happen when you live in this town you can not ever sure that they are related to the industry or not. She said we have to make compromises because we are what we are. Ms. Richardson said it is an industrial town with a lot of industry with only a little bit of residential. She said if the residential is not improved, we are just going to keep treating the people that have invested and started their homes here like they are just paying the bill instead of watching the community grow. She said the neighborhood needs to change because it is ugly. She said not every house in this town is ugly, but a huge percentage needs a lot of work and attention. Ms. Richardson said she drives the neighborhoods looking for vacant homes and most of the homes she is looking at she thinks are vacant, but there is someone living in them, and they look so scary and debilitated and need attention. She said she thinks if the property taxes were not so high maybe they could put a little more money into their homes and improve where they live and what they have. She said what she mostly sees is three or four homes that are well-kept and 10 that are not. She said when she tries to sell in this neighborhood they tell her if there is any place else they can look at. She said they do not mean down the street they mean a different town. She said they think Clute is a little bit of a step up, but they prefer Lake Jackson because the people that come here and buy here, it is because it is an investment opportunity, and they can possibly pick something, fix it up, and then sell it. She said that is what we want. She said we want investors to come in to do the dirty work and then let them have the opportunity to create new residents that might make the community a little bit better. She said she thinks all of us would come together if there was something exciting and wonderful to get behind that created opportunity for everyone.

Karla Clark said she believes it was last year Mr. Cohen came and wanted to develop some property in the same general area with \$300 homes. She said that was pretty much inequitable for that area. She asked if those lots are 25ft lots and the one the City owns back behind the Minute Market in the same area in the Heights? She said maybe Mr. Jordan and them could look at that to do something in those sections. She said she knows there are no streets and such, but it is a different kind of thought for housing in that same general area. She said she believes if she is not mistaken, the City owns that. Ms. Clark said to work with them on developing that in that area with some type of little homes. She said out in Oyster Creek the Preserve is beautiful and they are basically small tiny homes. She said Mr. Jordan has been around for a long time, and she trusts and believes in his type of work. She said there might be others that went to the Planning and Zoning when she was on the board and wanted to do things too. She said the circle of land, can be used for something less than \$300,000 homes with TIRZ, on those stipulations that would be eligible for people that have to MUD districts and would not be piling up taxes on top of that.

Mayor Bass closed the Public Hearing at 7:07P.M.

A motion was made by Councilman Pena to pass the Ordinance as presented, seconded by Councilman Cain with all present voting 3-2 motion passed. Mayor Bass and Councilman Matamoros voted "Nay".

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

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

Discussion and update on Rental Inspection Program.

Building Official Kacey Roman said this is a continuation of the discussion about the rental inspection program. She said everything at this point was just proposed. She said included in the packet is a sample ordinance that was used in another city and also two samples of inspection sheets. She said there is a meeting on Thursday night at City Hall and all the apartment owners and managers have been invited. She said they were invited to have a discussion about what their concerns might be. She said she also invited the Lake Jackson Building Official since they have successfully run a similar program for the past 15 years. She said she would also like to invite the Council who would like to attend. She said everything on the inspection lists there is a section and a code next to it, and it is either by city ordinance or by property maintenance code. She said the proposed \$2.50 per month/per unit would only be paid by each owner or tenant on their water bill.

Mayor Bass said he wants it to expand already into residential as well and wants Building Official Kacey Roman to think about how that would be done. Building Official Kacey Roman said it could be done like in the sample ordinance. She said it says things that would be required in five years. Mayor Bass said a lot of what Manning says is right about the housing stock in Freeport. Ms. Roman said it is very difficult with legalities to inspect occupied homes. Mayor Bass said he agrees, but that is why there would be some type of registration program where it would be known when the owners or the landlord inform the City when it has been changed occupancy to be able to get in there. Ms. Roman said in the sample ordinance that is one of the requirements on the first of every month, the apartment owners have to provide a report to the City of all new vacancies that have changed since the previous month.

Mayor Bass said he would like to form a citizen committee to be a part of this process. Mayor Bass said he is looking for ideas in regard to numbers. Mayor Bass said each Council member should appoint one person to this committee, but it also would then need to include folks from the apartment complexes, multi-residential, and also folks now that are individual landlords to be a part of this. Mayor Bass said to have this item on the agenda for the next meeting where he expects each council person to have one person picked out from their ward to be part of this committee to work with Kacey, Code Department, Administration, Mr. Petty, and the City Council. Mayor Bass said it ultimately falls on the Council to get this done, but it will be done.

Building Official Kacey Roman asked if she should ask for volunteers at the Thursday meeting? Mayor Bass said she can ask for volunteers, but he wants the Council to make the appointment. Mayor Bass said Ms. Roman can get the list of volunteers to the Council and then the Council could determine if they are in the ward and then make a selection.

Councilman Pena said he is wondering if more people should be on this committee and, for that matter, be more specific and scientific about it. He said he would think that five people are going to dictate that.

Mayor Bass said five people are not going to dictate, but they are going to put forth their ideas and listen to the facts.

Councilman Pena said he likes the idea of each of the Council picking one person each, but he also likes the idea of not politicizing it and then maybe allowing Ms. Roman to find folks that actually want to volunteer their services and ideas.

Building Official Kacey Roman said once it is fine-tuned, tenants could also be invited to the meeting to explain to them, and they might have some insight as well.

Mayor Bass said that the meetings will also be open to anybody that wants to come and speak.

Karla Clark asked what time the meeting was on Thursday? Building Official Kacey Roman said it is at 5:30P.M. at City Hall and it is for the apartment owners and their managers.

Councilman Pena asked if it is strictly for the managers and the apartment owners or is it for the public? He asked if there would be an open meeting notice so that all the Council might be able to attend?

Mayor Bass said he would not be there for this meeting.

Councilman Pena asked how to satisfy the opportunity for the Council to show up to this meeting? Mayor Bass said to get there first at 5:00P.M. waiting because the notices had already been sent out for Thursday. Councilman Pena said to reschedule this and plan it right, so everybody can be there. Mayor Bass said why reschedule when we can start the process? Mayor Bass said he does not want to wait because lives are important now. Councilman Pena said maybe he is hurting lives too by making hasty decisions.

Consideration and possible action on the approval to waive permitting, building and inspection fees for residential reconstruction for 1219 W. 4th Street through the US Dept of Housing and Urban Development Program.

City Manager Lance Petty said Ms. Hilda Reyes who resides at 1219 West 4th Street has been approved for assistance under the County's Home reconstruction/rehabilitation program. He said Ms. Reyes has contracted with Cyprus Point Construction to complete the home build. He said the existing home has been demolished and this is only to waive the fees for the reconstruction. City Manager Lance Petty said inspections would still be required by the building department. He said the US Department of Housing and Urban Development's HOME Reconstruction/Rehabilitation program assists low to moderate income families repair their homes or, in the case that rehab is not feasible, reconstruct a new dwelling. These are grants funds from HUD that the County manages and distributes to participating jurisdictions throughout the County. City Manager Lance Petty said this program not only helps the individual with a more suitable living environment, but also prevents the city's housing stock from becoming more dilapidated, and in turn, promotes an increase in property values.

Mayor Bass made a motion to approve to waive, permitting, building and inspection fees for residential reconstruction for 1219 W. 4th Street through the US Dept of Housing and Urban Development Program, seconded by Councilman Matamoros with discussion that followed.

Councilman Cain said this is a great program and thinks this is the least to do.

Mayor Bass called the motion to a vote, with all present voting "Aye" 5-0 council unanimously approved the motion.

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.

Mayor Bass said it is mind blowing the museum experience and the panels that are in English and Spanish which was an incredible idea, so all the citizens have access to it. He said the way this is laid out is amazing and is very proud of Wade Dillon, his staff, and Lance. Mayor Bass asked if anyone knew that Freeport is Biblical? Mayor Bass said Freeport begat a lot of everything else. Mayor Bass said begat means causing it to happen, give birth to, and it is Biblical in Genesis that they were begetting folks and that is where beggating started. Mayor Bass said Freeport is history, its people begat Southern Brazoria County, and he truly believes

about the truth about the town itself or the people that were born here or lived here. He said Freeport and Velasco's history are intertwined, and it is absolutely amazing and what Wade and his staff have done at the Museum is all inspiring. Mayor Bass said he has been all over the country and has seen a lot of museums, big and small, and this one ranks right up there.

Councilman Pena Ward A announcements and comments.

Councilman Pena said Happy New Year to everybody and hoped everyone had a nice holiday. He said there were lighting contests and winners were announced. He said he wanted to applaud everybody that decorated their homes this holiday season. Councilman Pena said hopefully there is more community participation going forward in each ward and maybe have the City involved as well. He said more community programs that help promote the residents' homes, curb appeal, and the quality of life in the City will be announced. He said he wanted to make mention that there was a sign that he had notified the City about. He said there was a no truck sign coming off of 1495 onto Broad Street. He said the sign was torn down by somebody that illegally passed through the downtown. He said, as a downtown owner of one of the older buildings, the buildings shake. He said being a former liaison for Main Street, preservation is very important, so he wants to make sure that every effort is made by the City to make sure the structures downtown are preserved by making sure there are no heavy trucks passing through. He said by putting up the signs that can be prevented. He said there was a bolt turn off on the bottom of the sign and then a day later the top one also was turned off. He said this was a manual effort. Councilman Pena said this sign is still unfortunately not repaired. He said when he made this request he noticed the City staff came out there within an hour, which he was very pleased and blessed but is just curious as to why it has not been replaced since. He said there would be items in the executive session and did not know if he would be able to ask for those to be in the open session and also wanted to make sure he has the opportunity to make a motion before going into the executive session about security.

Councilman Cain Ward B announcements and comments.

Councilman Cain thanked everybody that came out tonight. He said he had been getting alerts all day saying it was supposed to be real nasty, but so far it has not been that bad. He said before the holidays there was a fire at Antonelli's building and wanted to commend the First Responders and the City itself. He said the Police Department came out right away with a fire extinguisher and the fire truck showed up shortly later and got the fire put out. Councilman Cain said they potentially saved one of the best landmarks. He said when he came back from vacation he stopped by to see the damage. He said, what damage? He said all the boards had been fixed and everything was repaired and repainted. He said this was a matter of time that he did not think anybody would have expected. He thanked Lance and his crew for doing a wonderful job. Councilman Cain said he wanted to congratulate Wade Dillon and the Museum. He said everyone that put on the grand reopening was such a success. He said he was not able to attend the ribbon cutting but understands there were closer than 100 people in attendance. He said he was able to be there in the evening and what was done at the Museum is incredible.

Councilman Matamoros Ward C announcements and comments.

Hotel Occupancy Taxes

Councilman Matamoros thanked the residents that attended in person and viewed online. He thanked the residents who spoke during citizens comments and agenda items. He said unfortunately he was home ill and was not able to attend the ribbon cutting and the museum preview. He said everything he has seen and heard makes it a huge success. Councilman Matamoros said the Museum is one of the hidden gems in Freeport. He said he suggested everybody that is able to go out to look at all the hard work Mr. Wade Dillon and Mr. McGinty have done. He said this is one of the jewels that Freeport has second to none. He said he would be getting out there to look at all the progress. Councilman Matamoros asked if there are Hotel Occupancy Taxes that are still owed by Councilmember Pena? Finance Director Cathy Ezell said at that time there had been no communication from Councilman Pena to set up a meeting for her to review his documentation on the payment of Hotel Occupancy Taxes. Ms. Ezell said the only communication she has had from Councilman Pena was an open records request which she provided over 320 pages him. Ms. Ezell said as of right now he has not scheduled a meeting with her. Ms. Ezell said because he does have a short-term rental which he had stated and

under state law that requires the payment of Hotel Occupancy Taxes but there has been no communication from her since the date she gave him the letter on November 6 to schedule any review or any meeting with her. Councilman Matamoros asked if it was City of Freeport policy for Ms. Ezell to schedule meetings with short-term rental owners to have them pay? Ms. Ezell said in this case, because the Finance Director is named in the ordinance that if there is a discrepancy of the City has not received payment, it is at her discretion whether to seek a remedy. Ms. Ezell said she had given Councilman Pena asking him to schedule something with her to seek a remedy for the payment. Councilman Pena asked if he could cut the tape a little here? Councilman Matamoros said it was his turn to speak, and Councilman Pena had had his turn to speak already. Councilman Matamoros said to Councilman Pena he had had his chance to not pay for his Hotel Occupancy Taxes and said he was a thief of City owed money. Finance Director Cathy Ezell said Councilman Pena does have a thing that he is going to dispute and he did have a question about his water bill and went to talk to her staff member to go over the water. Ms. Ezell said Councilman Pena had to dispute his Hotel Occupancy Tax bill with her, but he had to schedule a meeting to do so and he has not done so since November 6. Councilman Matamoros asked if Ms. Ezell has tried to schedule? Ms. Ezell said she had not tried to schedule because the letter said Councilman Pena said he had to schedule with her and he had not. Ms. Ezell said if something is not scheduled she will have to take the next step to get the meeting scheduled. Councilman Matamoros said he brought this up because it is heard all the time about why things are not able to be done in the downtown. He said many years of unpaid Hotel Occupancy are funds that can be used for that. Councilman Matamoros said all this hurts the City of Freeport and, for an elected representative, they should be held to a higher standard.

Councilman Rossow Ward D announcements and comments.

Councilman Rossow said the MLK worship service will be in Angleton on Thursday night at 7:30P.M. and everyone is welcome to attend. He said the MLK banquet would be at Brazosport College this Saturday night and also invited everyone to attend. Councilman Rossow said the MLK parade will be this Monday, starting at 11:00A.M. in Downtown Freeport and ending at a Festival in the Freeport Park and everyone is invited to attend and it is a free event. He said there would be all kinds of activities and this has been going on for the last 38 years. He said he happens to be on the board and that is why he is advertising it and would love for everyone to spread the word. He said he had the opportunity to attend the ribbon cutting in Downtown Freeport and it went well. Councilman Rossow said the Mayor did us proud, and it seems like every time he gets to speak it is like he does a book report on it and comes up with facts that people do now know anything about. He said the Mayor did a great job representing the City of Freeport because there were people from all over Brazoria County. He said it was an excellent job that had been done at the Museum. Councilman Rossow said there are a lot of problems at Bridge Harbor and those problems are going to have to be addressed by the City. He said the problems out there are going to cost a lot of money. He said he has been riding around Freeport and is impressed the workers are always working and not doing things that they should not be doing. He said our City looks good and things are getting done and people are working.

City Manager Lance Petty announcements and comments.

City Manager Lance Petty said Phase two of the road reconstruction should be completed by February and then there will be a final walk through on that section and then the cleanup will start dressing up the lay down yards, which may take six to eight weeks as much stuff as have piled up. He said the wastewater collection line replacement program is moving along and does have a second crew that will be coming in to start addressing the alleys that they caused some damage in. Mr. Petty said the Waste Water Treatment plant will be on the next agenda.

Updates on current infrastructure.

Update on reports / concerns from Department heads.

A motion was made by Mayor Bass to include Lance Petty in Executive Session, seconded by Councilman Matamoros with all present voting "Aye" 5-0 council unanimously approved the motion.

Tommy Pearson resides at 110 South Front Street. He asked how a citizen comes to address a certain

Councilman when they do not show up on time and are always late and citizens comments are over by the time they get there?

Councilman Pena said his email and phone number are available online, and he is welcome to questions before or after the meeting.

A motion was made by Councilman Pena to include the Police Chief in Executive Session for security measures to protect him from the Mayor. Motion died due to a lack of a second.

CLOSED SESSION:

Executive Session regarding Personnel Matters a) Update on Investigation into complaints filed against Councilman Pena b.) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; (contract with City Manager - Lance Petty) c.) Discussion regarding twelve-month disciplinary actions administered by Assistant City Manager/City Manager pursuant to section 551.074

The regular session closed at 7:42P.M. and Council entered into Executive Session.

COUNCIL BUSINESS – REGULAR SESSION:

Take any action resulting from Executive Session.

Executive Session ended at 8:40P.M., and Council entered back into regular session.

There was no action from Executive Session.

ADJOURNMENT:

Adjourn

A motion was made by Councilman Cain to adjourn the meeting, seconded by Councilman Matamoros with all present and voting "Aye" 5-0. Mayor Bass adjourned the meeting at 8:40P.M.

Brooks Bass, Mayor

Clarisa Molina, Interim City Secretary



City Council Agenda Item #3.

Title: Consideration and possible action on the approval of road closures for Mardi Gras on Saturday, February 10, 2024.

Date: January 22, 2024

From: Ana Silbas, Mainstreet Coordinator

Staff Recommendation: Main Street Staff recommends the approval of road closures for the 3rd Annual Mardi Gras Festival & Parade in Historic Downtown Freeport. This event was created to highlight our designated Main Street Area in accordance to the Main Street Four Point Approach.

Item Summary: Freeport Main Street will host the 3rd Annual Mardi Gras Festival & Parade on Saturday, February 10, 2024 in partnership with the Freeport Economic Development Corporation. The event will take place from 12pm-4pm. Freeport Main Street is partnering with On the River Restaurant to utilize their back parking lot on West Broad for all parade floats. The parade route will head East on 2nd Street from On the River Restaurant and take a right on West Park to end in Historic Downtown.

The requested road closures on Saturday, February 10, 2024 include the following:

9:00 AM- 6:00 PM	E. Park from 2 nd Street to 4 th Street Road Barrels at Broad and E. Park alley Road Barrels at Broad and East Side of W. Park
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Parade Route:	Intersection of Beech & West Broad
9:00AM-1:00PM	2nd Street at Beech Street to West Park Avenue

Background Information: The planned activities for this event include live entertainment by LT & the Zydeco Mob, King Cake Eating Contest, craft/food vendors and special activities. The festivities will kick off with a parade at noon including decorated floats with candy and beads by community businesses and organizations.

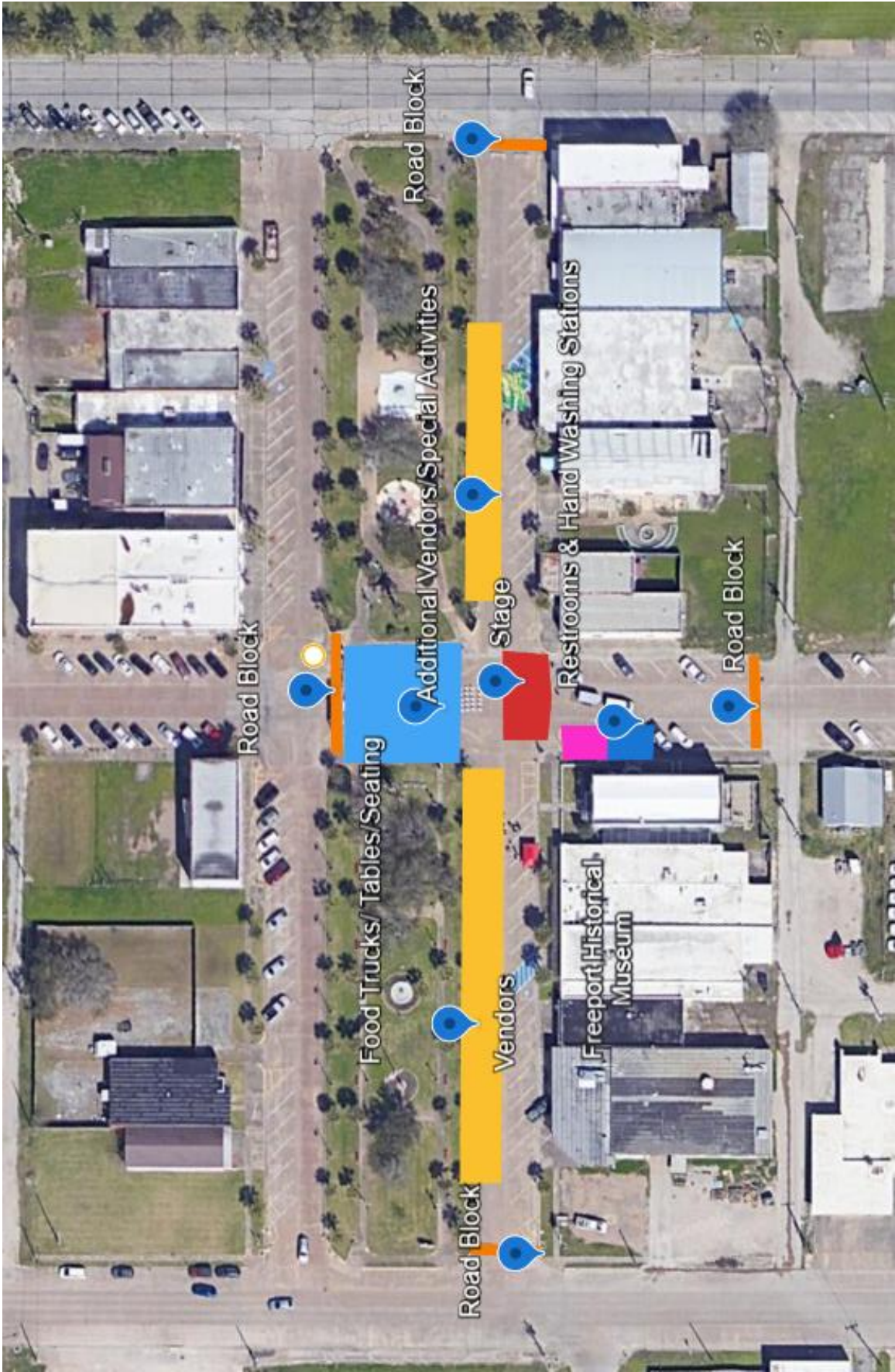
Special Considerations: N/A

Financial Impact: N/A

Board or 3rd Party Recommendation: The Freeport Historical Commission & Main Street Advisory supports the Mardi Gras Festival & Parade as an annual community event.

Supporting Documentation:

1. 2024 Mardi Gras Festival Road Closure Map
2. 2024 Mardi Gras Festival Parade Route Map
3. 2024 Mardi Gras Festival & Parade Event Flyer



2024 Mardi Gras Festival Parade Route Map



FREEPORT MAIN STREET
PRESENTS

MARDI GRAS

*Festival
& Parade*

12PM-4PM

SATURDAY

FEBRUARY 10, 2024

LET THE GOOD TIMES ROLL!

HISTORIC DOWNTOWN FREEPORT

**311 East Park Avenue
Freeport, TX 77541**



**MAIN STREET
FREEPORT**

More information contact: Ana Silbas, Main Street Coordinator
Phone: 979-871-0114 | Email: asilbas@freeport.tx.us



City Council Agenda Item #4.

Title: Consideration and possible action on the approval of road closures for Community Resource Fair on Saturday, February 24, 2024.

Date: January 22, 2024

From: Ana Silbas, Mainstreet Coordinator

Staff Recommendation: Main Street Staff recommends the approval of road closures for the **Share the Love Community Resource Fair** in Historic Downtown Freeport. This event was created to build partnerships, connect residents with community resources and highlight our designated Main Street Area in accordance to the Main Street Four Point Approach.

Item Summary: Freeport Main Street is set to partner with United Way of Brazoria County and Star of Hope to host the **Share the Love Community Resource Fair** on Saturday, February 24, 2024 from 9am-2pm in Historic Downtown Freeport. The planned activities for this event include community organization booths, special activities, music and food. **The requested road closures for Saturday, February 24, 2024 include the following:** 7:00 AM- 4:00 PM -- E. Park from 2nd Street to 4th Street | Road Barrels at Broad and E. Park alley | Road Barrels at Broad and East Side of W. Park

Background Information: This will be the first comprehensive community resource fair in partnership with United Way of Brazoria County and Star of Hope.

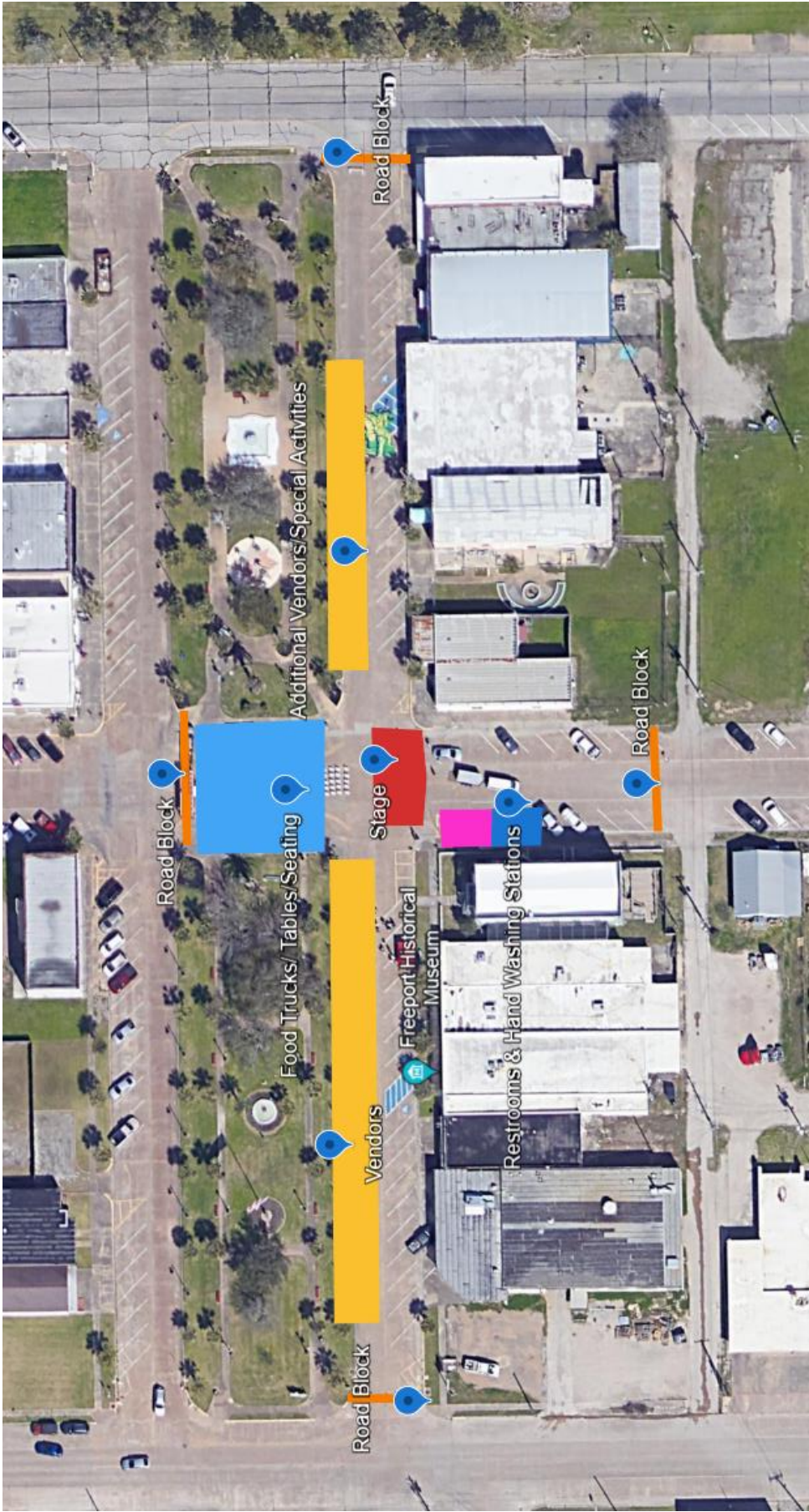
Special Considerations: N/A

Financial Impact: The event will be put on largely with in-kind services or donations.

Board or 3rd Party Recommendation: In alignment with Freeport Main Street's Strategic Priorities, this event aims to build partnerships with community organizations.

Supporting Documentation:

1. 2024 Share the Love Community Resource Fair Road Closure Map
2. 2024 Share the Love Community Resource Fair Event Flyer



Share the Love Community Resource Fair



February 24, 2024



United Way of Brazoria County, Star of Hope & Freeport Main Street invite all families to our first comprehensive Community Resource Fair!

Come visit with our community partners as they share love and resources in our community for FREE!



For more information,
contact: Ana Silbas
Main Street Coordinator
Email: asilbas@freeport.tx.us
Phone: 979-871-0114

Event Time: 9AM-2PM

Location:

Historic Downtown Freeport
311 East Park Avenue, Freeport TX



City Council Agenda Item #5.

Title: Consideration and possible action approving the date change for the 2nd meeting in February from Monday, February 19, 2024 to Tuesday, February 20, 2024 for the President's Day Holiday.

Date: January 22, 2024

From: Clarisa Molina, City Secretary

Staff Recommendation: Staff recommends rescheduling the second regular City Council Meeting in February, from Monday, February 19, 2024 to Tuesday, February 20, 2024 due to the President's Day Holiday.

Item Summary: The second regular meeting falls on Monday, February 19, 2024, and City Offices are closed and regular meetings suspended.

It is recommended that the meeting be rescheduled to Tuesday, February 20, 2024 at 6:00P.M.

Background Information: None

Special Considerations: None

Financial Impact: None

Board or 3rd Party Recommendation: None

Supporting Documentation:
None



City Council Agenda Item #6.

Title: Consideration and possible action approving Resolution No. 2024-2831 for the Joint Election Agreement and Contract for Election Services with Brazoria County and the City of Freeport.

Date: January 22, 2024

From: Clarisa Molina, City Secretary

Staff Recommendation: Staff recommends approving the Resolution for a Join Election Agreement and Contract for Election Services with Brazoria County.

Item Summary: This agreement allows Brazoria County to manage our election for the races in the upcoming election, including generating electronic ballots and absentee ballots, and operating polling places. The Freeport Library will continue as the location for Early and Election-Day voting.

Background Information: The City of Freeport annually partners with Brazoria County for elections and this is a re-adoption of previous agreements, changing the dates and races.

Special Considerations: None

Financial Impact: The rate sheet for the election is attached.

Board or 3rd Party Recommendation: None

Supporting Documentation:

1. Resolution 2024. 2831 joint contract for election services
2. CITY OF FREEPORT JOINT RESOLUTION CONTRACT
3. RATE SHEETS FOR BRAZORIA COUNTY ELECTIONS
4. NOTICE OF EV AT BRANCH POLLING PLACES-2024-05-04
5. ELECTION DAY VOTE CENTERS-JOINT LOCAL-2024-05-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; PROVIDING THAT THE ANNUAL ELECTION CALLED BY THE CITY COUNCIL OF SAID CITY FOR THE ELECTION OF COUNCIL MEMBERS FOR COUNCIL POSITIONS B and D, AND AN ELECTION FOR MAYOR, CALLED FOR THE FIRST SATURDAY IN MAY, 2024, BEING THE 4th DAY OF MAY, 2024, BE HELD JOINTLY WITH ALL ELECTIONS CALLED FOR THE SAME DAY BY OTHER POLITICAL SUBDIVISION LOCATED IN BRAZORIA COUNTY, TEXAS; AUTHORIZING THE MAYOR AND THE CITY CLERK OF SAID CITY TO EXECUTE AND ATTEST, RESPECTIVELY, A JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH THE COUNTY CLERK OF BRAZORIA COUNTY, TEXAS, WHICH SPECIFIES IN AN ATTACHMENT THERETO THE LOCATION OF THE COMMON POLLING PLACES AND WHICH MAKES PROVISION FOR THE OFFICERS OF SAID JOINT ELECTION AND THEIR COMPENSATION, ALLOCATES THE EXPENSES OF SUCH JOINT ELECTION AND MAKES PROVISIONS FOR EARLY VOTING, THE BALLOT, BALLOT BOXES, ELECTION FORMS AND RECORDS AND THE CUSTODIAN THEREOF; PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY CLERK IN THE PERMANENT RECORDS OF SAID CITY AND A CERTIFIED COPY THEREOF AND OF THE EXECUTED AND ATTESTED AGREEMENT HEREBY AUTHORIZED BE SENT TO THE COUNTY CLERK OF BRAZORIA COUNTY, TEXAS.

WHEREAS, Chapter 271 of the Texas Election Code, authorizes two or more political subdivision of this state located in the same county to hold jointly elections which are held on the same day; and,

WHEREAS, the City Council of the City of Freeport ("the City") has called an election on May 4, 2024, to elect a Mayor and for Positions B and D on the City Council of the City and,

WHEREAS, the County Clerk of Brazoria County, Texas, the county in which the City is located, has requested that the City hold such elections jointly with other political subdivisions in said county being held on the same day under the terms and conditions included in a written agreement and contract to be signed by the County Clerk and the appropriate officials of such other political subdivisions to which shall be affixed an attachment specifying the location of the common polling places and which agreement makes provision for the officers of said joint election and their compensation, allocates the expenses of such joint election and makes provisions for early voting, the ballot, ballot boxes, election forms and records and the custodian thereof for such joint election; and,

WHEREAS, the City Council of the City has determined and does here now declare that the adoption of this resolution and the execution of such agreement and contract is necessary to the health, safety and general welfare of the inhabitants of the City and will facilitate the holding of such elections.

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

First, that the election called by the City Council of the City for May 4, 2024, be held jointly with the elections called by other political subdivisions in

Brazoria County, Texas, for the same day, and the Mayor and City Clerk of the City are hereby authorized to execute and attest, respectively, a Joint Election Agreement and Contract for Election Services described above in the preamble of this resolution.

Second, that the locations of the common polling places and the officers of said election and their compensation be designated and fixed, the expenses of such joint election be allocated and the provisions for early voting, ballots, ballot boxes, election forms and records and the custodian thereof be made all as provided in said agreement and contract.

Third, that early voting in such joint election as well as voting on the day of such joint election shall be conducted jointly by the County Clerk of said county and the City Clerk of the City and the comparable election officer of all of the other political subdivisions participating in such joint election as provided in said agreement and contract.

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

Fifth, the original of this resolution, after execution and attestation, shall be maintained by the City Clerk in the permanent records of the City and a certified copy hereof, and the executed and attested agreement and contract hereby authorized, be sent to the County Clerk of Brazoria County, Texas.

READ, PASSED AND ADOPTED this ____ day of January, 2024.

Brooks Bass, Mayor,
City of Freeport, Texas

ATTEST:

Clarisa Molina, City Clerk,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

David Olson, Interim City Attorney,
City of Freeport, Texas

JOINT CONTRACT FOR ELECTION SERVICES

THIS CONTRACT (this "Agreement") is made effective as of the Effective Date (as defined below) by and between the CITY OF FREEPORT, TEXAS, acting by and through its governing body, hereinafter referred to as "Political Subdivision," and the County Clerk of Brazoria County, Texas, hereinafter referred to as "County," and by authority of Section 31.092(a), Texas Election Code, and Chapter 791, Texas Local Government Code, for the conduct and supervision of the Political Subdivision's election to be held on MAY 4, 2024. Political Subdivision and the County may be referred to individually as a "Party" and collectively as "the Parties."

This contract is made by and between the CITY OF FREEPORT, TEXAS, acting by and through its governing body, hereinafter referred to as "Political Subdivision," and the County Election Officer of Brazoria County, defined by statute as the County Clerk through the authority set forth in Texas Election Code §§31.091 and 31.092. The purpose of this contract is for the performance of election services as authorized by statute. This contract shall serve as the general contract for each election for which the Political Subdivision requests the assistance of the County Clerk. Provisions specific to each particular election will be included as an attachment to the original contract. Political Subdivision and County Clerk may be referred to individually as "Party" or collectively as "Parties."

RECITALS

The County Clerk has care, custody, and control over the electronic voting system, the Hart InterCivic Verity Voting System (Version 2.5.3), which has been duly approved by the Secretary of State pursuant to Texas Election Code Chapter 122, as amended, and is compliant with the accessibility requirements set forth by Texas Election Code Section 61.012. Political Subdivision desires to use the electronic voting system to compensate the County Clerk for such use and to share in certain other expenses connected with joint elections in accordance with the applicable provisions of Chapters 31 and 271 of the Texas Election Code.

NOW, THEREFORE, in consideration of the mutual covenants, agreements, and benefits to the parties, IT IS AGREED as follows:

I. ADMINISTRATION

The Parties agree to hold a "Joint Election" in accordance with Chapter 271 of the Texas Election Code and this Agreement. The County Clerk shall coordinate, supervise, and handle all aspects of administering the Joint Election as this Agreement provides. Political Subdivision agrees to pay the County Clerk for equipment, supplies, services, and administrative costs as provided in this Agreement. The County Clerk shall serve as the administrator for the Joint Election; however, the Political Subdivision shall remain responsible for the decisions and actions of its officers necessary for the lawful conduct of its election. The County Clerk shall provide advisory services in connection with decisions to be made and measures to be taken by the officers of the Political Subdivision.

It is understood that other political subdivisions may wish to participate in the use of the electronic voting system and polling places, and it is agreed that the County Clerk may enter into

other joint election agreements and contracts for election services for those purposes on terms and conditions set forth in the Election Code. Political Subdivision agrees that County Clerk may enter into joint election agreements with other political subdivisions that may have territory located partially or wholly within the boundaries of Political Subdivision, and, in such case, all parties sharing common territory shall share a joint ballot on the electronic voting system at the applicable polling places. In such cases, total costs shall be divided among the participants.

At each polling location, joint participants shall share voting equipment and supplies to the extent possible. The participating parties shall share a mutual ballot in those precincts where jurisdictions overlap. However, in no instance shall a voter be permitted to receive a ballot containing an office or proposition stating a measure on which the voter is ineligible to vote. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap.

II. LEGAL DOCUMENTS

Political Subdivision shall prepare, adopt, and publish all required election orders, resolutions, notices, and any other pertinent documents required by the Texas Election Code or Political Subdivision's governing body, charter, or ordinances. Regarding publications, the County Clerk will publish the "Notice of Test of Automatic Tabulating Equipment" and the "Notice of Election." If a Political Subdivision holds any Special Election, it may have to publish its own "Notice of Election" to meet additional requirements. Please advise the County Clerk's Elections Office if the Political Subdivision must publish a separate notice so the Political Subdivision's Notice is not included in the Notice published by the County Clerk.

Preparation of the necessary materials for notices and the official ballot shall be the responsibility of each participating authority, including translation to languages other than English. Each participating authority shall provide a copy of their respective election orders and notices to the County Clerk's Election Department.

III. STATUTORY COMPLIANCE

Political subdivisions shall follow all applicable State and Federal laws related to elections, including, but not limited to, Section 52.072 of the Election Code, which states in part, "A proposition shall be printed on the ballot in the form of a single statement."

Failure to do so may prohibit the political subdivision's participation in a Joint Election.

IV. VOTING LOCATIONS

The County Clerk's Election Office shall select and arrange for the use of and payment for all election-day voting locations. Voting locations will be, whenever possible, the usual voting location for each election precinct in elections conducted by the County. The proposed voting locations will be provided once the final candidate filing deadline has been met and listed as Attachment "A." If a voting location is unavailable, the Elections Department will arrange for an alternate location with the approval of the Political Subdivision. The Elections Department shall notify the Political Subdivision of any changes from the locations listed in Attachment "A."

If polling places for the joint election in Attachment "A" are different from the polling place(s) used by Political Subdivision in its most recent election, Political Subdivision agrees to post a notice no later than the date of the election described in Attachment "A," at the entrance to any previous polling places in the jurisdiction, stating that the polling location has changed, and displaying the political subdivision's polling place name(s) and address(s) in effect for the election described in Attachment "A." Any voting location changes from those used in the most recent COUNTYWIDE JOINT election will be posted by the County Clerk's Election Office.

V. ELECTION JUDGES, CLERKS, AND OTHER ELECTION PERSONNEL

The Brazoria County Commissioners Court shall appoint the presiding judge and alternate judge for each polling location per Chapter 32 of the Texas Election Code. If an emergency appointment is necessary, the appointment shall be made in accordance with Election Code §32.007, which authorizes the presiding officer of the Brazoria County Commissioners Court to make an emergency appointment. Should that officer not be available, the County Clerk's office shall make emergency appointments of election officials. Upon request by the County Clerk, the Political Subdivision agrees to assist in recruiting bilingual polling place officials (fluent in English and Spanish).

The County's Elections Department shall notify all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code. It will take the necessary steps to ensure that all election judges appointed for the Joint Election are eligible to serve.

The County Clerk shall arrange for the training and compensation of all election judges and clerks. The Elections Department shall set the date, time, and place for the presiding election judge to pick up their election supplies. Each presiding election judge will be sent a letter from the Elections Department notifying him of his appointment, the time and location of training and distribution of election supplies, and the number of election clerks that the presiding judge may appoint.

Each election judge will receive compensation at an hourly rate of \$14.00. Each election clerk will receive compensation at an hourly rate of \$12.00. The election judge will receive an additional \$25.00 for picking up the election supplies before Election Day and returning the supplies and equipment to the central counting station after the polls close. All judges and clerks who attend training will be compensated at an hourly rate of \$8.00 as compensation for the same.

All Parties agree that at all times and for all purposes hereunder, all election judges, clerks, and all other personnel involved in this election are temporary part-time employees subject only to those benefits available to such employees.

VI. PREPARATION OF SUPPLIES AND VOTING EQUIPMENT

The County Clerk Elections Department shall arrange for all election supplies and voting equipment, including, but not limited to, official ballots, sample ballots, voter registration lists, and all forms, signs, and other materials used by the election judges at the voting locations. At each polling location, joint participants shall share voting equipment and supplies to the extent possible. The participating parties shall share a mutual ballot in those precincts where jurisdictions overlap. However, in no instance shall a voter be permitted to receive a ballot containing an office or proposition stating a measure on which the voter is ineligible to vote. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap. The County Clerk Elections Department shall provide the necessary voter registration information, instructions, and other information to enable the election judges in the voting locations with more than one ballot style to conduct a proper election. If special maps are needed for a particular Political Subdivision, the County Clerk's Election Department will order the maps and pass that charge on to that specific Political Subdivision.

Political Subdivision shall furnish the County Clerk a list of candidates and propositions showing the order and the exact manner in which the candidate names and proposition(s) are to appear on the official ballot (including titles and text in each language in which the authority's ballot is to be printed). THE POLITICAL SUBDIVISION SHALL PROVIDE A COPY OF EACH CANDIDATE'S APPLICATION TO THE COUNTY CLERK ELECTIONS OFFICE. This list shall be delivered to the County Clerk Elections Department as soon as possible after each participating authority has determined ballot positions. Each participating authority shall proofread and approve the ballot pertaining to that authority's candidates and propositions. If any error or changes are discovered after the Logic and Accuracy test has been conducted and ballots prepared, then the Political Subdivision will be responsible for all costs.

VII. EARLY VOTING

The Parties agree to conduct joint early Voting and appoint the County Clerk as the Early Voting Clerk per Sections 31.097 and 271.006 of the Texas Election Code. Political Subdivision agrees to appoint the County Clerk's permanent county employees as deputy early voting clerks. The Parties further agree that each Early Voting Location will have an "Officer in Charge" who will receive compensation at an hourly rate of \$14.00. The clerks at each location will receive compensation at an hourly rate of \$12.00. Early Voting by personal appearance will be held at the locations, dates, and times listed in Attachment "B" of this document. Any qualified voter of the Joint Election may vote early by personal appearance at any one of the joint early voting locations.

As Early Voting Clerk, the County Clerk shall receive applications for early voting ballots to be voted by mail in accordance with Chapter 86 of the Texas Election Code. Any requests for early voting ballots to be voted by mail received by the Political Subdivision shall be forwarded immediately by fax or courier to the Elections Department for processing.

The Early Voting Clerk will post a copy of the daily early voting report on the county election website and a cumulative final early voting report following the election. We shall provide the Political Subdivision with the reports with written advance notice.

VIII. EARLY VOTING BALLOT BOARD

The County Clerk shall appoint an Early Voting Ballot Board (EVBB) to process early voting results from the Joint Election. With the assistance of the County Clerk Elections Department, the Presiding Judge shall appoint three or more additional members to constitute the EVBB. The County Clerk Elections Department shall determine the number of EVBB members required to efficiently process the early voting ballots.

IX. CENTRAL COUNTING STATION AND ELECTION RETURNS

The County shall be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and this Agreement.

The participating authorities hereby, in accordance with Sections 127.002, 127.003, and 127.005 of the Texas Election Code, appoint the following central counting station officials:

Counting Station Manager:	Lisa Mujica
Alternate Counting Station Manager:	Brandy Pena
Tabulation Supervisor:	Susan Cunningham
Alternate Tabulation Supervisor:	Johnathan Escamilla
Presiding Judge:	Dottie Cornett
Alternate Presiding Judge:	Tamara Reynolds

After counting all precincts, the County Clerk Elections Department will prepare the unofficial canvass reports. It will deliver a copy of the unofficial canvass to the Political Subdivision as soon as possible after all returns have been tabulated. All participating authorities shall be responsible for the official canvass of their respective elections.

The County Clerk Elections Department shall be responsible for conducting the post-election manual recount required by Section 127.201 of the Texas Election Code unless a waiver is granted by the Secretary of State. Notification and copies of the recount, if waiver is denied, will be provided to each participating authority and the Secretary of State's Office.

The County Clerk Elections Department shall electronically submit all Cities' precinct-by-precinct returns to the Texas Secretary of State's Office.

The County Clerk Elections Department shall post all election night results to the County website on election night. <https://www.brazoriacountyclerktx.gov>.

X. ELECTION EXPENSES AND ALLOCATION OF COSTS

The Parties agree to share the costs of administering the Joint Election. Unless specifically stated otherwise, allocation of costs is mutually agreed to be shared. The County participates in "Vote Centers"; therefore, all political subdivisions can vote at any location.

It is agreed that the standard rental rate charged for the County's voting equipment used on Election Day shall be calculated per polling location and among the participants utilizing each polling location. (See "Exhibit 1" for rental rates.) The total cost will be calculated and then multiplied by the Political Subdivision percentage number of registered voters or with the minimum of \$2000.00; for those with a lesser amount, additional costs associated will be itemized and billed.

Costs for Early Voting by Personal Appearance will also be charged with the same formula as Election Day. Those political subdivisions with a percentage of registered voters less than the amount equal to \$2000.00 will be a minimum amount of \$2000.00 for the early voting period.

Political Subdivision conducting a runoff shall be responsible for all associated costs.

XI. WITHDRAWAL FROM CONTRACT DUE TO CANCELLATION OF ELECTION

Political Subdivision may withdraw from this Agreement and the Joint Election should it cancel its election in accordance with Sections 2.051 - 2.053 of the Texas Election Code, or should it be later ruled that the election is not needed. Political Subdivision is fully liable for any expenses incurred by the County Clerk on behalf of the Political Subdivision. Any monies deposited with the County by the withdrawing authority shall be refunded minus the aforementioned expenses.

XII. RECORDS OF THE ELECTION

The County Clerk is hereby appointed general custodian of the voted ballots and all records of the Joint Election as authorized by Section 271.010 of the Texas Election Code.

Access to the election records shall be available to each participating authority and the public in accordance with applicable provisions of the Texas Election Code and the Texas Public Information Act. The election records shall be stored at the offices of the County Clerk or an alternate facility used to keep county records. The County Clerk Elections Department shall ensure that the records are maintained orderly so that they are identifiable and retrievable.

Records of the election shall be retained and disposed of in accordance with the provisions of Section 66.058 of the Texas Election Code. If records of the election are involved in any pending election contest, investigation, litigation, or open records request, the County Clerk shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of each participating authority to bring to the attention of the County Clerk any notice of pending election contest, investigation, litigation, or open records request that may be filed with the participating authority.

XIII. RECOUNTS

A recount may be obtained as provided by Title 13 of the Texas Election Code. Political Subdivision agrees that any recount shall take place at the offices of the County Clerk and that the County Clerk shall serve as Recount Supervisor and the Political Subdivision's official or employee who performs the duties of a secretary under the Texas Election Code shall serve as Recount Coordinator.

The County Clerk Elections Department agrees to provide advisory services to the Political Subdivision as necessary to conduct a proper recount, and the cost of the recount depends on the size of the election and the number of precincts to be recounted.

XIV. MISCELLANEOUS PROVISIONS

1. It is understood that to the extent space is available, other districts and political subdivisions may wish to participate in the use of the election equipment and voting places; it is agreed that the County Clerk may contract with such other districts or political subdivisions for such purposes and that in such event, there may be an adjustment of the pro-rata share to be paid to the County by the participating authorities.
2. The County Clerk shall file copies of this document with the County Treasurer and the County Auditor in accordance with Section 31.099 of the Texas Election Code.
3. In the event that legal action is filed contesting the Political Subdivision's election under Title 14 of the Texas Election Code, Political Subdivision shall choose and provide, at its own expense, legal counsel for the County, the County Clerk, and additional election personnel as necessary.
4. Nothing in this contract prevents any party from taking appropriate legal action against any other party and other election personnel for a breach of this contract or a violation of the Texas Election Code; however, any action taken is subject to any immunity provided by statute or common law to governmental entities. For purposes of this contract, the County Clerk's office acts as a governmental entity covered by any immunity available to Brazoria County.
5. The parties agree that under the Constitution and laws of the State of Texas, neither Brazoria County nor Political Subdivision can enter into an agreement whereby either Party agrees to indemnify or hold harmless another party; therefore, all references of any kind, if any, to indemnifying or holding or saving harmless for any reason are hereby deleted.
6. This Agreement shall be construed under and in accord with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Brazoria County, Texas.
7. In the event that one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement

shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

8. All parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and other entities with local jurisdiction.
9. The waiver by any party of a breach of any provision of this Agreement shall not operate as or be construed as a waiver of any subsequent breach.
10. Any amendments to this Agreement shall be of no effect unless in writing and signed by all parties.
11. **Authorization of Agreement.** This Agreement has been approved and authorized by the governing body of the Political Subdivision.
12. **Purpose, Terms, Rights, and Duties of the Parties.** The purpose, terms, rights, and duties of the Parties shall be as set forth in this Agreement.
13. **Payments from Current Revenues.** Each Party paying for the performance of governmental functions or services must make those payments from current revenues available to that paying Party.
14. **Fair Compensation.** The Parties acknowledge and agree that each payment contemplated by this Agreement fairly compensates the performing Party.
15. **Termination.** At any time and for any reason, either Party may terminate this Agreement by providing forty-five (45) days written Notice of termination to the other Party.
16. **Funding.** The Parties understand and acknowledge that the funding of this Agreement is contained in each Party's annual budget and is subject to the approval of each Party in each fiscal year. The Parties further agree that should the governing body of any Party fail to approve a budget that includes sufficient funds for the continuation of this Agreement, or should the governing body of any Party fail to certify funds for any reason, then and upon the occurrence of such event, this Agreement shall automatically terminate as to that Party and that Party shall then have no further obligation to the other Party. When the funds budgeted or certified during any fiscal year by a Party to discharge its obligations under this Agreement are expended, the other Party's ***sole and exclusive remedy*** shall be to terminate this Agreement.
17. **No Joint Enterprise.** The Agreement is not intended to, and shall not be construed to, create any joint enterprise between or among the Parties.
18. **Public Information.** This Agreement is public information. To the extent, if any, that any provision of this Agreement is in conflict with Texas Government Code Chapter 552, et seq., as amended (the "Texas Public Information Act"), such provision shall be void and have no force or effect.

19. **No Third-Party Beneficiaries**. This Agreement is entered solely by and between and may be enforced only by and among the Parties. Except as set forth herein, this Agreement shall not be deemed to create any rights in, or obligations to, any third parties.
20. **No Personal Liability**. Nothing in this Agreement shall be construed as creating any personal liability on the part of any employee, officer, or agent of any Party to this Agreement.
21. Nothing in this Agreement requires the Political Subdivision or County to incur debt, assess or collect funds, or create a sinking fund.
22. **Sovereign Immunity Acknowledged and Retained**. **THE PARTIES EXPRESSLY ACKNOWLEDGE AND AGREE THAT NO PROVISION OF THIS AGREEMENT IS IN ANY WAY INTENDED TO CONSTITUTE A WAIVER BY ANY PARTY OF ANY IMMUNITY FROM SUIT OR LIABILITY THAT A PARTY MAY HAVE BY OPERATION OF LAW. THE CITY AND THE COUNTY RETAIN ALL GOVERNMENTAL IMMUNITIES.**

XV. COST ESTIMATES AND DEPOSIT OF FUNDS

It is estimated that the Political Subdivision's obligation under the terms of this Agreement shall be DETERMINED AFTER THE ELECTION. Political Subdivision agrees to pay the County a deposit of \$2,000.00. This Deposit shall be paid to the County within 10 business days after the final candidate filing deadline. The final candidate filing deadline is February 16, 2024. Therefore, the Deposit is due by March 1, 2024.

The exact amount of the Political Subdivision's obligation under the terms of this Agreement shall be calculated after the election on MAY 4, 2024. If the amount of the Political Subdivision's obligation exceeds the amount deposited, the Political Subdivision shall pay the County the balance due within forty-five (45) days after receipt of the final invoice from the County's Election Department. However, if the amount of the Political Subdivision's obligation is less than the amount deposited, the County shall refund the excess amount paid to the Political Subdivision within forty-five (45) days after the final costs are calculated.

IN TESTIMONY HEREOF, this Agreement, its multiple originals all of equal force, has been executed on behalf of the parties.

(1) On the _____ day of _____, 2024, been executed on behalf of the County Clerk by the County Clerk pursuant to the Texas Election Code;

(2) On the _____ day of _____, 2024, has been executed on behalf of the Political Subdivision by its Mayor or authorized representative, pursuant to an action of the Political Subdivision.

BRAZORIA COUNTY, COUNTY CLERK by

Joyce Hudman, County Clerk

ATTEST:

CITY OF FREEPORT, TEXAS

_____ By _____
Presiding Officer or Authorized Representative
CITY OF FREEPORT

RATE SHEETS FOR BRAZORIA COUNTY ELECTIONS:

MAY (COUNTYWIDE JOINT)

EQUIPMENT RENTAL

CONTROLLER	\$350.00 each
SCANNER UNIT.....	\$425.00 each
ACCESS WITH TOUCH UNIT (DAU).....	\$375.00 each
TOUCH UNITS	\$325.00 each
POLLPADS	\$50.00 each
MI-FI/ HOTSPOT	\$50.00 each

This is not a daily charge. This price is for the entire election even if it is for 12days of voting.

OTHER CHARGES

Programming	\$300.00
Tabulating.....	\$150.00
Equipment Delivery and Pickup	
Truck Rental (per delivery location)	\$25.00
Labor (Per delivery location)	\$75.00
Supply tubs EV-ED (see attached list for contents)	\$75.00
Mail Ballots will be billed per entity kits including postageDomestic...\$1.74...Overseas...\$2.36	
Publications charged based on % of registered voters.....	

Workers-Judges	\$14.00 per hour -Overtime rate \$21.00 per hour
Clerks	\$12.00 per hour- Overtime rate \$18.00 per hour

ELECTION DAY

For Election Day, we will calculate the cost for each location (see Exhibit ‘A2”) the total cost for Election Day will then calculated per percentage of registered voters of each political subdivision. All political subdivisions in Brazoria County less than 1000 registered voters, charges will be the minimum of \$1500.00 for Election Day.

EARLY VOTING

For Early Voting we also calculate worksheets for each of the 10-11 early voting locations. Once we have the total cost for all locations, we do a spreadsheet that divides the cost between all political subdivisions based on the percentage of registered voters in each. Since we have large and small cities in our county, the minimum charge for early voting will be \$1500.00.

OVERTIME

We keep a record of our overtime for the May Elections and the staff gets paid overtime. Since we charge for programming and tabulations that money goes towards the employee’s overtime. If we have more overtime than covered by a calculated programming and tabulation fees, we will add in the additional overtime when sending the final bills.

RATE SHEETS FOR BRAZORIA COUNTY ELECTIONS:

NOVEMBER (COUNTYWIDE JOINT)

For November Elections, the Election Day and Early voting charges are just like the countywide joint in May. If the only political subdivisions at a location are Brazoria County and one entity, total cost calculated will be per percentage of registered voters for the entity.

Runoffs Elections will be the responsibility of whichever entity will be conducting a runoff election.

Any errors or changes related to a Political Subdivision oversight and if it results in reprogramming the entirety election, will be responsible for all associated cost.

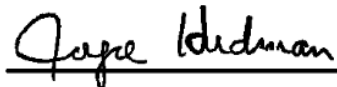
NOTICE OF EARLY VOTING AT BRANCH POLLING PLACES

Early voting by personal appearance will be conducted at the following locations:

Angleton (Main)East Annex, 1524 E Mulberry
AlvinAlvin Library, 105 S Gordon
BrazoriaBrazoria Library, 620 S Brooks
FreeportFreeport Library, 410 Brazosport Blvd
Lake Jackson.....Doris Williams Civic Center, 333 Hwy 332 East
ManvelManvel Annex, 7313 Corporate Dr
Pearland EastTom Reid Library, 3522 Liberty Dr
Pearland West.....West Pearland Community Center, 2150 Countryplace Pkwy
Shadow CreekWest Pearland Library, 11801 Shadow Creek Pkwy
Sweeny.....Sweeny Community Center, 205 W Ashley Wilson Rd
West Columbia.....Precinct 4 Building #2, 121 N 10th St

DATES AND HOURS:

April 22-27.....8 AM – 5 PM
April 29-30.....8 AM – 5 PM



Early Voting Clerk

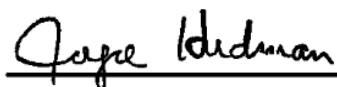
AVISO DE VOTACIÓN ADELANTADA EN LOS SITIOS DE VOTACIÓN AUXILIARES

La votación adelantada en persona se llevará a cabo en los siguientes sitios de esta manera:

Angleton (Ubicación Principal).....East Annex, 1524 E Mulberry
AlvinAlvin Library, 105 S Gordon
BrazoriaBrazoria Library, 620 S Brooks
FreeportFreeport Library, 410 Brazosport Blvd
Lake JacksonDoris Williams Civic Center, 333 Hwy 332 East
ManvelManvel Annex, 7313 Corporate Dr
Pearland EsteTom Reid Library, 3522 Liberty Dr
Pearland OesteWest Pearland Community Center, 2150 Countryplace Pkwy
Shadow CreekWest Pearland Library, 11801 Shadow Creek Pkwy
SweenySweeny Community Center, 205 W Ashley Wilson Rd
West ColumbiaPrecinct 4 Building #2, 121 N 10th St

FECHAS Y HORAS

22-27 de abril.....8 AM – 5 PM
29-30 de abril.....8 AM – 5 PM



Secretaria de la Votación Adelantada

	NOTE: Subject to change due to cancellation	
Home Pct #	Polling Place	Zip Code
1	East Annex (Old Walmart), 1524 E Mulberry, Angleton	77515
2	Precinct 4 Building #2, 121 N 10th St, West Columbia	77486
4	Brazoria Library, 620 S Brooks, Brazoria	77422
8	Oyster Creek City Hall, 3210 FM 523, Oyster Creek	77541
9	Bonney Annex Building, 19025 FM 521, Bonney	77583
11	Alvin ISD Heritage Complex, Liberty Alumni Hall, 10855 Iowa Colony Blvd, Iowa Colony	77583
12	Drainage District No. 4 Building, 4813 W Broadway, Pearland	77581
14	Sweeny Community Center, 205 W Ashley Wilson Rd, Sweeny	77480
15	Danbury Community Center, 6115 5th St, Danbury	77534
17	Freeport Library, 410 Brazosport Blvd, Freeport	77541
19	Clute Event Center, 100 Parkview Dr, Clute	77531
20	Jones Creek Comm House, 7207 Stephen F Austin Rd, Jones Creek	77541
23	Lake Jackson Library, 250 Circle Way, LJ	77566
26	Brookside Village Community Center, 6243 Brookside Rd, Brookside Village	77581
29	West Pearland Community Center, 2150 Countryplace Pkwy, Pearland	77584
37	Pearland Recreation Center, 4141 Bailey Rd, Pearland	77584
38	Surfside Beach City Hall, 1304 Monument Dr, Surfside Beach	77541
39	Alvin Library, 105 S Gordon, Alvin	77511
44	Silverlake Recreation Center, 2715 Southwyck Pkwy, Pearland	77584
46	Tom Reid Library, 3522 Liberty Dr, Pearland	77581
50	West Pearland Library, 11801 Shadow Creek Pkwy, Pearland	77584
65	Manvel Annex, 7313 Corporate Dr, Manvel	77578
75	Richwood City Hall, 1800 N Brazosport Blvd, Richwood	77531
Open only if city has an election:		
6	Liverpool City Hall, 8901 County Road 171, Liverpool	77577
25	Hillcrest Village Municipal Building, 200 W Timberlane, Alvin	77511



City Council Agenda Item #7.

Title: Consideration and possible action on awarding Professional Engineering Services to Kimley Horn.

Date: January 22, 2024

From: Lance Petty, City Manager

Staff Recommendation: Staff recommends Kimley Horn, as the company we engage for engineering services under a General services agreement, and requests that the city manager be authorized to negotiate an agreement to be brought back for Council consideration and approval.

Item Summary: Staff sent out a Request for Qualifications (RFQ) and invited engineering firms to submit for consideration to serve as City Engineer under a general services contract. At this time, the recommended firm is Kimley Horn, whose office is in Houston.

Background Information: A detailed RFQ was prepared and sent out and nine firms responded. The proposals were reviewed and scored by a committee that included Lance Petty, Dept. Directors Cathy Ezell, Tim Delashmit, and Rudy Ragle. The committee selected the 3 best proposals and invited those companies to make a presentation and be interviewed. All three firms were interviewed: Kimley Horn - December 21st, Adico - January 5th, HDR Engineering - January 10th. Kimley Horn, was selected to be the most qualified firm across the board to provide these services, and to have presented the best case to serve the city in this role. With a wealth of knowledge and experience, Mike Shelton, P.E., AICP would be the City's primary contact with Kimley Horn, and would lead a team of engineers that focuses solely on public project engineering.

Special Considerations: With the City Council's authorization, a contract with Kimley Horn will be negotiated and presented to Council on the February 5th Council meeting. There is the relocation of the east end lift station that is needed, as soon as possible, to begin design so the project can be put out to bid.

Financial Impact:

Board or 3rd Party Recommendation:

Supporting Documentation:

1. Kimley Horn



PREPARED FOR

CITY OF FREEPORT, TX

Statement of Qualifications

Professional Engineering Services

PREPARED BY

Kimley»Horn

Expect More. Experience Better.

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A. Cover Letter

November 20, 2023

City of Freeport – City Hall, City's Secretary's Office

200 West Second Street

Freeport, TX 77541

RE: Request for Qualifications for Professional Engineering Services

Dear Members of the Selection Committee,

Kimley-Horn understands that the City of Freeport is a fast-growing community and that you are seeking a trusted and experienced professional engineering consultant to keep up with the infrastructure needs of your citizens. With our range of in-house services, we believe that Kimley-Horn is that consultant, and we are prepared to provide the right designs and solutions to meet your goals. We have a well-rounded team, giving you the confidence that any project will be completed on time and within budget. When choosing a partner, please keep the following merits of our Kimley-Horn team in mind:



Efficiency: Kimley-Horn prioritizes efficiency in our communications with our clients, including minimizing unnecessary meetings with the City. In our project meetings with city staff, we will make sure that only the essential stakeholders are involved, eliminating unnecessary distractions and allowing for more focused and productive discussions. This approach will save you time while achieving results that remain on schedule.



Single Point of Contact: One of the benefits of a one-stop-shop with Kimley-Horn is the ability for one focused project manager overseeing several disciplines. With a variety of services and projects needed for the city, you will have one point of contact with Kimley-Horn. Our project manager, Mike Shelton, will coordinate among the various services needed, streamlining communications. With one call to Mike, he can coordinate all the disciplines you need and eliminate cross communication.



Innovative Solutions: Each project has unique challenges and having the ability to be responsive and offer valuable input and creative solutions to difficult issues sets us apart from other firms. Our team has extensive experience in municipal projects that prioritize rehabilitation over demolition and replacement, whenever possible, saving money and making your resources go further.

Kimley-Horn is a full-service consulting firm providing a range of engineering, planning, and environmental services to both public- and private-sector clients. We offer a variety of multidisciplinary in-house services, including the following:

- » Water/Wastewater
- » Treatment
- » Transportation and Traffic
- » Roadway
- » Drainage
- » Landscape Architecture
- » Site Civil Development

Thank you for the opportunity to submit our qualifications and express our interest in helping to shape the City's future with this professional engineering services contract. Please contact me at **281.920.6588** or Mike.Shelton@kimley-horn.com if you have any questions.

Sincerely,

Kimley-Horn and Associates, Inc.

Mike Shelton, P.E., AICP
Project Manager
Vice President

William Patrick, P.E.
Deputy Project Manager

Aaron Rader, P.E.
Authorized to Bind the Firm
Vice President

Kimley»Horn

Firm Name: Kimley-Horn and Associates, Inc.
TBPE Registration Number: F-928

B. Firm Organization and Qualifications

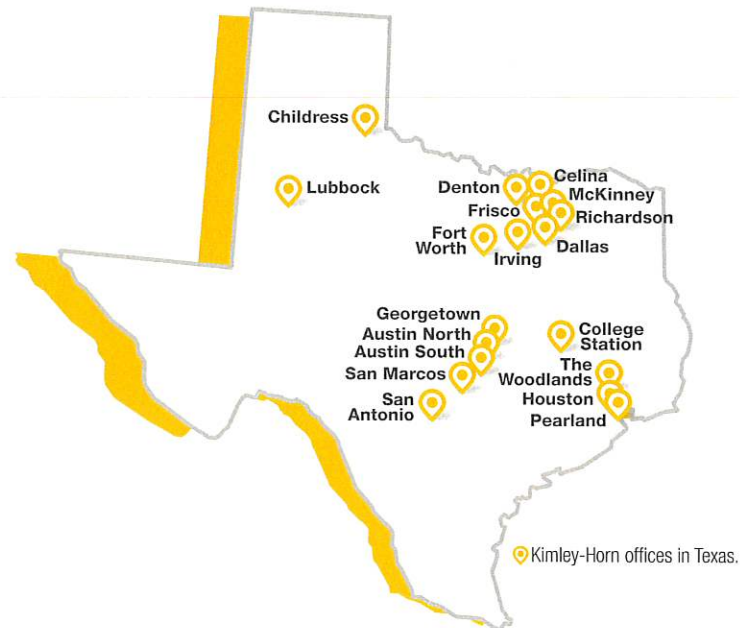
For more than 56 years, Kimley-Horn has provided engineering and planning consulting services to clients nationwide. Founded in 1967 by transportation engineers, our dedication to existing clients has allowed Kimley-Horn to grow from a small firm to one more than 7,300 employees nationwide. Our engineers and planners develop insightful solutions to deliver practical results that consistently exceed our clients' expectations. Kimley-Horn's record of budget-friendly technical achievements is enhanced by our reputation for effective management and personal service. With three local offices in the Houston area, Kimley-Horn is ready to serve the City of Freeport and is committed to providing dedicated service in a timely manner.

Quality Control/Quality Assurance Process

No team is successful without quality deliverables. Kimley-Horn has an extensive Quality Control/Quality Assurance (QC/QA) process that allows for quality deliverables, regardless of the size and scope of a task or project. Mike will coordinate with a discipline-specific QC/QA manager to develop a quality control plan for each project. This QC plan will define project-specific quality control measures, including designating the QC manager for each task and defining team QC responsibilities, listing the types of quality reviews to perform, and identifying when the reviews are to be performed. Our depth of experienced employees allows us to provide such personnel, and their role provides the project with a fresh perspective and a critical eye.

Our internal QC/QA process includes:

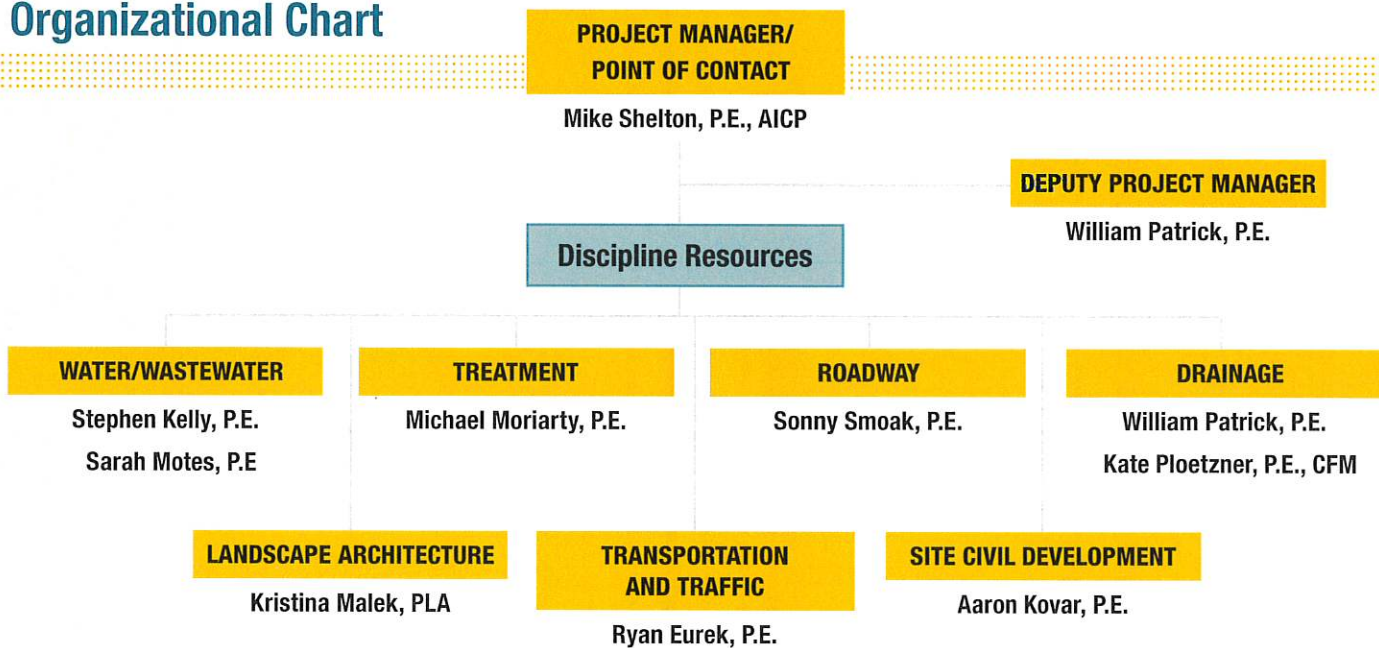
- » An internal kickoff meeting held with key team members to clearly define the scope and sub-task responsibilities, establish schedules, and identify project milestones and goals.
- » Any changes or modifications required to respond to the comments and recommendations of the QC team will be incorporated during the ongoing analysis prior to submitting deliverables.
- » A QC/QA review at the end of each phase to make sure the project deliverable is technically correct and consistent with the client's objectives.



C. Task Leader Qualifications

Mike Shelton, P.E., AICP, will serve as project manager and the primary point of contact for these projects. Alongside Mike, we have selected a strong team of task leads to oversee a variety of disciplines. Each task lead has direct involvement in similar projects for the specific expertise needed for upcoming projects anticipated by the City. To support this team, Kimley-Horn has a supportive group of talented engineers and technicians ready to serve as assignments are received. **Our key staff members' previous experience on similar projects, licensure information including certification in the state of Texas, and qualifications are on the following pages.**

Organizational Chart



Kimley-Horn offers multidisciplinary, in-house services under one roof to enhance our clients' experience and foster an open communication atmosphere between everyone involved in the project. We also have strong relationships with subconsultants across the region for any disciplines we cannot address in-house. Kimley-Horn has a long history of achieving successful project completion from schematic design all the way through construction by assisting our clients with all stages of engineering design, bidding phase, and construction phase services. We know that when you select an engineering consultant, you are really choosing a group of people to act as an extension of staff that will provide technical expertise, extensive "hands-on" experience with similar projects, and a demonstrated record of quality and responsiveness. Within each discipline, Kimley-Horn is prepared to provide all services including:

PROJECT MANAGER/CITY ENGINEER:

- » Capital infrastructure design
- » Coordination of design disciplines (survey, geotechnical, structural, electrical, architectural)
- » Grant applications and administration
- » Bid process
- » Construction phase services
- » Development review
- » Design standards
- » Construction standards
- » Standard details
- » Master plans
- » GIS mapping and database development
- » Capital improvement planning

WATER/WASTEWATER (W/WW):

- » Pumps (lift station, wells, booster pump stations)
- » Pipe infrastructure
- » Storage tanks (elevated and ground) for water distribution
- » Wastewater collection
- » Reclaimed water systems
- » Master planning
- » W/WW impact fees

TREATMENT:

- » Texas Commission on Environmental Quality (TCEQ) Texas Pollutant Discharge Elimination System (TPDES) permitting
- » Conventional activated sludge wastewater treatment
- » Groundwater treatment
- » Surface water treatment
- » Membrane treatment process design
- » Lead and copper rule
- » Per- and polyfluoroalkyl substances (PFAS)

DRAINAGE:

- » Hydrologic and hydraulic studies (HEC-RAS, HEC-HMS, SWMM)
- » FEMA permitting
- » Channel
- » Detention ponds (dry bottom and wet bottom)
- » Stormwater pump stations
- » Storm conveyance infrastructure
- » Drainage impact fees
- » Storm water utilities

TRANSPORTATION AND TRAFFIC:

- » Traffic impact analysis
- » Traffic signal design and coordination
- » Striping
- » Roadway signage
- » Wayfinding
- » Traffic control management centers
- » Synchro models

ROADWAY:

- » Paving
- » Drainage
- » Utility coordination for TxDOT and municipal roadways
- » Reconstruction
- » Rehabilitation
- » Sidewalks
- » Roundabouts
- » Thoroughfare planning
- » Roadway impact fees

LANDSCAPE ARCHITECTURE:

- » Site plans
- » Streetscape
- » Parks
- » Playgrounds
- » Trails
- » Aquatic facilities
- » Athletic fields
- » Sports complexes
- » Grant coordination

SITE CIVIL DEVELOPMENT:

- » Single-family residential
- » Multifamily residential, commercial, and industrial site design
- » Permitting



Mike Shelton, P.E., AICP PROJECT MANAGER/POINT OF CONTACT

Mike brings 27 years of experience to the table and has a broad depth of experience in municipal engineering, including roadway design, water and wastewater system design, construction management, and master planning. His diverse experience allows him to make sure your projects objectives are met and to provide effective coordination across design disciplines. Under Mike's leadership, Kimley-Horn has completed design and study projects for TxDOT, county governments, and municipalities, resulting in successful infrastructure construction.

Professional Credentials

- » Master of Science, Environmental Science, University of North Texas
- » Bachelor of Science, Environmental Science, Texas Christian University
- » Professional Engineer in Texas (#95893)
- » Member, American Institute of Certified Planners (#017422)

Relevant Experience

- » Street Ponding Criteria Analysis and Drainage Ordinance Update ♡ League City, TX
- » Magnolia Creek and Cedar Gully Channel Improvement ♡ League City, TX
- » Magnolia Creek Channel Design ♡ League City, TX
- » Clear Creek Tributaries Select Clearing and Desnagging ♡ League City, TX
- » WP3 0.5-MG Ground Storage Tank #1 ♡ Richmond, TX
- » Benbrook Water Authority Water Storage Tank Rehabilitation ♡ Benbrook, TX
- » 1.0-MG Stadium Road Elevated Storage Tank ♡ Lake Worth, TX
- » Lake Worth Elevated Storage Tank Demolition ♡ Lake Worth, TX
- » Trinity Falls 3.0-MG Elevated Storage Tank ♡ McKinney, TX
- » Repair and Repainting of the Existing 0.75-MG Elevated Tank ♡ Everman, TX
- » Saginaw Longhorn 1.0-MG Ground Storage Tank ♡ Saginaw, TX
- » White Settlement 1.0- and 1.3-MG Ground Storage Tanks Rehabilitation and Repainting ♡ White Settlement, TX
- » Ion Exchange Vessel Rehabilitation ♡ Vernon, TX
- » Street and Utility Maintenance Program (SUMP) Pavement Evaluations ♡ Gainesville, TX
- » 1.5-MG Jarvis Road Elevated Storage Tank ♡ Saginaw, TX
- » Lake Worth Utility Master Plan ♡ Lake Worth, TX
- » Saginaw Capital Improvement Plan and Master Plan ♡ Saginaw, TX
- » Santa Fe Utility Master Plan ♡ Santa Fe, TX
- » Sidewalk Trail with Illumination and Signage for Disc Golf Course ♡ Alvin, TX
- » Southeast 24-Inch Trunk Main ♡ Saginaw, TX
- » Thompson Street 16-Inch Water Transmission Main and FM 730 12-Inch Water Line ♡ Decatur, TX
- » Wastewater Relocation Related to I-35 Frontage Road Widening ♡ Gainesville, TX
- » Wise County Water Supply District (WCWSD) 1.0-MG Ground Storage Tank and High Service Pump Station ♡ Decatur, TX
- » West Side Sewer Line and Lift Station ♡ Rhome, TX



Professional Credentials

- » Bachelor of Science, Civil Engineering, Auburn University
- » Professional Engineer in Texas (#139143)

William Patrick, P.E. DEPUTY PROJECT MANAGER, DRAINAGE

William has 10 years of experience in water resources. He has provided services to the City of League City, Harris County Flood Control District, and other municipal clients. His experience includes hydrology and hydraulic modeling, detention pond design, and more. William's responsibilities include project management and QC/QA of projects focused mainly on surface water.

Relevant Experience

- » FM 1405 AFA and Drainage 📍 Baytown, TX
- » IH-20 Hydrology and Hydraulic Culvert Analysis 📍 Van Zandt County, TX
- » Garth Road Reconstruction Project Drainage Analysis 📍 Baytown, TX
- » Magnolia Creek and Cedar Gully Channel Improvements 📍 League City, TX
- » Alsatian Oaks Design 📍 Castroville, TX
- » Bay Ridge Phase 4 Drainage Improvements 📍 League City, TX*
- » Hunting Bayou Federal Flood Risk Management Project 📍 Harris County, TX*
- » Glen Forest Detention Basin Along Greens Bayou 📍 Harris County, TX*
- » 2015 Memorial Day Flood Event Engineering Study 📍 Bastrop County, TX*
- » Bastrop County Flood Protection Planning Study Piney Creek 📍 Bastrop, TX*
- » Katy Lakes Development Drainage Impact Analysis 📍 Harris County, TX*
- » Dingle Creek Access Road and Wetland Rehabilitation 📍 Buncombe County, NC*
- » Rhodes Pond Dam Hydraulic Analysis and Mapping 📍 Harnett County, NC*

**Projects completed prior to joining Kimley-Horn*



Stephen Kelly, P.E. WATER/WASTEWATER

Stephen has 10 years of water and wastewater utility experience and has worked on projects for local Houston-area government entities, including projects such as wastewater transmission line design, modeling and distribution planning and design, wastewater lift stations, wastewater interceptor and collector design, and wastewater rehabilitation. Stephen provides technical proficiency in software packages including AutoCAD Civil 3D, Arc GIS, InfoWater, and InfoSewer.

Relevant Experience

Professional Credentials

- » Bachelor of Science, Civil Engineering, Texas A&M University
- » Professional Engineer in Texas (#127482)
- » Water Environment Federation Member
- » Water Environment Association of Texas (WEAT), SE Chapter Secretary

- » San Jacinto River Authority (SJRA) Town Center Water Line Renewal Phase I 📍 The Woodlands, TX
- » IH-10 Lift Station and Force Main Rehabilitation 📍 Baytown, TX
- » IH-10 Lift Station Service Area Evaluation 📍 Baytown, TX
- » SJRA Lift Station No. 13 Rehabilitation 📍 The Woodlands, TX
- » West Harris County Regional Water Authority (WHCRWA) Contract 36, 12-inch and 16-inch Water Lines 📍 Houston, TX
- » WHCRWA Segment 3A-2, 42-inch Water Line 📍 Houston, TX
- » WHCRWA Contract 65, 60-inch Water Line 📍 Houston, TX
- » Steinman Lift Station Evaluation 📍 Baytown, TX
- » Conroe Industrial Park Water and Wastewater Extensions 📍 Conroe, TX
- » Eastgate Phase IV Water/Wastewater Rehabilitation Analysis 📍 College Station, TX
- » Fulshear Water and Wastewater Impact Fee Study 📍 Fulshear, TX
- » Goose Creek Lift Station Capacity Evaluation and Design 📍 Baytown, TX
- » Goose Creek Lift Station Rehabilitation 📍 Baytown, TX
- » IH-10 Lift Station Final Design 📍 Baytown, TX
- » Lake Jackson Sub Basin No. 6 📍 Lake Jackson, TX
- » Lake Park Pearland Lift Station 📍 Pearland, TX
- » Main Street 24/30/36-Inch Water Line 📍 Frisco, TX
- » San Jacinto Boulevard Lift Station and Force Main Design 📍 Baytown, TX
- » San Jacinto Boulevard Phase 1 and Hunt Road 📍 Baytown, TX
- » San Jacinto Boulevard Roadway Phase I and II 📍 Baytown, TX
- » SJRA Lift Station No. 4, No. 23, and WWTF No. 3 Rehabilitation 📍 The Woodlands, TX
- » 2014 Water and Wastewater Replacements 📍 Garland, TX
- » Turcotte Lower Heights District Off Site Water and Wastewater Improvements 📍 Houston, TX
- » Utility Relocations at Clear Creek Utility Bridge 📍 Friendswood, TX
- » Aspen Heights 6-inch to 8-Inch Wastewater Rehabilitation 📍 Huntsville, TX



Professional Credentials

- » Bachelor of Science, Ocean Engineering, Texas A&M University
- » Professional Engineer in Texas (#135550)

Sarah Motes, P.E. WATER/WASTEWATER

Sarah has seven years of civil engineering experience and has worked on a wide variety of projects, including water and wastewater projects throughout the Houston area. She has experience with municipal on-call projects with the Cities of Dayton and Baytown, acting as an extension of staff in reviewing civil engineering plans. Her experience with utility planning, ground storage tank, and water line design puts Sarah in an excellent position to serve the City of Freeport for water/wastewater projects.

Relevant Experience

- » Baytown Robert E. Lee High School Drainage Reroute 📍 Baytown, TX
- » Wastewater Master Plan 📍 Baytown, TX
- » Reclaimed Water System Expansion 📍 Richmond, TX
- » Galveston County WCID #8 Water and Wastewater Model Analysis 📍 Santa Fe, TX
- » SJRA Waterline Renewal Phase 1 📍 The Woodlands, TX
- » Garth Road Reconstruction Drainage 📍 Baytown, TX
- » Warehouse District - Utility Inventory, Analysis, and Planning 📍 Houston, TX
- » North Harris County Regional Water Authority (NHCRWA) Project 25E – 36-Inch Water Line 📍 Houston, TX
- » San Antonio Water System Sea World Ground Storage Tank 📍 San Antonio, TX
- » Trinity River Authority CAC8A Wastewater Siphon 📍 Carrollton, TX
- » Reclaimed Water System Expansion 📍 Richmond, TX
- » W/WW Model Analysis 📍 Santa Fe, TX



Michael Moriarty, P.E. TREATMENT

Michael's professional career includes eight years of water supply plant, wastewater treatment plant, and pump station design for a variety of projects in the public and private sectors. His experience has focused on designing, rehabilitation, and optimizing water and wastewater treatment plants. He has been involved in projects related to the analysis and design of pump stations, wastewater treatment plants, and water treatment plants.

Professional Credentials

- » Master of Environmental Engineering, Texas Tech University
- » Bachelor of Science, Environmental Engineering, Texas Tech University
- » Professional Engineer in Texas (#129086)

Relevant Experience

- » West University Place WWTP Expansion ♡ West University Place, TX
- » Prologis Legacy Ranch Lift Station ♡ Houston, TX
- » Woods Road Lift Station ♡ Katy, TX
- » Wolfforth Chloramine Conversion ♡ Wolfforth, TX
- » League City Water/Wastewater Standards Update ♡ League City, TX
- » Dynaenergetics US, Inc. GST and Pump Station ♡ Blum, TX
- » West University Place WWTP Master Plan ♡ West University Place, TX
- » SJRA WWTF1 Odor Control Masterplan ♡ The Woodlands, TX
- » Black Branch WWTP – Phase 1 ♡ Porter, TX
- » Rhome Water and Wastewater Master Plan ♡ Rhome, TX
- » Galveston County WCID 8 Water and Wastewater System Analysis ♡ Santa Fe, TX
- » Brazoria County MUD No. 21 WSP Expansion ♡ Pearland, TX*
- » Brazoria County MUD No. 21 WSP Reverse Osmosis System ♡ Pearland, TX*
- » Montgomery County MUD No. 111 WSP ♡ Conroe, TX*
- » Fort Bend MUD 134A Water Plant Expansion and Water Well ♡ Richmond, TX*
- » Montgomery County MUD No. 111 & 157 WWTP ♡ Conroe, TX*
- » Fort Bend County MUD No. 131 WWTP Phase II ♡ Alvin, TX*
- » Harris County MUD No. 495 WWTP ♡ Houston, TX*
- » McCrary Meadows WWTP Phase II ♡ Richmond, TX*
- » Uplands WWTP ♡ Simonton, TX*
- » Harris County MUD No. 495 On-Site Lift Station ♡ Houston, TX*
- » Katy Pointe Lift Station ♡ Houston, TX*
- » Barton Woods Lift Station ♡ Conroe, TX*
- » TWDC-HHC Lift Station ♡ Conroe, TX*
- » Fort Bend Business Park Lift Station No. 1 ♡ Missouri City, TX*
- » Sienna Pump Station No. 4 ♡ Missouri City, TX*
- » Babcock Ranch Reverse Osmosis PER ♡ Babcock Ranch, FL

**Projects completed prior to joining Kimley-Horn*



Professional Credentials

- » Bachelor of Science, Civil Engineering, Louisiana State University
- » Bachelor of Arts, English and Psychology, Louisiana State University
- » Professional Engineer in Texas (#103167)

Sonny Smoak, P.E. ROADWAY

Sonny has directed, managed, and worked on a multitude of intersection and roadway design projects throughout the Houston region. He has in-depth knowledge and practical application of the design life cycles and processes for the various peer agencies throughout the Houston/Galveston area with an emphasis on Harris County, the City of Houston, and TxDOT Houston District. More recently, Sonny was involved with the NHHIP project, acting as the general engineering consultant for Houston METRO overseeing the schematic and final design for Bus Rapid Transit (BRT) facilities within the I-45 alignment.

While well-versed in the development and implementation of roadway/transportation projects, Sonny also possess a strong background in traffic engineering applications including TIAs, signal designs, communications, and ADA facilities. These applications have been used in a variety of development projects ranging from large-scale commercial and multi-use projects to the evaluation of institutional operations within urban environments.

Relevant Experience

- » North Houston Highway Improvement Project (NHHIP) METRO 📍 Houston, TX*
- » Watts Road Widening 📍 Fort Bend County, TX*
- » I-10 Interchange Improvements 📍 Baytown, TX*
- » McKaskle Road Widening 📍 Fort Bend County, TX*
- » Post-Ike Reconstruction Program Round 2 📍 Galveston, TX*
- » Wilson Road Widening 📍 Harris County, TX*
- » Concrete Panel Replacement Contract 📍 Houston, TX*
- » Fallbrook 'A' Road Improvements 📍 Harris County, TX*
- » Mueschke Road Improvements 📍 Harris County, TX*
- » On-Call Engineering Services 📍 Harris County, TX*
- » Long Point Road at Blalock Boulevard Intersection Improvements 📍 Houston, TX*
- » Elyson Development (TIA/Signal Design) 📍 Houston, TX*
- » 2nd Street at West Main Street Signal Improvements 📍 La Porte, TX*
- » Lowe's Development Study and Traffic Signal Design 📍 Galveston, TX*
- » Walmart Supercenter Development TIA and Signal Design 📍 La Grange, TX*
- » Walmart Supercenter Development TIA and Signal Design 📍 Victoria, TX*
- » Sam's Club Development Study 📍 Pearland, TX*
- » Bluebonnet Road Realignment, I-10 to Airline Highway 📍 Baton Rouge, LA*
- » Local Road Safety Program Application Preparation 📍 Lake Charles, LA*

**Projects completed prior to joining Kimley-Horn*



Kate Ploetzner, P.E., CFM DRAINAGE

Kate has 15 years of experience in water resources projects, including storm drainage and detention design, drainage utilities, impact fees, drainage master planning, and floodplain reclamation. Kate has worked on projects that range from less than an acre to hydrology studies and plans involving watershed areas over 13,000 acres. Through this experience, she has developed her understanding and ability to apply various drainage techniques. On her projects, she has met the client's goals while applying criteria and submittal processes from multiple regulatory agencies.

Kate has developed drainage utilities for multiple municipalities. She has led the technical development of these funding mechanisms, presented the fees to council and community/stakeholder groups, and guided the fees to adoption by council.

Professional Credentials

- » Master of Engineering, Civil Engineering, Texas A&M University
- » Bachelor of Science, Civil Engineering, Texas A&M University
- » Professional Engineer in Texas (#112902)
- » Certified Floodplain Manager in Texas (#2774-15N)
- » Texas Floodplain Management Association, Member

Relevant Experience

- » Fair Oaks Ranch Drainage Utility Fee ♡ Fair Oaks Ranch, TX
- » Houston Drainage Impact Fee Policy ♡ Houston, TX
- » Stormwater Utility ♡ Boerne, TX
- » Princeton Drainage Utility Fee ♡ Princeton, TX
- » Bonham Stormwater Utility ♡ Bonham, TX
- » Lake Worth Stormwater Utility ♡ Lake Worth, TX
- » Office Creek Drainage Impact Fee Update ♡ The Colony, TX
- » Panther Creek Master Drainage Plan ♡ Frisco, TX
- » Stormwater Utility Fee Comprehensive Study ♡ San Antonio, TX
- » Wade Park ♡ Frisco, TX
- » Northlake Culvert Replacement and Erosion Protection ♡ Richardson, TX
- » John Paul II High School Culvert and Floodplain Reclamation ♡ Plano, TX
- » Woodbridge Parkway Bridge, Roadway, and Compensatory Grading Design ♡ Wylie, TX
- » Industrial Park West Floodplain Reclamation ♡ Greenville, TX
- » Trinity Falls Bridge Design and Floodplain Reclamation ♡ McKinney, TX
- » King's Lake Floodplain Reclamation ♡ Coppell, TX
- » Miramonte Residential Development ♡ Frisco, TX
- » Frisco Multi-Use Event Center ♡ Frisco, TX
- » Hydrologic and Hydraulic Study Reviewer ♡ Frisco, TX
- » Hydrologic and Hydraulic Study Reviewer ♡ Coppell, TX
- » Easthaven Residential Development ♡ Frisco, TX
- » Crown Ridge Residential Development ♡ Frisco, TX



Kristina Malek, PLA LANDSCAPE ARCHITECTURE

Kristina is a professional landscape architect, whose focus is municipal parks, streetscapes, and aquatic projects. She has worked on a variety of projects, such as park master plans, streetscapes, roadway enhancements, family aquatic centers, and urban redevelopment. Her passion for creating memorable and timeless public spaces inspires her to pursue complex and large-scale municipal projects of all kinds. These varied projects enhance her ability to work well on a multidisciplinary team and collaborate effectively with numerous stakeholder groups. She understands the importance of constant communication and maintaining timelines and budgets while keeping with the overall vision of the project.

Professional Credentials

- » Bachelor of Landscape Architecture, Texas A&M University
- » Registered Landscape Architect in Texas (#2988)
- » American Society of Landscape Architects, Associate Member

Relevant Experience

- » The Sports Complex at Shadow Creek Ranch 📍 Pearland, TX
- » Wayne Gray Sports Complex PER 📍 Baytown, TX
- » Sabine River Authority Sam F Collins Park 📍 Burkeville, TX
- » American Legion Park 📍 Missouri City, TX
- » West Quail Green Park Improvements 📍 Missouri City, TX
- » Blue Trails Study 📍 Alvin, TX
- » Brazos River Park 📍 Sugar Land, TX
- » Corridor Enhancements 📍 Energy Corridor District, TX
- » Downtown Revitalization Phase 3 📍 Lake Jackson, TX
- » 27th Street Landscape Improvements 📍 Galveston, TX
- » San Jacinto Boulevard, Phases I and II 📍 Baytown, TX
- » Sugar Land Parks Wayfinding Standards 📍 Sugar Land, TX
- » New Braunfels Wayfinding Signage Standards 📍 New Braunfels, TX
- » ION Garage 📍 Houston, TX
- » Public Safety Building 📍 Baytown, TX
- » 9 Greenway Plaza Site Renovation 📍 Houston, TX
- » Post Oak Central Renovation 📍 Houston, TX
- » Bell Helicopter Headquarters 📍 Fort Worth, TX
- » Post HTX 📍 Houston, TX
- » The Woodlands Mall Shake Shack 📍 The Woodlands, TX
- » Houston Methodist Braeswood Medical Office Building and Garage 📍 Houston, TX
- » Uvalde Memorial Hospital 📍 Uvalde, TX
- » Woman's Hospital of Texas Medical Office Building and Garage Expansion 📍 Houston, TX



Professional Credentials

- » Bachelor of Science, Civil Engineering, Texas A&M University
- » Professional Engineer in Texas (#115640)
- » TxDOT Pre-Certifications: 7.1.1, 8.1.1, 8.3.1

Ryan Eurek, P.E. TRANSPORTATION AND TRAFFIC

Ryan has 13 years of experience in traffic and transportation engineering. His experience includes regional planning, traffic signal timing, traffic signal warrant analyses, traffic operational analyses, and various other traffic and safety studies. He has been involved with the completion of a variety of services, including traffic signal designs, signing and pavement marking designs, traffic control plans, roadway median modifications, temporary signal designs, traffic impact analyses, traffic surveys, citywide fiber optic and signal inventories, and providing inspection as part of construction phase services. Ryan is proficient in a variety of traffic engineering, transportation planning, GIS, and computer-aided design software packages.

Relevant Experience

- » Lake Shore Harbour Left-Turn Lane Design 📍 Missouri City, TX
- » IH-45 at Fallbrook Roadway Improvements 📍 Houston, TX
- » 61st Street Traffic Study and Signal Timing Optimization 📍 Galveston, TX
- » IH-10 at Garth Road Intersection Improvements 📍 Baytown, TX
- » SH 96 at South Shore Boulevard Intersection Improvements 📍 League City, TX
- » TxDOT Houston District, US 290/IH 610 Interchange Temporary and Permanent Signal Designs 📍 Houston, TX
- » Fallbrook at IH 45 Intersection Improvements 📍 Houston, TX
- » Cartwright Road Traffic Safety Improvements Design 📍 Sugar Land, TX
- » League City Traffic Signal Timing 📍 League City, TX
- » SH 3/FM 517 Access Management Study 📍 League City-Dickinson, TX
- » Pearland Intersection and Traffic Signal Improvements 📍 Pearland, TX
- » 81st at Stewart Traffic Signal Design 📍 Galveston, TX
- » BF 1960 Access Management Study 📍 Humble, TX
- » Broadway Traffic Signal Repairs 📍 Galveston, TX
- » Citywide Fiber Optic Inventory and Assessment 📍 Houston, TX
- » Citywide Traffic Signal Inventory and Assessment 📍 Conroe, TX
- » CMAQ PS&E Signal Design Package 📍 Houston, TX
- » Comprehensive Wayfinding Sign Program 📍 Sugar Land, TX
- » Dowling Street Reconstruction Signal Designs 📍 Houston, TX
- » Flashing Yellow Arrow Implementation 📍 Sugar Land, TX
- » FM 1314 at Crighton Road Traffic Signal Design 📍 Conroe, TX
- » Lexington at E. Cypresswood Intersection Study 📍 Houston, TX
- » METRO English Street Traffic Study 📍 Houston, TX
- » Riverstone Connection Study 📍 Sugar Land, TX
- » SH 105 and SH 75 Signal Timing 📍 Conroe, TX
- » SH 105 Downtown Traffic Signal Designs 📍 Conroe, TX
- » SH 6 Access Management Studies, HGAC 📍 Houston-Galveston, TX



Professional Credentials

- » Bachelor of Science, Civil Engineering, Texas A&M University
- » Professional Engineer in Texas (#142834)

Aaron Kovar, P.E. SITE CIVIL DEVELOPMENT

Aaron has seven years of experience providing engineering and design development services for various projects throughout the City of Houston and surrounding southeast Texas area, including multifamily, commercial, single-family, school, and industrial projects. He is effective at communicating with clients, working with consultant teams to produce a high-end product, and working with jurisdictional review teams to expedite the review and approval process. Aaron's current responsibilities include project and task management, and his experience is based on sound capabilities in site feasibility, site planning, utility infrastructure planning, paving and drainage design, earthwork analysis, and permitting.

Relevant Experience

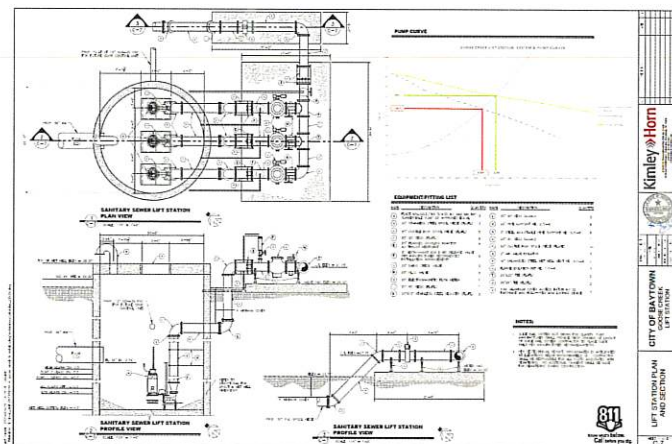
- » Timber Trails 📍 Tomball, TX
- » Allison Park 📍 Houston, TX
- » Greens Prairie Ranch 📍 College Station, TX
- » Texas Dow Employees Credit Union (TDECU) Victoria 📍 Victoria, TX
- » Fort Bend ISD Middle School #16 📍 Arcola, TX
- » Humble ISD Gym Expansion Package #2 📍 Humble, TX
- » Bloom Academy East 📍 Houston, TX
- » Windmill Lakes Orem High School 📍 Houston, TX
- » McDonald's Holleman 📍 College Station, TX
- » Raising Cane's #900 📍 Houston, TX
- » Entergy Beaumont 📍 Beaumont, TX
- » Brinshore Bluestem Multifamily 📍 Houston, TX
- » CarMax Auto Auction 📍 Conroe, TX
- » Independent Financial Branch Bank 📍 Sugar Land, TX
- » Dayton Development Reviews 📍 Dayton, TX

D. Relevant Experience

GOOSE CREEK LIFT STATION 📍 BAYTOWN, TX

As the prime professional consultant, Kimley-Horn performed preliminary engineering, final design, and construction phase services for the Goose Creek Lift Station (Goose Creek). Goose Creek is a 6,000-gallons-per-minute (gpm) wet pit/dry pit lift station with a 14-foot diameter wet well and 13,400-linear-foot (LF) 20-inch force main with four self-priming pumps. The preliminary engineering phase of this project consisted of three parts: preliminary engineering for Goose Creek, the Thompson Park Drive Force Main Reroute Analysis, and a force main transient analysis. A challenge during preliminary engineering was determining the most efficient set-up and construction phasing for the lift station to reduce the City's risk due to the proximity to Goose Creek.

Preliminary engineering concluded with a report recommending upsizing Goose Creek and converting the station to a fully submersible pumping set up with a 20-foot diameter wet well and three submersible pumps, increasing the capacity to 6,200 gpm, adding eight air release and vacuum valves along the force main, and recommending the size and pipe material of the Thompson Park Drive Force Main. A new lift station was recommended to be installed adjacent to the old lift station to reduce bypass pumping time and allow the most flexibility for the City's lift station preferences. During final design, Kimley-Horn prepared construction plans and specifications in accordance with City of Baytown requirements and feedback from city staff.



THE SPORTS COMPLEX AT SHADOW CREEK RANCH PHASE II 📍 PEARLAND, TX

The City of Pearland looked to Kimley-Horn's sports field design expertise when they were ready to expand their existing ballfield complex. The expansion included a synthetic turf multi-purpose field, a Miracle League facility, a +/-4,400-square-foot (SF) restroom/concessions building, a 250-space parking lot, an accessible playground, lighting, utilities, landscape, and irrigation. As the prime professional consultant, Kimley-Horn designed the multi-purpose field in such a way that it was able to accommodate one cricket field, two rugby fields, or two soccer fields; this was accomplished by creating a hierarchy of striping (permanent versus tick marks for temporary striping) and selecting an appropriate turf height that would be conducive for each game play. Our design efforts allowed the City to make the most of their investment and limited space. Additionally, Kimley-Horn worked with the Miracle League and local cricket league to design to their specific program needs and encourage their partnership in the project's future success. The restroom/concession building was primarily oriented towards use of the Miracle League facility—locker rooms, the classroom, and parking were all designed to enhance the player's overall gameday experience.



STORMWATER UTILITY IMPLEMENTATION

📍 FAIR OAKS RANCH, TX

The City of Fair Oaks Ranch hired Kimley-Horn as the prime professional consultant to assess a potential stormwater utility implementation as a funding source option for the City to assist with financing drainage improvements and maintenance needs for the City. Kimley-Horn evaluated and presented various utility billing structure options to council. Kimley-Horn also developed and led a "Stormwater Utility 101" presentation open to the public. Council proceeded with evaluating an impervious-based billing system.



Statement of Qualifications for Professional Engineering Services for Freeport, TX

Kimley-Horn developed city-wide impervious coverage by processing aerial photography to determine the pervious and impervious areas within the City limits. Kimley-Horn assessed tiered and non-tiered billing approaches for single-family properties and presented these results to council. Kimley-Horn developed different budget models with various stormwater utility billing rate scenarios to meet the cost of service needs. Throughout the course of the project, Kimley-Horn partnered with the City and led five public meetings including council meetings and council workshops to discuss the potential stormwater utility adoption.

SUMMARY OF MUNICIPAL EXPERIENCE

Serving municipalities has been a staple of our Texas region offices for decades. Through this experience, we understand the key issues facing cities like Freeport and know how to meet our needs. Kimley-Horn has or is currently providing services to more than 200 communities and municipal agencies throughout Texas. A sampling of our local clients include:

- » City of Alvin
- » City of Dayton
- » City of Lake Jackson
- » City of Pearland
- » City of Sugar Land
- » City of Baytown
- » City of Galveston
- » City of League City
- » City of Richmond
- » City of West University Place
- » City of Conroe
- » City of Houston
- » City of Missouri City
- » City of Santa Fe

As a national firm, Kimley-Horn has hundreds of projects with municipalities in Texas. Below, we have included a sampling list of local, relevant municipal experience from the last 3-5 years.

SAN JACINTO BOULEVARD 📍 CITY OF BAYTOWN

Michael Leech | Assistant Director–Capital Projects | michael.leech@baytown.org | 281.420.7154

PROJECT TYPE:	CONSTRUCTION COST:	DATE:
» Roadway	\$17,700,000	2015-2019
» Drainage and detention ponds		
» Lift station		
» Landscape design		

LAKE JACKSON DOWNTON REVITALIZATION PHASE III 📍 CITY OF LAKE JACKSON

Modesto Mundo | City Manager | mmundo@lakejacksontx.gov | 979.415.2400

PROJECT TYPE:	CONSTRUCTION COST:	DATE:
» Roadway	\$7,250,000	2018-Ongoing
» Drainage		
» Water/wastewater		
» Landscape design		

GARTH ROAD 📍 CITY OF BAYTOWN

Michael Leech | Assistant Director–Capital Projects | michael.leech@baytown.org | 281.420.7154

PROJECT TYPE:	CONSTRUCTION COST:	DATE:
» Roadway	\$41,500,000	2017-Ongoing
» Landscape and hardscape		
» Water/wastewater pipeline		
» Public outreach/engagement		
» Storm drainage design	\$41,500,000	2017-Ongoing
» Franchise utility coordination		

SPORTS COMPLEX AT SHADOW CREEK RANCH 📍 CITY OF PEARLAND

Morgan Early | Project Manager | mearly@pearlandtx.gov | 281.652.1734

PROJECT TYPE:	CONSTRUCTION COST:	DATE:
» Landscape architecture: sports field	\$5,000,000	2019-2022

BRAZOS RIVER PARK 📍 CITY OF SUGAR LAND

Keisha Seals | Engineering Manager | kseals@sugarlandtx.gov | 281.275.2274

PROJECT TYPE:	CONSTRUCTION COST:	DATE:
» Roadway	\$2,100,000	2019-2021
» Drainage		
» Landscape architecture		

E. Capacity to Perform

Kimley-Horn is proud to consistently perform quality work addressing the unique needs of our clients. In addition to our QC/QA process outlined in Section B, we will accomplish high-quality work for the City through excellent communication and our ability to meet project deadlines.

EXCELLENT COMMUNICATION

It is hard to overstate the importance of good communication during a project. Our team realizes that being a good consultant goes beyond being a technically sound engineer. Project issues can often be traced to poor communication of goals and objectives during project planning; design intent within the plans and specifications; and between the owner, engineer, and contractor during construction. We work hard to be proactive in our communication to avoid these pitfalls by keeping organized records of meetings, phone calls, email, and other correspondence. We listen to our clients and strive to make sure we fully understand what is important to them before moving forward with design decisions. Throughout our projects, we will provide you with:

- » Progress reports that highlight all task-related activities and also allow identification and resolution of problems or issues before they affect schedule and budget
- » Regular and concise technical reports that summarize the findings of each specific task so all project team members can continually evaluate the project's progress
- » Reports and results of public meetings and workshops
- » Ongoing electronic communications with all project team members, including email and (if desired) an internet home page to allow the project team and anyone designated by the City to keep up with the progress of the project and upcoming meetings and activities

ABILITY TO MEET PROJECT DEADLINES

We are committed to exceeding your expectations by maintaining the highest standards of quality while meeting the project deadlines. The most effective resource we have in meeting project deadline is a dedicated project manager and the firm's commitment to provide them with the necessary tools to successfully complete their projects. Our other processes that help us meet project deadlines are effective work planning with cast-aheads, ability to shift personnel for technical expertise or production support, and QC/QA.

To manage and maintain our project schedules, it is our policy to use a regional cast-ahead workload forecasting process. Each month, project managers use an internal cast-aheads staffing program to input current and projected workload that provides a real-time view of each team member's workload and availability. This process allows us to have a clear understanding of where we may need to allocate additional resources in order to keep the project on schedule and within budget.

Kimley-Horn operates as a one-profit center. This approach benefits you by making it easy for us to bring the best expertise available in the firm directly to work on your projects as necessary. We can easily shift personnel from other offices to work on your project if needed to meet tight deadlines.

F. References

CITY OF LEAGUE CITY, TX

Christopher Sims | Director of Engineering | christopher.sims@leaguecitytx.gov | 281.554.1440

Years of Service: 10

Services Provided:

- » Traffic and transportation
- » Water/wastewater
- » Roadway
- » Drainage
- » Landscape architecture

CITY OF RICHMOND, TX

Howard Christian | Public Works Director | hchristian@richmondtx.gov | 281.342.0559

Years of Service: 5

Services Provided:

- » Water/wastewater

CITY OF ALVIN, TX

Dan Kelinske | Parks and Recreation Director | dlkelinske@cityofalvin.com | 281.388.4290

Years of Service: 5

Services Provided:

- » Water/wastewater
- » Landscape architecture

CITY OF SUGAR LAND, TX

Fenglin Du, PLA, ASLA | Parks Development Manager | fd�@sugarlandtx.gov | 281.275.2905

Years of Service: 6

Services Provided:

- » Traffic
- » Roadway
- » Landscape architecture

CITY OF FAIR OAKS RANCH, TX

Ron Emmons, P.E. | Public Works Director | remmons@fairoaksranchtx.org | 210.698.0900

Years of Service: 5

Services Provided:

- » Drainage
- » Stormwater utility analysis



City Council Agenda Item #8.

Title: Consideration of approving Ordinance No. 2024-2717 calling the Annual General Election for the City of Freeport for the first Saturday in May, being May 4, 2024 at which voters of said City residing in Wards B and D shall be permitted to vote for or against the candidates for positions B and D on the City Council of the City of Freeport and at which voters of said City shall elect at large a Mayor for said City.

Date: January 22, 2024

From: Clarisa Molina, City Secretary

Staff Recommendation: Staff recommends adoption of this ordinance to hold the Election on May 4, 2024.

Item Summary: The Ordinance calls the election for Mayor and Council Person for Wards B and D, to be held on May 4, 2024, and establishes polling places and times for voting.

Background Information: This is a required action in accordance with state election law.

Special Considerations: None

Financial Impact: The cost of the election will be approximately \$3,000.00 based on previous elections.

Board or 3rd Party Recommendation: None

Supporting Documentation:

1. General Election Ordinance 2024.2717
2. 2024 General Election Notice English
3. 2024 General election notice spanish NEW

ORDINANCE NO. 2024-2717

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CALLING A GENERAL ELECTION FOR THE FIRST SATURDAY IN MAY, 2024, BEING MAY 4, 2024, FOR THE ELECTION AT LARGE OF A MAYOR FOR SAID CITY AND AN ELECTION BY WARDS FOR POSITIONS B AND D ON THE CITY COUNCIL AND FOR THE POSITION OF MAYOR OF SAID CITY; PROVIDING FOR ONE (1) POLLING PLACE AND DESIGNATING THE LOCATION THEREOF; ESTABLISHING THE QUALIFICATIONS FOR CANDIDATES FOR THE OFFICES TO BE VOTED UPON; PROVIDING FOR APPLICATIONS FOR CANDIDATES AND SPECIFYING A FILING DEADLINE AND THE DATE WHEN FILING MAY BEGIN; PROVIDING FOR THE QUALIFICATION OF ELECTORS; APPOINTING THE OFFICERS OF SAID ELECTION AND DESIGNATING THE NUMBER OF CLERKS TO ASSIST IN CONDUCTING SAID ELECTION AND THE COMPENSATION TO BE PAID THE ELECTION JUDGE AND CLERKS; PROVIDING FOR EARLY VOTING; PROVIDING FOR RATIFICATION AND CONFIRMATION BY THE MAYOR OF SAID CITY OF THE ACTION TAKEN BY THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Section 3.01 of the City Charter provides that members of the City Council shall be elected by wards, that Positions B and D on City Council, which represent Wards B and D, respectively, shall be filled by an election to be held on the first Saturday in May every three years at which only persons residing in Wards B and D are eligible to become candidates for election to Council Positions B and D, respectively, and at which only voters residing in Wards B and D are eligible to vote for or against the candidates seeking election to City Council Positions B and D, respectively.

WHEREAS, Section 3.01 of the Home Rule Charter of the City provides that the Mayor of the City shall be elected for a three-year term of office at an election to be held on the first Saturday in May every three years; and,

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

SECTION ONE--Election for Mayor and Wards B and D Called.

Pursuant to said Section 3.01, the Mayor and City Council hereby order and ordain, respectively, that an election required to be held in Wards B and D for Council Position B and D, now held by JERRY CAIN

and WINSTON ROSSOW, respectively, be held on the first Saturday in May of 2024, being May 4, 2024, between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m., each such election being for a term of three (3) years.

SECTION TWO-Municipal Polling Places

As provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference, for the purpose of the election called by this ordinance, there shall be one (1) municipal polling place, within the City of Freeport located at the Freeport Library, 410 Brazosport Blvd., Freeport, Brazoria County, Texas. On that day, voting will also be permitted at the following Polling Places:

East Annex (Old Walmart)	1524 E Mulberry, Angleton
Precinct 4 Building #2	121 N 10 th St., West Columbia
Brazoria Library	620 S Brooks, Brazoria
Oyster Creek City Hall	3210 FM 523, Oyster Creek
Bonney Annex Building	19025 FM 521, Bonney
Alvin ISD Heritage Complex, Liberty Alumni Hall,	10855 Iowa Colony Blvd, Iowa Colony
Drainage District No.4 Building	4813 W Broadway, Pearland
Sweeny Community Center	205 W Ashley Wilson Rd, Sweeny
Danbury Community Center	6115 5 th St, Danbury
Freeport Library	410 Brazosport Blvd, Freeport
Clute Event Center	100 Parkview Dr Clute
Jones Creek Comm House	7207 Stephen F Austin Rd, Jones Creek
Lake Jackson Library	250 Circle Way, LJ
Brookside Village Community Center	6243 Brookside Rd, Brookside
Village	
West Pearland Community Center	2150 Countryplace Pkwy, Pearland
Pearland Recreation Center	4141 Bailey Rd, Pearland

Surfside Beach City Hall	1304 Monument Dr, Surfside Beach
Alvin Library	105 S Gordon, Alvin
Silverlake Recreation Center	2715 Southwyck Pkwy, Pearland
Tom Reid Library	3522 Liberty Dr, Pearland
West Pearland Library	11801 Shadow Creek Pkwy, Pearland
Manvel Annex	7313 Corporate Dr, Manvel
Richwood City Hall	1800 N Brazosport Blvd, Richwood

Open only if city has an election:

Liverpool City Hall	8901 County Road 171, Liverpool
Hillcrest Village Municipal Building	200 W Timberlane Alvin

SECTION THREE--Candidates, Applications and Filing Fees.

(a) Everyone who has attained the age of eighteen (18) years, who has resided within the incorporated limits of the City for a period of six (6) months immediately preceding the last day on which a candidate's application for a place on the ballot could be delivered to the City Secretary, as hereinafter provided, shall be eligible to become a candidate for the office of Mayor of the City by filing a sworn application, as hereinafter provided.

(b) Everyone who has attained the age of eighteen (18) years, who has resided within the incorporated limits of the City for a period of six (6) months immediately preceding the last day on which a candidate's application for a place on the ballot could be delivered to the City Secretary, as hereinafter provided, and who:

(1) resides in Ward B, as defined in said Ordinance No. 2002-2001, on the day such application is filed, shall be eligible to become a candidate for the office of Council Position B by filing a sworn application, as hereinafter provided; and,

(2) resides in Ward D, as defined in said Ordinance No. 2002-2001, on the day such application is filed, shall be eligible to become a candidate for the office of Council Position D by filing a sworn application, as hereinafter provided.

(c) Each candidate's application shall be in writing, contain the matters set out in Section 141.031, Texas Election Code and be filed with the City Secretary of the City.

(d) An application may not be filed earlier than the ninety-first (91st) day before the day hereinabove specified for said election and must be filed not later than 5:00 o'clock p.m. of the sixty-first (61) day preceding the day hereinabove specified for said election, being January 17, 2024, and February 16, 2024, respectively.

SECTION FOUR--Electors.

Every person eligible to vote under the provisions of Chapter 11 of Title 2 of the Texas Election Code who is a resident of the City and who is duly registered to vote in the county election precinct where and on the day on which he or she votes, shall be entitled to vote for or against the candidates for Council Position B, if such voter resides in Ward B as defined in Ordinance No. 2002-2001, and for or against the candidates for Council Position D, if such voter resides in Ward D, as defined in Ordinance No. 2002-2001.

SECTION FIVE--Officers of Election and Compensation Thereof.

The Presiding Judge, Alternate Presiding Judge and clerks needed on the day of election for the election called by this ordinance, for the early ballot board and the central counting station shall be appointed, have the duties and be compensated as provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference.

SECTION SIX--Early Voting.

Early voting shall begin on April 22, 2024, and end on April 30, 2024, such early voting to be conducted by the County Clerk of Brazoria County, Texas, between the hours of 8:00 a.m. and 5:00 p.m.

at the following locations, from Monday, April 22, 2024, through Saturday, April 27, 2024, and between the hours of 8:00 a.m. through 5:00 p.m. on Monday, April 29, 2024, and Tuesday, April 30, 2024, at such locations, to-wit:

<u>Angleton (Main):</u>	East Annex, 1524 E Mulberry
<u>Alvin:</u>	Alvin Library, 105 S Gordon
<u>Brazoria:</u>	Brazoria Library, 620 S Brooks
<u>Freeport:</u>	Freeport Library, 410 Brazosport Blvd
<u>Lake Jackson:</u>	Doris Williams Civic Center, 333 HWY 332 East
<u>Manvel:</u>	Manvel Annex, 7313 Corporate Dr
<u>Pearland East:</u>	Tom Reid Library, 3522 Liberty Dr
<u>Pearland West:</u>	West Pearland Community Center, 2150 Countryplace Pkwy
<u>Shadow Creek:</u>	West Pearland Library, 11801 Shadow Creek Pkwy
<u>Sweeny:</u>	Sweeny Community Center, 205 W Ashley Wilson Rd
<u>West Columbia:</u>	Precinct 4 Building # 2, 121 N 10 th St

SECTION SEVEN--Method of Voting and Conducting Election.

Both early voting and all voting on the day named above for the holding of said election shall be in the manner specified in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, mentioned above.

SECTION EIGHT--Notice of Election.

(a) The Mayor of the City is hereby authorized and directed to issue a notice of said election, including a substantial copy of above and foregoing proposition, and to cause the same to be posted in accordance with Section 4.003(a)(2) of the Election Code for at least twenty-one (21) days prior to the date named above for the holding of said election on the bulletin board used for posting notices of meetings of the City Council.

(b) The City Secretary of the City is hereby authorized and directed to cause a copy of such notice, including a substantial copy of above and foregoing proposition, to be published in a newspaper in accordance with Section 4.003(a)(1) of the Election Code, such publication to be at least ten (10) days before but not more than thirty (30) days before the date named above for the holding of said special election.

SECTION NINE--Ratification and Confirmation by Mayor.

By signing this ordinance, the undersigned Mayor of the City hereby ratifies and confirms as his action all matters hereinabove recited which by law come within his jurisdiction.

SECTION TEN--Effective Date.

This ordinance shall be effective immediately upon its passage and approval.

READ, PASSED AND APPROVED this ____ day of _____, 2024.

Brooks Bass, Mayor,
City of Freeport, Texas

ATTEST:

Clarisa Molina, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

David Olson, Interim City Attorney,
City of Freeport, Texas

NOTICE OF ANNUAL GENERAL ELECTION OF OFFICERS

TO: ALL PERSONS ENTITLED TO VOTE UNDER THE PROVISIONS OF CHAPTER 11 OF TITLE 2 OF THE TEXAS ELECTION CODE WHO ARE RESIDENTS OF THE CITY OF FREEPORT, TEXAS, AND ARE DULY REGISTERED TO VOTE IN THE PRECINCT WHERE AND ON THE DAY ON WHICH THEY VOTE,
GREETINGS:

I.

You will take notice that an annual general election will be held in and throughout the City of FREEPORT, Texas, ("the City") on the first Saturday in May, 2024, being May 4th, 2024, between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m., for the purpose of electing in single member districts B and D, and Mayor for the purpose of electing for a three (3) year term each, persons to fill Council Position B now held by JERRY CAIN, and Council Position D, now held by WINSTON ROSSOW, and Mayor now held by BROOKS BASS.

II.

To be eligible to vote in such election, a person must, on the date such person votes, be (1) eligible to vote under the provisions of Chapter 2 of Title 2 of the Texas Election Code, (2) a resident of the City, (3) duly registered to vote in the Brazoria County, Texas, election precinct which includes that portion of the corporate limits of the City where such voter resides and (4), in the case of persons voting in the election for Positions B or D on the City Council of the City, be a resident of Ward B or D of the City, respectively.

III.

For the purpose of this election, the Mayor and City Council of the City have established one (1) municipal polling place, within the City of Freeport located at the Freeport Library, 410 Brazosport Blvd., Freeport, Brazoria County, Texas. On that day, voting will also be permitted at the following Polling Places:

East Annex (Old Walmart)

1524 E Mulberry, Angleton

Precinct 4 Building #2

121 N 10th St., West Columbia

Brazoria Library	620 S Brooks, Brazoria
Oyster Creek City Hall	3210 FM 523, Oyster Creek
Bonney Annex Building	19025 FM 521, Bonney
Alvin ISD Heritage Complex, Liberty Alumni Hall	10855 Iowa Colony Blvd, Iowa Colony
Drainage District No. 4 Building,	4813 W Broadway, Pearland
Sweeny Community Center	205 W Ashley Wilson Rd, Sweeny
Danbury Community Center	6115 5 th St, Danbury
Freeport Library	410 Brazosport Blvd, Freeport
Clute Event Center	100 Parkview Dr, Clute
Jones Creek Comm House	7207 Stephen F Austin Rd, Jones Creek
Lake Jackson Library	250 Circle Way, LJ
Brookside Village Community Center	6243 Brookside Rd, Brookside Village
West Pearland Community Center	2150 Countryplace Pkwy, Pearland
Pearland Recreation Center	4141 Bailey Rd., Pearland
Surfside Beach City Hall	1304 Monument Dr, Surfside Beach
Alvin Library	105 S Gordon, Alvin
Silverlake Recreation Center	2715 Southwyck Pkwy, Pearland
Tom Reid Library	3522 Liberty Dr, Pearland
West Pearland Library	11801 Shadow Creek Pkwy, Pearland
Manvel Annex	7313 Corporate Dr, Manvel
Richwood City Hall	1800 N Brazosport Blvd, Richwood

Open only if city has an election:

Liverpool City Hall	8901 County Road 171, Liverpool
Hillcrest Village Municipal Building	200 W. Timberlane, Alvin

IV.

Early voting shall begin on April 22, 2024, and end on April 30, 2024, such early voting to be conducted by the County Clerk of Brazoria County, Texas, between the hours of 8:00 a.m. and 5:00 p.m. at the following locations, from Monday, April 22, 2024, through Saturday, April 27, 2024, and between the hours of 8:00 a.m. through 5:00 p.m. on Monday, April 29, 2024 and Tuesday, April 30, 2024, at such locations, to-wit:

<u>Angleton (Main):</u>	East Annex, 1524 E Mulberry
<u>Alvin:</u>	Alvin Library, 105 S Gordon
<u>Brazoria:</u>	Brazoria Library, 620 S Brooks
<u>Freeport:</u>	Freeport Library, 410 Brazosport Blvd
<u>Lake Jackson:</u>	Doris Williams Civic Center, 333 HWY 332 East
<u>Manvel:</u>	Manvel Annex, 7313 Corporate Dr
<u>Pearland East:</u>	Tom Reid Library, 3522 Liberty Dr
<u>Pearland West:</u>	West Pearland Community Center, 2150 Countryplace Pkwy
<u>Shadow Creek:</u>	West Pearland Library, 11801 Shadow Creek Pkwy
<u>Sweeny:</u>	Sweeny Community Center, 205 W Ashley Wilson Rd
<u>West Columbia:</u>	Precinct 4 Building # 2, 121 N 10 th St

WITNESS MY OFFICIAL SIGNATURE HEREUNTO AFFIXED this ____ day of
January, 2024.

Brooks Bass, Mayor,
City of Freeport, Texas

ATTEST:

Clarisa Molina, City Clerk,
City of Freeport, Texas

MAYOR'S RETURN

I certify that on the ____ day of January, 2024, I posted a true and correct copy of the foregoing "Notice of Election", on the bulletin board located at the FREEPORT City Hall used for posting notices of meetings of the City Council, such day being more than twenty-one (21) days prior to said election.

Brooks Bass, Mayor,
City of Freeport, Texas

CITY CLERK'S RETURN

I hereby certify that I caused a copy of the above and foregoing "Notice of Annual General Election of Officers" to be published in the Brazosport Facts, heretofore designated as the official newspaper of the City of FREEPORT, Texas, it being a newspaper published in the City of FREEPORT, in Brazoria County, Texas, having a general circulation therein, and that I requested that such publication be one (1) time, not less than ten (10) days nor more than thirty (30) days before the date hereinabove fixed for the holding of said election.

WITNESS my official signature and the seal of said City hereunto affixed
this ____ day of _____, 2024.

Clarisa Molina, City Clerk
City of FREEPORT, Texas

AVISO DE ELECCIÓN GENERAL ANUAL DE FUNCIONARIOS

A: TODAS LAS PERSONAS CON DERECHO A VOTAR BAJO LAS DISPOSICIONES DEL CAPÍTULO 11 DEL TÍTULO 2 DEL CÓDIGO ELECTORAL DE TEXAS QUE SON RESIDENTES DE LA CIUDAD DE FREEPORT, TEXAS, Y ESTÁN DEBIDAMENTE REGISTRADOS PARA VOTAR EN EL PRECINTO DONDE Y EL DÍA EN QUE VOTEN, SALUDOS:

I.

Usted tomará nota de que se llevarán a cabo elecciones generales anuales en y en toda la ciudad de FREEPORT, Texas, ("la Ciudad") el primer sábado de mayo de 2024, siendo el 4 de mayo de 2024, entre las 7:00 a.m. y 7:00 p.m., con el propósito de elegir en los distritos uninominales B y D, y Alcalde con el propósito de elegir por un período de tres (3) años cada uno, las personas que ocuparán el Puesto B del Concejo ahora ocupado por JERRY CAIN, y el Puesto D del Consejo, ahora ocupado por WINSTON ROSSOW, y Alcalde ahora ocupado por BROOKS BASS.

II.

Para ser elegible para votar en dicha elección, una persona debe, en la fecha de su voto, ser (1) elegible para votar según las disposiciones del Capítulo 2 del Título 2 del Código Electoral de Texas, (2) ser residente de la Ciudad, (3) debidamente registrado para votar en el distrito electoral del Condado de Brazoria, Texas, que incluye la parte de los límites corporativos de la Ciudad donde reside dicho votante y (4), en el caso de personas que votan en la elección para los Puestos B o D en el Ayuntamiento de la Ciudad, ser residente del Distrito B o D de la Ciudad, respectivamente.

III.

A los efectos de esta elección, el Alcalde y el Concejo Municipal de la Ciudad han establecido un (1) lugar de votación municipal, dentro de la Ciudad de Freeport, ubicado en la Biblioteca de Freeport, 410 Brazosport Blvd., Freeport, Condado de Brazoria, Texas. Ese día también se permitirá votar en los siguientes Lugares de Votación:

East Annex (Old Walmart)	1524 E Mulberry, Angleton
Precinct 4 Building #2	121 N 10 th St., West Columbia
Brazoria Library	620 S Brooks, Brazoria
Oyster Creek City Hall	3210 FM 523, Oyster Creek
Bonney Annex Building	19025 FM 521, Bonney
Alvin ISD Heritage Complex, Liberty Alumni Hall	10855 Iowa Colony Blvd, Iowa Colony
Drainage District No. 4 Building,	4813 W Broadway, Pearland
Sweeny Community Center	205 W Ashley Wilson Rd, Sweeny
Danbury Community Center	6115 5 th St, Danbury
Freeport Library	410 Brazosport Blvd, Freeport
Clute Event Center	100 Parkview Dr, Clute
Jones Creek Comm House	7207 Stephen F Austin Rd, Jones Creek
Lake Jackson Library	250 Circle Way, LJ
Brookside Village Community Center,	6243 Brookside Rd,Brookside Village
West Pearland Community Center	2150 Countryplace Pkwy, Pearland
Pearland Recreation Center	4141 Bailey Rd., Pearland
Surfside Beach City Hall	1304 Monument Dr, Surfside Beach
Alvin Library	105 S Gordon, Alvin
Silverlake Recreation Center	2715 Southwyck Pkwy, Pearland
Tom Reid Library	3522 Liberty Dr, Pearland
West Pearland Library	11801 Shadow Creek Pkwy, Pearland

Manvel Annex

7313 Corporate Dr, Manvel

Richwood City Hall

1800 N Brazosport Blvd, Richwood

Abierto solo si la ciudad tiene una elección:

Liverpool City Hall

8901 County Road 171, Liverpool

Hillcrest Village

200 W. Timberlane, Alvin

Municipal Building

IV.

La votación anticipada comenzará el 22 de abril de 2024 y finalizará el 30 de abril de 2024; dicha votación anticipada será realizada por el Secretario del Condado de Brazoria, Texas, entre las 8:00 a. m. y las 5:00 p. m. en los siguientes lugares, desde el lunes 22 de abril de 2024 hasta el sábado 27 de abril de 2024, y entre las 8:00 a. m. y las 5:00 p. m. el lunes 29 de abril de 2024 y el martes 30 de abril de 2024, en dichos lugares, a saber:

Alvin:

Alvin Library, 105 S Gordon

Brazoria:

Brazoria Library, 620 S Brooks

Freeport:

Freeport Library, 410 Brazosport Blvd

Lake Jackson:

Doris Williams Civic Center, 333 HWY 332 East

Manvel:

Manvel Annex, 7313 Corporate Dr

Pearland East:

Tom Reid Library, 3522 Liberty Dr

Pearland West:

West Pearland Community Center,
2150 Countryplace Pkwy

Shadow Creek:

West Pearland Library, 11801 Shadow Creek Pkwy

Sweeny:

Sweeny Community Center, 205 W Ashley Wilson Rd

West Columbia:

Precinct 4 Building # 2, 121 N 10th St

TESTIGO DE MI FIRMA OFICIAL FIJADA EN EL PRESENTE este ____ día de
enero de 2024.

Brooks Bass, Alcalde,
City of Freeport, Texas

ATTEST:

Clarisa Molina, Secretaria de la Ciudad,
City of Freeport, Texas

EL REGRESO DEL ALCALDE

Certifico que el día _____ de enero de 2024, publiqué una copia fiel y correcta del "Aviso de Elección" anterior, en el tablón de anuncios ubicado en el Ayuntamiento de FREEPORT utilizado para publicar avisos de reuniones del Concejo Municipal, tales siendo el día más de veintiún (21) días antes de dicha elección.

Brooks Bass, Alcalde,
City of Freeport, Texas

REGRESO DEL SECRETARIO MUNICIPAL

Por la presente certifico que hice que se publicara una copia del "Aviso de elección general anual de funcionarios" anterior en Brazosport Facts, hasta ahora designado como el periódico oficial de la ciudad de FREEPORT, Texas, siendo un periódico publicado en la Ciudad de FREEPORT, en el Condado de Brazoria, Texas, que tiene circulación general en la misma, y que solicité que dicha publicación se realice una (1) vez, no menos de diez (10) días ni más de treinta (30) días antes de la fecha anteriormente fijado para la celebración de dicha elección.

TESTIGO, a mi firma official y el sello de la Ciudad a esto apuesto el dia _____
de _____ de el 2024.

Clarisa Molina, City Clerk
City of Freeport, Texas



City Council Agenda Item #9.

Title: Consideration and possible action regarding the recommendations of the Freeport Charter Review Committee to place items for consideration on the upcoming ballot for the Freeport Elections in May of 2024.

Date: January 22, 2024

From: Lance Petty, City Manager

Staff Recommendation: Staff recommends council consider report from and items recommended by the Charter Review Committee for placement on the upcoming ballot in the May election and choose those items you feel are most important for doing so.

Item Summary: The Charter review committee has recommended for Council consideration the following questions to be placed upon the upcoming ballot:

1. Shall the Charter be amended to authorize City Council to correct spelling, grammar, and punctuation errors in the Charter?
2. Shall the Charter be amended to provide that the filling of a vacancies on City Council be consistent with Article 11, Section 11 of the Constitution?
3. Shall the Charter be amended to authorize City Council to update all references to in the City's Charter to current State Law?
4. Shall the Charter be amended to authorize City Council to update all references to City Clerk to now read City Secretary?
5. Shall the Charter be amended to authorize City Council to make all references to persons or positions gender neutral?
6. Shall Section 3.14 of the Charter be amended to accurately reflect the City's annual audit requirements under State Law?
7. Shall Section 3.15 of the Charter be amended to require the City Manager to publish the quarterly financial statement within forty-five (45) days of the close of each quarter?

8. Shall the Charter be amended to require the Chief of Police to establish a place of residency within 30 miles from the City?
9. Shall the Charter be amended to update the qualifications and duties of the Health Officer to reflect current City practice and the role of a Municipal Health Officer?
10. Shall the Charter be amended to require the Fire Chief to act as the chief administrative officer of the department of Fire and EMS and to establish a place of residency within 30 miles from the City?
11. Shall the Charter be amended to allow one hundred and eighty (180) days to submit signatures for a petition, which is consistent with State and Federal law?
12. Shall the Charter be amended to remove the use of the word “slum districts” and replace with “substandard structures”?
13. Shall the Charter be amended to update personal interest prohibitions to be consistent with Chapter 171 of the Texas Local Government Code?
14. Shall the Charter be amended to update claims for damages against the City to be consistent with current State law?
15. Shall the Charter be amended by removing this obsolete section concerning Interim Municipal Government?
16. Shall the Charter be amended to update the procedure for amending the Charter to be consistent with current State and Federal law?
17. Shall the Charter be amended by removing this obsolete section concerning the initial submission of the Charter to voters for original approval?

City Attorney David Olson has prepared the attached Charter identifying all purposed changes in Redline.

Which ever recommendations are approved will be brought back in the form of an ordinance ordering the calling of the Charter election.

Background Information: The Charter Review Committee appointed by the City Council has met in open meetings over the last three months and carefully reviewed section by section the City Charter. they identified potential changes for the Charter many of which driven the need to be more congruent with state law, some were considered good house keeping changes, and several were identified as important and timely. Their recommendations have been summarized by these questions.

the attached report has been prepared by the City Attorney with either the current language (or

an example), the specific proposed change (or an example), The proposed ballot language and the rational for the change recommended. Examples are used when the ballot question addresses corrections throughout the Charter for spelling, grammatical, or legal compliance with state law issues.

Special Considerations: In review of these items, the council may consider each item individually and act upon them individually. The council may consider them as a whole or in part and may consider other potential changes outside the recommendation of the committee.

Financial Impact: NA

Board or 3rd Party Recommendation: This is the formal recommendation of the Charter Review Commission as stipulated procedurally under Section 11.13 of the Charter.

Supporting Documentation:

1. Charter Recommendations 01222024

CITY OF FREEPORT

Charter Review Commission Recommendations

DRAFT

January 22, 2024

Proposed Changes to the Existing City of Freeport Home Rule Charter: The following changes are proposed for Council consideration to be placed on the Ballot for the May 2023 General Election. In keeping with prior years' recommendation reports where the text in BLACK is the current language, the underlined **GREEN** text is the proposed language for inclusion in the Charter, the text in **RED** is the proposed ballot language and the text in **BLUE** is the rationale behind the change.

Proposed Change #1: Correction to Spelling, Grammar, and Punctuation Errors in the Charter, see Section 3.02 below as an example.

Proposed Charter Language to correct such errors:

SECTION 3.02. QUALIFICATIONS.

The Mayor and each member of the City Council ... without a valid written excuse filed with the Mayor or Mayor Pro Tem ... and shall fill such vacancy as set forth in Section 3.06 of this Charter.

Proposed Ballot Language:

Proposition #1: Shall the Charter be amended to authorize City Council to correct spelling, grammar, and punctuation errors in the Charter?

Rationale for Change:

There are spelling, grammar, and punctuation errors within the Charter, and this proposition would authorize City Council to adopt a revised Charter correcting such errors.

Proposed Change #2: Section 3.06

Current Charter Language:

SECTION 3.06. VACANCIES.

When a vacancy occurs in the City Council, the remaining members thereof, must, within ten (10) days, appoint a qualified person to fill the unexpired term of such vacancy; provided, however, the City Council shall not appoint more than one council member in any twelve-month period, and in the event of the occurrence of a vacancy in the City Council within a twelve-month period in which a vacancy in the City Council has been filled by the said City Council, or in the event that more than one vacancy shall occur at the same time; then in such event a special election shall be held within forty (40) days from the date the last vacancy occurred, for the purpose of electing the successor or successors. In the event that the Mayor and Mayor Pro Tem should resign at the same time, the remaining members of the City Council, or any of them, shall have the right and power to issue legal notice of such election to be so

held, and to elect and appoint election officials. Should all positions on the City Council become vacant at one time, then in such event, the County Judge of Brazoria County, Texas, is hereby empowered and directed to issue notice of such special election for an on behalf of said City, and to appoint qualified persons as election officials.

Proposed Charter Language:

SECTION 3.06. VACANCIES.

When a vacancy occurs in the City Council for a Council position that has an unexpired term of twelve (12) months or less, the remaining members thereof, shall appoint a qualified person to fill the unexpired term of such vacancy; provided, however, if the vacancy occurs with more than twelve (12) remaining on the unexpired term of such position, or in the event that more than one vacancy shall occur at the same time, then in such event a special election shall be held within one hundred and twenty (120) days from the date the last vacancy occurred, for the purpose of electing the successor or successors. In the event that the Mayor and Mayor Pro Tem should resign at the same time, the remaining members of the City Council, or any of them, shall have the right and power to issue legal notice of such election to be so held, and to elect and appoint election officials. Should all positions on the City Council become vacant at one time, then in such event, the County Judge of Brazoria County, Texas, is hereby empowered and directed to issue notice of such special election for an on behalf of said City, and to appoint qualified persons as election officials.

Proposed Ballot Language:

Proposition #2: Shall the Charter be amended to provide that the filling of a vacancies on City Council be consistent with Article 11, Section 11 of the Texas Constitution?

Rationale for Change:

The Charter needs to be consistent with the Texas Constitution when filling vacancies on City Council.

Proposed Change #3: Updating references to State law in the Charter, see Section 3.07(p) and (q) as an example.

Current Charter Language:

SECTION 3.07. POWERS OF THE CITY COUNCIL

(p) Exercise exclusive dominion, control and jurisdiction, including the right to close and abandon streets and alleys in, upon, over and under the public streets, avenues, sidewalks, alleys, highways, boulevards and public grounds of the City and provide for the improvement of same as provided in Article 1105b, Chapter 9, Title 28, of the Revised Civil Statutes of the State of Texas of 1925, as now or hereafter amended;

(q) Exercise those powers enumerated in Acts of the 43rd Legislature of the State of Texas, 1933, p. 774, Chapter 231, commonly known as Article 1187a, Revised Civil Statutes of Texas, 1925, as the same exist

or may be hereafter amended;

Proposed Charter Language:

SECTION 3.07. POWERS OF THE CITY COUNCIL

(p) Exercise exclusive dominion, control and jurisdiction, including the right to close and abandon streets and alleys in, upon, over and under the public streets, avenues, sidewalks, alleys, highways, boulevards and public grounds of the City and provide for the improvement of same as provided by Chapter 311 of the Transportation Code, as now or hereafter amended;

(q) Exercise those powers related to harbor and port facilities provided by Chapter 54 of the Transportation Code, as now or hereafter amended;

Proposed Ballot Language:

Proposition #3: Shall the Charter be amended to authorize City Council to update all references to in the City's Charter to current State law?

Rationale for Change:

The Charter currently has references to outdated and uncoded State law that needs to be updated to current State law.

Proposed Change #4 and #5: Update references in the Charter to the City Secretary position and make references to persons or positions gender neutral, see Section 3.11 as an example.

Current Charter Language:

SECTION 3.11. PROCEDURE FOR PASSING OF ORDINANCES.

Every ordinance shall be introduced in written or printed form and upon passage, shall take effect at the time indicated therein; provided that any ordinance imposing a penalty, fine or forfeiture for a violation of its provisions shall become effective not less than ten days from the date of its passage; subject to the provisions of Article 7 of this Charter. The clerk shall give notice of the passage of every ordinance imposing a penalty, fine or forfeiture for a violation of the provisions thereof, by causing the caption or title, including the penalty of any such ordinance to be published in the official newspaper of the City of Freeport at least twice within ten days after the passage of said ordinance. He shall note on every ordinance, the caption of which is hereby required to be published, and on the record thereof, the fact that same has been published as required by the Charter, and the date of such publication, which shall be prima facie evidence of the legal publication and promulgation of such ordinance; provided, that the provisions of this section shall not apply to the correction, amendment, revision and codification of the ordinances of the City for publication in book or pamphlet form. Except as otherwise provided by Article 7 of this Charter, it shall not be necessary to the validity of any ordinance that it shall be read more than one time or considered at more than one session of the City Council. Every ordinance shall be authenticated by the signature of the mayor and city clerk and shall be systematically recorded and indexed in an ordinance book in a manner approved by the Council. It shall only be necessary to record

the caption or title of ordinances in the minutes or journal of council meetings. The City Council shall have power to cause the ordinances of the City to be corrected, amended, revised, codified and printed in code form as often as the Council deems advisable, and such printed code, when adopted by the Council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. Such printed code shall be admitted in evidence in all courts and places without further proof.

Proposed Charter Language:

SECTION 3.11. PROCEDURE FOR PASSING OF ORDINANCES.

Every ordinance shall be introduced in written or printed form and upon passage, shall take effect at the time indicated therein; provided that any ordinance imposing a penalty, fine or forfeiture for a violation of its provisions shall become effective not less than ten days from the date of its passage; subject to the provisions of Article 7 of this Charter. The City Secretary shall give notice of the passage of every ordinance imposing a penalty, fine or forfeiture for a violation of the provisions thereof, by causing the caption or title, including the penalty of any such ordinance to be published in the official newspaper of the City of Freeport at least twice within ten days after the passage of said ordinance. The City Secretary shall note on every ordinance, the caption of which is hereby required to be published, and on the record thereof, the fact that same has been published as required by the Charter, and the date of such publication, which shall be prima facie evidence of the legal publication and promulgation of such ordinance; provided, that the provisions of this section shall not apply to the correction, amendment, revision and codification of the ordinances of the City for publication in book or pamphlet form. Except as otherwise provided by Article 7 of this Charter, it shall not be necessary to the validity of any ordinance that it shall be read more than one time or considered at more than one session of the City Council. Every ordinance shall be authenticated by the signature of the mayor and City Secretary and shall be systematically recorded and indexed in an ordinance book in a manner approved by the Council. It shall only be necessary to record the caption or title of ordinances in the minutes or journal of council meetings. The City Council shall have power to cause the ordinances of the City to be corrected, amended, revised, codified and printed in code form as often as the Council deems advisable, and such printed code, when adopted by the Council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. Such printed code shall be admitted in evidence in all courts and places without further proof.

Proposed Ballot Language:

Proposition #4: Shall the Charter be amended to authorize City Council to update all references to City Clerk to now read City Secretary?

Proposition #5: Shall the Charter be amended to authorize City Council to make all references to persons or positions gender neutral?

Rationale for Change:

The Charter should reflect current references to the City Secretary position and be gender neutral throughout.

Proposed Change #6: SECTION 3.14. AUDIT AND EXAMINATION OF CITY BOOKS AND ACCOUNTS.

Current Charter Language:

SECTION 3.14. AUDIT AND EXAMINATION OF CITY BOOKS AND ACCOUNTS.

City Council shall, as soon as feasible, after the close of the fiscal year, select a Certified Public Accountant for the purpose of performing a complete audit of all books, records and accounting systems being used by the City. It shall be the duty of such Certified Public Accountant to perform two (2) spot, partial audits during the fiscal year, all work to commence on an unannounced basis by such accountant. His report shall include a recapitulation of all audits made during the year and all audit reports shall be filed with the City Council, shall be available for public inspection, and shall be a part of the archives of this City. Such accountant, so selected, shall not maintain or keep any of the City's accounts or records.

Proposed Charter Language:

SECTION 3.14. AUDIT AND EXAMINATION OF CITY BOOKS AND ACCOUNTS.

City Council shall select a Certified Public Accountant for the purpose of performing a complete annual audit of all books, records and accounting systems being used by the City, in accordance with State law. All audit reports shall be filed with the City Council, shall be available for public inspection, and shall be a part of the archives of this City. Such accountant, so selected, shall not maintain or keep any originals of the City's accounts or records.

Proposed Ballot Language:

Proposition #6: Shall Section 3.14 of the Charter be amended to accurately reflect the City's annual audit requirements under State law?

Rationale for Change:

The current Charter language in Section 3.14 requires two unannounced audits of the City's records. This is not a practical requirement and is inconsistent with the audit requirements provided for in Chapter 103 of the Texas Local Government Code.

Proposed Change #7: Section 3.15. PUBLICATION OF FINANCIAL STATEMENT.

Current Charter Language:

SECTION 3.15. PUBLICATION OF FINANCIAL STATEMENT.

As soon as possible after the close of each quarter of the fiscal year, the City Manager shall cause a financial statement for such quarter to be prepared and made available for inspection by the public in the office of the City Secretary and maintain such report on the City's website for the next succeeding quarter of the fiscal year.

Proposed Charter Language:

SECTION 3.15. PUBLICATION OF FINANCIAL STATEMENT.

Within forty-five (45) days after the close of each quarter of the fiscal year, the City Manager shall cause a financial statement for such quarter to be prepared and made available for inspection by the public in the office of the City Secretary and maintain such report on the City's website for the next succeeding quarter of the fiscal year.

Proposed Ballot Language:

Proposition #7: Shall Section 3.15 of the Charter be amended to require the City Manager to publish the quarterly financial statement within forty-five (45) days of the close of each quarter?

Rationale for Change:

The phrase "[a]s soon as possible" is being redefined as "[w]ithin forty-five (45) days to put a definitive deadline of the filing of the quarterly financial statement.

Proposed Change #8: SUBSECTION (a) Chief of Police, under SECTION 4.02. DEPARTMENT OF POLICE

Current Charter Language:

SECTION 4.02. DEPARTMENT OF POLICE.

There shall be established and maintained a Department of Police to preserve order within the City and to secure the residents of said City from violence and the property therein from injury or loss.

(a) Chief of Police. The chief of police shall be the chief administrative officer of the department of police. He shall, with the approval of the City Manager, appoint and remove the employees of such department and shall perform such other duties as may be required of him by the city council. The chief of police shall be appointed by the city manager, with the approval of the city council, for an indefinite term. The chief of police shall be responsible to the city manager for the administration of the police department and the carrying out of the directives of the city council. The chief of police may be removed from office by the city manager with the approval of the city council.

Proposed Charter Language:

SECTION 4.02. DEPARTMENT OF POLICE.

There shall be established and maintained a Department of Police to preserve order within the City and to secure the residents of said City from violence and the property therein from injury or loss.

(a) Chief of Police. The chief of police shall be the chief administrative officer of the department of police. He shall, with the approval of the City Manager, appoint and remove the employees of such department and shall perform such other duties as may be required of him by the city council. The chief of police shall be appointed by the city manager, with the approval of the city council, for an indefinite term. Within six (6) months of his or her appointment, the Chief of Police shall establish and thereafter maintain a place of residence within 30 miles from the city for the duration of his or her employment by the city in such capacity. The chief of police shall be responsible to the city manager for the

administration of the police department and the carrying out of the directives of the city council. The chief of police may be removed from office by the city manager with the approval of the city council.

Proposed Ballot Language:

Proposition #8: Shall the Charter be amended to require the Chief of Police to establish a place of residency within 30 miles from the City?

Rationale for Change:

The Charter Review Commission felt that it was important for the Chief of the Police Department to resident close to the City in order to improve visibility and response time.

Proposed Change #9: SECTION 4.07. DEPARTMENT OF HEALTH AND SANITATION.

Current Charter Language:

SECTION 4.08. DEPARTMENT OF HEALTH AND SANITATION.

(a) Appointment and Qualification. The City Council may appoint a City Health Officer who shall be a licensed physician qualified to practice medicine in the State of Texas and a resident of the City of Freeport. In the event no available licensed physician qualified to practice medicine in the State of Texas is a resident of the City of Freeport, the Council may appoint as City Health Officer a nonresident physician qualified to practice medicine in the State of Texas. When the office of City Health Officer is vacant, the County Health Officer of Brazoria County, Texas, may perform any of the duties of such office required by law to be performed by a licensed physician qualified to practice medicine in the State of Texas. The City Health Officer shall be the Director of the Department of Health and Sanitation, unless the office of City Health Officer is vacant, in which event the City Manager shall appoint an employee of the City to be the Supervisor of such Department.

(b) Administration. The City Manager shall be responsible to the City Health Officer for the general administration of the Department of Health and Sanitation and the supervision of the employees thereof.

(c) Duties of the Health Officer. The City Health Officer shall advise with the City Council on a program of Public Health; shall cooperate in the preparation of a Sanitary Code; shall cooperate with nearby cities on problems of health and sanitation; shall cooperate with the Commissioners Court of Brazoria County and its agencies, and with the State Health Department and other departments of State Government in matters pertaining to health and sanitation.

Proposed Charter Language:

SECTION 4.08. HEALTH OFFICER.

(a) Appointment and Qualification. The City Council may appoint a City Health Officer who shall be a licensed physician qualified to practice medicine in the State of Texas and a resident of the City of Freeport. In the event no available licensed physician qualified to practice medicine in the State of Texas is a resident of the City of Freeport, the Council may appoint as City Health Officer a nonresident

physician qualified to practice medicine in the State of Texas. When the office of City Health Officer is vacant, the County Health Officer of Brazoria County, Texas, may perform any of the duties of such office required by law to be performed by a licensed physician qualified to practice medicine in the State of Texas.

(b) Duties of the Health Officer. The City Health Officer shall advise with the City Council on a program of Public Health; shall cooperate with nearby cities on problems of health; shall cooperate with the Commissioners Court of Brazoria County and its agencies, and with the State Health Department and other departments of State Government in matters pertaining to health.

Proposed Ballot Language:

Proposition #9: Shall the Charter be amended to update the qualifications and duties of the Health Officer to reflect current City practice and the role of a Municipal Health Officer?

Rationale for Change:

The City does not have a Department of Health, and the duties and responsibilities of a Health Officer have changed since this Charter provision was drafted. The proposed changes reflect current duties and responsibilities of the City's Health Officer.

Proposed Change #10: SECTION 4.08. FIRE AND E.M.S. DEPARTMENT.

Current Charter Language:

SECTION 4.08. FIRE AND E.M.S. DEPARTMENT.

For the protection of property and lives within the city, there is hereby established and there shall be maintained by the city a department to be known as the Freeport Fire and E.M.S. ("Emergency Medical Service").

Proposed Charter Language:

SECTION 4.08. FIRE AND E.M.S. DEPARTMENT.

For the protection of property and lives within the city, there is hereby established and there shall be maintained by the city a department to be known as the Freeport Fire and E.M.S. ("Emergency Medical Service"). The Fire Chief shall be the chief administrative officer of the department of Fire and EMS. The Fire Chief shall, with the approval of the City Manager, appoint and remove the employees of such department and shall perform such other duties as may be required by the City Council. Within six (6) months of his or her appointment, the Fire Chief shall establish and thereafter maintain a place of residence within 30 miles from the city for the duration of his or her employment by the City in such capacity.

Proposed Ballot Language:

Proposition #10: Shall the Charter be amended to require the Fire Chief to act as the chief administrative officer of the department of Fire and EMS and to establish a place of residency within 30 miles from the City?

Rationale for Change:

The added language about the Fire Chief being the chief administrative officer of the Fire and EMS department reflects current job duties and job description. The Charter Review Commission also felt that it was important for the Fire Chief to resident close to the City in order to improve visibility and response time.

Proposed Change #11: SECTION 6.04. VARIOUS PAPERS CONSTITUTING PETITION.

Current Charter Language:

SECTION 6.04. VARIOUS PAPERS CONSTITUTING PETITION.

The petition may consist of one or more copies, or subscription list, circulated separately, and the signatures thereto may be upon the paper or papers containing the form of petition, or upon other papers attached thereto. Verifications provided for in the next preceding section of this Article may be made by one or more petitioners, and the several parts of copies of the petition may be filed separately and by different persons; but no signatures to such petition shall remain effective or be counted which were placed thereon more than forty-five (45) days prior to the filing of such petition or petitions with the person performing the duties of City Secretary. All papers comprising a recall petition shall be filed with the person performing the duties of City Secretary on the same day, and the said Secretary shall immediately notify, in writing, the officer so sought to be removed, by mailing such notice to his Freeport address.

Proposed Charter Language:

SECTION 6.04. VARIOUS PAPERS CONSTITUTING PETITION.

The petition may consist of one or more copies, or subscription list, circulated separately, and the signatures thereto may be upon the paper or papers containing the form of petition, or upon other papers attached thereto. Verifications provided for in the next preceding section of this Article may be made by one or more petitioners, and the several parts of copies of the petition may be filed separately and by different persons; but no signatures to such petition shall remain effective or be counted which were placed thereon more than one hundred and eighty (180) days prior to the filing of such petition or petitions with the person performing the duties of City Secretary. All papers comprising a recall petition shall be filed with the person performing the duties of City Secretary on the same day, and the said Secretary shall immediately notify, in writing, the officer so sought to be removed, by mailing such notice to his Freeport address.

Proposed Ballot Language:

Proposition #11: Shall the Charter be amended to allow one hundred and eighty (180) days to submit signatures for a petition, which is consistent with State and Federal law?

Rationale for Change:

The Charter should be updated to be consistent with State and Federal law concerning the time allowed for signatures on a petition.

Proposed Change #12: SUBSECTION (d)(5) OF SECTION 8.03. PLANNING COMMISSION.

Current Charter Language:

SECTION 8.03. PLANNING COMMISSION.

- (d) Powers and Duties: The Commission shall have the power and shall be required to:
- (5) Make, and recommend to the City Council for adoption, plans for the clearance and rebuilding of slum districts and blighted areas which may develop within the City;

Proposed Charter Language:

SECTION 8.03. PLANNING COMMISSION.

- (d) Powers and Duties: The Commission shall have the power and shall be required to:
- (5) Make, and recommend to the City Council for adoption, plans for the clearance and rebuilding of substandard structures and blighted areas which may develop within the City;

Proposed Ballot Language:

Proposition #12: Shall the Charter be amended to remove the use of the word “slum districts” and replace with “substandard structures”?

Rationale for Change:

The use of the phrase “slum districts” is outdated and inappropriate. The Charter Review Commission recommends replacing that word with substandard structures, which the identification of same is part of the current duties of the Planning Commission.

Proposed Change #13: SECTION 11.02. PERSONAL INTEREST.

Current Charter Language:

SECTION 11.02. PERSONAL INTEREST.

No officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, nor shall be financially interested directly, or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service. The above provision shall not apply where the interest is represented by ownership of stock in a corporation involved, provided such stock

ownership amounts to less than one percent (1%) of the corporation stock. Any violation of this section shall constitute malfeasance in office, and any officer or employee of the City found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge, express or implied, of the person or corporation contracting with the City shall render the contract voidable by the City Manager or the City Council.

Proposed Charter Language:

SECTION 11.02. PERSONAL INTEREST.

No officer or employee of the City shall participate in the deliberation, vote, or other decision on any matter involving a business entity or real property in which the officer or employee has a substantial interest as provided by Chapter 171 of the Texas Local Government Code. For purposes of this section, an officer or employee has a substantial interest in a business entity if:

- (1) the officer or employee owns 10 percent (10%) or more of the voting stock or shares of the business entity or owns either 10 percent (10%) or more or \$15,000 or more of the fair market value of the business entity; or
- (2) funds received by the officer or employee from the business entity exceed 10 percent (10%) of the person's gross income for the previous year.

An officer or employee has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more. An officer or employee is prohibited from participating in the deliberation, vote, or other decision involving such real property if it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the real property, distinguishable from its effect on the public. An officer or employee is considered to have a substantial interest under this section if a person related to the officer or employee in the first degree by consanguinity or affinity, as determined under Chapter 573, Texas Government Code, has a substantial interest under this section.

Proposed Ballot Language:

Proposition #13: Shall the Charter be amended to update personal interest prohibitions to be consistent with Chapter 171 of the Texas Local Government Code?

Rationale for Change:

The Charter should be consistent with the conflicts of interest provisions of Chapter 171 of the Texas Local Government Code.

Proposed Change #14: SECTION 11.07. SPECIAL PRIVISIONS COVERING DAMAGE SUITS.

Current Charter Language:

SECTION 11. 07. SPECIAL PROVISIONS COVERING DAMAGE SUITS.

Before the City shall be liable to damage claim or suit for personal injury, or damage to property, the person who is injured, or whose property is damaged, or someone in his behalf, shall give the City Manager or the person performing the duties of City Secretary, notice in writing within thirty(30) days after the occurrence of the alleged injury, or damage, stating specifically in such notice when, where and how the injury or damage was sustained, and setting forth the extent of the injury or damage as accurately as possible, and giving the names and addresses of all witnesses upon whose testimony such person is relying to establish the injury or damage. No action at law for damages shall be brought against the City for personal injury or damage to property prior to the expiration of 180 days after the notice hereinbefore described has been filed with the City Manager or the person performing the duties of City Secretary, not later than two (2) years after the occurrence of the injury or damage to the property. In case of injuries resulting in death, before the City shall be liable in damages therefor the person or persons claiming such damages shall within thirty (30) days after the death of the injured person give notice as above required in case of personal injury. Provided, however, that nothing therein contained shall be construed to mean that the City of Freeport waives any rights, privileges, defenses or immunities in tort actions which are provided under the common law, and Constitution and general laws of the State of Texas.

Proposed Charter Language:

SECTION 11. 07. SPECIAL PROVISIONS COVERING DAMAGE SUITS.

Before the City shall be liable to damage claim or suit for personal injury, or damage to property, the person who is injured, or whose property is damaged, or someone in his behalf, shall give the City Manager or the person performing the duties of City Secretary, notice in writing within six (6) months after the occurrence of the alleged injury, or damage, stating specifically in such notice when, where and how the injury or damage was sustained, and setting forth the extent of the injury or damage as accurately as possible, and giving the names and addresses of all witnesses upon whose testimony such person is relying to establish the injury or damage. No action at law for damages shall be brought against the City for personal injury or damage to property prior to the expiration of 180 days after the notice hereinbefore described has been filed with the City Manager or the person performing the duties of City Secretary, not later than two (2) years after the occurrence of the injury or damage to the property. In case of injuries resulting in death, before the City shall be liable in damages therefor the person or persons claiming such damages shall within six (6) months after the death of the injured person give notice as above required in case of personal injury. Provided, however, that nothing therein contained shall be construed to mean that the City of Freeport waives any rights, privileges, defenses or immunities in tort actions which are provided under the common law, and Constitution and general laws of the State of Texas.

Proposed Ballot Language:

Proposition #14: Shall the Charter be amended to update claims for damages against the City to be consistent with current State law?

Rationale for Change:

The recommended change for this section is to bring it into noncompliance with Texas Torts Claim Act.

Proposed Change #15: SECTION 11.10. INTERIM MUNICIPAL GOVERNMENT.

Current Charter Language:

SECTION 11.10. INTERIM MUNICIPAL GOVERNMENT.

The members of the governing body holding office when this Charter is adopted shall continue in office under the terms of Article 3 of this Charter.

Proposed Charter Language:

[delete section in its entirety]

Proposed Ballot Language:

Proposition #15: Shall the Charter be amended by removing this obsolete section concerning Interim Municipal Government?

Rationale for Change:

This section is obsolete and no longer needed.

Proposed Change #16: SECTION 11.12. AMENDING THE CHARTER.

Current Charter Language:

SECTION 11.12. AMENDING THE CHARTER.

Amendments to this Charter may be framed and submitted to the voters of the City in the manner provided by Chapter 9 of the Local Government Code, as now or hereafter amended. In the event the United States Department of Justice should fail or refuse to pre-clear any proposed amendment to this charter which submitted to the voters at a charter amendment election and which is required by law to be pre-cleared by said department; and if at such election the majority of voters vote in favor of such proposed amendment, such proposed amendment shall nevertheless have no force and effect unless and until it has either been pre- cleared by said department or the validity of such proposed amendment has been established by the final judgment of a court of competent jurisdiction.

Proposed Charter Language:

SECTION 11.12. AMENDING THE CHARTER.

Amendments to this Charter may be framed and submitted to the voters of the City in the manner provided by Chapter 9 of the Local Government Code, as now or hereafter amended.

Proposed Ballot Language:

Proposition #16: Shall the Charter be amended to update the procedure for amending the Charter to be consistent with current State and Federal law?

Rationale for Change:

The City is no longer required to receive preclearance from the United State Department of Justice for proposed amendments to the Charter. This change updates this section to reflect current State and Federal law.

Proposed Change #17: SECTION 11.14. SUBMISSION OF CHARTER TO VOTERS.

Current Charter Language:

SECTION 11.14. SUBMISSION OF CHARTER TO VOTERS.

The Charter Commission in preparing this Charter finds and decides that it is impracticable to segregate each subject so as to permit a vote of “yes” or “no” on the same, for the reason that the Charter is so constructed that in order to enable it to work and function, it is necessary that it should be adopted in its entirety. For these reasons, the Charter Commission directs that the said Charter be voted upon as a whole and that it shall be submitted to the qualified voters of the City of Freeport at an election to be held for that purpose on the 18th day of June, 1960. Not less than thirty (30) days prior to such election, the City Council shall cause the City Secretary to mail a copy of this Charter to each qualified voter of the City of Freeport as appears from the latest tax collector’s roll. If a majority of the qualified voters voting in such election shall vote in favor of the adoption of this Charter, it shall become the Charter of the City of Freeport, and after the returns have been canvassed, the same shall be declared adopted and the City Secretary shall file an official copy of the Charter with the records of the City. The City Secretary shall furnish the Mayor a copy of said Charter, which copy of the Charter so adopted, authenticated and certified by his signature and the seal of the City, shall be forwarded by the Mayor to the Texas Secretary of State and shall show the approval of such Charter by majority vote of the qualified voters voting at such election.

Proposed Charter Language:

[delete section in its entirety]

Proposed Ballot Language:

Proposition #17: Shall the Charter be amended by removing this obsolete section concerning the initial submission of the Charter to voters for original approval?

Rationale for Change:

This section is obsolete and no longer needed.



City Council Agenda Item #10.

Title: Consideration and possible action to adopt Ordinance No. 2024-2718 calling the Charter Amendment Election.

Date: January 22, 2024

From: Lance Petty, City Manager

Staff Recommendation: Staff recommends council consider the recommended changes to the charter and approve the ordinance.

Item Summary: This is the formal action necessary to legally call the election to place items on the ballot for voter consideration regarding measures to amend various sections and language in the Freeport City Charter.

The Charter review committee has recommended for Council consideration the following 17 questions to be placed upon the upcoming ballot:

1. Shall the Charter be amended to authorize City Council to correct spelling, grammar, and punctuation errors in the Charter?
2. Shall the Charter be amended to provide that the filling of a vacancies on City Council be consistent with Article 11, Section 11 of the Constitution?
3. Shall the Charter be amended to authorize City Council to update all references to in the City's Charter to current State Law?
4. Shall the Charter be amended to authorize City Council to update all references to City Clerk to now read City Secretary?
5. Shall the Charter be amended to authorize City Council to make all references to persons or positions gender neutral?
6. Shall Section 3.14 of the Charter be amended to accurately reflect the City's annual audit requirements under State Law?

7. Shall Section 3.15 of the Charter be amended to require the City Manager to publish the quarterly financial statement within forty-five (45) days of the close of each quarter?
8. Shall the Charter be amended to require the Chief of Police to establish a place of residency within 30 miles from the City?
9. Shall the Charter be amended to update the qualifications and duties of the Health Officer to reflect current City practice and the role of a Municipal Health Officer?
10. Shall the Charter be amended to require the Fire Chief to act as the chief administrative officer of the department of Fire and EMS and to establish a place of residency within 30 miles from the City?
11. Shall the Charter be amended to allow one hundred and eighty (180) days to submit signatures for a petition, which is consistent with State and Federal law?
12. Shall the Charter be amended to remove the use of the word “slum districts” and replace with “substandard structures”?
13. Shall the Charter be amended to update personal interest prohibitions to be consistent with Chapter 171 of the Texas Local Government Code?
14. Shall the Charter be amended to update claims for damages against the City to be consistent with current State law?
15. Shall the Charter be amended by removing this obsolete section concerning Interim Municipal Government?
16. Shall the Charter be amended to update the procedure for amending the Charter to be consistent with current State and Federal law?
17. Shall the Charter be amended by removing this obsolete section concerning the initial submission of the Charter to voters for original approval?

City Attorney David Olson has prepared the attached Election order for these measures.

Background Information: The Charter Review Committee appointed by the City Council in has met in open meetings over the last 4 months and carefully reviewed section by section the City Charter. They identified 17 potential changes for the Charter, many of which were driven the need to be more congruent with state law, some were considered good housekeeping changes, and several were identified as important and timely. There recommendations have been summarized by these 17 questions.

The attached report has been prepared by the City Attorney with the current language (or an example), the specific proposed change (or an example), The proposed ballot language and the

rational for the change recommended. Examples are used when the ballot question addresses corrections throughout the Charter for spelling, grammatical, or legal compliance with state law issues.

Special Considerations: If approved, ballot the ballot language shall be submitted to the voters in the manner provided by chapter 9 of the Local Government Code for the May 4th election.

Financial Impact:

Board or 3rd Party Recommendation: This is the formal recommendation of the Charter Review Commission as stipulated procedurally under Section 11.13 of the Charter.

Supporting Documentation:

1. ordinance 2024. 2718 calling charter election

ORDINANCE NO. 2024-2718

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON THE ADOPTION OF AMENDMENTS TO THE CHARTER OF THE CITY OF FREEPORT; DESIGNATING MAY 4, 2024, AS THE DATE OF THE ELECTION; DESIGNATING THE HOURS, ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR THE ELECTION TO BE CONDUCTED BY BRAZORIA COUNTY; PROVIDING FOR NOTICE AND HOLDING OF THE ELECTION; PROVIDING FOR EARLY VOTING; AND RELATED MATTERS.

WHEREAS, the Charter Review Commission has studied and reviewed the City Charter of the City of Freeport and made recommendations for the amendment of the City Charter; and

WHEREAS, the City Council desires to submit to the voters Charter amendments recommended by the Charter Review Commission and the City Council; and

WHEREAS, the City Council desires to contract with Brazoria County to hold and conduct the special election for the City, and such may be held as a joint election pursuant to the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference;

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

Section 1. Special Election; Charter Amendments. A special election is ordered to be held on Saturday, May 4, 2024, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of submitting to the qualified voters of the City propositions on whether the Charter of the City of Freeport, Texas should be amended. The special election shall be held and conducted by Brazoria County, pursuant to a Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, as authorized by State law, and such election may be held as a joint election. Early voting, both by personal appearance and by mail, will be conducted by the Brazoria County Election Officer, who is designated and appointed as the Early Voting Clerk, in accordance with the Tex. Elec. Code. Early voting shall begin on April 22, 2024, and end on April 30, 2024, such early voting to be conducted by the County Clerk of Brazoria County, Texas, between the hours of 8:00 a.m. and 5:00 p.m. at the following locations, from Monday, April 22, 2024, through Saturday, April 27, 2024, and between the hours of 8:00 a.m. through 5:00 p.m. on Monday, April 29, 2024, through Tuesday, April 30, 2024, at such locations, to-wit:

Angleton (Main):

East Annex, 1524 E Mulberry

<u>Alvin:</u>	Alvin Library, 105 S Gordon
<u>Brazoria:</u>	Brazoria Library, 620 S Brooks
<u>Freeport:</u>	Freeport Library, 410 Brazosport Blvd
<u>Lake Jackson:</u>	Doris Williams Civic Center, 333 HWY 332 East
<u>Manvel:</u>	Manvel Annex, 7313 Corporate Dr
<u>Pearland East:</u>	Tom Reid Library, 3522 Liberty Dr
<u>Pearland West:</u>	West Pearland Community Center, 2150 Countryplace Pkwy
<u>Shadow Creek:</u>	West Pearland Library, 11801 Shadow Creek Pkwy
<u>Sweeny:</u>	Sweeny Community Center, 205 W Ashley Wilson Rd
<u>West Columbia:</u>	Precinct 4 Building # 2, 121 N 10 th St

The proposed amendments shall take effect upon their adoption and the entering of an order by the City Council declaring the amendments adopted. The proposed amendments affect only the Articles and sections listed in redlined form below, which are submitted for amendment to read as follows:

ARTICLE 3. THE GOVERNING BODY

SECTION 3.01. NUMBER, SELECTION, AND TERM.

(a) The legislative and governing body of the City of Freeport, Texas, shall be known as “The City Council of the City of Freeport, Texas” and shall be composed of a Mayor and four (4) council members. The Mayor shall be the presiding officer of the City Council and shall be recognized as the head of the City Government for all ceremonial purposes and by the Governor for purposes of Military Law but shall have no regular administrative duties. The Mayor must vote on all matters under consideration by the City Council, except as provided in Section 3.10 of this Charter. The Mayor shall not have the power of veto.

(b) The Mayor shall be elected from the City of Freeport at large for a three (3) year term at an election to be held on the general uniform election date beginning in 2021, unless such date is changed by State law.

(c) The City of Freeport shall be divided into four (4) single member council districts or wards designated as Wards A, B, C, and D. The resident voters of each single member district or ward shall be entitled to elect one council member from the district or ward wherein they reside. Any qualified candidate desiring to run for election to a position on the City Council from the district or ward wherein such candidate resides shall announce his or her candidacy for such position and file for election to such position in the manner required by this Charter and the Texas Election Code.

(d) The members of the City Council shall serve a three (3) year term each, with an election being held for council members from Wards A and C on the general uniform election date beginning in 2020 and from Wards B and D on the general uniform election date beginning in 2021, unless such date is changed by State law.

(e) All members of the City Council shall be subject to removal from office under the terms and conditions of the recall provisions of this Charter.

(Amendment adopted by electorate 5-2-92; Amendment adopted by electorate 5-4-02; Amendment adopted by electorate 5-24-04)

(f) All references within this Charter to the general uniform election date is henceforth held to be synonymous with the May Uniform Election Date as prescribed by current State law and as may be revised by acts of the State Legislature in the future.

(Ord. No. 2020-2617, § 3(3.01), 11-17-2020)

SECTION 3.06. VACANCIES.

When a vacancy occurs in the City Council for a Council position that has an unexpired term of twelve (12) months or less, the remaining members thereof, shall appoint a qualified person to fill the unexpired term of such vacancy; provided, however, if the vacancy occurs with more than twelve (12) months remaining on the unexpired term of such position, or in the event that more than one vacancy shall occur at the same time, then in such event a special election shall be held within one hundred and twenty (120) days from the date the last vacancy occurred, for the purpose of electing the successor or successors. In the event that the Mayor and Mayor Pro Tem should resign at the same time, the remaining members of the City Council, or any of them, shall have the right and power to issue legal notice of such election to be so held, and to elect and appoint election officials. Should all positions on the City Council become vacant at one time, then in such event, the County Judge of Brazoria County, Texas, is hereby empowered and directed to issue notice of such special election for and on behalf of said City, and to appoint qualified persons as election officials.

SECTION 3.07. POWERS OF THE CITY COUNCIL.

The determination of all matters of policy and the exercise of all powers of local self-government shall be vested in the City Council. By way of illustration, but not limitation, the following enumerated powers are among these powers that may be exercised by the City Council:

- (a) Power to remove from office in City Government, any officer or member of any board or commission but shall not have the authority to remove any employee from the employment of the City Government, except the City Manager;
- (b) Power to establish, consolidate, or abolish administrative department, but shall not distribute the work of divisions;
- (c) Adopt the budget of the City;
- (d) Authorize the issuance of bonds by a bond ordinance in accordance with the general laws of the State of Texas;
- (e) Inquire into the conduct of any office, department or agency of the City and make investigations as to municipal affairs;
- (f) Provide for such additional boards and commissions, not otherwise provided for in this Charter, as may be deemed necessary, and appoint the members of all such boards and commissions. Such boards and commissions shall have all powers and duties now or hereafter conferred and created by this Charter, by City ordinance or by law;
- (g) Adopt and modify the zoning plan and the building code of the City;

- (h) Adopt and modify the official maps of the City;
- (i) Adopt, modify and carry out plans proposed by the Planning Commission;
- (j) Adopt, modify and carry out plans proposed by the Planning Commission for the replanning, improvement and redevelopment of any area or district which may have been destroyed in whole or in part by disaster;
- (k) Grant franchises, regulate, license and fix the charges or fares made by any person, firm or corporation owning, operating or controlling any vehicle of any character used for the carrying of passengers for hire, or the transportation of freight for hire, on the public streets and alleys of the City;
- (l) Provide for the establishment and designation of fire limits and prescribe the kind and character of buildings or structures or improvements to be erected therein, and provide for the erection of fireproof buildings within said limits, and provide for the condemnation of dangerous structures or buildings or dilapidated buildings, or buildings calculated to increase the fire hazard and prescribe the manner of their removal or destruction within said limits;
- (m) Fix the salaries and compensation of the employees of the City and of all officers of the City other than that of the Mayor and other members of the City Council;
- (n) Provide for a sanitary sewer and water system and require property owners to connect their premises with sewer system, and provide for penalties for failure to make sanitary sewer connections;
- (o) Provide for sanitary garbage disposal, and set fees and charges therefor, and provide penalties for failure to pay such fees and charges;
- (p) Exercise exclusive dominion, control and jurisdiction, including the right to close and abandon streets and alleys in, upon, over and under the public streets, avenues, sidewalks, alleys, highways, boulevards and public grounds of the City and provide for the improvement of same as provided by Chapter 311 of the Transportation Code, as now or hereafter amended;
- (q) Exercise those powers related to harbor and port facilities provided by Chapter 54 of the Transportation Code, as now or hereafter amended;
- (r) Provide for and establish hospitalization insurance for employees;
- (s) Participate in National or State Social Security programs;

(t) Compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the City of Freeport;

(u) And such other and further powers as have been or may from time-to-time hereafter be delegated to Home Rule cities by the Legislature of the State of Texas, including the powers incident to the exercise thereof.

(Res. No. 1129, Props 2, 3, 4-7-79; Amendment adopted by electorate 5-12-12) (Ord. No. 2020-2617, § 3(3.07), 11-17-2020)

SECTION 3.08. CITY COUNCIL NOT TO INTERFERE IN APPOINTMENT.

Neither the City Council nor any of its members shall direct the appointment of any person to office by the City Manager or by any of the City Manager's subordinates. Except for the purpose of inquiry, the City Council and its members shall deal with the administrative services solely through the City Manager and neither the City Council nor any member thereof shall give orders to any subordinate of the City Manager, either publicly or privately.

SECTION 3.09. MEETINGS OF THE CITY COUNCIL.

The City Council shall have two (2) regular meetings per month, the date, place and beginning time of which shall be established by ordinance. The City Secretary, under the direction of the Mayor or City Manager, shall be responsible for complying with the notice provisions of the Open Meetings Act for all regular meetings. A regular meeting may be cancelled or the location thereof changed by the Mayor. Provided, however, no regular meeting may be held outside the corporate limits of the City. An emergency meeting or special meeting may be called by the Mayor or any two (2) of the other members of the City Council. An emergency meeting is one held in case of an emergency or urgent public necessity where only two (2) hours' notice thereof is required by the Open Meetings Act. A special meeting is any meeting other than a regular meeting or an emergency meeting. The City Secretary, under the direction of the person or persons calling a special or emergency meeting, shall be responsible for complying with the notice provisions of the Open Meetings Act. The date, place and beginning time of a special or emergency meeting shall be determined by the person or persons calling such meeting and shall be the time specified in such notice. A special or emergency meeting may be held outside the corporate limits of the City. (Amendment adopted by electorate 5-7-94)

SECTION 3.10. RULES OF PROCEDURE.

The City Council shall determine its own rules of procedure and may compel the attendance of its members. A majority of the qualified members of the City Council shall constitute a quorum for the transaction of business, and the affirmative vote of a majority of those present shall be necessary to adopt any ordinance or resolution. Minutes of the proceedings of all meetings, regular or special, shall be kept, to which any citizen may have access at all reasonable times and which

shall constitute one of the archives of the City; provided, however, in lieu of reading the minutes of each Council meeting for approval, the City Secretary may, with the consent of the City Council, furnish each member of the City Council with exact copies of the minutes of previous meetings at least three days prior to the meeting at which such minutes are to be subject to approval. Such minutes shall then be subject to approval, rejection, deletion or addition by the members of the City Council without the necessity of reading the full text of the minutes of the meetings at such meeting at which such minutes are subject to approval. No member of the City Council present at a meeting shall be excused from voting, and each member of the City Council present at the meeting must announce the member's vote on question, ordinance, or resolution placed before the City Council; provided, however, a council member shall be excused from voting whenever the subject matter under consideration involves the member's own official conduct, or where his personal financial interests are involved, and on these particular matters, he shall not vote but shall give his reasons for not voting, which said reasons shall be spread upon the minutes of the City Council. The vote upon the passage of all ordinances, resolutions and motions shall be taken by the "ayes" and "nays" and entered upon the minutes, and every ordinance or resolution, upon its final passage, shall be recorded and permanently maintained, and shall be authenticated by the signature of the presiding officer and the person performing the duties of City Secretary. If at any meeting of the City Council less than a quorum is present, a majority of the members of the City Council who are present may postpone the convening of such meeting for a period of time not to exceed one (1) hour in order to obtain a quorum.

(Amendment adopted by electorate 5-2-98) (Ord. No. 2020-2617, § 3(3.10), 11-17-2020)

SECTION 3.11. PROCEDURE FOR PASSING OF ORDINANCES.

Every ordinance shall be introduced in written or printed form and upon passage, shall take effect at the time indicated therein; provided that any ordinance imposing a penalty, fine or forfeiture for a violation of its provisions shall become effective not less than ten (10) days from the date of its passage; subject to the provisions of Article 7 of this Charter. The City Secretary shall give notice of the passage of every ordinance imposing a penalty, fine or forfeiture for a violation of the provisions thereof, by causing the caption or title, including the penalty of any such ordinance to be published in the official newspaper of the City of Freeport at least twice within ten days after the passage of said ordinance. The City Secretary shall note on every ordinance, the caption of which is hereby required to be published, and on the record thereof, the fact that same has been published as required by the Charter, and the date of such publication, which shall be prima facie evidence of the legal publication and promulgation of such ordinance; provided, that the provisions of this section shall not apply to the correction, amendment, revision and codification of the ordinances of the City for publication in book or pamphlet form. Except as otherwise provided by Article 7 of this Charter, it shall not be necessary to the validity of any ordinance that it shall be read more than one time or considered at more than one session of the City Council. Every ordinance shall be authenticated by the signature of the Mayor and City Secretary and shall be systematically recorded and indexed in an ordinance book in a manner approved by the Council. It shall only be necessary to record the caption or title of ordinances in the minutes or journal of council meetings. The City Council shall have power to cause the ordinances of the City to be

corrected, amended, revised, codified and printed in code form as often as the Council deems advisable, and such printed code, when adopted by the Council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. Such printed code shall be admitted in evidence in all courts and places without further proof.

SECTION 3.14. AUDIT AND EXAMINATION OF CITY BOOKS AND ACCOUNTS.

City Council shall, select a Certified Public Accountant for the purpose of performing a complete annual audit of all books, records and accounting systems being used by the City, in accordance with State law. All audit reports shall be filed with the City Council, shall be available for public inspection, and shall be a part of the archives of this City. Such accountant, so selected, shall not maintain or keep any originals of the City's accounts or records.

(Res. No. 803, § 3, 4-7-69)

SECTION 3.15. PUBLICATION OF FINANCIAL STATEMENT.

Within forty-five (45) days after the close of each quarter of the fiscal year, the City Manager shall cause a financial statement for such quarter to be prepared and made available for inspection by the public in the office of the City Secretary and maintain such report on the City's website for the next succeeding quarter of the fiscal year.

(Amendment adopted by electorate 5-7-94; Amendment adopted by electorate 5-10-14)

ARTICLE 4. ADMINISTRATIVE SERVICES

SECTION 4.01. CITY MANAGER.

(a) Appointment and Qualifications: The City Council shall appoint a City Manager who shall be the chief administrative and executive officer of the City and shall be responsible to the City Council for the administration of all the affairs of the City. The City Manager shall be chosen by the City Council solely on the basis of his or her executive and administrative training, experience and ability, and need not, when appointed, be a resident of the City of Freeport. No member of the City Council shall, during the time for which he or she is elected and for one year thereafter, be appointed City Manager.

(b) Term and Salary: The City Manager shall not be appointed for a definite term but may be removed at the will and pleasure of the City Council by a vote of the majority of the entire Council. The action of the City Council in suspending or removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility of such suspension or removal in the City Council. If the City Manager should be suspended, or if the office of City Manager is vacant by reason of the death, resignation or removal of the City Manager, the City Council shall appoint some qualified person to perform the duties of such office as Acting City Manager until such suspension is lifted or a permanent City Manager is appointed and qualifies.

The City Manager and any Acting City Manager shall receive such compensation as may be fixed by the City Council.

(c) Duties of the City Manager:

- (1) Appoint, and when necessary for the welfare of the City, remove any employee of the City, except as otherwise provided by this Charter;
- (2) Prepare the budget annually and submit it to the City Council, and be responsible for its administration after adoption;
- (3) Prepare and submit to the City Council as of the end of the fiscal year a complete report on the finances and administrative activities of the City for the preceding year;
- (4) Keep the City Council advised of the financial condition and future needs of the City and make such recommendations as may seem desirable;
- (5) Perform such duties as may be prescribed by this Charter or may be required by the City Council, not inconsistent with this Charter.

(d) Absence or disability of the City Manager. If the City Manager is unable to perform the duties of such office as a result of absence or disability, or if such office becomes vacant and the City Council has not yet appointed an Acting City Manager, the Mayor may designate in writing, to be filed with the City Secretary, a qualified employee of the City to perform the duties of the City Manager during such absence or disability or, in the case of such office becoming vacant, until an Acting City Manager has been appointed by the City Council. Provided, however, any such designation shall expire on the day following the next regular meeting of the City Council unless confirmed by the City Council at such meeting.

(e) Within six (6) months of his or her appointment, the City Manager shall establish and thereafter maintain a place of residence within the City for the duration of his or her employment by the City in such capacity. Provided, however, this requirement shall not apply to the person serving as the City Manager on the date it becomes a part of the Home Rule Charter.
(Amendment adopted by electorate 5-4-02; Amendment adopted by electorate 5-10-14)

SECTION 4.02. DEPARTMENT OF POLICE.

There shall be established and maintained a Department of Police to preserve order within the City and to secure the residents of said City from violence and the property therein from injury or loss.

(a) Chief of Police. The Chief of Police shall be the chief administrative officer of the Police Department. The Chief of Police shall, with the approval of the City Manager, appoint and remove the employees of such department and shall perform such other duties as may be required of the

Chief of Police by the City Council. The Chief of Police shall be appointed by the City Manager, with the approval of the City Council, for an indefinite term. Within six (6) months of his or her appointment, the Chief of Police shall establish and thereafter maintain a place of residence within 30 miles from the City for the duration of his or her employment by the City in such capacity. The Chief of Police shall be responsible to the City Manager for the administration of the Police Department and the carrying out of the directives of the City Council. The Chief of Police may be removed from office by the City Manager with the approval of the City Council.

(b) Special Police. No persons except as otherwise provided by general law or this Charter or the ordinances passed pursuant thereto shall act as special police or special detective.
(Amendment adopted by electorate 5-7-94)

(c) The Chief of Police shall appoint one of the members of the Police Department to act as warrant officer. The warrant officer shall execute warrants and other process issued by the Judge or Clerk of the Municipal Court, attend and act as bailiff at all sessions of the Municipal Court, act as security officer for all Municipal Court personnel and perform such other and further duties as may be requested of the Chief of Police by the Municipal Court Judge or assigned by the Chief of Police, with priority being given by the warrant officer to discharging the duties of warrant officer as specified herein.
(Amendment adopted by electorate 5-12-12)

SECTION 4.03. CITY SECRETARY.

The City Manager shall appoint a competent person as City Secretary and such assistants as the City Council shall deem advisable. The City Secretary, or an Assistant City Secretary, shall give notice of Council meetings, shall keep the minutes of the proceedings of such meetings, and shall authenticate by signature and record in full in a book kept and indexed for the purpose, all ordinances and resolutions, and shall perform such other duties the City Manager shall assign, and those elsewhere provided for in this Charter and the laws of the State of Texas.

SECTION 4.04. DIRECTOR OF FINANCE.

The City Manager shall appoint a competent person as Director of Finance and such assistants as the City Council shall deem advisable. The Director of Finance shall perform the duties delegated by the City Manager and those which may be imposed upon municipal treasurers or finance directors by the laws of the State of Texas.
(Res. No. 1065, Prop. 2, 4-4-77; Amendment adopted by electorate 5-10-08)

SECTION 4.05. MUNICIPAL COURT.

(a) There shall be established and maintained a court designated as a “Municipal Court” for the trial of misdemeanor offenses, with all such powers and duties as are now or hereafter prescribed by the laws of the State of Texas relative to such court.

(b) The Judge of said Court shall be a qualified voter of Brazoria County, Texas appointed by the City Council, shall hold such office at the pleasure of the City Council, and shall receive such salary as may be fixed by the City Council.

(Amendment adopted by electorate 5-8-10)

(c) The City Manager shall appoint and when necessary for the welfare of the City, remove the Municipal Court Clerk and any Deputy Municipal Court Clerks but the number of deputies and the salary of the clerk and all deputies shall be fixed by the City Council.

(d) The Clerk of said Court and any such deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of said Court thereto, and generally do and perform any and all acts usual and necessary by the Clerk of Courts in issuing process of said Courts and conducting the business thereof.

(e) At the request of the Judge of said Court, the City Council may appoint one or more Associate Judges for said Court to sit concurrently with the Judge of said Court. An Associate Judge of said Court shall have the same qualifications as the Judge of said Court, shall serve at the pleasure of the City Council, shall receive such salary as may be fixed by the City Council and, when acting in such capacity, shall have all the powers and duties of the Judge of said Court.

(Res. No. 916, Props. 3, 4, 4-9-73) (Amendment adopted by electorate 5-7-94; Amendment adopted by electorate 5-8-10; Amendment adopted by electorate 5-12-12)

SECTION 4.06. CITY ATTORNEY.

The City Council shall appoint a duly licensed attorney practicing law, who shall be the City Attorney. The City Attorney shall receive for services such compensation as may be fixed by the City Council and shall hold office at the pleasure of the City Council. The City Attorney, or such other attorneys selected with the approval of the City Council, shall represent the City in all litigation. The City Attorney shall be the legal advisor of, and attorney and counsel for, the City and all officers and departments thereof.

(Amendment adopted by electorate 5-8-10) (Ord. No. 2020-2617, § 3(4.06), 11-17-2020)

SECTION 4.07. HEALTH OFFICER.

(a) Appointment and Qualification. The City Council may appoint a City Health Officer who shall be a licensed physician qualified to practice medicine in the State of Texas and a resident of the City of Freeport. In the event no available licensed physician qualified to practice medicine in the State of Texas is a resident of the City of Freeport, the Council may appoint as City Health Officer a nonresident physician qualified to practice medicine in the State of Texas. When the

office of City Health Officer is vacant, the County Health Officer of Brazoria County, Texas, may perform any of the duties of such office required by law to be performed by a licensed physician qualified to practice medicine in the State of Texas.

(b) Duties of the Health Officer. The City Health Officer shall advise the City Council on a program of Public Health; shall cooperate with nearby cities on problems of health; shall cooperate with the Commissioners Court of Brazoria County and its agencies, and with the State Health Department and other departments of State Government in matters pertaining to health. (Election of 4-3-82; Amendment adopted by electorate 5-6-00; Amendment adopted by electorate 5-12-12)

SECTION 4.08. FIRE AND E.M.S. DEPARTMENT.

For the protection of property and lives within the City, there is hereby established and there shall be maintained by the City a department to be known as the Freeport Fire and E.M.S. ("Emergency Medical Service"). The Fire Chief shall be the chief administrative officer of the department of Fire and E.M.S. The Fire Chief shall, with the approval of the City Manager, appoint and remove the employees of such department and shall perform such other duties as may be required of the Fire Chief by the City Council. Within six (6) months of appointment, the Fire Chief shall establish and thereafter maintain a place of residence within 30 miles from the City for the duration employment by the City in such capacity. (Amendment adopted by electorate 5-16-16)

ARTICLE 5. NOMINATIONS AND ELECTIONS

SECTION 5.07. CONDUCTING AND CANVASSING ELECTIONS.

The election judges and other necessary election officials for conducting all such elections shall be appointed by the City Council. The election judges shall conduct the elections, determine, record and report the results as provided by the general election laws of the State of Texas. Within five (5) days after an election, the City Council shall meet, open the return, canvass and officially declare the result of the election as to candidates and questions, and issue certificates of election to candidates elected as hereinbefore provided.

SECTION 5.08. OATH OF OFFICE.

(a) The Mayor and other members of the City Council and all appointed officers of the City, before they enter upon the duties of their offices, shall take and subscribe to the following oath or affirmation to be filed and kept in the office of the City Secretary:

"I, (name), do solemnly swear (or affirm) that I will faithfully execute the duties of the office of (title) of the City of Freeport, State of Texas, and will to the best of my ability preserve,

protect and defend the Constitution and Laws of the United States and the State of Texas and the Charter and Ordinances of the City of Freeport, so help me God.”

(b) The Mayor and other members of the City Council and all appointed officers of the City, before taking the oath or affirmation contained in subsection(a) above, shall subscribe and file with the Secretary of State of Texas the following statement:

“I, (name), do solemnly swear (or affirm) that I have not directly or indirectly paid, offered or promised to pay, contributed or promised to contribute any money or thing of value, or promised any public office or employment (for the giving or withholding of a vote at the election at which I was elected; as a reward to secure my appointment or confirmation thereof), so help me God.”

(Amendment adopted by electorate 5-7-94)

SECTION 5.10. LIMITATION ON CONSECUTIVE TERMS OF OFFICE.

No person shall be eligible to become a candidate for election to the same office for more than two (2) consecutive terms. Provided, however, the previous terms to which any person holding an elective office on the date this provision becomes effective shall not be counted.

(Amendment adopted by electorate 5-16-16) (Ord. No. 2020-2617, § 3(5.10), 11-17-2020)

ARTICLE 6. RECALL OF OFFICERS

SECTION 6.02. PETITIONS FOR RECALL.

The question of the recall of the Mayor shall be submitted to the qualified voters of the entire City but the question of the recall of the members of the City Council shall only be submitted to the qualified voters of the single member district or ward from which such member was elected. Recall shall be initiated by the filing of a petition with the person performing the duties of the City Secretary. In the case of the Mayor, such petition shall be signed by a number of the qualified voters of the City equal to at least fifty-one percent (51%) of the number of votes cast at the last regular municipal election of the City but in no event less than two hundred (200) petitioners. In the case of the other members of the City Council, such petition shall be signed by a number of the qualified voters residing in the single member district or ward from which such member was elected to equal to at least fifty-one percent (51%) of the number of votes cast at the last regular municipal election held in such single member district or ward but in no event less than one hundred (100) petitioners.

(Amendment adopted by electorate 5-4-92; Amendment adopted by electorate 5-7-94; Amendment adopted by electorate 5-10-08)

SECTION 6.03. FORM OF RECALL PETITION.

(a) The recall petition mentioned above must be addressed to the City Council of the City of Freeport, must distinctly and specifically point out the ground, or grounds, upon which such petition for removal is predicated, and, if there be more than one ground, such as for incompetency, misconduct or malfeasance in office, shall specifically state each ground with such certainty as to give the officer sought to be removed, notice of the matters and things with which the officer is charged. The signature shall be verified by oath in the following form:

STATE OF TEXAS COUNTY OF BRAZORIA

I, being first duly sworn, on oath depose and say that I am one of the signers of the above petition; and that the statements made therein are true, and that each signature appearing thereto was made in my presence on the day and date it purports to have been made, and I solemnly swear that the same is the genuine signature of the person whose name it purports to be.

Sworn and subscribed to before me this ____ day of ____, Notary Public in and for Brazoria County, Texas

(b) Should it be proved to the satisfaction of the City Council that the affidavit above stated is false, then in such event, it shall be the duty of the City Secretary to cause criminal charges to be filed against the affiant therein.

SECTION 6.04. VARIOUS PAPERS CONSTITUTING PETITION.

The petition may consist of one or more copies, or subscription list, circulated separately, and the signatures thereto may be upon the paper or papers containing the form of petition, or upon other papers attached thereto. Verifications provided for in the next preceding section of this Article may be made by one or more petitioners, and the several parts of copies of the petition may be filed separately and by different persons; but no signatures to such petition shall remain effective or be counted which were placed thereon more than one hundred and eighty (180) days prior to the filing of such petition or petitions with the person performing the duties of City Secretary. All papers comprising a recall petition shall be filed with the person performing the duties of City Secretary on the same day, and the said Secretary shall immediately notify, in writing, the officer so sought to be removed, by mailing such notice to the officer's Freeport address.

SECTION 6.06. PUBLIC HEARING TO BE HELD.

The officer whose removal is sought may, within five (5) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit the officer to present facts pertinent to the charges specified in the recall petition. In this event, the City Council shall order such public hearing to be held, not less than five (5) days nor more than fifteen (15) days after receiving such request for a public hearing.

SECTION 6.07. ELECTION TO BE CALLED.

If the officer whose removal is sought does not resign, then it shall become the duty of the City Council to order an election and fix a date for holding such recall election, the date of which election shall be not less than twenty-five (25) nor more than thirty-five (35) days from the date such petition was presented to the City Council, or from the date of the public hearing if one was held.

SECTION 6.09. RESULT OF RECALL ELECTION.

If a majority of the votes cast at a recall election shall be “NO”, that is, against the recall of the person named on the ballot, the officer shall continue in office for the remainder of the officer’s unexpired term, subject to recall as before. If a majority of the votes cast at such an election be “YES”, that is, for the recall of the person named on the ballot, the officer shall, regardless of any technical defects in the recall petition, be deemed removed from office and the vacancy be filled as vacancies in the City Council are filled, as provided in Section 3.06 of this Charter.

SECTION 6.10. RECALL, RESTRICTIONS THEREON.

No recall petition shall be filed against any officer of the City of Freeport within three (3) months after a City election, nor within three (3) months after an election for such officer’s recall.

ARTICLE 7. LEGISLATION BY THE PEOPLE, INITIATIVE AND REFERENDUM.

SECTION 7.02. INITIATIVE.

The qualified voters of the City of Freeport may initiate legislation by submission of a proposed ordinance or resolution to a vote of the qualified voters of the City. The petition must be signed by two hundred (200) qualified voters of the City or by a number of qualified voters equal in number to thirty percent (30%) of the number of votes cast at the last regular municipal election of the City, whichever is greater. The petition shall be signed in the same manner as recall petitions are signed, as provided in Section 6.02 of this Charter, and shall be verified by oath in the manner and form provided for recall petitions in Section 6.03 of this Charter. The petition may consist of one or more copies as permitted for recall petitions in Section 6.04 of this Charter but each copy of the petition shall have attached to it a copy of the proposed ordinance or resolution. The petition shall be filed with the person performing the duties of City Secretary. Within five (5) days after the filing of the petition, the person performing the duties of City Secretary shall present the petition and the proposed ordinance or resolution to the City Council. Upon presentation to City Council of the petition and the proposed ordinance or resolution, it shall become the duty of the City Council, within ten (10) days after the receipt thereof, to pass and adopt such ordinance or resolution without alteration as to meaning or effect in the opinion of the persons filing the petition, or to call a special election, to be held on the next uniform election date specified in the Texas

Election Code at which the qualified voters of the City of Freeport shall vote on the question of adopting or rejecting the proposed legislation. Provided, however, if there are less than forty-five (45) days remaining before such date, then such special election shall be called for the next succeeding uniform election date occurring after the expiration of forty-five (45) days.
(Amendment adopted by electorate 5-7-94; Amendment adopted by electorate 5-6-96)

SECTION 7.03. REFERENDUM.

Qualified voters of the City of Freeport may require that any ordinance or resolution, with the exception of ordinances or resolutions levying taxes, passed by the City Council be submitted to the voters of the City for approval or disapproval, by submitting a petition for this purpose within thirty (30) days after final passage of said ordinance or resolution, or within thirty (30) days after its publication. Said petition shall be addressed, prepared, signed and verified as required for petitions initiating legislation as provided in Section 7.02 of this Charter and shall be submitted to the person performing the duties of City Secretary. Upon the filing of such petition, the person performing the duties of City Secretary shall present said petition to the City Council at its next meeting. Thereupon the City Council shall reconsider such ordinance or resolution, and if City Council does not entirely repeal the same, City Council shall submit it to popular vote as provided in Section 7.02 of this Charter. Pending the holding of such election, such ordinance or resolution shall be suspended from taking effect and shall not later take effect unless a majority of the qualified voters thereon at such election shall vote in favor thereof.

ARTICLE 8. MUNICIPAL PLANNING AND ZONING.

SECTION 8.01. PLATTING OF PROPERTY.

(a) Hereafter, every owner of any tract of land situated within the corporate limits of the City of Freeport, who may divide the same in two (2) or more parts for the purpose of laying out any subdivision or any addition to the City, shall comply with the provisions of Chapter 212 of the Local Government Code, as now hereafter amended, and incorporated herein for all purposes.

(b) The provisions of Section 8.01(a) above shall apply similarly to the owner of any tract of land situated within the actual City limits of the City of Freeport, Texas, or within any extraterritorial jurisdiction of said City, as such extraterritorial jurisdiction exists or may be extended under the laws of the State of Texas.

(Ord. No. 916, Prop. 6, 4-9-73; Amendment adopted by electorate 5-7-94)

SECTION 8.02. DEVELOPMENT OF PROPERTY.

The expenditure of public funds shall be authorized for the development of privately-owned land or subdivisions for economic development, only with a legally valid Chapter 380 Agreement

approved by City Council and signed by the Mayor, following a public hearing on the matter. Such expenditures may be for projects situated within or beyond the corporate limits of the City. (Amendment adopted by electorate 5-10-08) (Ord. No. 2020-2617, § 3(8.02), 11-17-2020)

SECTION 8.03. PLANNING COMMISSION.

The City Council shall appoint a City Planning Commission consisting of five (5) members who shall be residents in the City of Freeport while serving and for not less than six (6) months prior to being appointed, and who shall serve without compensation.

(a) Term of Office: The terms of office of all persons serving on the Planning Commission shall be established by ordinance adopted by the City Council.

(b) Rules of Procedure: The Commission shall elect, annually, one of its members chairman, and shall establish its own rules of procedure which shall include the following: A quorum shall consist of a majority of the members of the Commission and an affirmative vote of a majority of those present shall be necessary to pass upon pending questions, the chairman being entitled to vote upon any question. No member of the Planning Commission present at a meeting shall be excused from voting, and each member of the Planning Commission present at the meeting must announce a vote on questions, ordinances, or resolutions; provided however, a Commission Member shall be excused from voting whenever the subject matter under consideration involves the Member's personal financial interests, and on this particular matter the Member shall not vote but shall give the reasons for not voting. All meetings shall be open to the public and a record of all proceedings shall be kept, which record shall be filed with the person performing the duties of City Secretary and shall be a public record. The annual election of the chairperson shall take place in June of each year or whenever all vacant positions have been filled, whichever is later.

(c) Vacancies: Membership on the Planning Commission shall be accompanied by active participation in the activities of the Commission, and any member who is absent from three (3) consecutive regular meetings of the Commission, shall automatically be dismissed from membership. The Commission shall at once notify the City Council that a vacancy in the Planning Commission exists. Vacancies occurring in the Commission, for whatever reason, shall be filled within thirty (30) days by appointment by the City Council for the remainder of the unexpired term.

(d) Powers and Duties: The Commission shall have the power and shall be required to:

- (1) Make recommendations for the amendment, extension and additions to the master plan for the physical development of the City;
- (2) Approve or disapprove plats of proposed subdivisions submitted in accordance with Section 8.01 of this Charter. In considering such plats, the Planning Commission shall require that the proposed subdivision shall meet, so far as is practicable, all the standards

of layout and street and sidewalk construction on comparable property within the corporate limits of the City of Freeport, and shall further require that restrictions be placed on the use of the property which are consistent with the restrictions on comparable property within the City of Freeport. Upon approving such plats, and before they are released for recording, the Planning Commission shall submit all copies of the approved plats to the City Council for its approval or disapproval;

(3) Draft, and recommend to the City Council for adoption, an official map of the City and recommend or disapprove proposed changes in such map;

(4) Make, and recommend to the City Council for adoption, a zoning plan and recommend or disapprove proposed changes in such plan;

(5) Make, and recommend to the City Council for adoption, plans for the clearance and rebuilding of substandard structures and blighted areas which may develop within the City;

(6) Compile and recommend to the City Council for adoption, a building code, which code shall include the minimum standards of construction for building, the minimum standards for plumbing and the minimum standards for wiring;

(7) Advise and recommend to the City Council traffic regulations for the City;

(8) Meet not less than once each month; meetings to be held at the Municipal Courtroom of the Municipal Court and Police Department Building, unless otherwise indicated in the posted notice for such meeting;

(9) Perform such other duties and be vested with such other powers as the City Council shall from time to time prescribe.

(e) Liaison with City Council: The City Manager or a designated representative shall attend the meetings of the Planning Commission and shall serve as liaison between the Planning Commission and the City Council.

(Res. No. 1129, Props. 7, 8, 4-7-79; Amendment adopted by electorate 5-7-94; Amendment adopted by electorate 5-13-06; Amendment adopted by electorate 5-8-10; Amendment adopted by electorate 5-12-12)

ARTICLE 9. MUNICIPAL FINANCE.

SECTION 9.02. PREPARATION AND SUBMISSION OF BUDGET.

The City Manager, between sixty (60) and ninety (90) days prior to the beginning of each fiscal year, shall submit to the Council a proposed budget, which budget shall provide a complete financial plan for the fiscal year, and shall contain the following:

- (a) A budget message, explanatory of the budget, which message shall contain an outline of the proposed financial policies of the City for the fiscal year, shall set forth the reasons for salient changes from the previous fiscal year in expenditure and revenue items, and shall explain any major changes in financial policy;
- (b) A consolidated statement of anticipated receipts and proposed expenditures for all funds;
- (c) An analysis of property valuations;
- (d) An analysis of tax rate;
- (e) Tax levies and tax collections by years for at least five (5) years;
- (f) General fund resources in detail;
- (g) Special fund resources in detail;
- (h) Summary of proposed expenditures by function, department, and activity;
- (i) Detailed estimates of expenditures shown separately for each activity to support summary No.(h) above;
- (j) A revenue and expense statement for all types of bonds;
- (k) A description of all bond issues outstanding, showing rate of interest, date of issue, maturity date, amount authorized, amount issued, and amount outstanding;
- (l) A schedule of requirements for the principal and interest of each issue of bonds;
- (m) The appropriation ordinance; and
- (n) The tax-levying ordinance.

SECTION 9.10. DATE FOR FINAL ADOPTION.

The budget shall be finally adopted not later than fifteen (15) days prior to the beginning of the fiscal year and should the City Council fail to so adopt a budget, the then existing budget together with its tax levying ordinance and its appropriation ordinance shall be deemed adopted for the

ensuing fiscal year. If delayed by a situation beyond control of the City, it shall be acted on as soon as practicable.

(Amended 4-86)

SECTION 9.11. EFFECTIVE DATE OF BUDGET; CERTIFICATIONS; COPIES MADE AVAILABLE.

Upon final adoption, the budget shall be in effect for the fiscal year. A copy of the budget, as finally adopted, shall be filed with the person performing the duties of City Secretary, the County Clerk of Brazoria County and the State Controller of Public Accounts at Austin. The final budget shall be printed, mimeo-graphed or otherwise reproduced and copies shall be made available for the use of all offices, departments and agencies and for the use of interested persons and civic organizations.

SECTION 9.17. DEPARTMENT OF TAXATION.

Unless the City Council has required the County to assess and collect City taxes pursuant to Section 6.22 of the Tax Code, as now or hereafter amended, the City Manager shall appoint a qualified person to be City tax assessor-collector. Such person shall give a surety bond for the faithful performance of the duties of such office, including by way of illustration and not limitation, compliance with the controlling provisions of the State law bearing upon the functions of such office, in a sum which shall be fixed by the City Council at not less than ten thousand dollars. If the City Council has required the County to assess and collect City taxes, the applicable duties of the City tax assessor-collector contained in this article shall be performed by the County tax assessor-collector or, if not, then by the City Manager.

(Amendment adopted by electorate 5-7-94)

SECTION 9.24. TAXES; WHEN DUE AND PAYABLE.

All taxes due the City of Freeport may be paid at any time after the tax roll for the year has been approved, which shall not be later than October first (1st); and such taxes shall be payable at the office of the Brazoria County Assessor-Collector of Taxes at Angleton, Texas, if the City Council has required the County to assess and collect City taxes pursuant to Section 6.22 of the Tax Code, as now or hereafter amended; otherwise, such taxes shall be due and payable at the office of the City Tax Assessor-Collector.

(Amendment adopted by electorate 5-7-94)

SECTION 9.25. TAX LIENS.

The tax levied by the City is hereby declared to be a lien, charge or encumbrance upon the property as of January first (1st) upon which the tax is due, which lien, charge or encumbrance the City is entitled to enforce and foreclose in any court having jurisdiction over the same, and the lien, charge or encumbrance on the property is such as to give the state courts jurisdiction to enforce and

foreclose said lien on the property on which the tax is due, not only as against any resident of this State or person whose residence is unknown, but also against nonresidents. All taxes upon real estate shall especially be a lien and a charge upon the property upon which the taxes are due, which lien may be foreclosed in any court having jurisdiction. Such lien shall be prior to all other claims, and no gift, sale, assignment or transfer of any kind, or judicial writ of any kind, can ever defeat such lien.

ARTICLE 10. FRANCHISE AND PUBLIC UTILITIES.

SECTION 10.04. RIGHT OF REGULATION.

All grants, removals, extensions, or amendments of public utility franchise, whether it be so provided in the ordinance or not, shall be subject to the right of the City Council of the City of Freeport:

- (a) To repeal the same by ordinance, after thirty (30) days' advance notice (during which time the grantee shall have the opportunity to correct any default), and hearing, upon the failure of grantee to comply with the ordinances, franchise and Charter of the City of Freeport; and from which decision of the City Council, the grantee shall have the right of appeal to the Courts of this State;
- (b) To require proper and adequate extension of plant and service, and the maintenance of the plant and fixtures at the highest reasonable standard of efficiency;
- (c) To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates;
- (d) To examine and audit at any time during regular business hours the accounts and other records of any such utility which are relevant to the City's right of regulation, and to require annual and other reports, including reports on operation within the City of Freeport;
- (e) To impose such reasonable regulations and restrictions as may be deemed desirable or conducive to the safety, welfare, and accommodation of the public; and
- (f) To require such compensation and rental as may be permitted by the laws of the State of Texas.

SECTION 10.08. EXTENSIONS.

All extensions of public utilities within the City limits shall become a part of the aggregate property of the public utility, shall be operated as such, and shall be subject to all the obligations and reserved rights contained in this Charter and in the original grant hereafter made. The right to use and maintain any extension shall terminate with the original grant and shall be terminable as

provided in Section 10.04 of this Charter. In case of an extension of a public utility operated under a franchise hereafter granted, such right shall be terminable at the same time and under the same conditions as the original grant.

ARTICLE 11. GENERAL PROVISIONS.

SECTION 11.011. SELECTION OF NEWSPAPERS FOR PUBLICATIONS.

(a) Every ordinance or resolution adopted by the City Council, which is required to be published in a newspaper, shall designate, in the body thereof, one or more newspapers of general circulation within the City of Freeport in which such ordinance or resolution, or the descriptive caption thereof, shall be published; and it shall also appear on the City's website for at least ten (10) days or for the length of time between each publication, if it is required to be published more than once, whichever is longer.

(b) Each officer of the City, who is required to publish any printed notice or other printed matter in any newspaper, shall select one or more newspapers in which such printed notice or other printed matter shall be published.

(c) No newspaper may be designated or selected that does not meet all of the applicable requirements of State law for newspaper publication. Provided, however, the designation or selection of a newspaper as provided above shall be prima facie evidence that such newspaper met all of such requirements at the time of such publication.

(d) When a newspaper is designated or selected as provided above, it shall be deemed to be an "official newspaper" of the City, as that term is used in any provision of this Charter, the ordinances of the City or any statute or regulation requiring publication.

(Adopted by electorate 5-24-04; Amendment adopted by electorate 5-16-16)

(Ord. No. 2020-2617, § 3(11.011), 11-17-2020)

SECTION 11.02. PERSONAL INTEREST.

No officer or employee of the City shall participate in the deliberation, vote, or other decision on any matter involving a business entity or real property in which the officer or employee has a substantial interest as provided by Chapter 171 of the Texas Local Government Code. For purposes of this section, an officer or employee has a substantial interest in a business entity if:

- (1) the officer or employee owns 10 percent (10%) or more of the voting stock or shares of the business entity or owns either 10 percent (10%) or more or \$15,000 or more of the fair market value of the business entity; or

- (2) funds received by the officer or employee from the business entity exceed 10 percent (10%) of the person's gross income for the previous year.

An officer or employee has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more. An officer or employee is prohibited from participating in the deliberation, vote, or other decision involving such real property if it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the real property, distinguishable from its effect on the public. An officer or employee is considered to have a substantial interest under this section if a person related to the officer or employee in the first degree by consanguinity or affinity, as determined under Chapter 573, Texas Government Code, has a substantial interest under this section.

SECTION 11.07. SPECIAL PROVISIONS COVERING DAMAGE SUITS.

Before the City shall be liable to damage claim or suit for personal injury, or damage to property, the person who is injured, or whose property is damaged, or someone that person's behalf, shall give the City Manager or the person performing the duties of City Secretary, notice in writing within six (6) months after the occurrence of the alleged injury, or damage, stating specifically in such notice when, where and how the injury or damage was sustained, and setting forth the extent of the injury or damage as accurately as possible, and giving the names and addresses of all witnesses upon whose testimony such person is relying to establish the injury or damage. No action at law for damages shall be brought against the City for personal injury or damage to property prior to the expiration of 180 days after the notice hereinbefore described has been filed with the City Manager or the person performing the duties of City Secretary, not later than two (2) years after the occurrence of the injury or damage to the property. In case of injuries resulting in death, before the City shall be liable in damages therefor the person or persons claiming such damages shall within six (6) months after the death of the injured person give notice as above required in case of personal injury. Provided, however, that nothing therein contained shall be construed to mean that the City of Freeport waives any rights, privileges, defenses or immunities in tort actions which are provided under the common law, and Constitution and general laws of the State of Texas.

(Amended 5-88)

SECTION 11.08. SEPARABILITY CLAUSE.

If any section or part of section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

[deleted in its entirety]SECTION 11.10. APPLICABILITY OF GENERAL LAWS.

The Constitution of the State of Texas, the statutes of said State applicable to Home-Ruled Municipal Corporation, as now or hereafter enacted, this Charter and ordinances enacted pursuant hereto shall, in the order mentioned, be applicable to the City of Freeport, but the City shall also have the power to exercise any and all powers conferred by the laws of the State of Texas upon any other kind of city, town or village, not contrary to the provisions of said home-rule statutes, Charter and ordinances, but the exercise of any such powers by the City of Freeport shall be optional with it, and it shall not be required to conform to the law governing any other cities, towns or villages unless and until by ordinance it adopts same.

SECTION 11.11. AMENDING THE CHARTER.

Amendments to this Charter may be framed and submitted to the voters of the City in the manner provided by Chapter 9 of the Local Government Code, as now or hereafter amended.
(Amendment adopted by electorate 5-7-94; Amendment adopted by electorate 5-4-02)

SECTION 11.12. CHARTER REVIEW COMMISSION.

The City Council shall appoint at its first regular meeting in June in each odd numbered year, a Charter Review Commission of five citizens of the City of Freeport.

- (a) Duties of the Commission: It shall be the duty of such Charter Review Commission to:
 - (1) Inquire into the operation of the City Government under the Charter provisions and determine whether any such provisions require revision. To this end, public hearings may be held; and the Commission shall have the power to compel the attendance of any officer or employee of the City and to require the submission of any of the City records which it may deem necessary to the conduct of such hearing;
 - (2) Propose any recommendations it may deem desirable to ensure compliance with the provisions of the Charter by the several departments of the City Government;
 - (3) Propose, if it deems desirable, amendments to this Charter to improve the effective application of said Charter to current conditions;
 - (4) Report its finding and present its proposed amendments, if any, to the City Council.
- (b) Action by the City Council: The City Council shall receive and have published in the official newspaper of the City any report presented by the Charter Review Commission, shall consider any recommendations made, and if any amendment or amendments be presented as a part of such report, may order such amendment or amendments to be submitted to the voters of the City in the manner provided by Chapter 9 of the Local Government Code, as now or hereafter amended.
(Amendment adopted by electorate 5-2-98)

(c) Term of Office: The term of office of such Charter Review Commission shall be six months, and, if during such term no report is presented to the City Council, then all records of the proceedings of such Commission shall be filed with the person performing the duties of City Secretary and shall become a public record.
(Election of 4-3-82)

[deleted in its entirety]SECTION 11.13. GENDER NEUTRAL PROVISION.

Whenever in this Charter the pronouns he, him or his standing alone are used, such pronouns shall be construed to mean he or she, him or her and his or hers.
(Amendment adopted by electorate 5-15-18)

Section 2. Charter Amendment Notice and Propositions. Notice of the election shall be given and the election shall be held in compliance with Chapter. 9, Tex. Loc. Gov't. Code, and Section 4 of this Ordinance. The ballots for the special election shall comply with the Texas Election Code and be in the form provided by the City to Brazoria County for use on the voting devices and ballots used by the City; provided that the official ballot shall be prepared in such a manner as will permit the voters to vote "For" or "Against" the propositions submitted, with the propositions to be expressed on the official ballot in a form substantially as follows:

Proposition No. 1

Correction of Spelling, Grammar and Punctuation

Shall the Charter be amended to authorize City Council to correct spelling, grammar and punctuation errors in the Charter?

FOR _____ AGAINST _____

Proposition No. 2

Filling of Vacancies

Shall the Charter be amended to provide that the filling of a vacancies on City Council be consistent with Article 11, Section 11 of the Texas Constitution?

FOR _____ AGAINST _____

Proposition No. 3

Update State Law References

Shall the Charter be amended to authorize City Council to update all references to in the City's Charter to current State law?

FOR _____ AGAINST _____

Proposition No. 4

City Secretary References

Shall the Charter be amended to authorize City Council to update all references to City Clerk to now read City Secretary?

FOR _____ AGAINST _____

Proposition No. 5

Gender Neutrality

Shall the Charter be amended to authorize City Council to make all references to persons or positions gender neutral?

FOR _____ AGAINST _____

Proposition No. 6

Annual Audit

Shall Section 3.14 of the Charter be amended to accurately reflect the City's annual audit requirements under State law?

FOR _____ AGAINST _____

Proposition No. 7

Publication of Financial Statement

Shall Section 3.15 of the Charter be amended to require the City Manager to publish the quarterly financial statement within forty-five (45) days of the close of each quarter?

FOR _____ AGAINST _____

Proposition No. 8

Chief of Police

Shall the Charter be amended to require the Chief of Police to establish a place of residency within 30 miles from the City?

FOR _____ AGAINST _____

Proposition No. 9

Health Officer

Shall the Charter be amended to update the qualifications and duties of the Health Officer to reflect current City practice and the role of a Municipal Health Officer?

FOR _____ AGAINST _____

Proposition No. 10

Fire Chief

Shall the Charter be amended to require the Fire Chief to act as the chief administrative officer of the department of Fire and EMS and to establish a place of residency within 30 miles from the City?

FOR _____ AGAINST _____

Proposition No. 11

Filing of Petition

Shall the Charter be amended to allow one hundred and eighty (180) days to submit signatures for a petition, which is consistent with State and Federal law?

FOR _____ AGAINST _____

Proposition No. 12

Substandard Structures

Shall the Charter be amended to remove the use of the word “slum districts” and replace with “substandard structures”?

FOR _____ AGAINST _____

Proposition No. 13

Personal Interest

Shall the Charter be amended to update personal interest prohibitions to be consistent with Chapter 171 of the Texas Local Government Code?

FOR _____ AGAINST _____

Proposition No. 14

Claims against the City

Shall the Charter be amended to update claims for damages against the City to be consistent with current State law?

FOR _____ AGAINST _____

Proposition No. 15

Interim Government

Shall the Charter be amended by removing this obsolete section concerning Interim Municipal Government?

FOR _____ AGAINST _____

Proposition No. 16

Amending the Charter

Shall the Charter be amended to update the procedure for amending the Charter to be consistent with current State and Federal law?

FOR _____ AGAINST _____

Proposition No. 17

Initial Adoption of City Charter

Shall the Charter be amended by removing this obsolete section concerning the initial submission of the Charter to voters for original approval?

FOR _____ AGAINST _____

Section 3. Election Procedures. The Brazoria County Election Officer and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in the manner provided by the Joint Election Agreement and Contract for Election Services, with the City and the law governing the holding of city charter elections by home rule cities of the State of Texas; and the official ballots, together with such other election materials as are required by the Texas Election Code, shall be prepared in both the English and Spanish languages and shall contain such provisions, markings and language as is required by law.

Section 4. Notice of Election.

(a) The Mayor of the City is hereby authorized and directed to issue a notice of said election, including a substantial copy of above and foregoing proposition, and to cause the same to be posted in accordance with Section 4.003(a)(2) of the Election Code for at least twenty-one (21) days prior to the date named above for the holding of said election on the bulletin board used for posting notices of meetings of the City Council.

(b) The City Secretary of the City is hereby authorized and directed to cause a copy of such notice, including a substantial copy of above and foregoing proposition, to be published in a newspaper in accordance with Section 4.003(a)(1) of the Election Code, such publication to be at least ten (10) days before but not more than thirty (30) days before the date named above for the holding of said special election.

Section 5. Election Precincts and Polling Places. The election precincts for the election shall be the election precincts established by Brazoria County, provided that each shall contain and include geographic area that is within the City. The polling place for each such election precinct shall be the polling place established by Brazoria County for such election precincts in Brazoria County and voting by residents of the City. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m. The returns for precincts in Brazoria County will be provided by

precinct and the Brazoria County Election Officer shall tabulate and provide the election returns for the election.

Section 6. Joint Election. The City agrees to conduct a joint election with other political subdivisions within Brazoria County, provided that such political subdivision holds an election on May 4, 2024, in all or part of the same territory as the City (the “Political Subdivisions”). The joint election shall be conducted in accordance with State law, this Ordinance, and the Joint Election Agreement and Contract for Election Services with Brazoria County.

Section 7. Effective Date. This ordinance shall be effective immediately upon its passage and approval.

READ, PASSED AND APPROVED this _____ day of _____, 2024.

Brooks Bass, Mayor,
City of Freeport, Texas

ATTEST:

Clarisa Molina, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

David W. Olson, Interim City Attorney,
City of Freeport, Texas



City Council Agenda Item #11.

Title: Consideration and possible action on re-allocation of golf course green re-surfacing funds to fairway and turf improvements.

Date: January 22, 2024

From: Brian Dybala, Golf Director

Staff Recommendation: Staff suggests reallocating the money from the greens resurfacing to improve the conditions of the fairways and surrounding turf conditions.

Item Summary: The golf course was approved for \$370,000 for the resurfacing of the greens. But we overseed the greens every year and the greens are in good condition, so this money could be better spent improving the fairways and surrounding turf, which, due to budget restrictions, have been neglected for many years. This would be a 5-year plan on improving these conditions with proper fertilizing and weed control. Which in return could help increase the aesthetics of the course and increase revenue.

Background Information: \$320,000 was approved over 2 years for the greens. The turf improvements would be roughly \$30,000-\$35,000 per year for the next 5 years and then would decrease after that.

Special Considerations: N/A

Financial Impact: The project would not only save the city roughly \$150,000 but with these improvements it would bring in additional revenue from added rounds of golf as well as, being able to raise green fees slightly.

Board or 3rd Party Recommendation:

Supporting Documentation:

1. Freeport Golf Fairway and Turf program

14-Dec-23

Fairway, rough and surrounds program

Fairways 25 acres
Surrounds/tees 10 acres
Roughs 65 acres

February Spray program

100 acres

Basilisk (Prodiamine)	32 ounces acre	25 gallons	\$3,747.50
Glyphosate 41%	24 ounces acre	20 gallons	\$1,300.00

April Fertilizer

100 acres

24-2-12 3FE, 40% Anchor, Sustainite filler

200 pounds acre	400 bags	\$8,792.86
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June Herbicide

35 acres

Basilisk	32 ounces acre	10 gallons	\$1,499.00
Expel	8 ounces acre	9 quarts	\$1,188.00

August Fertilizer

65 acres roughs

24-2-12 3FE, 40% Anchor, Sustainite Filler	240 bags	\$5,275.20
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Fairway/Tees/Surrounds Growth regulator and fertilizer program

35 acres

May/June/July/August/September

Spray monthly

Total needs for 5 applications

T-Nex	12 ounces acre	15 gallons	\$2,400.00
Anchor 46-0-0	15 pounds acre	66 bags	\$2,640.00
Ruckus 0-6-12	64 ounces acre	90 gallons	\$5,220.00

Total Cost \$32,062.56



City Council Agenda Item #12.

Title: Consideration and possible action on reallocation of golf course equipment funds to purchase two mowers.

Date: January 22, 2024

From: Brian Dybala, Golf Director

Staff Recommendation: Reallocation of funds for a mower that was approved and used to buy two mowers that are under the budgeted amount.

Item Summary: The golf course was approved for \$59,000 for a new slope mower. The one we have is over 12 years old and not in working condition. The cost of that mower has risen considerably, and we can purchase two zero turns and save \$19,000.

Background Information: N/A

Special Considerations: N/A

Financial Impact: This reallocation will save the city over \$19,000 and will help the course by saving two mowers.

Board or 3rd Party Recommendation:

Supporting Documentation:
None



City Council Agenda Item #13.

Title: Consideration and possible action approving Resolution No. 2024-2832 amending the personnel policy handbook regarding changes to the City's social media policy.

Date: January 22, 2024

From: Donna Fisher, HR Director

Staff Recommendation: Staff recommends approval of the Resolution.

Item Summary: The City developed and adopted a policy (adopted April 20, 2020) outlining for employees what is acceptable social media usage. This amendment would bring the City in line with court rulings that have held that government employers must be able to show “actual harm” to government operations as opposed to “a risk of harm”. On the advice of the City Attorney, this policy is revised so that it will not be unconstitutionally overbroad.

Background Information: Courts have held that a government employer cannot impose restrictions on speech or prohibit expressions that “could have a negative impact on public perception” or “reflect poorly on” the government.

Special Considerations: N/A

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Social Media Usage
2. Resolution 2024.2832 - Social Media Usage(1)

Social Media Usage: [Adopted 4-20-2020]

The City recognizes that internet access using the City's Internet on both City and personal devices is efficient and effective. Employees have the right to speak out as private citizens on matters of public concern, so long as the speech does not unduly disrupt the operations or mission of the City. The City provides avenues by which employee complaints can be heard and addressed, without resorting to social media. Violations of the Social Media Policy may lead to disciplinary action, up to and including termination. An employee's use of social media, both on-duty and off-duty, must not interfere with or conflict with the employee's duties or job performance, or violate any City policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites. Online behavior, whether on- or off-duty, must not otherwise cause harm to or misrepresent the City or its interests. Harassing, bullying, or demeaning coworkers, or otherwise creating a hostile work environment for any employee through online posting, violates this policy.

The term "social media" encompasses all platforms, including but not limited to: Facebook, "X" (formerly known as Twitter), Instagram, Tik-Tok, Snapchat, LinkedIn, blogs, and other online journals and diaries; bulletin boards and chat rooms, microblogging and all other social networking sites, instant messaging and the posting of video on YouTube and similar media.

Use of City's Internet:

Use of the City's Internet is a privilege and City employees must responsibly and ethically use it. The City may monitor an employee's access, use, and postings to the City's Internet to: ensure compliance with internal policies; support the performance of internal investigations; assist management of information systems; and for all other lawful purposes. The City expects all employees to follow the Information Resources Acceptable Use and Security Policy Agreement outlined in Section 5.22.

Interpretation in Conjunction with Other City Policies:

This policy should be read and interpreted in conjunction with other City policies, including but not limited to, policies prohibiting harassment, discrimination, offensive conduct or inappropriate behavior.

EMPLOYEE GUIDELINES

Use of City's Social Media on Work Time:

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

- Employees are not permitted to engage in social networking of a personal nature while using any of the City's electronic social media sites.
- Employees must obtain written authorization from the City Manager or the Department Director to update or post on social media sites on behalf of the City and all content must be approved prior to posting. All of the employee's time spent updating or posting on City social media sites as part of the employee's job duties is compensable time that must be reported and counted in the calculation of overtime.
- No use of social media on work time and on City equipment on City-operated networks is considered private or confidential, even if password protected or otherwise restricted. The City reserves the right to access, intercept, monitor and review all information accessed, posted, sent, stored, printed or received through its communications systems or equipment at any time.
- Never disclose any confidential information in a blog or other posting to the Internet. Posting of confidential information may violate state law and subject the user to criminal penalty. All requests for City documents must be processed through the Public Information Act.
- Employees must abide by all federal and state law and policies of the City with regard to information sent through the City's Internet.
- Individual supervisors do not have the authority to make exceptions to these guidelines.

Use of Personal Social Media While Not on Work Time:

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

- If the employee's social networking includes any information related to the City, the employee must make it clear to the readers that the views expressed are the employee's alone and not reflective of the views of the City.
- Employees are encouraged to act responsibly on and off duty, and to exercise good judgment when using social media.
- Respect co-workers and the City.
- Do not put anything on your personal social media site that may constitute violation of the City's Harassment policy. Do not post any pornographic pictures of any type that could identify you as an employee of the City. Be mindful that the City's harassment policy covers both work and non-work time, including postings on social media sites.

Exhibit A

- Do not post inappropriate pictures of yourself or others on your personal social media site containing images of City uniforms or insignia, City logos, City equipment or City work sites.
- Do not permit or fail to remove postings violating this policy, even when placed by others on your social media site.

RESOLUTION 2024-2832

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS,
REVISING SECTION 5.23 SOCIAL MEDIA USAGE AND APPROVING THIS
REVISION TO THE PERSONNEL POLICY HANDBOOK.**

WHEREAS, the City of Freeport values all employees working to provide services to the citizens; and

WHEREAS, the City of Freeport seeks to revise the Social Media Usage policy for the benefit of our employees; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS;**

SECTION 1. SOCIAL MEDIA USAGE POLICY. The City Council of the City of Freeport hereby approves and adopts the revision to the Social Media Usage Policy attached hereto as Exhibit “A” and approves its addition to the Personnel Policy Handbook.

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

Read, passed and adopted the _____ day of _____, 2024.

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

APPROVED AS TO FORM:

Clarisa Molina, Interim City Secretary
City of Freeport

David Olson, City Attorney
City of Freeport



City Council Agenda Item #14.

Title: Consideration and possible action approving the sale of Block 46, Lot 13.

Date: January 22, 2024

From: Laura Cramer, Special Projects Supervisor

Staff Recommendation: Staff recommends the sale of the property at a price negotiated by the council.

Item Summary: Mr. Alston of Signal Electronics located at 222 West 2nd Street contacted Mr. Lance Petty regarding an offer to purchase Lot 13 from the city for parking for his business. Historically, the city has not used this parcel.

Mr. Alston has made an offer of \$5,250.00. A Broker's Opinion of Value has valued the property at \$10,500. Staff recommends that council determine which value to use for the potential sale.

Background Information: The 50' parcel is located between the drive-through at City Hall and Signal Electronics. His offer is based on the property that was sold to Tammy Davis in 2018 for \$5,000.

Special Considerations:

Financial Impact: The offer made by Mr. Alston and the Broker's Opinion of Value are significantly different. Staff recommends that council determine which value to use for the potential sale.

Board or 3rd Party Recommendation:

Supporting Documentation:

1. Broker's Opinion of Value
2. Alston - Offer to Purchase Packet
3. Map - Block 46 Lot 13 Freeport Townsite

4. City Council Minutes 040218

Invoice No. **13462002**

GREG FLANIKEN & ASSOCIATES
1101 N. Brazosport Blvd., Freeport, TX 77541
979-233-7828 office 979-239-1816 fax

INVOICE

Customer

Name City of Freeport C/O: Laura Cramer
Address 200 West 2nd
City Freeport State TX ZIP 77541
Phone 979-233-3526

Misc

Date 12/26/2023
Order No. 200 W. 2nd-lot
City Freeport
State-Zip TEXAS, 77541

Qty	Description	Unit Price	TOTAL
1	BROKER PRICE OPINION @ Unimproved Lot @ 200 Block W. 2nd, Freeport, TX 77541 Lot 13, Block 46, Freeport Townsite City of Freeport, Brazoria County, Texas Locally known as: Unimproved Lot @ 200 Block W. 2nd	\$ 275.00	\$ 275.00

SubTotal \$ 275.00

Shipping

Tax Rate(s)

TOTAL \$ 275.00

Comments

Office Use Only

Thank you for your business.

MARKET VALUE DEFINED

"Market Value" is the most probable price in terms of money which a property should bring in 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.

- a. buyer and seller are typically motivated.
- b. both parties are well informed or well advised, and each acting in what they consider their own best interest.
- c. a reasonable time is allowed for exposure in the open market.
- d. payment is made in cash or its equivalent.
- e. financing, if any, is on terms generally available in the community at the specified date and typical for the property type in its locale.
- f. the price represents a normal consideration for the property sold unaffected by special financing amounts and/or terms, services, fees, costs, or credits incurred in the transaction.

December 21, 2023

Ms. Laura Cramer
City of Freeport
200 West 2nd Street
Freeport, TX 77541

RE: Lot 13, Block 46, Freeport Townsite, City of Freeport, Brazoria County, Texas. Locally known as
Unimproved lot in 200 block of West 2nd

Dear Ms. Cramer,

Complying with your request, a visual observation was made of the subject property on December 19, 2023 to assist in determining a Broker's Price Opinion of Value.

The subject property is in 200 block of West 2nd street, a concrete street with concrete curbs and sidewalks. City utilities along with electricity and natural gas provided by CenterPoint Energy are available to the lot. The lot backs up to an alley easement that is asphalted. The property is subject to the City Zoning Ordinance and is classified as being Zone "DT". The subject Lot appears to be in the designated flood hazard Zone "X", according the FEMA map No. 48039C0805K. A survey is recommended to confirm the exact designation. Zone "X" does not require federal flood insurance if a federally guaranteed loan is placed against the property. The survey would also confirm the dimensions and if there are any encroachments affecting the title.

The Brazoria County Central Appraisal District ("CAD") identifies the subject Lot as being a part of Property ID #209335 and is exempt from real estate taxes as the City of Freeport is the owner. The "CAD" records do not provide the square footage of the Lot, but typically these lots contain 7,000 SF of area and are rectangular in shape (50' X 140').

The area contains some commercial businesses, city hall, office space, some limited retail space, a marina, and a restaurant. The demand for commercial lease space and lots to develop has been in a steady decline for many years. There are residential homes nearby also.

City of Freeport

Page 2

My opinion of the current fair market value, determined by my Broker's Price Opinion, as of December 19th, 2023 is:

\$10,500.00

Ten Thousand-Five Hundred dollars)

Respectfully submitted,



Greg Flaniken

License No. 206691

“THIS IS AN OPINION OF VALUE OR A COMPARATIVE MARKET ANALYSIS AND SHOULD NOT BE CONSIDERED AN APPRAISAL. In making any decision that relies upon my work, you should know that I have not followed the guidelines for development of an appraisal or analysis contained in the Uniform Appraisal Practice of the Appraisal Foundation.”



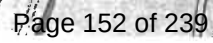
12/2023
Front



Alley



Street



Request for Broker's Opinion of Value

Laura Cramer <lcramer@freeport.tx.us>

Mon 12/18/2023 12:03 PM

To: Greg Flaniken <gflaniken@flanikenrealestate.com>

Mr. Flaniken,

Can you please prepare a Broker's Opinion of Value for the property highlighted in blue in the map below? It's a 50' parcel.

Freeport Townsite

Block 46, Lot 13



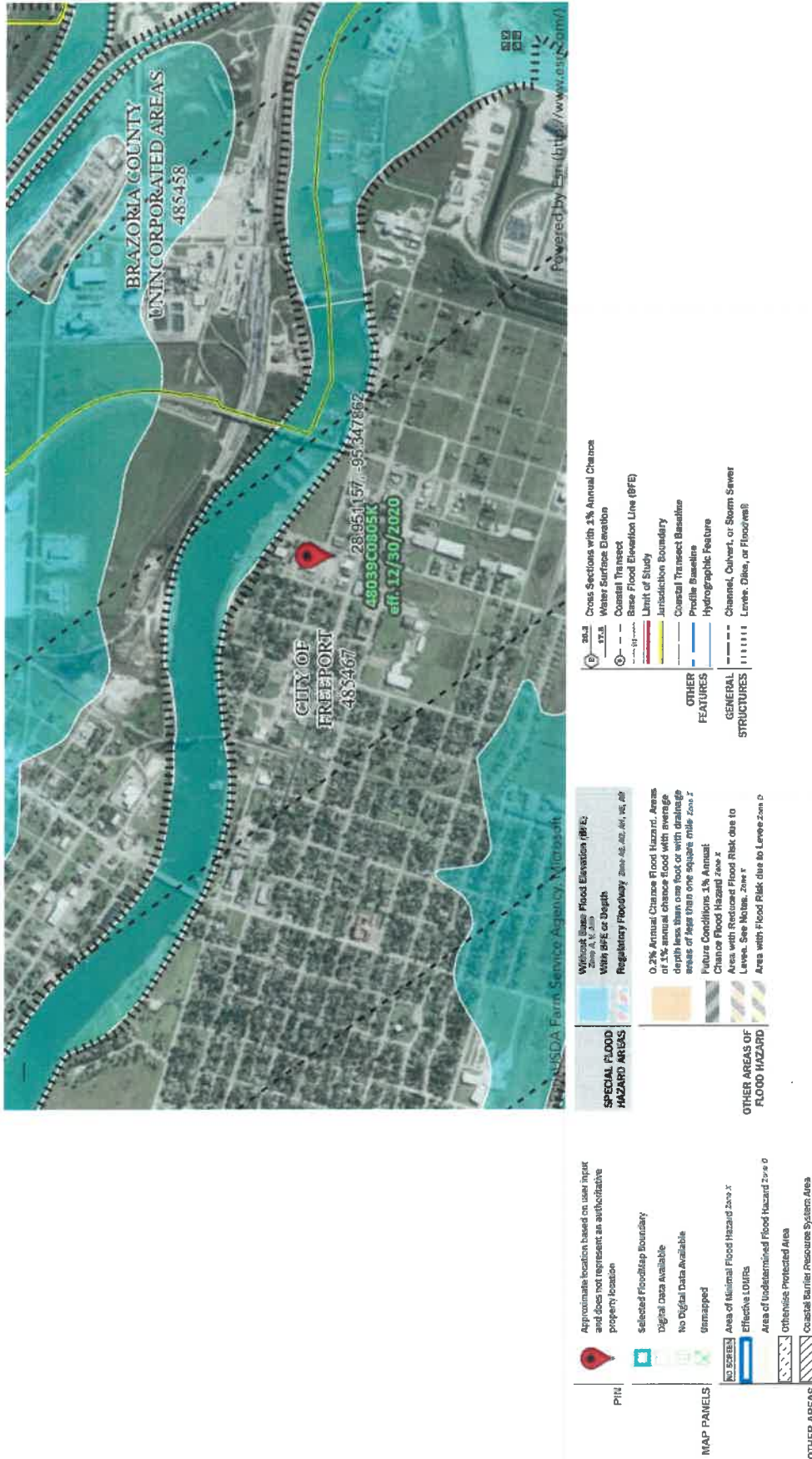
Laura Cramer
LAURA CRAMER
CITY OF FREEPORT
M: 979-233-3526
D: 979-871-0130
LCRAMER@FREEPORT.TX.US

From: Lance Petty <lpetty@freeport.tx.us>**Sent:** Monday, December 18, 2023 11:48 AM**To:** Laura Cramer <lcramer@freeport.tx.us>**Subject:** FW: Offer to Purchase

Laura

Please get an appraisal on this property.

Thank you



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[Strategic Plan \(/www.fema.gov/strategic-plan\)](http://www.fema.gov/strategic-plan)
[Whitehouse.gov \(/www.whitehouse.gov\)](http://www.whitehouse.gov)
[DHS.gov \(/www.dhs.gov\)](http://www.dhs.gov)
[Ready.gov \(/www.ready.gov\)](http://www.ready.gov)
[USA.gov \(/www.usa.gov\)](http://www.usa.gov)
[DisasterAssistance.gov \(/www.disasterassistance.gov/\)](http://www.disasterassistance.gov/)



(<https://www.oig.dhs.gov/hotline>)

QUALIFICATIONS

GREG C. FLANIKEN

1975 Graduate of the University of Houston, B.B.A.

Listing and Selling Real Estate full-time since 1975

Courses Taken and Completed:

Real Estate Principles

Real Estate Appraisal I (residential)

Real Estate Appraisal II (commercial)

Real Estate Law State Property Tax Board Course 230,
Income Approach To Market Value

Partial List of Clients:

Texas Gulf Bank, N.A.

First Commerce Bank, N.A.

First State Bank of Clute

ResNet

Bank of America Home Mortgage

Texas Dow Employee's Credit Union

REOWorld

Federal Deposit Insurance Corporation

Chase Bank

National Default Services

Integrated Asset Services

Premiere Asset Services

City of Freeport

County of Brazoria

Brazoria County Abstract Company

PNC Mortgage

National Credit Union Association

Federal National Mortgage Association

Freeport LNG

Various Individuals

Offer to Purchase Property from the City of Freeport
(Packet Contents)

- Offer to Purchase letter
- Additional Information
- Lot Map
- Comp. 1 – Tract 14 (2 pages)
- Comp. 2 – Tract 15 (2 pages)
- Comp. 3 – Tract 16 (2 pages)
- Additional Information with Pictures

David Alston
3030 Dry Bayou Dr
Angleton, TX 77515
December 14, 2023

Lance Petty, Assistant City Manager
200 W 2nd St, Floor 3
Freeport, TX 77541

Dear Mr. Petty:

This is a formal request to purchase tract 13 (7,000 sq ft) for the amount of \$5,250.00. The property is located in downtown Freeport between City Hall and 222 W 2nd St (tract 14) which is owned by David and Debra Alston and occupied by Signal Electronics.

Comparable properties -

Tract 14 (7,000 sq ft), Property ID 209336, 222 W 2nd St: BCAD 2023 value of \$5,250 prior to Mass Adjustment Factor of 1.3.

Tract 15 (7,000 sq ft), Property ID 209337: BCAD 2023 value of \$2,100

Tract 16 (7,000 sq ft), Property ID 209338, 230 W 2nd St: BCAD 2023 value of \$5,250 prior Mass Adjustment Factor of 1.3.

I have been a Brazoria County resident since 1977 and own/operate Signal Electronics that opened in 1982 on Ave A. Signal Electronics provides retail sales and service of marine electronics and commercial security/surveillance systems. It currently has three full-time and one part-time employee. In the past five years I have paid approximately \$40,789.00 in property and sales taxes in Freeport. Signal is the only company within a 50+ mile radius providing marine electronic service and sales. It's existence and location is an asset to recreational boaters and commercial vessel operators in the area.

My plans for tract 13 is for it to remain a parking lot. It's in need of some surface repair, which we would plan on doing in the near future as well as installing parking blocks and general improvements to the appearance of the property. There are no immediate plans to sell 222 W 2nd St or tract 13 if a purchase is completed. As a stand-alone property, tract 13 is not viable for new construction and is not being utilized by the City of Freeport. Selling the property to me would not only put it on the tax roll but provide a path for potential future expansion and overall property enhancements of one of the very few successful downtown Freeport businesses.

Supporting documents are included with this letter. Let me know if you have any questions or concerns. Considering the approaching holiday season, I will hold this offer open for your consideration through 3/31/2024.

Regards,

David Alston

Additional information related to the Offer to Purchase tract 13:

The commercial building at 222 W 2nd St, tract 14, has very limited on-property parking that is only accessible through the parking lot (tract 13) currently owned by the City of Freeport. There is ample parking for City Hall without utilizing tract 13. Additionally, tract 12 is currently rendered useless to the City due to the old bank drive-through structures and could be used for additional parking or access by the City if needed in the future.

The commercial property across the street is vacant of any commercial buildings and was recently purchased to be used as a parking lot for U-Haul rental equipment. The owner of Sweet T's Cafe recently purchased tract 15 from the City to be used as parking for that business. The same logic and justification used to sell tract 15 applies to tract 13. No other area businesses are in need of parking that could be supplied by access to tract 13.

Whether utilized as an enhancement to future growth of the current business occupying 222 W 2nd St (tract 14), or to encourage future occupants to develop the retail property, it only makes sense for tract 13 to be in private ownership and linked to tract 14. I would like nothing more than to see the Freeport Downtown District flourish and will make every effort to keep the property I own in excellent condition.

Since my plans are to keep tract 13 as a parking lot, should the need for additional parking by a new businesses in the immediate area arise, I am perfectly fine with making suitable arrangements to allow access to tract 13. Additionally, we are willing and interested in making changes and upgrades to the building at 222 W 2nd St to reflect the long-term vision for the Downtown District and have previously expressed this intent to the EDC via email.

Should you have any questions or concerns, please don't hesitate to contact me.

Dave Alston
dave@signalelectronics.com
Office: 979-233-1112
Mobile: 979-299-3849

Property Details

Tract 14 - Signal Electronics - 2023 BCAD Valuation of \$5,250 Prior to Mass Adj Factor

Account		
Property ID:	209336	Geographic ID: 4200-0496-000
Type:	Real	Zoning: 12/5/23 PPP
Property Use:		
Location		
Situs Address:	222 W 2ND ST FREEPORT, TX 77541	
Map ID:		Mapsco: COMMSBR
Legal Description:	FREEPORT BLK 46 LOT 14	
Abstract/Subdivision:	S4200 - FREEPORT	
Neighborhood:	COMM.FPDT	
Owner		
Owner ID:	259638	
Name:	ALSTON DAVID A & DEBRA D	
Agent:		
Mailing Address:	5010 DRY BAYOU DR ANGLETON, TX 77515-7427	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

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Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$98,570 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$6,830 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$105,400 (=)
Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$105,400 (=)
Homestead Cap Loss: ⓘ	\$0 (-)
Assessed Value:	\$105,400
Ag Use Value:	\$0

Information relating to 2023 should be considered a "work in progress". Prior year data is informational only and does not necessarily replicate the values certified to the tax office.

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: ALSTON DAVID A & DEBRA D **%Ownership:** 100.0%

Property Details **Tract 15 - 2023 BCAD Valuation of \$2,100**

Account		
Property ID:	209337	Geographic ID: 4200-0497-000
Type:	Real	Zoning: 12/5/23 PPP
Property Use:		
Location		
Situs Address:	W 2ND ST FREEPORT, TX 77541	
Map ID:		Mapsco: SBR102
Legal Description:	FREEPORT BLK 46 LOT 15	
Abstract/Subdivision:	S4200 - FREEPORT	
Neighborhood:		
Owner		
Owner ID:	1192717	
Name:	DAVIS TAMMY	
Agent:		
Mailing Address:	230 W 2ND ST FREEPORT, TX 77541-5714	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values

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Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$9,390 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$2,100 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$11,490 (=)
Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$11,490 (=)
Homestead Cap Loss: ⓘ	\$0 (-)
Assessed Value:	\$11,490
Ag Use Value:	\$0

Information relating to 2023 should be considered a "work in progress". Prior year data is informational only and does not necessarily replicate the values certified to the tax office.

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Property Taxing Jurisdiction

Owner: DAVIS TAMMY %Ownership: 100.0%

Property Details **Tract 16 - Sweet T's Cafe - 2023 Valuation of \$5,250 Prior to Mass Adjustment Factor**

Account		
Property ID:	209338	Geographic ID: 4200-0498-000
Type:	Real	Zoning: 12/5/23 PPP
Property Use:		
Location		
Situs Address:	230 W 2ND ST FREEPORT, TX 77541	
Map ID:		Mapsco: COMMSBR
Legal Description:	FREEPORT BLK 46 LOT 16	
Abstract/Subdivision:	S4200 - FREEPORT	
Neighborhood:	COMM	
Owner		
Owner ID:	1130739	
Name:	DAVIS RUSSELL L & TAMMY L	
Agent:		
Mailing Address:	731 WEST 8TH FREEPORT, TX 77541-5433	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

 Property Values

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Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$309,530 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$6,830 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$316,360 (=)
Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value:	\$316,360 (=)
Homestead Cap Loss: ⓘ	\$0 (-)
Assessed Value:	\$316,360
Ag Use Value:	\$0

Information relating to 2023 should be considered a "work in progress". Prior year data is informational only and does not necessarily replicate the values certified to the tax office.

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: DAVIS RUSSELL L & TAMMY L %Ownership: 100.0%

Freeport Commercial Property
Signal Electronics – David Alston
Information related to the Offer to Purchase tract 13 from the City of Freeport



This picture is 222 W 2nd St, tract 14, in Freeport. Tract 13 is adjacent to the right. Tract 15 is to the left of this building and was recently sold by The City to provide designated parking to Sweet T's Cafe located on tract 16. It is my understanding that the sale price was less than the amount offered for tract 13.



This commercial property at 203 S Gulf Blvd is owned by Signal Electronics (David Alston). It is currently used for private storage but was originally purchased with the intent to be the business location of Signal Electronics.

With the purchase of tract 13, located adjacent to the current location of Signal Electronics, the plans are to place this property up for sale. Absent of the acquisition of tract 13, this property may be better suited as a home for Signal due to the availability of parking. Signal's current location, 222 W 2nd St, could then be utilized as storage.



State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, April 2, 2018 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council:

Mayor Troy T. Brimage
Councilman Larry L. McDonald
Councilman Brooks Bass
Councilwoman Nicole Mireles
Councilman Roy E. Yates

Staff:

Bob Welch, Finance Director / Interim City Manager
Wallace Shaw, City Attorney
Nat Hickey, Property Manager
Kim Townsend, Parks / Rec Director
Loni Kershaw, Human Resources
Jennifer Hawkins, Economic Development Corporation
Ray Garivey, Police Chief
Billy Shoemaker, Building Official
Kenny Collins, Street Department
Leann Strahan, Museum Director
Steve Upton, Code Officer
David Hoelewyn, Street Department Director
Brian Dybala, Golf Course Director

Visitors:

Tammy Davis	Billy Shoemaker
Moby Burrridge	Evelyn Burrridge
Willie Garcia	Kenny Hayes
Ken Green	Manning Rollerson
Ruben Renabato	Mrs. Renabato
Christina Travis	Sabrina Brimage
Erin Callahan	

Call to order.

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

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Troy T. Brimage led the Pledge of Allegiance.

Attending citizens and their business.

Manning Rollerson stated that when he goes to his property on the East End he finds stakes everywhere. He said he has No Trespassing Signs on his property but no one pays attention to them. He said that Billy Shoemaker came out and told him that they were not 70 feet from the ditch. Mr. Rollerson said that when they widen Terminal Street that the City took its access. Mayor Brimage asked Mr. Rollerson to bring his paper work up to City hall and we could put him on the next agenda.

Consideration of approving the minutes for March 12, 2018

Mayor Brimage stated that the corrected minutes from March 12, 2018 were given to the Council Members.

On a motion by Councilwoman Mireles, seconded by Councilman McDonald with all present voting "Aye", Council unanimously approved the March 12, 2018 Council Minutes.

Consideration of approving Resolution 2018-2538 authorizing Mayor to sign and City Secretary to attest a Deed without warranty conveying the City's interest in Lot 15, Block 26, Freeport Townsite, City of Freeport, Brazoria County, Texas, known locally as 226 West 2nd Street Freeport, TX to the successful bidder.

Mr. Hickey stated that Tammy Davis was the only bidder and she bid \$5000.00 dollars for the property.

On a motion by Councilwoman Mireles, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved Resolution 2018-2538 authorizing Mayor to sign and City Secretary to attest a Deed without warranty conveying the City's interest in Lot 15, Block 26, Freeport Townsite, City of Freeport, Brazoria County, Texas, known locally as 226 West 2nd Street Freeport, TX to the successful bidder.

Discuss and consider authorizing preparation of documents for sale of City interest in Lot 24, Block 717 also known as 1223 North Avenue O.

On a motion by Councilman Yates, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved authorizing preparation of documents for sale of City interest in Lot 24, Block 717 also known as 1223 North Avenue O.

Discuss and consider authorizing preparation of document for sale of City interest in Lot 1, Block 747 also known as 1424 North Avenue Q.

On a motion by Councilman Yates, seconded by Councilman McDonald, with all present voting “Aye”, Council unanimously approved authorizing preparation of documents for sale of City interest in Lot 1, Block 747 also known as 1424 North Avenue Q.

Consideration of taking action on any other item discussed in Executive Session.

No Action to be taken.

Work Session:

Mayor Troy T. Brimage announcements and comments.

Mayor Brimage said the Freeport Police Department played against the Freeport Fire Department. It was a fundraiser for the High School Girls softball. It was a fun time and we had a great community turnout. Mayor Brimage thanked everyone that participated.

Councilman McDonald Ward A announcements and comments.

Councilman McDonald stated that the East End is about leveled and some of the roads needed to be addressed. He said they also took out some of our trees on the FM 1495 Right of Way.

Councilman Bass Ward B announcements and comments.

Councilman Bass stated that he had someone contact him about the 1300 Block of 5th Street is a paved road and it probably wasn't done properly from the being and it floods. He is asking for the Mayor and City Manager to get someone to take a look at it. Councilman Bass asked Chief Garivey how many times the Police Department has to go out to a party before they shut it down. Chief Garvey said they try to be fair and give them a warning first.

Councilman Bass also said that someone has got to stop SJC from driving the contact roller all the way down 9th Street to 1700 Block Broad Street they are driving down paved roads and he thinks maybe we should get an Engineer to look at the roads and see if they did any damage. Councilman Bass would like a Representative from SJC to come to a council meeting. Mayor Brimage asked Mr. Welch to get a Representative from SJC and for them to bring a plan of completion of when it's going to be done.

Councilman Bass reminded everyone to go out to the Brazosport High School on April 20, 2018 for a fish fry fundraiser for Project Graduation.

Councilwoman Mireles Ward C announcements and comments.

Councilwoman Mireles stated that there was some culverts put in on 1943 North Avenue H and wanted to know why it wasn't completed. David Hoewleyn said that the residence didn't buy the material so that's why the culvert wasn't put in.

Councilwoman Mireles said the drainage on Victoria Street was awesome.

Councilman Yates Ward D announcements and comments.

Councilman Yates stated that where the shintech plant is there is some old dilapidated buildings in the middle of the plant part of the old main core shop that need to be taken down or something needs to be done about them.

Councilman Yates said that he is glad that he is glad we are selling property with no time limits on them.

Councilman Yates also said that his wife's coworker received a letter for a junk vehicle that violated the ordinance and where he lives someone has five junked vehicles that evidentially didn't violate the ordinance. Councilman Yates stated that if we are going to make one person go by it then we need to make them all go by the Ordinance.

Councilman Yates stated that he took drone pictures of Mr. Wong's urban renewal project spoke with Mr. Wong and that he asked him that when he bought his property if they would have put a time limit on it would he have bought it. Mr. Wong said no because it takes too much time and to many problems.

Councilman Yates said that he has a problem with the time limit sales of this property which he doesn't agree with. Jay Mejia offered to pay \$45,000.00 dollars for a 50 foot lot down on the river but didn't want to be bound by a time limit. Councilman Yates said that why the City doesn't have the option to buy the property back if he doesn't do anything with it in a certain amount of time instead of just taking his money.

Mayor Brimage asked Billy Shoemaker to put together a list of the top twenty worst properties five from each ward in the City of Freeport. Mayor Brimage said they will be focusing on those properties first. Councilman Bass asked if they were private homes and Mayor Brimage said yes it has nothing to do with landlords these are homes or buildings that are the worst structures in Freeport right now.

Updates on current infrastructure.

Lowering water line - 1500 Block West Broad and 4th Street
Commerce Street Water and Sewer Project - still in the engineering phase
Lift Station and Force Main – South Avenue A
Alley paving – 15 alleys not complete
SSO Plan – sewer main replacement West 2nd to West 8th – complete
Alley Pothole repairs / concrete work / drainage
Victoria Street – drainage work complete
Supervise contractors on the 15 alley improvement project – Veolia / SJC Trucking
1600 Block West 5th Street – Curb, Gutter and Sidewalk
1600 Block 6th Street – Curb, Gutter and Sidewalk
1717 Yellowstone repaired sidewalk
Install drainage pipe at Holly / Mulberry in the alley between 8th and 9th Street
Mow ROW between Avenue K and Avenue L from Varner to Yellowstone

Update on Hwy 288 and Brazosport Blvd.

Hwy 288 fixing of the roads has been started.

Update on reports / concerns from Department heads.

David Hoelewyn had a few before and after pictures of projects that his department is working on.

4th / 5th and Cedar Street – pothole repair

1717 Yellowstone – water repair and repaired sidewalk

Archer and Avenue S – repaired sidewalk

Billy Shoemaker presented a slide show with projects that his department has been working on also.

Kim Townsend stated that the fence around the Mystery Boat and was put up for safety issues. She said that she has spoken to three different people to try and salvage it but the best option is to try and replace the hull and then fabricate the out riggers and booms. Kim said that Freeport Community House Pavilion playground equipment is installed and they are now putting the kiddie cushion (safe zone) this week and is scheduled to be completed by Friday weather permitting. Peppermint Park playground equipment poles have been installed and are ready for the playground equipment. Councilman McDonald asked about Lincoln Parks playground equipment. Kim said that she hasn't ordered new playground equipment for that park but will be in next year's budget. She also stated that the BBQ grill grates were rotten and they have now been replaced. Councilman McDonald asked about the two basketball back boards and Kim stated that she would go take a look at it.

Discuss Museum budget for maintenance, repairs, projects and events.

Leann Strahan said that she is still waiting on a quote from Theriot to fabricate new cap covers. Ms. Strahan said that the board approved a new temporary exhibit for May on Mother Goose Nursery Rhymes. She reminded everyone of the Downtown Market Day Sunday April 15th and she still had booth spaces available.

Closed the Formal Session at 7:06 PM and opened Executive Session.

Executive Session:

Section 551.071, Government Code

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

1. Discussion regarding purchase and sale of City owned property.

No Action to be taken.

2. Discussion concerning Code Enforcement procedures including Junk Vehicles.

No Action to be taken.

Closed the Executive Session at 8:16 PM.

Adjourn

On a motion by Councilman Bass, seconded by Councilman McDonald, with all present voting “Aye”, Mayor Brimage adjourned the meeting at 8:16 PM.

Mayor, Troy T. Brimage
City of Freeport, Texas

City Secretary, Ursula Reyes
City of Freeport, Texas



City Council Agenda Item #15.

Title: Discussion on Payment of Hotel Occupancy Taxes by Short Term Rental Businesses

Date: January 22, 2024

From: Lance Petty, City Manager

Staff Recommendation: Discussion Only

Item Summary: This item has been requested by Councilman Pena for discussion

Background Information:

Special Considerations: N/A

Financial Impact: N/A

Board or 3rd Party Recommendation: Councilman Pena Recommendation for discussion and approved by Mayor Bass

Supporting Documentation:
None

Monthly Golf Course Report December 2023

For the month of December we were able to have our best December on record. Our revenue goal for the month was \$50,000 and we exceeded that by almost \$25,000. We were able to beat every revenue category with green fees and memberships leading the way. We are also still around 190 members(we have come a long ways from the 33 members 15 years ago). What was encouraging to see was we had this good of a month while still being closed six days due to weather. The greens have been in really good shape which is always your best form of advertisement. This paired with our very competitive rates has continued to make our golf course a top golfing attraction in the county.

We ended our first quarter \$48,000 over our revenue goals for this time and as we look to New Year we have the next two months open before we start our spring tournament season and is looking to be just as strong as last year. Our long term weather forecast does look like we could see a pullback in rounds and revenue for January and February, but if not I feel we are on track to have a strong push to spring with our membership holding strong into the New Year.

As I have mentioned before we still have concerns and complaints about the mold in the proshop and the overall shape its in. Also I will suggest again to have the doors fixed on the maintenance shop as well as security cameras installed, especially after the last break in.

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	26,771										75,791
Rec(taxable)	0	0	0										
Golf Cart	9,302	8,069	9,205										26,576
Merchandise	13,310	11,174	12,419										36,903
Prep Food	892	900	1,091										2,884
Beer Sales	7,195	5,270	6,331										18,796
Drinks/Chips	3,934	3,084	3,540										10,558
Memberships	13,759	11,454	15,374										40,587
Total	\$74,185	\$63,178	\$74,732	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$212,095

Over/Under	\$7,885	\$13,478											\$21,363
-------------------	----------------	-----------------	--	--	--	--	--	--	--	--	--	--	-----------------

Rounds of Golf

Month	Fy2022-2023	Fy2023-2024	
OCT	2692	2363	
NOV	1153	2109	
DEC	2028	2348	
JAN	2125		
FEB	2176		
MAR	2961		
APR	2740		
MAY	2776		
JUN	3094		□
JUL	3393		
AUG	2811		R
SEP	2897		o
			u
			n
			d
	30846	6820	

Memberships

Month	FY2022-2023	FY2023-2024
OCT	194	188
NOV	184	186
DEC	186	189
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	\$ 74,575.41
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	\$211,920.33

DPW
Monthly Report
January 2024



DPW Monthly Report January 2024

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DPW Monthly Report January 2024

Description

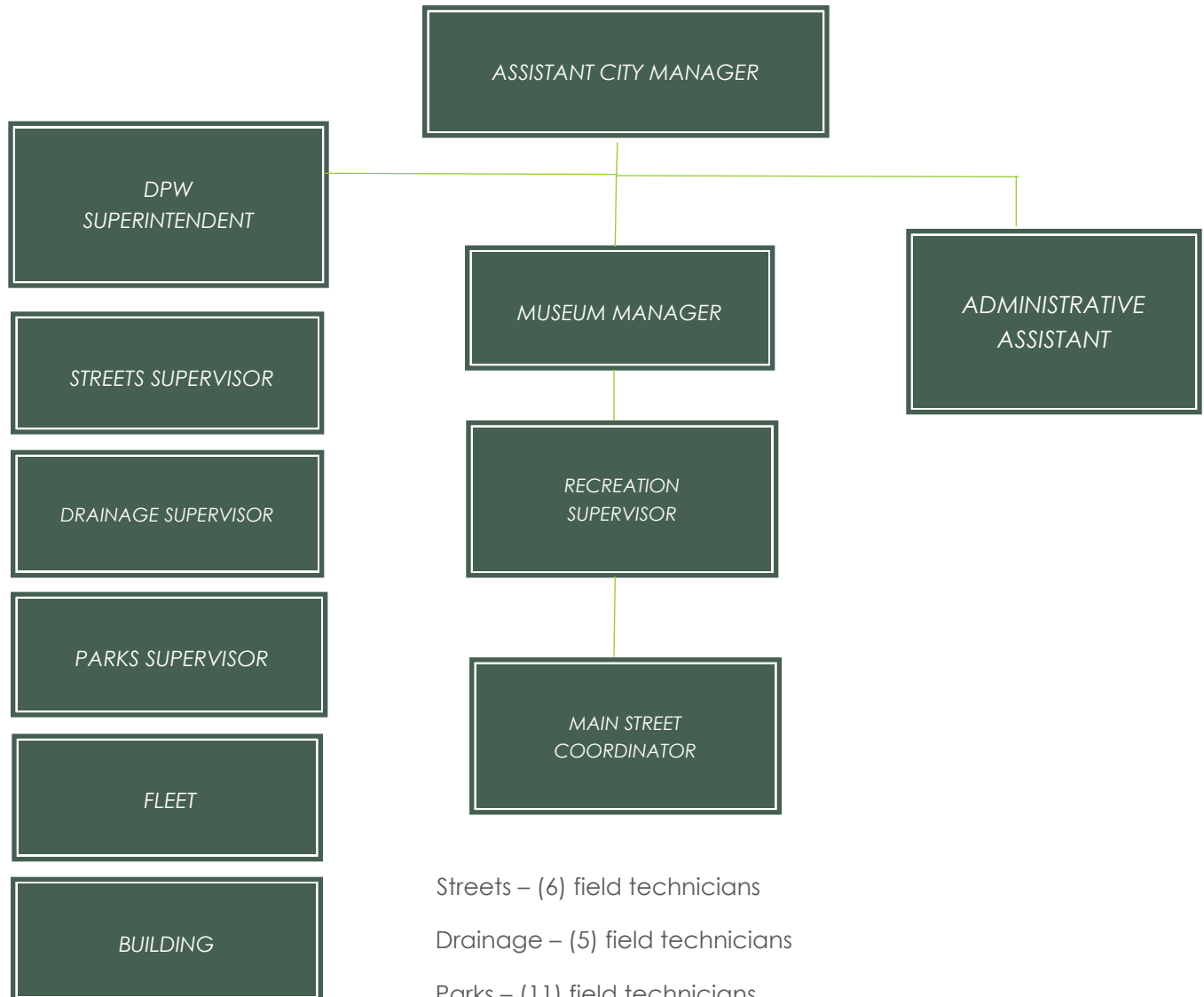
The DPW is administered by the Assistant City Manager. It is the responsibility of the department to successfully manage the City of Freeport infrastructure systems, City owned facilities, equipment, fleet, recreation and museum.

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 January 2024

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

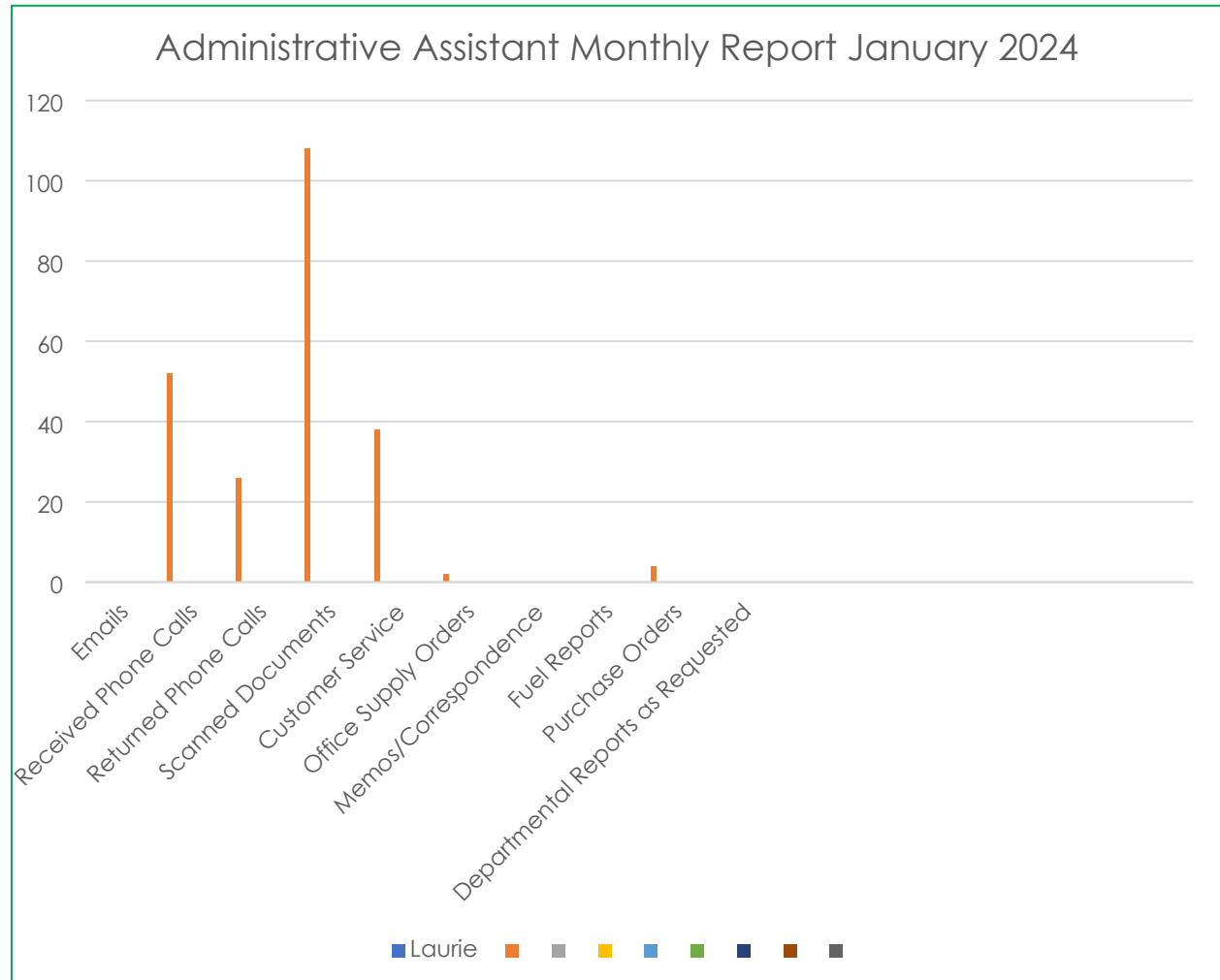
DPW Monthly Report January 2024

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



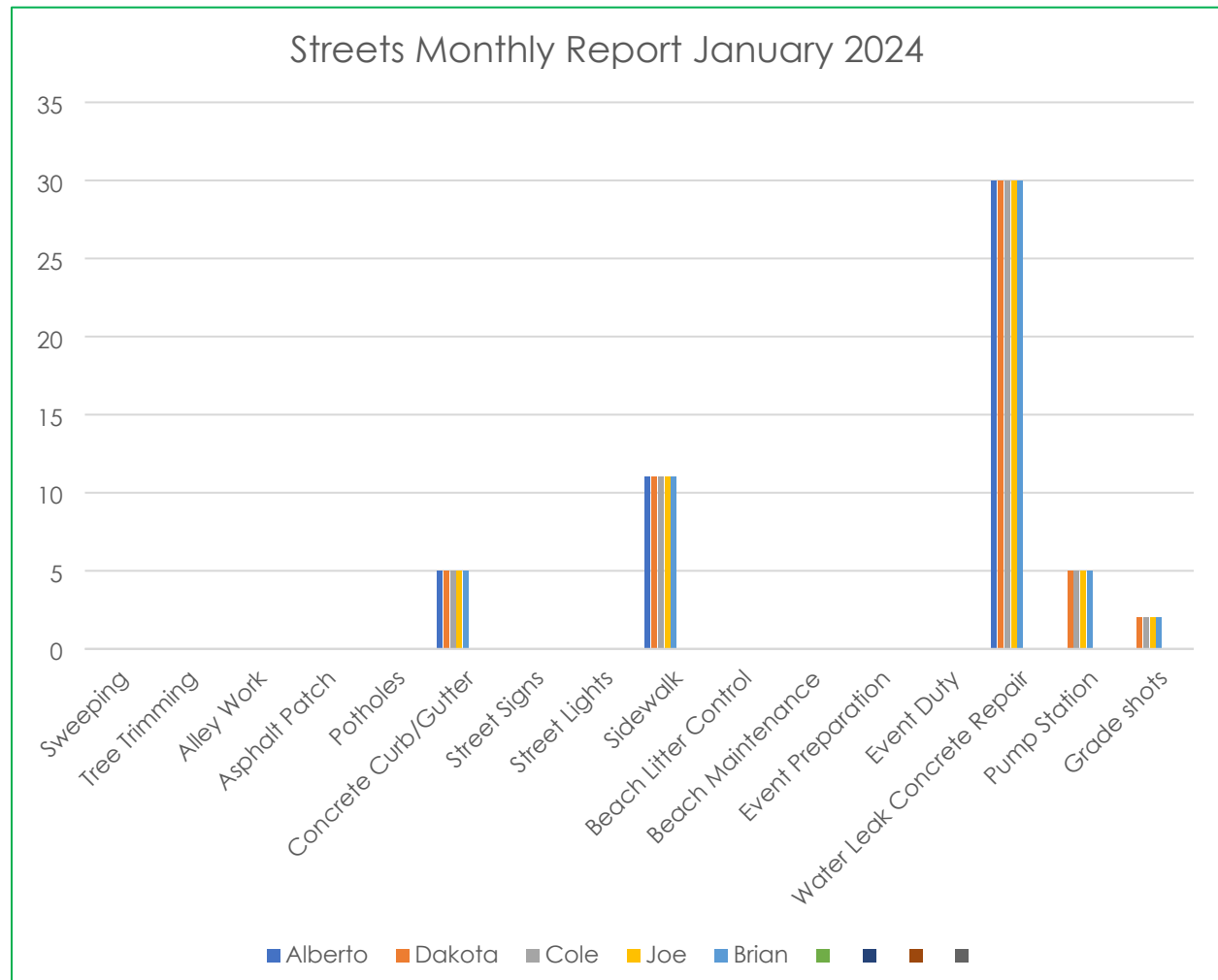
DPW Monthly Report January 2024

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 5 concrete patches from water leak repairs
- Stormwater Pump Maintenance
- Set up and re-pour broken inlet



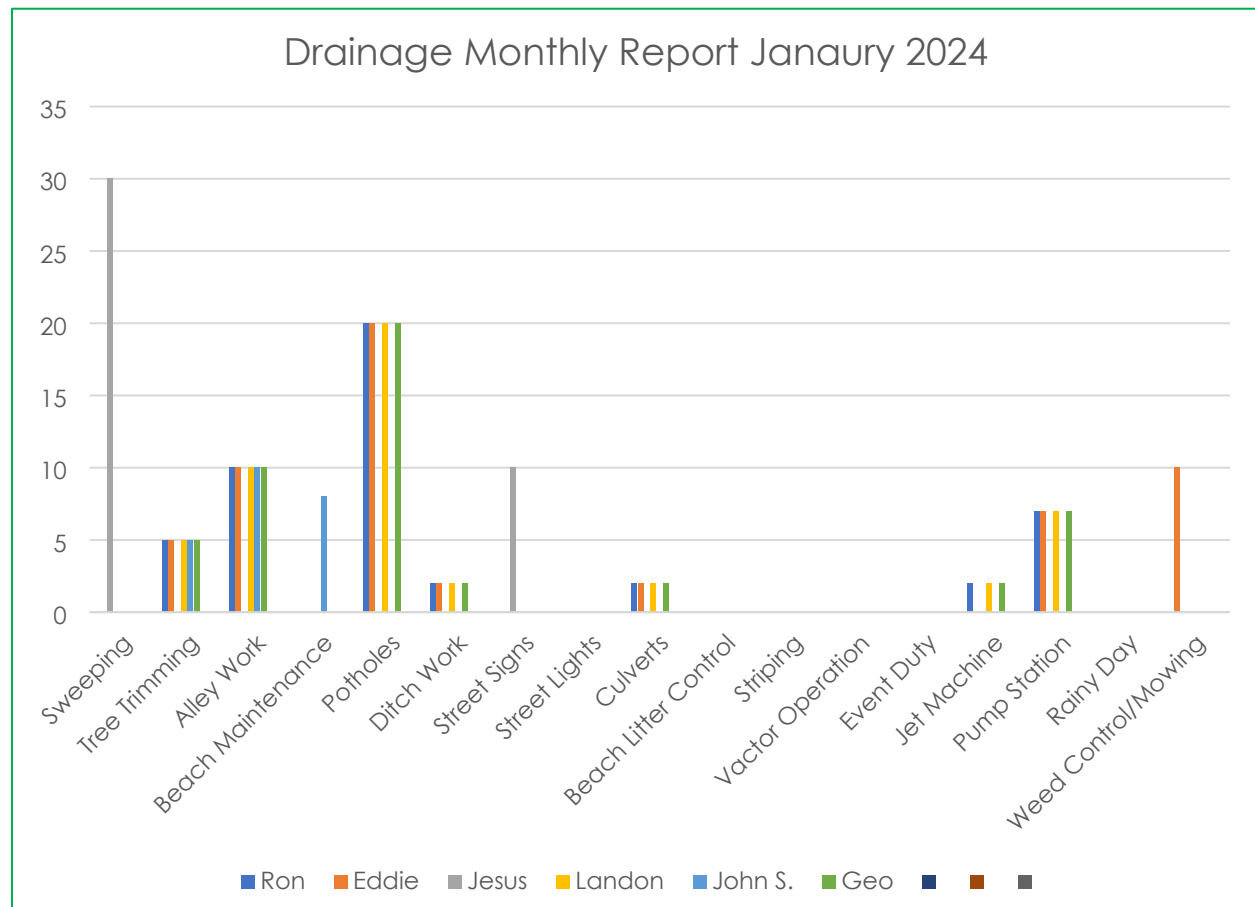
DPW Monthly Report January 2024

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

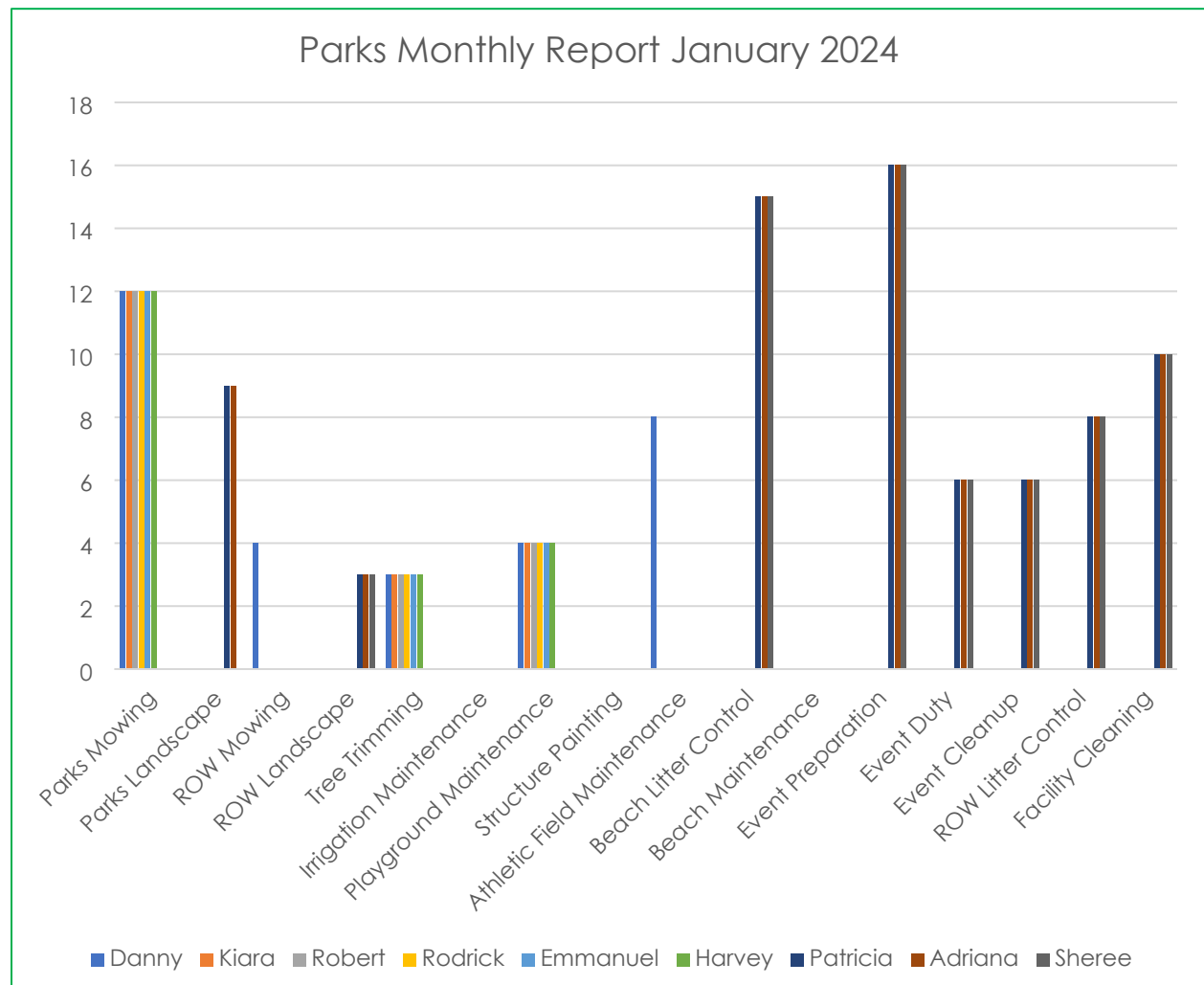


DPW Monthly Report January 2024

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 Events



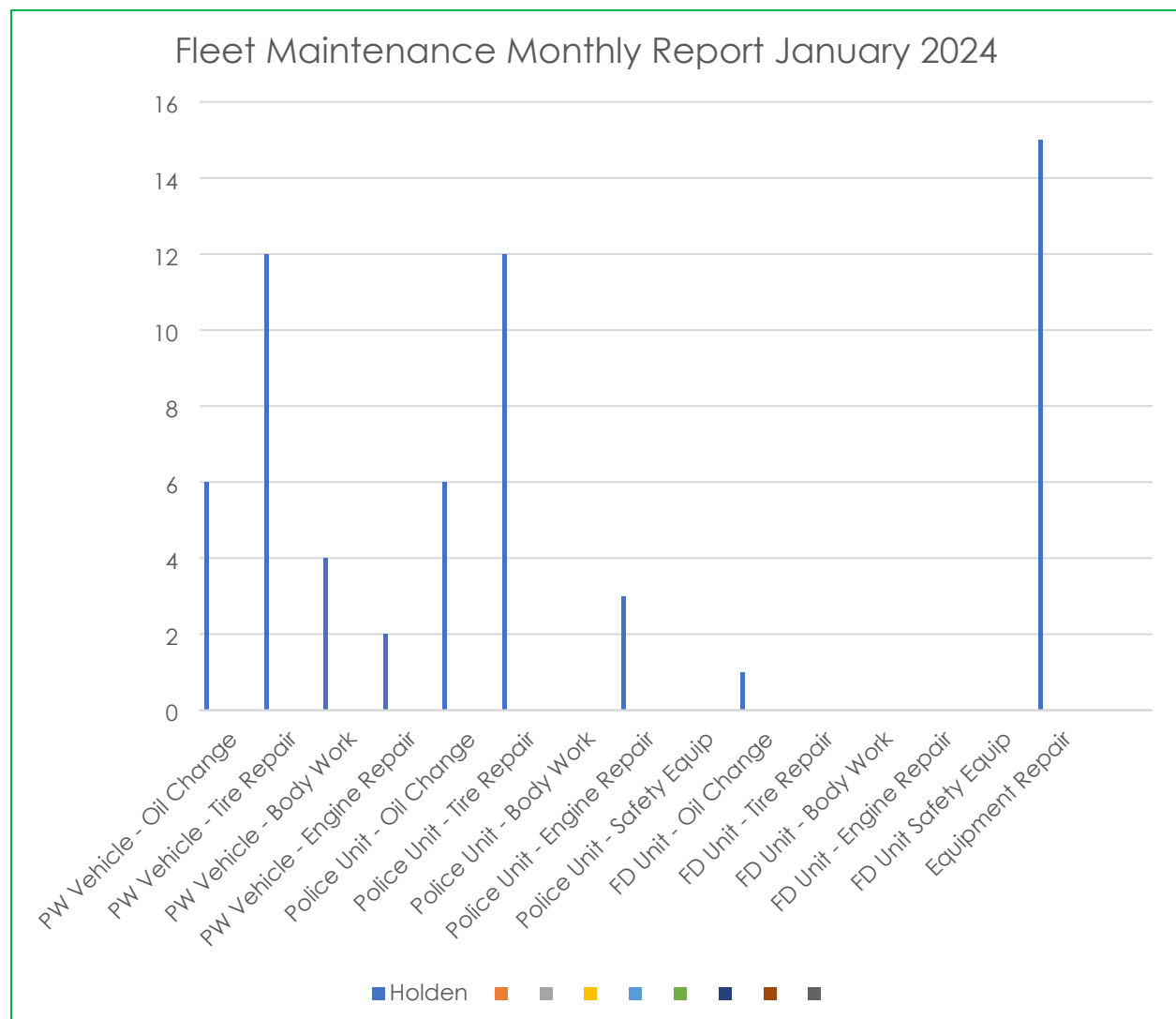
DPW Monthly Report January 2024

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 Unit 202
- Repair Unit 22
- Repair Unit 910



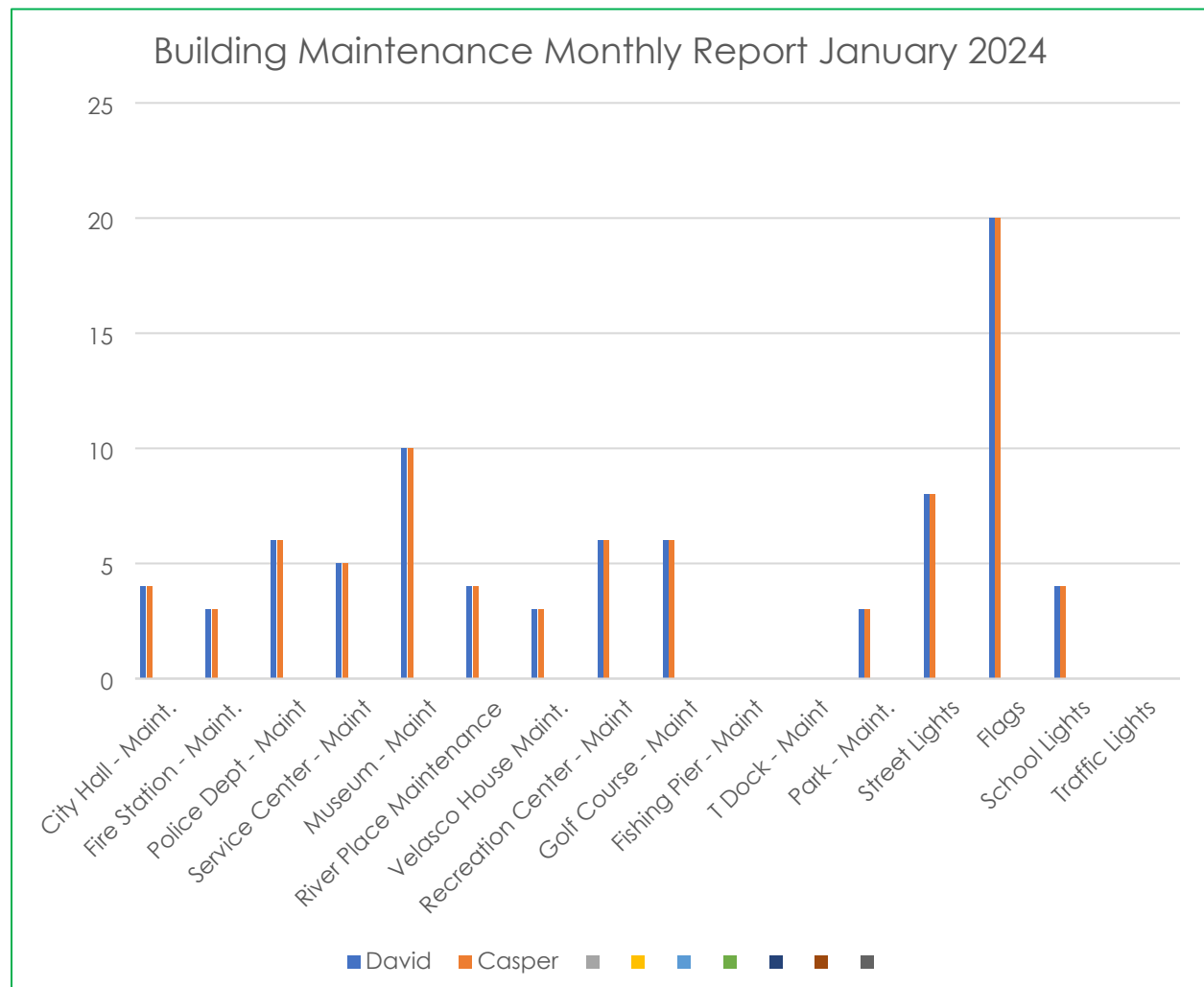
DPW Monthly Report January 2024

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 Flooring at Golf Course
- Flags/Banners
- Paint Exterior at Museum



DPW Monthly Report January 2024

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- December 18th
(Every 3rd Monday of the month)
- Staff Updates- We are hiring one part time Rec Attendant
- Programs
 - ❖ Zumba- 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.
 - ❖ We now offer Silver Sneakers
- Events- We had Holiday on the Brazos on December 7, 2023 and Seniors Citizens Party on December 18, 2023. We are working on Daddy Daughter Dance.

Facebook Data:

- December 2023 – 3,558 people like the Freeport Recreation Page
- December 2023 – 3,916 people follow the Freeport Recreation Page

Revenue:

- Adult Daily Pass \$280.00
- Child Daily Pass \$0.00
- Senior Daily Pass \$30.00
- Student Daily Pass \$69.00

Attendance:

- Monthly Membership Family 23
- Monthly Membership Individual 188
- Monthly Membership Senior 65
- Monthly Memberships Youth 0
- City Employees 1

Recreation:

- No. hrs. sports field used 2
- Facility rental revenue \$6,240.00
- Total No. hrs. of use for non-revenue rentals 22 hrs.

DPW Monthly Report January 2024

• Facility rentals	14
• Sports field rentals	2
• Total No. of contract classes	20
• No. of events co-sponsored by department	4
• No. of non-profit services at park facilities at no cost for rental	4

DPW
Monthly Report
January 2024



MAIN STREET

FREEPORT

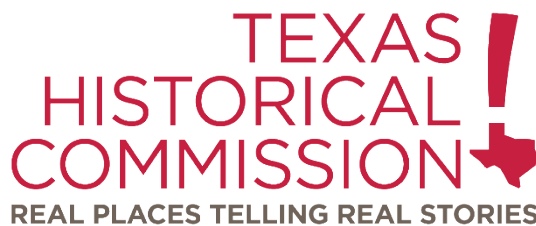
Ana Silbas, Main Street Coordinator

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

DPW Monthly Report January 2024

- II. Inclusive Leadership and Organizational Capacity
- III. Diversified Funding and Sustainable Program Operations
- IV. Strategy-Driven Programming
- V. Preservation-Based Economic Development
- VI. Demonstrated Impact and Results

2023 December Impact

Events Attended

Brazosport College Community Luncheon- December 8th

Brazosport College hosted a Community Luncheon to highlight a new Campus Master Plan and gain feedback from community stakeholders. Brazosport College is a participating tax jurisdiction within TIRZ #1, which was created to provide support for catalytic infrastructure and economic development projects within Downtown Freeport. It is vital to build a positive relationship with Brazosport College as our program works to revitalize Downtown Freeport.

Meetings

Main Street America Accreditation Overview-December 1st

Main Street America Staff hosted an accreditation overview webinar for all Texas Main Street programs. This webinar allowed managers the opportunity to ask questions regarding upcoming self-assessment reporting and additional documentation to submit for annual review, including MSA Board Composition, Program Budget and Transformation Strategies Work Plan.

H-GAC Fall Planning Workshop- December 5th

The Houston-Galveston Area Council hosted their annual Fall Planning Workshop aimed at creating equitable and vibrant communities. The presentations led by professional experts explored innovative solutions to promote development while safeguarding the rights of long-standing residents.

Freeport Main Street Design Subcommittee Meeting-December 6th

The Freeport Main Street Design Subcommittee met via Zoom to discuss the upcoming project with the UTSA Center for Urban and Regional Planning Research, including project scope, financial investment, areas of focus and project timeline.

Freeport Main Street Economic Vitality & Freeport EDC Meeting- December 7th

Main Street Coordinator, Main Street Advisory Board Member Irene Ocañas and Robert Johnson- Executive Director of Freeport Economic Development Corporation met to discuss potential infrastructure projects within downtown, Texas Community Development Block Grant and TIRZ #1.

DPW Monthly Report January 2024

Freeport Historical Commission & Main Street Advisory Board December General Meeting- December 12th

The Freeport Historical Commission & Main Street Advisory Board was scheduled to meet on December 12, 2023. However, a quorum was not present.

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.

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! In the month of December, (12) 40-gallon bags have been collected from collection sites.

Christmas on the Coast Market

Freeport Main Street's Christmas on the Coast Market took place on December 2, 2023 from 12pm-4pm in Downtown Freeport. The event included food/craft vendors, DJ D-Rey, moonwalks, face painting, a caricature artist, a Christmas Train and Photos with Santa in partnership with the Freeport Historical Museum. Vendors included Workforce Solutions-Lake Jackson, Upbring Head Start Freeport, Better Brazoria, Sol Miracle Oil, Perez Roofing & Construction, Domino's, Norma's Candy Creations, Coffee on the Go, Fish Hook Caps, Guevara's Hot Sizzling Grill, Smokin' Mike's BBQ and Tropical Gulf Coast Shaved Ice & Snacks. Freeport Main Street appreciates the donation of a Family Holiday Cookie Baking Basket by Perez Roofing & Construction for our Holiday Spirit Dress Up Contest. Photos with Santa and Event Photos were captured by Anchor Productions and have been posted to the Main Street Freeport TX Facebook Page.



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: January 22, 2024

Re: December 2023

Response alarms: Fire - 34
 EMS - 153
 Total - 187

Significant Events: Air Ambulance transport: 1
 Request mutual aid into the city EMS response: 2 FIRE 0
 Mutual aid given to other cities to cover EMS response: 3 FIRE 0
 Two EMS units working calls at the same time: 38
 Three working EMS alarms: 4
 Four working EMS alarms: 0
 Five working EMS alarms: 0
 Transport rate: 61%

Infrastructure: Fire Station #1 Driveway repair: No update.
 Station #2: Addressing site plan and utilities
 Station #2 RFP-Engine Apparatus Building New Construction
 Presented and Approved by Council.

Emergency Management: Preparing emergency management response to natural disasters.
 Municipal EMC monthly meeting collaboration of local planning.
 Port Freeport/Freeport Fire & Police Interoperability Agreement

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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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: Three (Part-time)
EMS Vacancy: Four (Part-time).
Employee testing: Scheduled 1, Tested: 1, No Show: 0
Interviews: One
Backgrounds: In progress: 0 complete: 0
Job Offers: 0
Employee of the Month: None

Training Employees: Holiday Schedule

EMS Proctor: Brazosport College EMS Students Field Proctor: No students

Injuries: None.

Events: None

Prevention: Council Chambers are sanitized by staff prior to each council meeting.

Public Relations: None

Announcements: N/A



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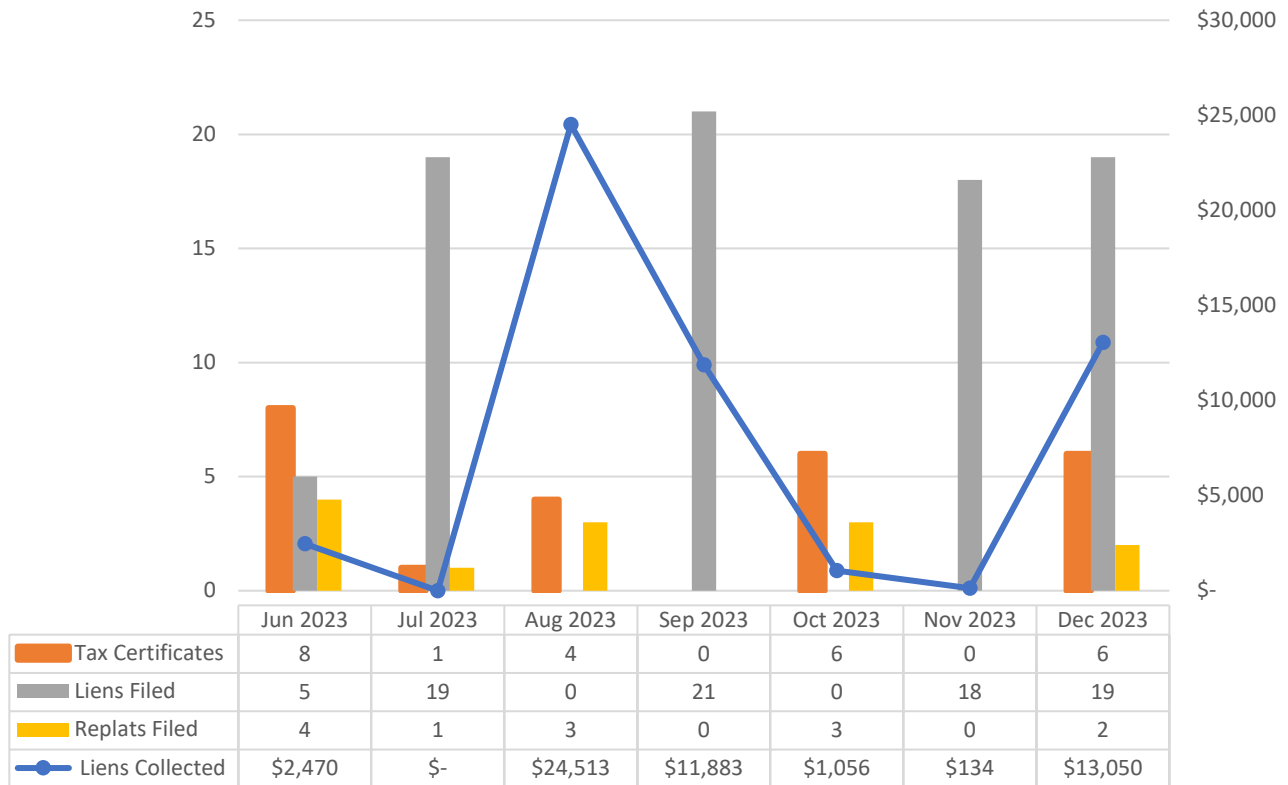
Property & GIS Monthly Report

December 2023

Property:

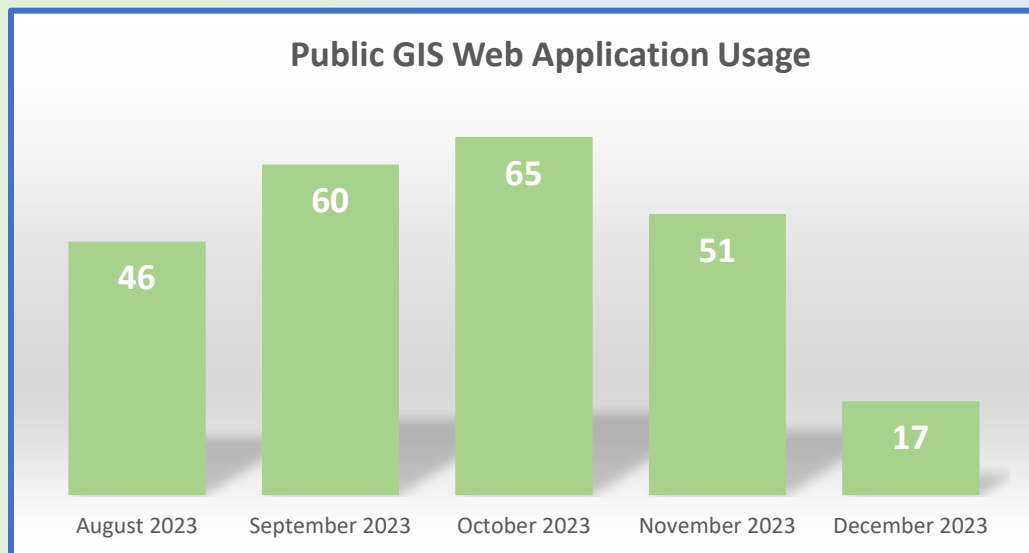
- Lien Calculations/Payoff Preparations/Releases
 - Liens Collected: \$ 13,049.77
 - Lien Payoff Preparations: 3
 - Liens Released: 2
- Brazoria County Tax Office – Tax Certificates (6)
- Brazoria County Clerk – File Liens (19) & Replats (2)
- New Address Assignments: 1

Property Management Department Activity

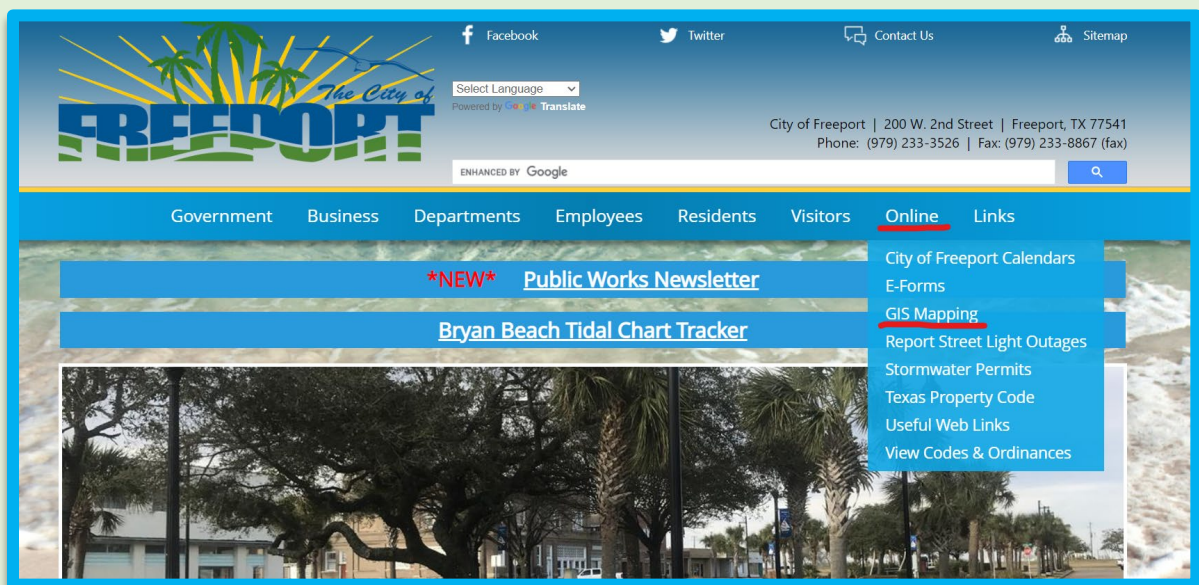


GIS:

- 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



Our GIS web application is available to the public by accessing our website.



Visit our website at www.freeport.tx.us then click on “Online” then GIS Mapping. From this page you will click on GIS Mapping Application.



In the top right-hand corner click on the layers icon (highlighted in yellow above) to turn layers on and off including council wards and zoning. In the top left hand corner, you can search for an address. Clicking on a property parcel will provide owner information from the Brazoria County Appraisal District through a live link.

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 80%



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

DECEMBER POLICE REPORT

I. CALLS FOR SERVICE

1767 calls for service were reported for the month.
Zuercher Records Management System (RMS) reports to follow.
24,296 total for the year.

II. INCIDENTS

100 cases were reported for the month.
Zuercher Records Management System (RMS) reports to follow.
1658 total for the year.

III. TRAFFIC STOPS

288 traffic stops were reported for the month.
Zuercher Records Management System (RMS) reports to follow.
3881 total for the year.

IV. ANIMAL CONTROL

Shelter intake: 24 dogs and 16 cats

V. TRAINING

Training performed in accordance with the Texas Commission on Law Enforcement (TCOLE).
- Various training during the month to include for a total of 347 hours across the department.

VI. COMMUNITY EVENTS

The police department participated in the following events for this month:

- Blue Santa Pancake Breakfast
- Blue Santa Store
- Blue Santa First Responder Parade

The following are upcoming events:

- MLK Parade and Festival January 15th
- Mardi Gras Downtown February 10th
- Citizens Police Academy tentative March

VII. COMPLAINTS and COMPLIMENTS

Complaint over officers harassing members of St Mary's Church and threatening to tow their cars.
Video was reviewed and it was found that 1 officer spoke with 1 member and asked them to move their



car which was parked in a lane of traffic. No threats of towing occurred. A meeting was set up with the preacher for him to review video to show complaint was unfounded.

Complaint over Blue Santa First Responder Parade went different than the route map posted. Video was reviewed and provided to citizen to show parade went the designated route so complaint was unfounded.

Complaint over how a traffic accident was handled in May and that the officer showed favoritism. The video was reviewed and determined to be unfounded.

Multiple compliments regarding our staff and different Blue Santa events.

VIII. STAFFING

DISPATCHERS:

Dispatch is currently short 2 positions. Hired an experienced dispatcher, Sabrina Vandergrift, who is scheduled to start in January.

JAILERS:

Full staff.

ACOS:

We are full staff.

POLICE OFFICERS:

We currently are short 3 position. One officer terminated.

PROMOTIONS:

None.

Freeport Police Department

Monthly Call For Service CC

Printed on January 9, 2024

Description	Totals	
911 CALL	81	81
911 HANG UP	39	39
ACCIDENT - HIT & RUN	4	4
ACCIDENT - MAJOR	1	1
ACCIDENT - MINOR	24	24
ALARM - BUSINESS	12	12
ALARM - HOLD UP	1	1
ALARM - MEDICAL	2	2
ALARM - RESIDENTIAL	4	4
AMBULANCE CALL - FREEPORT	134	134
AMBULANCE CALL - OYSTER CREEK	9	9
AMBULANCE CALL - SURFSIDE	13	13
ANIMAL CONTROL - GENERAL	148	148
ANIMAL CONTROL - PENDING	1	1
ASSAULT	3	3
ATTEMPT TO SERVE - WARRANT	3	3
AUTO THEFT	1	1
BAR CHECK	23	23
BEACH PATROL	1	1
BROADCAST	9	9
BURGLARY - HABITATION	2	2
CITY ORDINANCE VIOLATION	10	10
CIVIL MATTER	10	10
CIVIL STANDBY	7	7
CLERK CHECK	59	59
CLOSE PATROLLING AREA	309	309
CLOSE PATROL REQUEST	2	2
CPS RELATED INVESTIGATION	8	8
CRIMINAL MISCHIEF	5	5
CRIMINAL TRESPASSING	5	5
DEBRIS IN ROADWAY	4	4
DISCHARGE FIREARM	2	2
DISTURBANCE PHYSICAL	6	6
DISTURBANCE VERBAL	20	20
DRIVING WHILE INTOXICATED	1	1
Duplicate Call	1	1
FIRE - ALARM	6	6
FIRE CALL	24	24
FIREWORKS	21	21
FLAGGED DOWN	2	2
FOLLOW UP	21	21
FOUND PROPERTY	5	5

Description	Totals	
FRAUD	5	5
GAS/CHEMICAL RELEASE	5	5
HARASSMENT	4	4
HIGH WATER	3	3
HOSPICE DEATH	4	4
INSPECTION	20	20
JAIL DUTY	1	1
JUVENILE COMPLAINTS	13	13
K9 INSPECTION	3	3
LOST ARTICLE/PROPERTY	1	1
MENTAL HEALTH CALL/REFERAL	10	10
MISCELLANEOUS	35	35
MOTORIST ASSIST	6	6
NARCOTICS COMPLAINT	5	5
NOISE COMPLAINT	36	36
OPEN DOOR/WINDOW	4	4
OTHER AGENCY ASSIST	13	13
PANHANDLING	1	1
PARKING VIOLATION	1	1
PRISONER TRANSPORT	3	3
PUBLIC INTOXICATION	1	1
RECKLESS DRIVER	19	19
REPORT DROPPED IN ERROR	7	7
REPOSESSION VEHICLE	16	16
ROBBERY	2	2
RUNAWAY	1	1
SEXUAL OFFENSE	1	1
SPEAK WITH OFFICER	56	56
SPECIAL ASSIGNMENT	4	4
SPECIAL WATCH	5	5
SUBJECT CONTACT	16	16
SUSPICIOUS CIRCUMSTANCE	30	30
SUSPICIOUS NOISE	11	11
SUSPICIOUS SUBJECT	28	28
SUSPICIOUS VEHICLE	11	11
TERRORISTIC THREATS	3	3
THEFT	25	25
TOWED VEHICLE	2	2
TRAFFIC COMPLAINT	6	6
TRAFFIC CONTROL	2	2
TRAFFIC STOP	241	241
UNWANTED SUBJECT	23	23
WARRANT CLASS B OR ABOVE	1	1
WATER / STREET DEPT CALLOUT	10	10
WELFARE CONCERN	21	21
	9	9

Description	Totals	
Totals	1767	1767

Freeport Police Department

Monthly Incidents CC

Printed on January 9, 2024

Reported	Case Number	Offenses	Description
12/01/23	FPD23-1559	DRIVING WHILE INTOXICATED	TRAFFIC STOP
12/01/23	FPD23-1560	AGG ROBBERY	ROBBERY
12/01/23	FPD23-1561	FRAUD - GENERAL	FRAUD
12/01/23	FPD23-1562	PUBLIC INTOXICATION	MISCELLANEOUS
12/02/23	FPD23-1563	INCIDENT REPORT	MENTAL HEALTH CALL/REFERAL
12/02/23	FPD23-1564	PUBLIC INTOXICATION	UNWANTED SUBJECT
12/02/23	FPD23-1565	DEATH INVESTIGATION	SUSPICIOUS CIRCUMSTANCE
12/02/23	FPD23-1566	BURGLARY OF HABITATION	BURGLARY - HABITATION
12/03/23	FPD23-1567		REPORT DROPPED IN ERROR
12/03/23	FPD23-1584	THEFT PROP >=\$100<\$750	THEFT
12/03/23	FPD23-1568	CRIM TRESPASS	UNWANTED SUBJECT
12/03/23	FPD23-1569	INCIDENT REPORT	MENTAL HEALTH CALL/REFERAL
12/03/23	FPD23-1570	ASSAULT CAUSES BODILY INJURY	DISTURBANCE VERBAL
12/04/23	FPD23-1571	BURGLARY OF BUILDING	THEFT
12/04/23	FPD23-1572	CPS/APS REFERRAL	JUVENILE COMPLAINTS
12/04/23	FPD23-1573		FOUND PROPERTY
12/04/23	FPD23-1574		LOST ARTICLE/PROPERTY
12/04/23	FPD23-1575		ANIMAL CONTROL - GENERAL
12/04/23	FPD23-1576	INCIDENT REPORT	THEFT
12/04/23	FPD23-1577	CRIMINAL MISCHIEF >=\$750<\$2,500	MISCELLANEOUS
12/05/23	FPD23-1578	THEFT CLASS C	THEFT
12/05/23	FPD23-1579		REPORT DROPPED IN ERROR
12/05/23	FPD23-1580	FRAUD - GENERAL	THEFT
12/05/23	FPD23-1581	INCIDENT REPORT	SPEAK WITH OFFICER
12/06/23	FPD23-1582	FAIL TO REMAIN AND REPORT	SPEAK WITH OFFICER
12/06/23	FPD23-1583	ASSAULT CAUSES BODILY INJURY	911 CALL
12/07/23	FPD23-1585	ASSAULT CAUSES BODILY INJURY	SPEAK WITH OFFICER
12/07/23	FPD23-1586	THEFT PROP >=\$100<\$750	THEFT
12/07/23	FPD23-1587	ASSAULT CAUSES BODILY INJURY	DISTURBANCE PHYSICAL
12/08/23	FPD23-1588	OTHER JURISDICTION WARRANT	UNWANTED SUBJECT
12/09/23	FPD23-1589	INCIDENT REPORT	THEFT
12/09/23	FPD23-1590	OTHER JURISDICTION WARRANT	SUSPICIOUS CIRCUMSTANCE
12/09/23	FPD23-1591	UNREASONABLE NOISE (LOUD	CITY ORDINANCE VIOLATION
12/10/23	FPD23-1592	POSS CS PG 1/1-B <1G	SUSPICIOUS SUBJECT
12/10/23	FPD23-1593		REPORT DROPPED IN ERROR
12/12/23	FPD23-1594	INCIDENT REPORT	MENTAL HEALTH CALL/REFERAL
12/12/23	FPD23-1596	TERRORISTIC THREAT	TERRORISTIC THREATS
12/12/23	FPD23-1595	DEATH INVESTIGATION	HOSPICE DEATH
12/13/23	FPD23-1597	SALE ALCOHOL PRODUCTS TO A	SPEAK WITH OFFICER
12/13/23	FPD23-1598	CPS/APS REFERRAL	JUVENILE COMPLAINTS
12/13/23	FPD23-1599	INCIDENT REPORT	INCIDENT REPORT
12/13/23	FPD23-1600	ASSAULT CAUSES BODILY INJ	SUSPICIOUS CIRCUMSTANCE
12/13/23	FPD23-1601	INCIDENT REPORT	FOUND PROPERTY

Reported	Case Number	Offenses	Description
12/13/23	FPD23-1602		REPORT DROPPED IN ERROR
12/14/23	FPD23-1603	THEFT PROP >=\$2,500<\$30K	THEFT
12/14/23	FPD23-1605	OTHER JURISDICTION WARRANT	SUSPICIOUS SUBJECT
12/14/23	FPD23-1604	PUBLIC INTOXICATION	SUSPICIOUS SUBJECT
12/15/23	FPD23-1606	CRIMINAL MISCHIEF/CLASS C	CRIMINAL MISCHIEF
12/15/23	FPD23-1607	INCIDENT REPORT	ASSAULT
12/16/23	FPD23-1608	DRIVING UNDER THE INFLUENCE	ACCIDENT - MINOR
12/16/23	FPD23-1609	INCIDENT REPORT	SUSPICIOUS CIRCUMSTANCE
12/16/23	FPD23-1610	THEFT PROP >=\$750<\$2,500	THEFT
12/16/23	FPD23-1611	POSSESSION OF DRUG	TRAFFIC STOP
12/16/23	FPD23-1612	ASSAULT CAUSES BODILY INJURY	911 CALL
12/17/23	FPD23-1613	DRIVING WHILE INTOXICATED	DRIVING WHILE INTOXICATED
12/17/23	FPD23-1614	INCIDENT REPORT	HOSPICE DEATH
12/18/23	FPD23-1615	DRIVING WHILE LICENSE INVALID;	TRAFFIC STOP
12/18/23	FPD23-1616		ANIMAL CONTROL - GENERAL
12/18/23	FPD23-1617		REPORT DROPPED IN ERROR
12/18/23	FPD23-1618	THEFT CLASS C	THEFT
12/18/23	FPD23-1619	INCIDENT REPORT	SUSPICIOUS SUBJECT
12/19/23	FPD23-1620	CITY WARRANT	TRAFFIC STOP
12/19/23	FPD23-1622	INCIDENT REPORT	AUTO THEFT
12/19/23	FPD23-1621	POSSESSION OF DRUG	TRAFFIC STOP
12/19/23	FPD23-1623	OTHER JURISDICTION WARRANT	TRAFFIC STOP
12/20/23	FPD23-1624	DEATH INVESTIGATION	HOSPICE DEATH
12/20/23	FPD23-1625	INCIDENT REPORT	FOUND PROPERTY
12/20/23	FPD23-1626	FRAUD - GENERAL	FRAUD
12/20/23	FPD23-1627	THEFT CLASS C	THEFT
12/21/23	FPD23-1628	ASSAULT BY PHYSICAL CONTACT	ALARM - RESIDENTIAL
12/21/23	FPD23-1629	SEXUAL ASSAULT CHILD - rape	SEXUAL OFFENSE
12/21/23	FPD23-1630	FRAUD - GENERAL	FRAUD
12/21/23	FPD23-1631	PUBLISH/THREAT TO PUBLISH	HARASSMENT
12/22/23	FPD23-1632	ARSON	FIRE CALL
12/22/23	FPD23-1633	AGG ASSAULT W/DEADLY	ASSAULT
12/22/23	FPD23-1634	CRIMINAL MISCHIEF >=\$100<\$750	CRIMINAL MISCHIEF
12/22/23	FPD23-1635	CRIMINAL MISCHIEF >=\$100<\$750	CRIMINAL MISCHIEF
12/22/23	FPD23-1636	DRIVING WHILE INTOXICATED 2ND;	ACCIDENT - HIT & RUN
12/23/23	FPD23-1639	INCIDENT REPORT	RUNAWAY
12/23/23	FPD23-1637	FAIL TO COMPLY WITH	ACCIDENT - HIT & RUN
12/23/23	FPD23-1638	GRAFFITI PECUNIARY LOSS	CRIMINAL MISCHIEF
12/23/23	FPD23-1640		REPORT DROPPED IN ERROR
12/24/23	FPD23-1641	DISPLAY FICTITIOUS LICENSE	TRAFFIC STOP
12/24/23	FPD23-1642	CRIMINAL MISCHIEF/CLASS C	CRIMINAL MISCHIEF
12/24/23	FPD23-1643	INCIDENT REPORT	HOSPICE DEATH
12/24/23	FPD23-1644	INCIDENT REPORT	MENTAL HEALTH CALL/REFERAL
12/24/23	FPD23-1645	INCIDENT REPORT	FOUND PROPERTY
12/25/23	FPD23-1646	INCIDENT REPORT	PRISONER TRANSPORT
12/25/23	FPD23-1647	INCIDENT REPORT	SEXUAL ASSAULT CHILD
12/25/23	FPD23-1648	PUBLIC INTOXICATION W/3 PRIOR	SPEAK WITH OFFICER

Reported	Case Number	Offenses	Description
12/25/23	FPD23-1649	AGG ROBBERY	ROBBERY
12/26/23	FPD23-1650	FRAUD - GENERAL	SPEAK WITH OFFICER
12/28/23	FPD23-1651	THEFT PROP >=\$2,500<\$30K	THEFT
12/29/23	FPD23-1652	FAIL TO IDENTIFY GIVING	SPEAK WITH OFFICER
12/29/23	FPD23-1653	EVADING ARREST DETENTION;	SUSPICIOUS SUBJECT
12/30/23	FPD23-1654	DRIVING WHILE	TRAFFIC STOP
12/30/23	FPD23-1655	INCIDENT REPORT	MENTAL HEALTH CALL/REFERAL
12/31/23	FPD23-1656	PUBLIC INTOXICATION	DISTURBANCE VERBAL
12/31/23	FPD23-1657	POSSESSION OF DRUG	TRAFFIC STOP
12/31/23	FPD23-1658	INCIDENT REPORT	THEFT

Total Records: 100

Freeport Police Department

Monthly Traffic Stops CC

Printed on January 9, 2024

Descriptions	Totals	
Arrest	13	13
Citation Issued	78	78
Citation Issued ; Arrest	2	2
Citation Issued ; Report Taken	6	6
CVE - No Violation	12	12
Information Recieved	1	1
Written Warning Issued	176	176
Totals	288	288



Finance, Court & Water Departments

Title: Monthly Report for December 31, 2023

Date: January 22, 2023

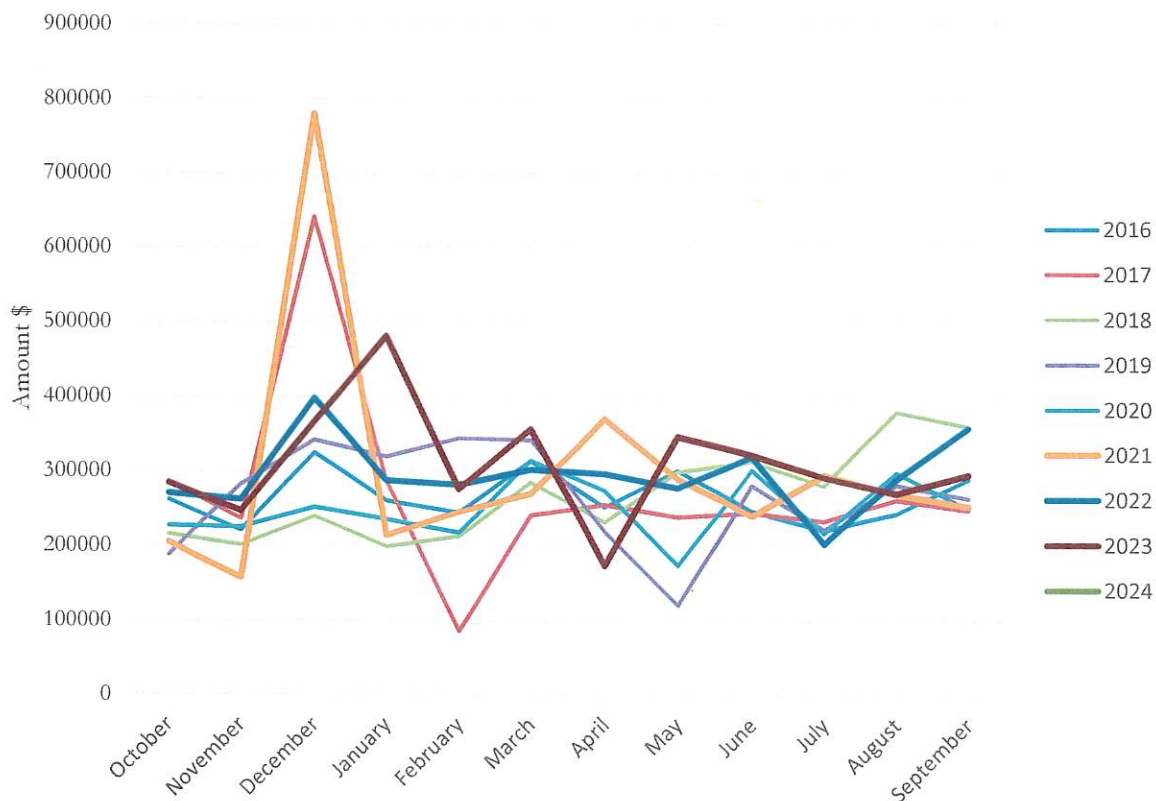
From: Cathy Ezell, Finance Director

Financial Information

The General Fund:

The revenues collected for the General fund as of December 31, 2023 are \$5,702,924 or 30.31% of the total budgeted revenues. Sales tax revenue is collected two months in arrears. The sales tax collections received are less than last year at this time.

Comparison of Sales Tax Revenue by Year



The expenditures for the General Fund as of December 31, 2023 are \$4,944,601 or 25.36% of the budgeted expenditures. See the attached Monthly Financial Report for more detail.

The revenues are over the expenditures by \$758,323. The fund balance or reserves of the General Fund as of December 31, 2023 is \$8,341,740. This is 42.79% of the expenditure budget.

Monthly Report Finance, Court & Water Departments

Water & Sewer Fund

The revenues for the Water & Sewer Fund as of December 31, 2023 are \$1,756,666 or 22.44% of the budgeted revenues. See the attached Monthly Financial Report for more detail.

The expenditures for the Water & Sewer Fund as of December 31, 2023 are \$700,425 or 9.33% of the budgeted expenditures. See the attached Monthly Financial Report for more detail.

The revenues are over the expenditures by \$1,056,241. The fund balance or reserves for the Water & Sewer Fund as of December 31, 2023 is \$1,490,001. This fund balance is only 19.86% 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.

We are working with Incode to be able scan all Municipal Court, Utility Billing, Accounts Payable, Purchasing, Payroll, Human Resources.

Other

We created a departmental calendar for informational flyers to be included in the water bills each month.

The Finance Department is working on a program to go paperless.

City of Freeport
Monthly Financial Report
As of December 31, 2023
General Fund

	FY2023 Actuals	Adopted FY2024 Budget	Amended FY2024 Budget	Year to Date Actual	% YTD Budget
Beginning Fund Balance	\$ 5,920,910	\$ 6,124,699	\$ 7,583,417	\$ 7,583,417	
Revenues					
EMS	\$ 800,844	\$ 644,000	\$ 644,000	\$ 103,689	16.10%
Property Taxes	3,195,965	3,715,000	3,715,000	1,193,604	32.13%
Industrial Taxes	8,954,728	8,896,690	8,896,690	3,370,775	37.89%
Sales Tax	2,471,744	2,300,000	2,300,000	187,001	8.13%
Franchise & Other Taxes	724,988	685,000	685,000	198,271	28.94%
Permits	538,477	238,025	238,025	39,685	16.67%
Charges for Services	801,721	799,350	799,350	199,361	24.94%
Recreation/Rental	116,431	100,500	100,500	23,848	23.73%
Golf	928,555	762,000	762,000	185,357	24.33%
Municipal Court	191,086	257,700	257,700	33,398	12.96%
Grants	1,509,322	12,000	12,000	-	0.00%
Lease Income	123,009	104,300	104,300	-	0.00%
Miscellaneous	835,854	303,000	303,000	167,935	55.42%
Total Revenues	21,192,724	\$ 18,817,565	\$ 18,817,565	\$ 5,702,924	30.31%
Expenditures					
Administration	\$ 2,324,269	\$ 1,837,276	\$ 1,837,276	\$ 474,105	25.80%
Information Technology	266,762	443,279	443,279	128,560	29.00%
Service Center	201,534	203,433	203,433	149,721	73.60%
Municipal Court	277,486	228,473	228,473	49,226	21.55%
Police	4,912,493	5,577,060	5,577,060	1,534,629	27.52%
Fire	1,485,074	1,613,204	1,613,204	402,610	24.96%
EMS	903,040	1,084,197	1,084,197	225,772	20.82%
Emergency Management	-	-	-	-	
Code Enforcement	449,649	494,627	494,627	133,111	26.91%
Building	276,327	334,742	334,742	84,630	25.28%
Garbage Collection	747,174	750,000	750,000	127,041	16.94%
Street & Drainage	1,439,918	1,562,130	1,562,130	366,619	23.47%
Beach Fund Expense	30,745	42,850	42,850	(719)	-1.68%
Main Street	-	139,352	139,352	24,563	17.63%
Historical Museum	291,245	241,979	241,979	52,709	21.78%
Sr Citizens Commission	7,588	17,500	17,500	6,550	37.43%
Library	36,451	37,700	37,700	7,737	20.52%
Parks	1,185,852	1,340,247	1,340,247	286,556	21.38%
Golf	1,346,379	1,288,322	1,288,322	279,637	21.71%
Recreation	349,138	542,986	542,986	94,591	17.42%
Interfund Transfer to	3,149,095	1,866,250	1,866,250	554,453	29.71%
Interfund Transfer from	(150,000)	(150,000)	(150,000)	(37,500)	25.00%
Total Expenditures	19,530,217	\$ 19,495,607	\$ 19,495,607	\$ 4,944,601	25.36%
Revenue Over/(Under) Expenditures	\$ 1,662,507	\$ (678,042)	\$ (678,042)	\$ 758,323	
Ending Fund Balance	\$ 7,583,417	\$ 5,446,657	\$ 6,905,375	\$ 8,341,740	

City of Freeport
Monthly Financial Report
As of December 31, 2023
Water Sewer Fund

	FY2023 Actuals	Adopted FY2024 Budget	Amended FY2024 Budget	Year to Date Actual	% YTD Budget
Beginning Fund Balance	\$ 99,707	\$ (205,471)	\$ 433,760	\$ 433,760	
Revenues					
Interlocal Revenue	\$ 3,691	\$ 4,000	\$ 4,000	\$ -	0.00%
Interest	20,074	9,000	9,000	8,320	92.44%
Misc Income	(106)	-	-	115	N/A
Misc Income Return Checks	975	1,000	1,000	300	30.00%
Utility Reimbursements	132,784	110,000	110,000	-	0.00%
Community Dev Grant	-	-	-	-	N/A
Grant - CDBG GLO	1,044,915	-	-	(446,580)	N/A
FEMA Reimbursement	-	-	-	-	N/A
Cash Over or Short	(11)	-	-	-	N/A
Water Revenue	4,273,390	4,888,350	4,888,350	1,375,159	28.13%
Water Revenue - Misc	-	-	-	-	N/A
Sewer Revenue	2,808,110	2,661,650	2,661,650	786,443	29.55%
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	1,024	102.41%
Connect & Disconnect Fees	149,779	130,000	130,000	31,885	24.53%
Transfer from General Fund	-	-	-	-	N/A
Total Revenues	8,469,948	7,829,000	7,829,000	1,756,666	22.44%
Expenditures					
Salaries	\$ 100,584	\$ 249,719	\$ 249,719	\$ 33,181	13.29%
Benefits	53,832	75,718	75,718	16,698	22.05%
Supplies	33,202	70,950	70,950	3,967	5.59%
Services	6,306,930	6,526,976	6,526,976	921,928	14.12%
Maintenance	58,587	100,000	100,000	35,835	35.84%
Sundry	20,094	25,800	25,800	22,300	86.43%
Capital Outlay	1,081,163	-	-	(446,580)	N/A
Debt Service Fees	30,053	-	-	-	N/A
Transfer to Debt Service	301,450	304,250	304,250	75,596	24.85%
Transfer to CO2021 Bond Fund	-	-	-	-	N/A
Transfer to General Fund	150,000	150,000	150,000	37,500	25.00%
Total Expenditures	8,135,895	7,503,413	7,503,413	700,425	9.33%
Revenue Over/(Under)					
Expenditures	\$ 334,053	\$ 325,587	\$ 325,587	\$ 1,056,241	
Ending Fund Balance	\$ 433,760	\$ 120,116	\$ 759,347	\$ 1,490,001	



City of Freeport Municipal Court
December 2023 Statistics

	December	Year-to-Date
Citations Issued	120	485
Number of Violations Issued	142	558
Court Payments Received	\$ 18,659.13	\$ 65,563.59

	December	December
Warrants Issued	11	\$ 3,725.40
Total Active Warrants	2,587	\$ 1,023,559.88

	Number of Persons on Docket
Court Attendance	15



City of Freeport Utility Billing
December 2023 Statistics

Total Active Accounts	3,522	
Total Services Disconnected	42	
Total New Services	44	
Billed Consumption - Water	30,024,900	\$ 416,152.11
Billed Consumption - Sewer	20,909,700	263,901.64
Billed Garbage		71,204.66
Billed Ambulance		6,881.71
Total Billed		<u>\$ 758,140.12</u>

City of Freeport
Capital Projects
As of December 31, 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 1 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				
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	746,026.52	895,301.85
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	48,151.56	1,848.44
Replace Asphalt Ave C & Quintana	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	\$ 1,147,989.55	\$ 1,904,145.62

Fund 21 - Facilities & Grounds CIP

City Hall Renovations	Awarded contract for construction. Asbestos has begun.	\$	750,000.00	\$	2,503.00	\$	747,497.00
Temp. Modular Building	Bid for building has been awarded.		426,095.00		-		426,095.00
Fire Station 1 Driveway	To be quoted		10,000.00		-		10,000.00
Radio Antenna Repairs - Fire	Repair has begun		11,665.00		5,057.17		6,607.83
Greens Resurfacing	To be bid		375,000.00		-		375,000.00
Tee Renovations	Construction has begun.		55,000.00		49,520.00		5,480.00
Pumphouse Renovations	To be bid		40,000.00		-		40,000.00
Jail Facility Renovation	To be bid		115,000.00		-		115,000.00
Replacement of Main Electric Dist. Panel	Construction has begun.		20,000.00		-		20,000.00
Police Department Parking Lot Improvements	To be quoted		20,000.00		-		20,000.00
New Evidence Lockers	Ordered		11,000.00		-		11,000.00
Server Room Ventilation	To be quoted		12,500.00		-		12,500.00
Museum Remodel	To be quoted		22,500.00		-		22,500.00
New Display Cases	Complete		11,500.00		11,500.00		-
Library Nesting Training Tables	To be quoted		6,750.00		-		6,750.00
Park Equipment	Waiting to determine project		10,000.00		-		10,000.00
Riverplace Exterior Metal Coating	To be quoted		30,000.00		-		30,000.00
Splashpad Renovation	To be quoted		10,000.00		-		10,000.00
FMP Kitchen Remodel	Supplies ordered		40,000.00		9,284.08		30,715.92
Fuel Tank	Construction has begun.		68,639.30		30,000.00		38,639.30
	Total Fund 21 - Facilities & Grounds CIP	\$	2,045,649.30	\$	107,864.25	\$	1,937,785.05

Fund 22 - Vehicle & Equipment Replacement Fund

Replace 2 Ambulances	Ordered & Received Some Outfitting	\$	600,000.00	\$	397,489.06	\$	202,510.94
Equipping new reserve firefighters	To be quoted		12,000.00		-		12,000.00
Furnishings/Appliances Fire Station 2	To be quoted		30,000.00		-		30,000.00
Fire-Portable Radios	Ordered		36,400.00		-		36,400.00
Fire-Reserve PPE	To be quoted		19,100.00		-		19,100.00
5210 Tractor	Complete		36,000.00		35,539.02		460.98
Slope Mower	To be bid		59,000.00		-		59,000.00
Zmaster 72" Mower	Complete		17,000.00		17,619.42		(619.42)
Vehicle Replacement - Police	Ordered		376,006.00		155,447.70		220,558.30
Generator - Police	Waiting on electrical work to be completed		60,000.00		19,671.20		40,328.80
Replace Gate Motor	To be quoted		15,000.00		-		15,000.00
Sever Switch Replacement	To be quoted		15,000.00		-		15,000.00
New Motion Cyber Security	To be quoted		10,000.00		-		10,000.00
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	Ordered		120,000.00		35,472.75		84,527.25
3/4 Yard Concrete Mixer	Complete		10,000.00		4,200.00		5,800.00
Generators	Request for Proposals will go out in for Lift Station Generators		60,000.00		-		60,000.00
	Total Fund 22 - Vehicle & Equipment Replacement		1,579,506.00		746,300.79		833,205.21

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	\$ 1,228,957.40	\$ 4,702,668.60
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	\$ 1,615,880.60	\$ 10,415,213.40

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



Human Resources Monthly Report

Date: January 4, 2024

HR TEAM: Donna Fisher

HR Services Team Priorities and Results for December 2023:

- **Welcomes and Well-wishes:**
 - **We are excited to welcome:**
 - **Adam Barfield – Groundskeeper – Golf Course**
 - **Rudy Ragle – Utility Operations Manager – Public Works**
 - **Dakota Ryan – Maintenance Technician (Streets) – Public Works**
- **Training/Coaching/Performance Improvement:**
 - **Performance Issues Addressed:** We had three (3) employee terminations for performance this month.
- **Employee Turnover/Recruiting/Hiring Progress:**
 - **Employee Turnover:** We had six (6) employee separations in December. Two employees from the Golf Course, one from Recreation, one from the Streets Department, one from Administration, and one employee from the Police Department
 - **Internal Transfers/Promotions:**
 - **Lance Petty promoted from Interim City Manager to City Manager**
 - **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
 - Part-time Recreation Attendant
 - Part-time Range Attendant – Golf Course
 - **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 December. 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 two (2) active Workers Comp. claims in December. The 2022-2023 Workers' Compensation Audit has been completed, and there will be a small decrease in premium.
- **Family & Medical Leave Cases (FMLA)-** We had three (3) active FMLA cases in December.
- **Training/Development:** Only 5 employees have not completed assigned training. Attended 3-day training on conducting Administrative Investigations.

Priorities for January:

- **Training/Development** – TMRS Retirement Education to be held in Angleton on January 9. Olson & Olsen Local Government Seminar to be held in Stafford on January 25.
- **Employee Benefits** – Work on RFP for Benefits Consultant. Prepare W-2 forms and contribution forms for United Way Payroll Deduction Contributions.

Information Technology

Monthly Report

- City Website migrated to freeporttx.gov (previous address still redirects)
- IT SOP Created
- Remote-Access Security and Performance upgrades.

Upcoming Projects

- Fire Department workstation Refresh FY' 24
- E-Waste/Surplus equipment removal.
- Mobile line assessment and cost reduction.
- Website Navigation improvements
- Public information request improvements.
- Radius Authentication Citywide WIFI security
- MDM Management
- Improved Online job application submissions.
- Physical security access upgrades to Rec Center / Fire Dpt.

JANUARY 2024





Closed Ticket 31 days by Category

Description:

Category: Service Desk

Server Hostname: support.0cwrseesmgcerdzoaboqdri0wg.bx.internal.cloudapp.net

Generated: 01/17/2024 12:08:34

2 rows: Category: Hardware::Computer::Desktop

1 row: Category: Hardware::Computer::Laptop

3 rows: Category: Hardware::Other Hardware

2 rows: Category: Hardware::Phone::Desk

1 row: Category: Hardware::Phone::Mobile

2 rows: Category: Hardware::Printer::Copier

1 row: Category: Hardware::Printer::Desk/Office

1 row: Category: Network

7 rows: Category: Other

1 row: Category: Software::Install

4 rows: Category: Website::Change or Upload

01/17/2024

Filter statement

Filters

Months in Event Date

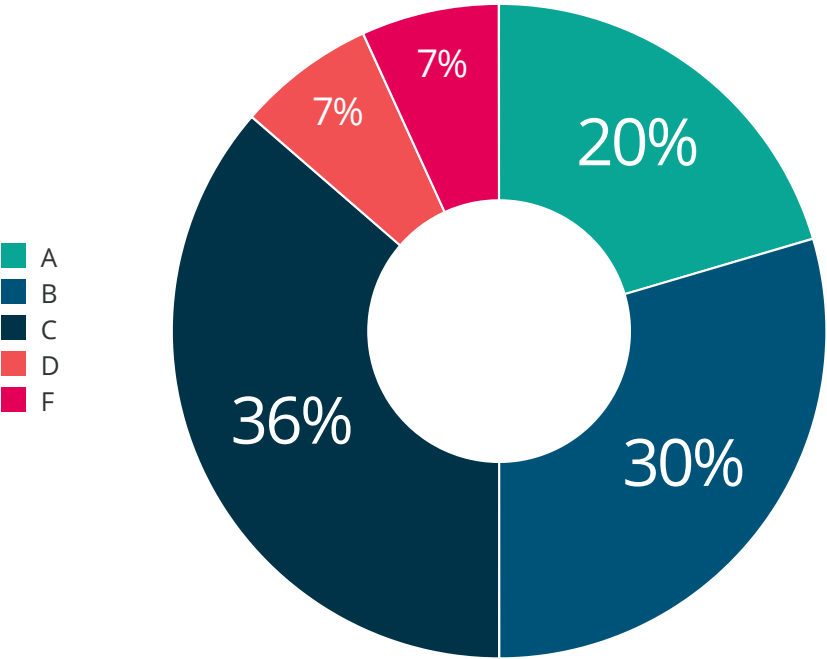
Last Month

|

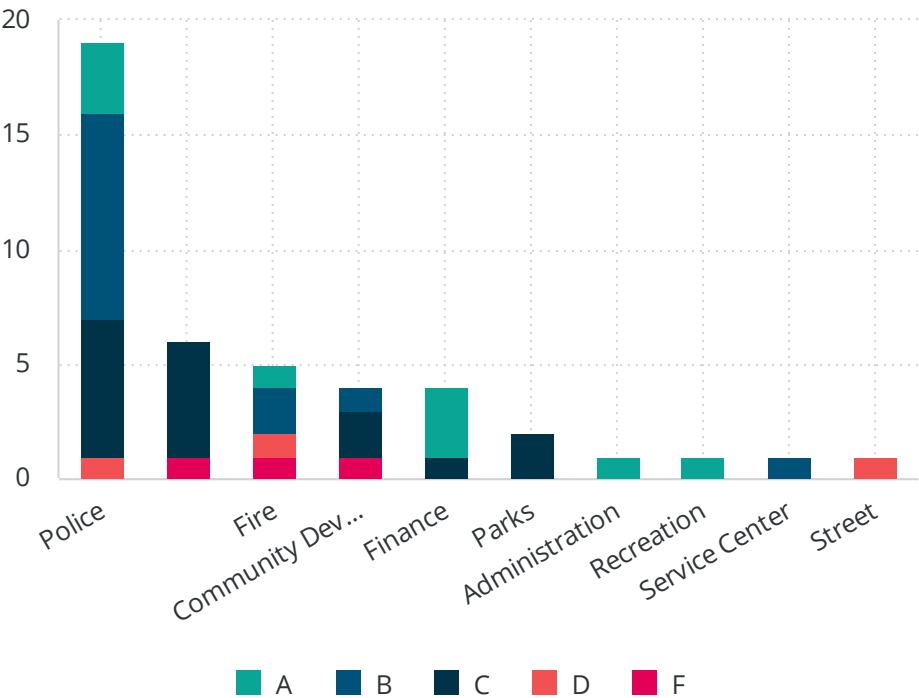
Test Campaign

No

Learner grades



Department grade ranking

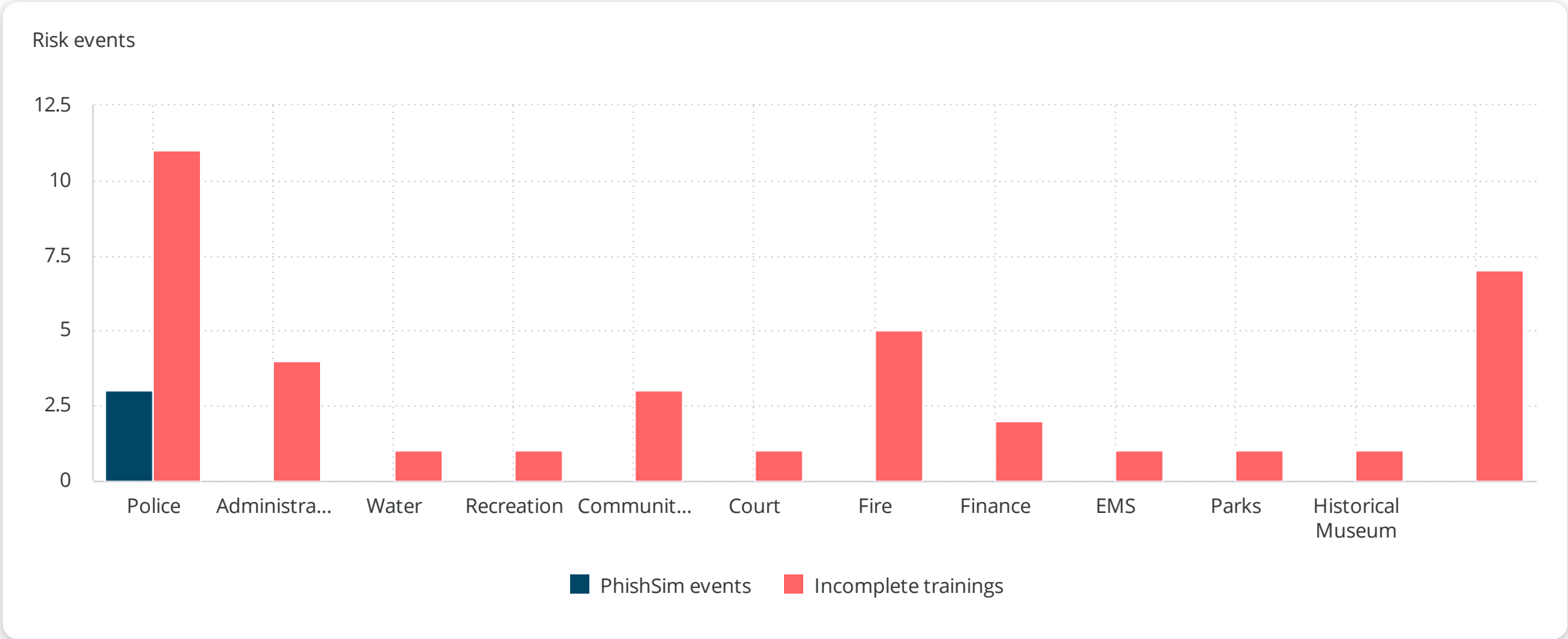


Filter statement

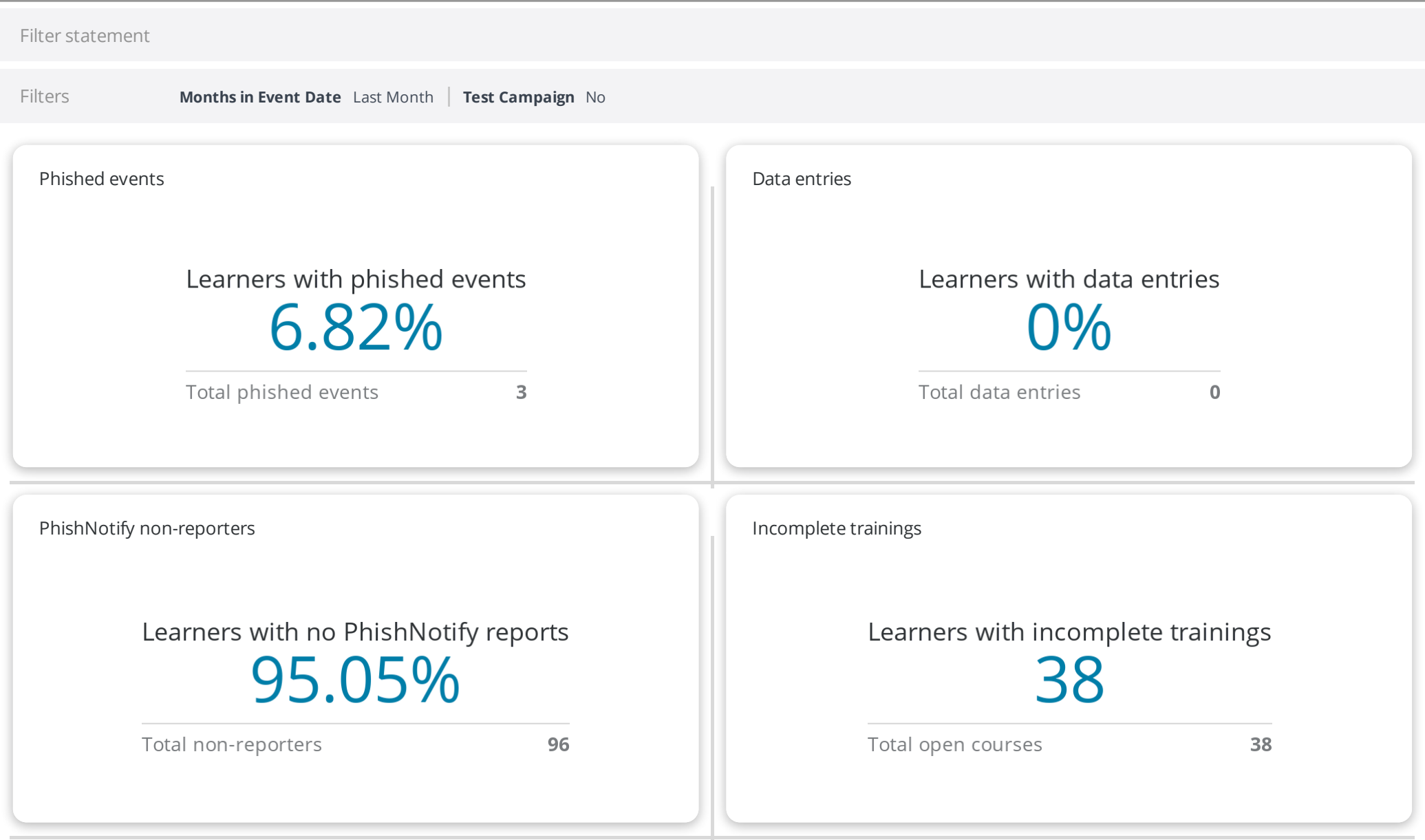
Filters

Months in Event DateLast Month

Test CampaignNo



Performance summary





Reporting period18 Dec 2023 00:00 - 17 Jan 2024 20:00

Managed endpoints

60 +2%

Active endpoints

60

Blocked threats

12 -29%

Company risk score

81%

Inventory:

50/+1

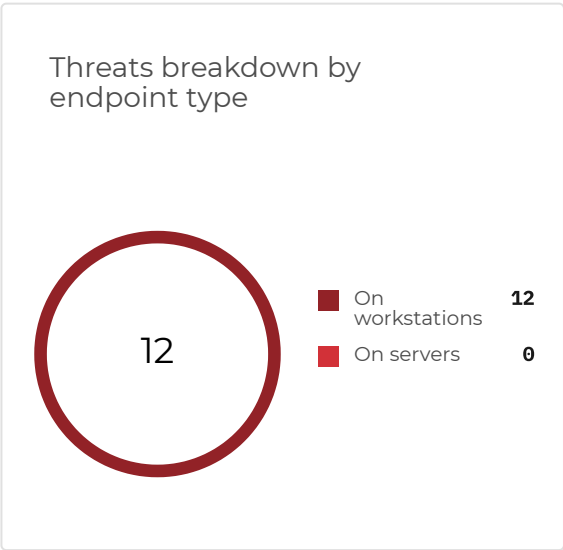
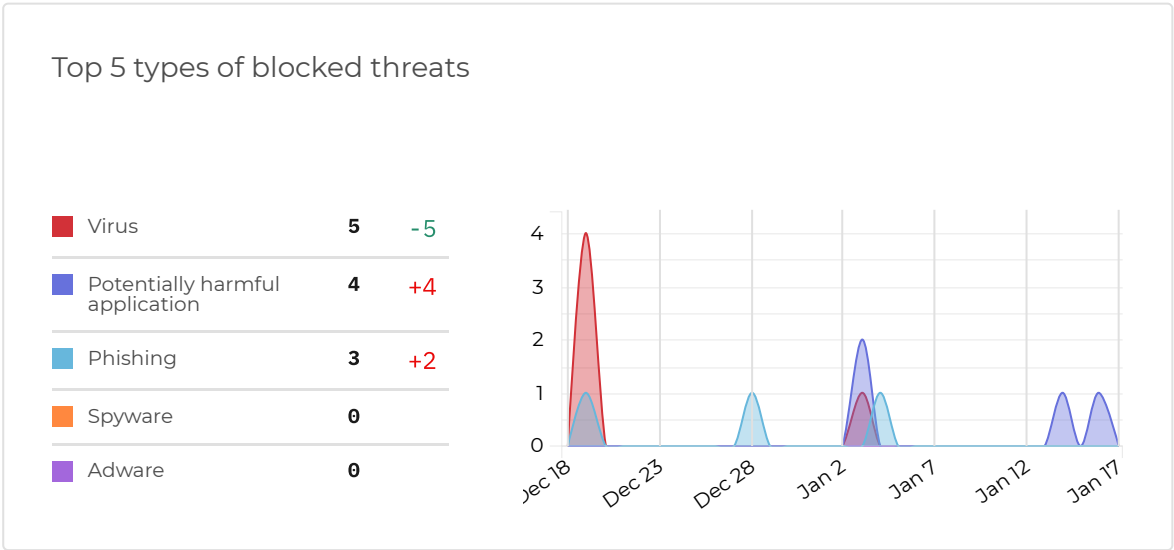
0

9

51/+1

1

9

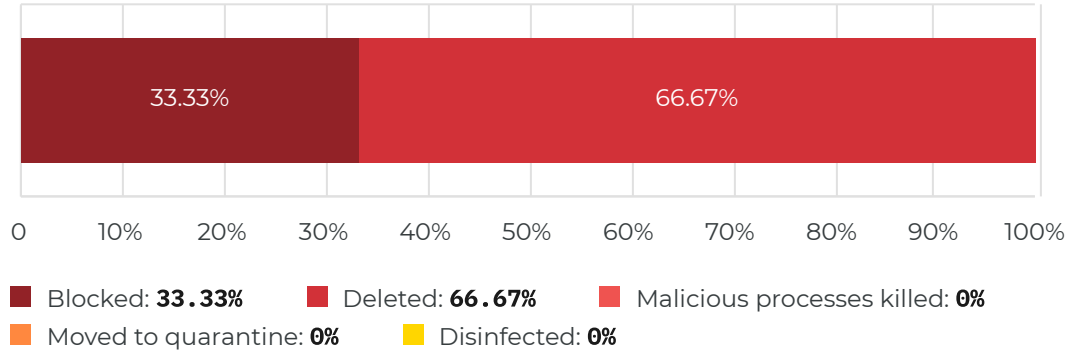


Incidents status

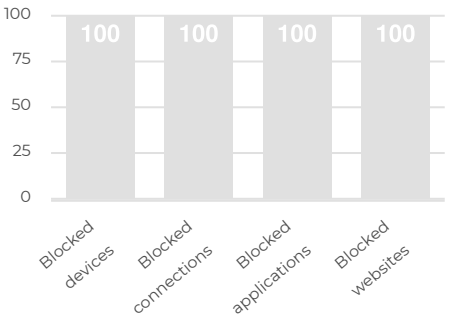


No information available. To retrieve data about your company's **Incidents Status**, please consider a compatible [license key](#).

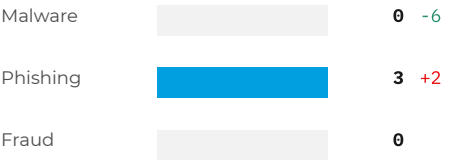
Remediation actions



Policy rule-based detections



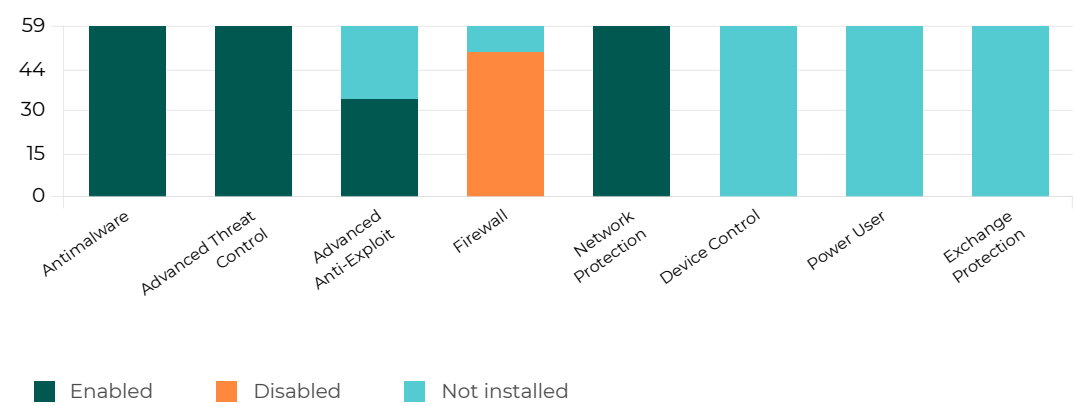
Blocked websites



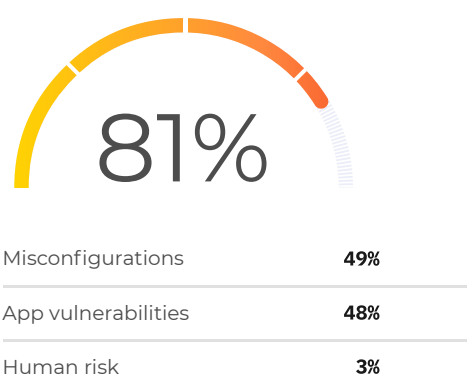
Blocked network attack techniques



Endpoint modules status



Company risk score



Endpoint modules status details

	Enabled	Disabled	Not installed		Enabled	Disabled	Not installed
Antimalware	59	0	0	Network Protection	59	0	0
Advanced Threat Control	59	0	0	Device Control	0	0	59
Advanced Anti-Exploit	34	0	25	Power User	0	0	59
Firewall	0	50	9	Exchange Protection	0	0	59



City of Freeport Information Technology Standard Operating Procedure (SOP)

Introduction

Purpose of the SOP

This Standard Operating Procedure (SOP) document is designed to provide a comprehensive framework for the operation of the Information Technology (IT) Department within our municipal city organization. Its primary goal is to ensure the delivery of consistent, efficient, and high-quality IT services to all departments, thereby supporting the city's overall functionality and service delivery to the public.

Scope of IT Services Provided

The IT Department is responsible for a wide range of services, including but not limited to:

- **Technical Support:** Assisting users with hardware and software issues, including troubleshooting and problem resolution.
- **Network Management:** Ensuring the reliability and security of the city's internal and external networks.
- **Hardware and Software Management:** Overseeing the procurement, installation, and maintenance of all IT equipment and software.
- **Cybersecurity:** Implementing and maintaining security measures to protect data and IT infrastructure from threats.
- **User Training and Support:** Providing training and resources to enable effective use of IT resources by all city employees.
- **Emergency IT Support:** Responding to and resolving critical IT issues that arise outside of regular business hours.

This SOP outlines the procedures and guidelines for the daily operations of the IT Department, including helpdesk operations, issue reporting protocols, and emergency support procedures. It is designed to ensure that all IT-related tasks and services are performed in a structured, efficient, and user-friendly manner, aligning with the broader objectives of our municipal city government.

1. Helpdesk Operation Hours

Overview

Our IT Helpdesk is the frontline of support for all technology-related issues and inquiries within our municipal organization. It serves as the central point of contact for employees seeking technical assistance, ensuring that IT support is easily accessible and efficiently managed.

Regular Operation Hours

- Hours of Service: The Helpdesk will operate from 6:00 AM to 8:00 PM, Monday to Friday.
- Office Hours: Office will be staffed from 8:00 AM to 5:00 PM, Monday to Friday.

Services Offered During Regular Hours: During these hours, the Helpdesk will provide a full range of services, including:

- Troubleshooting and resolving hardware and software issues.
- Assistance with network connectivity problems.
- Support for email, office applications, and other software.
- Guidance and information on IT policies and procedures.
- Any other general IT support queries.

Contact Methods

- Phone Support: Employees can call the Helpdesk for immediate assistance during the operation hours.
- Email Support: Non-urgent issues can be reported via email, with responses typically provided within a specified timeframe.
- Walk-In Support: For hands-on assistance, employees can visit the IT department during the specified office hours.
- Helpdesk Ticket (see 3. issue reporting protocol)

Expectations for Response and Resolution Times

- Response Times: The Helpdesk aims to acknowledge and begin addressing all issues within a certain timeframe from the receipt of the request (e.g., within 30 minutes).
- Resolution Times: While resolution times can vary based on the complexity of the issue, the Helpdesk strives to resolve most problems within the same working day.

Out-of-Hours Support

Outside of these hours, the Helpdesk will not be actively manned. However, an automated system will be in place to log calls and emails, which will be addressed the next business day.

2. Emergency Support

Definition and Scope of Emergency Situations

- **Emergency Defined:** An emergency is any situation where immediate IT intervention is required to prevent or address significant disruptions to critical services or infrastructure. Examples include:
- **Network Failure:** Complete loss of network connectivity impacting multiple users or critical systems.
- **Server Downtime:** Any unexpected downtime of key servers hosting essential applications or services.
- **Security Breach:** Incidents like ransomware attacks or unauthorized access to sensitive information.
- **Critical System Failure:** Failure of systems crucial for the day-to-day operations of the city, such as emergency response systems, payment processing, etc.

Availability for Emergency Support

- **24/7 Support:** The IT department provides emergency support 24 hours a day, 7 days a week, including holidays.

Procedure for Contacting IT in an Emergency

- **Emergency Contact Protocol:** In the event of an IT emergency, the following steps should be taken:
- **Initial Contact:** Call the dedicated emergency IT support number. This line is monitored 24/7.
- **Provide Details:** Clearly describe the nature of the emergency, including any relevant details that could aid in a quicker resolution.
- **Follow Procedures** set in IT Incident Response Plan accordingly
- **Await Response:** An on-call IT technician will respond, assess the situation, and provide immediate assistance or guidance.

Roles and Responsibilities

- **IT Staff:** IT is responsible for assessing the emergency, providing immediate assistance, and coordinating with other personnel or external vendors as necessary.
- **Department Heads/Managers:** Should be aware of the procedure for reporting IT emergencies and are responsible for ensuring their teams follow these protocols.

Documentation and Reporting

Incident Log: All emergency incidents must be logged in the IT department's incident management system, including the nature of the emergency, actions taken, and resolution details.

Post-Emergency Review: After resolution, a review should be conducted to understand the cause of the emergency, evaluate the response, and implement measures to prevent future occurrences.

3. Issue Reporting Protocol

Mandatory Use of the Helpdesk Ticketing System

- **Ticket-Based Reporting:** All IT issues, regardless of their nature or severity, must be reported through the helpdesk ticketing system. This protocol ensures efficient tracking, prioritization, and resolution of issues.
- **No Informal Requests:** To maintain organization and accountability, requests for IT support should not be made through informal channels like direct emails, phone calls, or in-person unless designated as emergencies.

Step-by-Step Process to Raise a Ticket

- **Accessing the System:** Navigate to the internal helpdesk portal accessible from desktop helpdesk link or by visiting site address
- **Filling Out the Form:** Complete the ticket submission form with detailed information about the issue, including:
 - Type of issue (e.g., hardware, software, network).
 - Description of the problem.
 - Any steps already taken to resolve the issue.
 - Priority level, if known.
 - **Submission and Acknowledgment:** Submit the ticket. An automated acknowledgment email will be sent with a ticket number for tracking purposes.

Classifying and Categorizing Issues

- **Categories:** Each ticket must be categorized to help streamline the resolution process. Categories may include hardware issues, software problems, network troubles, access requests, etc.
- **Severity Levels:** Indicate the severity of the issue, if possible, to aid in prioritization. Severity levels might range from low (minor inconvenience) to high (significant impact on operations).
- **Response and Resolution Time Expectations**
- **Acknowledgment:** Tickets will be acknowledged within a specified timeframe (e.g., 1 hour during working hours).
- **Resolution:** The expected resolution time will depend on the issue's complexity and severity, with efforts made to resolve most tickets within a standard timeframe (e.g., 48 hours for non-critical issues).

User Responsibilities

- **Accurate Information:** Provide clear and detailed information when submitting a ticket to facilitate quicker resolution.
- **Follow-up:** Users may check the status of their tickets through the helpdesk system and are encouraged to provide additional information if requested by IT.

4. Prioritization of Issues

Criteria for Prioritizing Issues

- **Impact on Business:** Priority is given to issues that significantly disrupt normal business operations or affect a large number of users.
- **Severity of the Issue:** Issues are classified based on severity, from critical (e.g., system outages, security breaches) to minor (e.g., individual software glitches).
- **Operational Necessity:** Tasks critical for the upcoming business activities or deadlines receive higher priority.
- **First-Come, First-Served Basis:** Within each severity level, issues are generally addressed in the order they are received, ensuring fairness in handling requests.

Triage Process

- **Initial Assessment:** On receipt of a ticket, IT will perform an initial assessment to determine the issue's severity and impact.

Communication During Prioritization

- **Notification of Priority:** Users are informed of the assigned priority level and estimated resolution time for their issue.
- **Updates on Status:** Regular updates are provided, especially if the resolution time is expected to exceed the initial estimate.
- **Balancing Priorities**
- **Resource Allocation:** Resources are allocated based on priority, ensuring that high-impact and severe issues are addressed promptly.
- **Adjusting Priorities:** The priority of an issue may be adjusted if the situation changes (e.g., an issue becomes more severe or starts affecting more users or a higher priority arises).

Feedback Loop

- **Reassessment:** Issues are periodically reassessed to ensure that they are being addressed in a timely and efficient manner.
- **Feedback from Users:** User feedback is encouraged and used to refine the prioritization process.

5. Resolution Process

Steps Taken by IT Staff to Resolve Issues

- **Issue Assessment:** Upon receiving a ticket, IT will assesses the issue to understand its nature and complexity.
- **Information Gathering:** If necessary, IT may contact the user for additional information or clarification.
- **Problem-Solving:** Information technology employs various troubleshooting methods and tools to address the issue. This may involve hands-on work, remote assistance, consulting with colleagues, or escalating to specialized teams.
- **Testing and Verification:** Once a potential solution is implemented, it is tested to ensure the issue is fully resolved.
- **User Confirmation:** The user is contacted to confirm that the resolution is satisfactory and the issue has been resolved.

Communication Protocol with the User

- **Initial Response:** Users are notified when their ticket is being addressed.
- **Progress Updates:** Regular updates are provided throughout the resolution process, particularly if there are delays or significant developments.
- **Resolution Notification:** Once the issue is resolved, the user is notified and provided with a summary of the resolution.

Documentation

- **Recording Actions:** All actions taken to resolve the issue are documented in the ticketing system. This documentation includes steps taken, solutions applied, and any other relevant information.
- **Knowledge Base Contribution:** Resolved issues, especially those with unique solutions or frequent occurrences, are added to an internal knowledge base to assist in faster resolution of similar future issues.

Handling Unresolved Issues

- **Escalation:** If an issue cannot be resolved by the initial IT staff member, it is escalated to more specialized or external service providers.
- **External Assistance:** For issues beyond the scope of the internal IT team, external vendors or consultants may be engaged.

User Training and Education

Empowering Users: Where appropriate, users are provided with training or information to prevent the recurrence of the issue or to handle similar issues independently in the future.

Post-Resolution Follow-Up

- **Satisfaction Survey:** Users are encouraged to complete a satisfaction survey to provide feedback on the resolution process and the service they received.
- **Review of Recurrent Issues:** If an issue recurs, it is flagged for a more in-depth analysis to identify and address the underlying cause.

6. Compliance and Audit

Guidelines for Compliance

- **Adherence to Policies:** All IT operations and resolutions must adhere to the established municipal policies, including data protection, privacy, and cybersecurity guidelines.
- **Legal and Regulatory Compliance:** IT practices must comply with relevant local, state, and federal regulations impacting municipal operations.

Auditing Procedures for IT Operations

- **Regular Audits:** Schedule regular audits to assess compliance with internal policies and external regulations. These audits may be conducted internally or by external auditors.
- **Audit Scope:** Audits should cover various aspects of IT operations, including but not limited to network security, data management, software licensing, and the effectiveness of IT controls.
- **Documentation and Records:** Ensure thorough documentation of IT processes and maintain records for a defined period, facilitating transparency and accountability during audits.

Addressing Non-Compliance

- **Identifying Issues:** Any instances of non-compliance identified during audits or regular operations must be documented and addressed promptly.
- **Corrective Actions:** Develop and implement corrective action plans to resolve non-compliance issues. This may involve process adjustments, additional training, or disciplinary actions if necessary.

Continuous Improvement

- **Feedback from Audits:** Utilize findings from audits to continuously improve IT policies and procedures.
- **Updating Policies:** Regularly update IT policies to reflect changes in laws, regulations, technology landscapes and personell changes.

Training and Awareness

- **Regular Training:** IT will Conduct regular training sessions for compliance-related topics, ensuring awareness of responsibilities and the latest compliance requirements.
- **Awareness for All Employees:** Provide information sessions or resources to all employees about compliance aspects relevant to their use of IT resources.

Reporting Mechanisms

- **Reporting Channels:** Establish clear channels for reporting compliance issues or concerns, ensuring confidentiality and non-retaliation for those who report.
- **Management Reports:** Regularly report compliance status and audit findings to higher-level city administration.

7. Review and Update of SOP

Periodic Review of SOP Effectiveness

- **Scheduled Reviews:** Establish an annual schedule for reviewing the SOP, to ensure its continued relevance and effectiveness.
- **Inclusion of Stakeholders:** Involve various stakeholders in the review process, including IT staff, department heads, and end users, to get a comprehensive perspective.

Criteria for Review

- **Alignment with Organizational Goals:** Ensure the SOP aligns with the broader objectives and operational needs of the municipal city government.
- **Technological Advancements:** Consider updates in response to new technologies, software, or hardware that impact IT operations.
- **Feedback and Performance Data:** Incorporate feedback from users and IT staff, as well as performance data like resolution times and user satisfaction ratings.

Process for Updating the SOP

- **Identify Areas for Improvement:** Based on the review, identify sections of the SOP that need updating.
- **Draft Revisions:** Draft the necessary changes, ensuring clarity and coherence with the rest of the document.
- **Stakeholder Consultation:** Consult with relevant stakeholders for input on the proposed changes.
- **Finalization and Approval:** Finalize the revisions and seek necessary approvals from senior management or the relevant municipal authority.

- **Communication of Changes:** Clearly communicate any changes to the SOP to all affected parties, ensuring that everyone is aware of the new procedures and expectations.

Training on the Updated SOP

- **Training Sessions:** Conduct training sessions for relevant employees to familiarize them with the updated SOP.
- **Availability of SOP Document:** Ensure that the updated SOP is readily available to all staff

Monitoring the Impact of Updates

- **Tracking Changes:** Monitor the impact of any updates on IT operations and service delivery.
- **Feedback Loop:** Maintain a feedback loop to gather responses to the changes and identify any further adjustments needed.

Appendices

New Ticket | helpdesk@freeport.tx.us

Title: (required)

Who is effected: (required) 1 person cannot work

Category: (required) Other

Location: (required) City Hall

Status: New

Priority: Medium

Summary:

Type something or paste screenshots

Knowledge Base Article: Select an article to append

Technician: Unassigned

Device: Unassigned
Filter on submitter assigned devices

Requested Priority: Low

Contact Phone/Email/Extension:

Due: None
Manual Date

CC List: Add CC List

Submitter: Toby Cohen

Appendix A: Sample Helpdesk Ticket

Title: A short summary of your issue

Who is Effected : scope of users, is this just 1 person , your department? Or the entire City of Freeport

Category: whenever possible please categorize the nature of device effected, "EG: Phone – Desk phone"

Location: Where issue is occurring

Requested Priority:

How impactfull is this issue (see issue reporting protocol)