



**AGENDA
REGULAR MEETING
FREEPORT CITY COUNCIL
MONDAY, AUGUST 21, 2023 AT 6:00 PM**

Mayor:

Brooks Bass

Council Members:

Jeff Pena

Jerry Cain

George Matamoros

Winston Rossow

City Manager:

Timothy Kelty

THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON MONDAY, AUGUST 21, 2023 AT 6:00 PM, AT THE FREEPORT, POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD FREEPORT TEXAS

This meeting will be live streamed via Facebook Live and may be accessed on the City of Freeport Facebook page: <https://www.facebook.com/freeporttexas>

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. Employee of the Month for July. **(Tim Kelty)**

CONSENT AGENDA:

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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.

2. Consideration and possible action on the approval of City Council Meeting Minutes, from August 7, 2023, and Special Meeting Meeting Minutes from August 14, 2023. **(Betty Wells)**
3. Consideration and possible action changing the first meeting in September to Tuesday September 5th **(Betty Wells)**

COUNCIL BUSINESS – REGULAR SESSION:

4. Proposed Fiscal Year 2023-2024 Budget Discussion. **(Cathy Ezell)**
5. Consideration and possible action on a Resolution Amending the City of Freeport Master Fee Schedule adjusting the rates for sewer taps, water rates and sewer rates. **(Cathy Ezell)**
6. Discussion and possible action on Ordinance releasing ETJ controlled by the City of Freeport to the city of Brazoria for planning and development purposes by the City of Brazoria. **(Tim Kelty)**
7. Consideration regarding first reading of EDC project; 2023-2024 Local Business Improvement Grant Program. **(Robert Johnson)**
8. Consideration and possible action approving a resolution revising the Personnel Policy Manual regarding Mental Health Leave for Dispatchers, personal appearance protections, and incentive for voluntary payroll deduction for United Way. **(Donna Fisher)**
9. Consideration and possible action to approve FEMA American Firefighter Grant for portable radios in the amount of \$216,000.00 **(Christopher Motley)**
10. Consideration and possible action to approve the purchase of a modular building for Fire Station #2. **(Christopher Motley)**

WORK SESSION:

11. **The City Council may deliberate and make inquiry into any item listed in the Work Session.**
 - A. Mayor Brooks Bass announcements and comments.
 - B. Councilman Pena Ward A announcements and comments.
 - C. Councilman Cain Ward B announcements and comments.

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

CLOSED SESSION:

- 12. Executive Session regarding a.) (Consultation with Attorney) Pending or potential Litigation, Civil Action No. 3:22-cv-00284; Brennon Malone v. City of Freeport, in accordance with the Texas Government Code Annotated, Chapter 551, Sections 551.071.

COUNCIL BUSINESS – REGULAR SESSION:

- 13. Take any action resulting from Executive Session.

ADJOURNMENT:

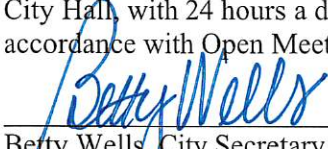
- 14. Adjourn

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

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

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

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


Betty Wells, City Secretary,
City of Freeport, Texas



State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, August 7, 2023 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council:

- Mayor Brooks Bass
- Councilman Jeff Pena
- Councilman Jerry Cain
- Councilman George Matamoros
- Councilman Winston Rossow

Staff:

- Tim Kelty, City Manager
- Lance Petty, Assistant City Manager/PWD
- Betty Wells, City Secretary
- David Olson, Interim City Attorney
- Cathy Ezell, Finance Director
- Toby Cohen, IT Manager
- Donna Fisher, Human Resource Director
- Jennifer Howell, Police Chief
- Mike Praslicka, Deputy Fire Chief
- Brian Dybala, Golf Course Director
- Kacey Roman, Building Official

Visitors:	Ron Bachman	David McGinty
	Edith Fischer	S. Shaw
	Sam Reyna	Manning Rollerson
	Kenny & Donna Hayes	Karla Clark
	Pam Dancy	Ron & Margaret Bachman
	Mark & Carol Parker	Melanie Oldham
	Con McCleester	Ruben Renobato
	Mrs. Rossow	Annette Payne
	Janice Kopp	Bob Brooks
	Ms. Bonner	Amanda Goredel

Call to order.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation and Pledge was led by City Manager Tim Kelty.

Mayor Bass closed Regular Session at 6:04 PM.

CLOSED SESSION:

Council entered executive session at 6:04 PM.

Mayor Bass made a motion to include Mr. Hightower, Mr. Begle and Mr. Kelty into Executive Session, seconded by Councilman Cain with a 4-0 motion passed.

Executive Session regarding:

(Consultation with Attorney) Pending or potential Litigation

- a. Veolia
- b. Marinell Music vs. City of Freeport
- c. Chris Duncan Demand Letter
- d. Civil Action No. 3:22-cv-00284; Brennon Malone v. City of Freeport.
- e. Vernor Material and Equipment vs. City of Freeport, Texas.

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

Executive Session recessed at 6:54 PM and Council entered into Regular Session.

COUNCIL BUSINESS – REGULAR SESSION:

Take any action resulting from Executive Session.

A motion was made by Mayor Bass, seconded by Councilman Cain to authorize the City Manager to send a letter giving notice of non-renewal to Veolia, all present voting “Aye” 5-0, Council unanimously approved the motion to send a letter giving notice to Veolia of non-renewal.

CITIZENS’ COMMENTS:

Sam Reyna spoke of the Charter Amendments that were not submitted with the last Charter Review, he said that Councilmen Pena and Muraira tabled the discussion until a Ward D representative was elected. He spoke of the timeframe of when the amendments can be placed on the ballot, he asked if this has been done and if it will be done on the next election.

Manning Rollerson handed out a paper with his concerns to Council. He said he has concerns with the tax abatements, the lack of public housing, and drug trafficking through the Port Freeport, and asked why nothing is being done.

Zeola Bonner spoke to council for the consideration of changing the Rec Center hours to earlier so more people are able use the facility.

Jeff Pena 224 West Park said the Kid Fest this year was better than last year and is only getting better. He said this event was started by the suggestion of Mario Muraira ten years ago. He said the words he hears about City Hall and Council are, lazy stooges, complicit rats, and arrogant thugs. He said he does not argue this. He spoke of the new ordinances and budget discussion on tonight’s agenda. He spoke of the new street construction of 10th-12th Streets being done by Lucas, he said the streets are faltering. He spoke of the sewer and the lack of inspections. He spoke of the current charges against the Mayor for the attempted physical assault against himself. He spoke of retaliation the residents feel.

Pam Dancy spoke of her concern of the bus stops not having shelter. She spoke of the homeless not having a shelter.

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

Presentation by Edith Fischer for the annual Brazosport Tourism Report.

Edith Fischer presented to council the annual Brazosport Tourism Report.

Presentation of Third Quarterly Investment Report for Fiscal Year 2022-2023.

Finance Director Cathy Ezell present to council the Third Quarter Investment Report for FY 2022-2023.

CONSENT AGENDA:

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

Consideration and possible action on the approval of City Council Meeting Minutes, from July 17, 2023, and Strategic Plan Workshop Minutes from July 22, 2023.

Consideration and possible action approving Ordinance No. 2023-2701, adopting and enacting the recodified Code of Ordinances for the City of Freeport.

Consideration and possible action approving Resolution No. 2023-2808 revising the Personnel Policy regarding Worker's Compensation.

Consideration and possible action approving the Annual Interlocal Agreement with Brazoria County from October 1, 2023 to September 30, 2024 for road maintenance operations.

A motion was made by Councilman Matamoros to approve the Consent agenda, seconded by Councilman Cain with a 4-1, Council approved the Consent Agenda. Councilman Pena voted "Nay"

COUNCIL REGULAR AGENDA

Public Hearing: Consideration and possible action on replat Velasco Townsite Lot 19A Block 16 0.437 Acre- 1 Lot – 1 Block being a replat of Lots 19,20,21,22,23 & 24 Block 16 Velasco Townsite Vol.32, Pg. 14 P.R.B.C.T.C.C.F.N. 2023029506 O.P.R.B.C.T. Brazoria County, Texas.

Mayor Bass opened the Public Hearing at 7:24 PM.

Building Official Kacey Roman presented to council a replat Velasco Townsite Lot 19A Block 16 0.437 Acre- 1 Lot – 1 Block being a replat of Lots 19,20,21,22,23 & 24 Block 16 Velasco Townsite Vol.32, Pg. 14 P.R.B.C.T.C.C.F.N. 2023029506 O.P.R.B.C.T. Brazoria County, Texas. She said this was approved by Planning and Zoning.

Mayor Bass closed the Public Hearing as 7:25 PM.

A motion was made by Councilman Cain to approve the plat to approve the replat Velasco Townsite Lot 19A Block 16 0.437 Acre- 1 Lot – 1 Block being a replat of Lots 19,20,21,22,23 & 24 Block 16 Velasco Townsite Vol.32, Pg. 14 P.R.B.C.T.C.C.F.N. 2023029506 O.P.R.B.C.T. Brazoria County, Texas, seconded by Councilman Matamoros. With all present voting “Aye” 5-0 council unanimously approved the motion.

Public Hearing: Consideration and possible action for plat of Lot 1a and Lot 8a, block 47 of the Freeport Townsite, in the City of Freeport, Brazoria County, Texas a replat of Lots 1,2,3,4,5,6,7 and N.70 Ft of Lot 8, Block 47 according to the Map of Record in Volume 2, Page 95 of the Plat Records of Brazoria County, Texas.

Mayor Bass opened the Public Hearing at 7:26 PM.

Building Official Kacey Roman presented to council a plat of Lot 1a and Lot 8a, block 47 of the Freeport Townsite, in the City of Freeport, Brazoria County, Texas a replat of Lots 1,2,3,4,5,6,7 and N.70 Ft of Lot 8, Block 47 according to the Map of Record in Volume 2, Page 95 of the Plat Records of Brazoria County, Texas. She said this was approved by Planning and Zoning.

Mayor Bass closed the Public Hearing at 7:28 PM

A motion was made by Councilman Pena to approve the plat, to approve for plat of Lot 1a and Lot 8a, block 47 of the Freeport Townsite, in the City of Freeport, Brazoria County, Texas a replat of Lots 1,2,3,4,5,6,7 and N.70 Ft of Lot 8, Block 47 according to the Map of Record in Volume 2, Page 95 of the Plat Records of Brazoria County, Texas, seconded by Councilman Cain. With all present voting “Aye” 5-0 council unanimously approved the motion.

Consideration and possible action approving Resolution No. 2023-2811, for rifle resistant body armor grant.

Police Chief Jennifer Howell presented to council Resolution No. 2023-2811, for rifle resistant body armor grant. She said this is a 100 percent funded grant.

A motion was made by Councilman Cain to approve the resolution, seconded by Councilman Pena to approve Resolution No. 2023-2811, for rifle resistant body armor grant, with all present voting “Aye” 5-0 council unanimously approved Resolution No. 2023-2811.

Consideration and possible action approving Resolution No. 2023-2812, for body camera upgrade project grant.

Police Chief Jennifer Howell presented to council Resolution No. 2023-2812 for body camera upgrade project grant. She said this is 25 percent match grant, 75 percent will be covered by the grant and the City will have to pay the 25 percent.

A motion was made by Councilman Pena to approve the resolution, seconded by Councilman Matamoros to approve Resolution No. 2023-2812, with all present voting “Aye” 5-0 council unanimously approved Resolution No. 2023-2812.

Consideration and possible action approving Resolution No. 2023-2813, for mobile video upgrade project grant.

Police Chief Jennifer Howell presented to council Resolution No. 2023-2813 for mobile video upgrade project grant. She said this is a 100 percent covered grant, but it will not cover the installation.

A motion was made by Councilman Pena to approve the resolution, seconded by Councilman Matamoros to approve Resolution No. 2023-2813, with all present voting "Aye" 5-0 council unanimously approved Resolution No. 2023-2813.

Discussion of Fiscal Year 2023-2024 annual budget.

Finance Director Cathy Ezell presented to council the discussion on the annual FY budget for 2023-2024. She said what is being presented tonight is staff's perspective of the budget, we are asking for Council's input. She discussed the General Fund Summary and the revenue total for the General Fund is \$18.4 million for FY 2023/2024. She discussed the General Revenue Summary, she said most areas are increasing, but there was a decrease from the intergovernmental revenue of more than \$2 million, this is the last of the ARPA Funds for Covid. There was discussion by Ms. Ezell on the General Fund Expenditure Summary, and major changes in operational funds and the capital improvement funds including: Facilities & Grounds, Equipment & Vehicles, Streets & Drainage. Ms. Ezell discussed the Water & Sewer Fund, along with the revenues and expenses of the Water & Sewer Fund. She said the proposed budget includes a proposed rate increase which leaves us with an estimated \$122K ending fund balance. With out the rate increase we would end with a negative \$477K ending fund. She reviewed the upcoming calendar dates for the August 21, 2023 second budget workshop; September 5, 2023 Budget, and Tax Rate Public Hearings, and potential vote to adopt the Budget, and adopt the Tax Rate. September 15, 2023, is the deadline to adopt Budget and Tax Rate.

Pam Dancy asked questions on IT, and the Library. Ms. Ezell said software is for all departments, she said software and computer expenses will always be ongoing.

There was discussion by Councilman Pena on the cuts he feels need to be made of the Golf Course, Museum and the Rec Center, he said he does not want any rate increases to the public.

Karla Clark asked about the money that is in protest from the Appraisal District that will provide additional tax dollars? Ms. Ezell said she is unable to answer this right now. Karla Clark also spoke of the contracts with BWA and Veolia, and spoke of the employee benefit coverage.

Ms. Goredel said she believes that Golf is fun, she said maybe advertising may need to be done more in the Brazosport area for the Golf Course.

There was discussion by Councilman Matamoros, he said the golf course brings people to Freeport. He spoke of the shelters for the bus stops and the discussion the EDC has had on this, and he believes we have applied for a Grant that can help with this also. He said some of the requests in the Budget won't be funded. He spoke of the rate increase for water and sewer rates he does not want this to happen, but he understands why it has to happen, we cannot keep going into the negative, he spoke of the issues of Veolia.

Pam Dancy spoke of Veolia going over budget, and the tax payer having to cover the cost.

Kenny Hayes spoke of BWA and how they operate.

Melanie Oldham spoke of the water rights with DOW. She said she thinks the City is in good shape.

Mayor Bass said he believes we need reserves, and we may need to make some cuts.

Consideration and possible action on setting the public hearing for the Fiscal Year 2023-2024 Budget.
Finance Director Cathy Ezell presented to council the possible action on setting the public hearing for the Fiscal Year 2023-2024 Budget. She said staff is requesting this be set for September 5, 2023 with the adoption of the Budget on this date.

A motion was made by Mayor Bass to set the public hearing on the budget for September 5, 2023, seconded by Councilman Cain with discussion that followed.

Mayor Bass called the motion to a vote, with a 4-1 vote motion passed, Councilman Pena voted "Nay".

Consideration and possible action on setting the City of Freeport proposed 2023 tax rate, setting public hearing (if necessary), and directing staff to publish the Notice of Proposed 2022 Tax Rate.

Finance Director Cathy Ezell presented to council the City of Freeport proposed 2023 tax rate, setting public hearing (if necessary), and directing staff to publish the Notice of Proposed 2022 Tax Rate. She said staff is recommending council approve a tax rate in the amount of \$0.533 per \$100 of valuation, she said this proposed rate is not to exceed rate, she said with this rate council must only adopt a tax rate that is equal to or less than \$0.533 but not more if this is approved. Ms. Ezell said staff recommends holding the Public Hearing on the Tax Rate on Tuesday September 5, 2023 with the adoption on the same day. She said this vote must be a record vote.

Karla Clark said without the amount that is under review she doesn't understand how we can discuss this kind of thing because that is a lot of money that will be out there. Ms. Ezell said this has been certified by the County and it is under the percentage, so we are required to proceed. David Olson said these are house keeping items, we have to do this.

A motion was made by Mayor Bass to set the proposed Tax Rate not to exceed \$0.533 per \$100 in property valuation, seconded by Councilman Cain with discussion that followed.

Councilman Pena asked what the current Tax Rate is? Ms. Ezell said the current tax rate, it is \$0.60. Councilman Pena said the \$0.533 is a lower amount, he asked will this be a relief on residents' taxes? Ms. Ezell said no, not to everyone. In some cases, property taxes will go up depending upon their appraised value set by the County Appraisal District.

Mayor Bass said the home evaluations are higher, and the City of Freeport has nothing to do with the increase of the home appraisals. He said this is just to put a proposed tax rate to not exceed.

Mayor Bass called the motion to a vote, with all present voting 4-1 motion passed.

Councilman Pena "Nay", Councilman Matamoros "Aye", Councilman Rossow "Aye", Councilman Cain "Aye", Mayor Bass "Aye".

A motion was made by Mayor Bass to set the Public Hearing for the Tax Rate on September 5, 2023 at 6:00 PM at 430 North Brazosport Blvd., Freeport, TX, seconded by Councilman Matamoros with discussion that followed.

Councilman Pena asked if there is a deadline for this? Ms. Ezell said yes, the last day is the 15th of September 2023.

Mayor Bass called the motion to a vote, with all present voting 4-1 motion passes.

Councilman Pena, “Nay” Councilman Cain “Aye”, Councilman Matamoros “Aye”, Councilman Rossow “Aye”, Mayor Bass “Aye”.

A motion was made by Mayor Bass to direct staff to publish the notice of the public hearing on the proposed 2023 Tax Rate, seconded by Councilman Cain, with all present and voting 4-1 motion passed, Councilman Pena voted “Nay”

Consideration and possible action approving Resolution No. 2023-2809, for amending the Master Fee schedule regarding new rates for new sewer taps, water rates, and sewer rates.

Motion was made by Mayor Bass to table this item until August 21, 2023 seconded by Councilman Pena.

Consideration and possible action approving Ordinance No. 2023-2702, allowing fences to be constructed past the front building line in W-R Zoning district.

Building Official Kacey Roman presented to council Ordinance No. 2023-2702, allowing fences to be constructed past the front building line in W-R Zoning district. She said the way our current ordinance reads you cannot build a fence past the front building line.

Amanda Goredel said she would appreciate if Council would approve this ordinance.

A motion was made by Councilman Cain to approve the ordinance, seconded by Councilman Matamoros with discussion that followed.

Councilman Cain asked if it would have been easier to change the definition from front and back yard?

Councilman Pena asked if this will conflict with easements and levee? Ms. Roman said no.

Mayor Bass called the motion to a vote, with all present voting “Aye” 5-0 council unanimously approved Ordinance No. 2023-2702, allowing fences to be constructed past the front building line in W-R Zoning district.

Consideration and possible action approving Resolution No. 2023-2810, to appoint a member to the Charter Review Commission.

City Manager Tim Kelty presented to council Resolution No. 2023-2810, to appoint a member to the Charter Review Commission, he said we have one vacancy on the Charter Review Commission. We have two applications from individuals who want to serve on this Commission.

A motion was made by Councilman Matamoros to approve the resolution with Donna Hayes filling the vacancy on the Charter Review Commission, seconded by Councilman Cain, with discussion that followed.

Mrs. Hayes spoke to council of her interest to serve on the Charter Review Commission.

Mayor Bass called the motion to a vote, with all present voting “Aye” 5-0 council unanimously approved Resolution 2023-2810, to appoint a member to the Charter Review Commission.

Consideration and possible action approving Ordinance No. 2023-2698, amending the Short-Term Rental Ordinance.

There were nine residents present who spoke in favor of this ordinance, and there were 2 residents present who spoke which opposed this ordinance. Mr. Kelty and Mayor Bass read emails from other city residents and non-residents of which some were in support and some were opposed to this ordinance.

Building Official Kacey Roman presented to council Ordinance No. 2023-2698, amending the Short-Term Rental Ordinance. Mrs. Roman explained the changes that were requested for the amendments to the existing ordinance. This ordinance was unanimously approved by the Plan and Zoning Commission.

Mayor Bass asked if Ordinance No. 2023-2698 is inclusive of the old and new ordinance, or is it just inclusive of the new? Ms. Roman said the old and the new.

A motion was made by Councilman Cain, seconded by Councilman Rossow to approve Ordinance No. 2023-2698, amending the Short-Term Rental Ordinance, with discussion that followed.

There was discussion by council on the 200 ft spacing requirement, it was asked if this legally enforceable? There was discussion on the number of occupants per bedroom being two persons per room. There was discussion on the parking in Bridge Harbor. The question was asked if this is for all of Freeport including the ETJ? David Olson said this is just for within the City Limits. There was discussion of the current number of STRs which are registered in the City, the ones that are pending, and the ones which have been sent notice for not complying. There was discussion on the registered STR being grandfathered, and the new STR will have to abide by the new rules. Councilman Pena said he feels we are over reaching and limiting the growth of Freeport.

An amended motion was made by Councilman Cain to approve the ordinance with grammatical and enumeration corrections, seconded by Councilman Rossow with all present and voting 4-1 Council approved Ordinance No. 2023-2698, amending the Short-Term Rental Ordinance with the corrections discussed by council to include the corrections on page 2, to be properly enumerated, and changing “his” to “their” in the ordinance. Councilman Pena voted “Nay”

Adjourn

On a motion by Councilman Pena to adjourn, seconded by Councilman Cain, with 5-0 vote, Mayor Bass adjourned the meeting at 10:18 PM.

Brooks Bass, Mayor

Betty Wells, City Secretary

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, August 14, 2023 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Brooks Bass
Councilman Jeff Pena- Absent
Councilman Jerry Cain
Councilman George Matamoros
Councilman Winston Rossow

Staff: Tim Kelty, City Manager
Betty Wells, City Secretary
Kacey Roman, Building Official
Toby Cohen, IT Manager

Visitors: Pam Dancy (P & Z) Andrew Dill (P &Z)
Ron Bachman (P &Z) Danny Massey
Rita Cundieff Mr. Cundieff

Call to order.

Mayor Bass, called the City Council meeting to order at 6:00 p.m. Andrew Dill called the P & Z Meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation was led by Councilman Rossow, Pledge was led by Mayor Bass.

COUNCIL REGULAR AGENDA

Consideration and possible action on Ordinance 2023-2703, amending the direction of traffic on McNeal Street and Karankawa Street in the City of Freeport.

Mr. Kelty explained what this ordinance would change. He said the ISD requested making Karankawa and McNeal Streets a two-way street during the hours of 7:15 a.m.-8:30 a.m., and 2:30 p.m.-3:30 p.m. He said this will help accommodate the drop off and pick up hours at the school.

A motion was made by Councilman Matamoros to approve Ordinance 2023-2703, amending the direction of traffic on McNeal Street and Karankawa Street in the City of Freeport, with discussion that followed.

There was discussion by Councilman Matamoros about, Ave C & D intersecting McNeal, Ave B and McNeal, he asked about the two exits of 5th and 6th Streets. Ms. Cundieff said there will be staff out helping with the direction of traffic. Mr. Kelty said one-way signs will be removed tomorrow.

Mayor Bass called the motion to a vote, with all present voting "Aye" 4-0 council unanimously approved Ordinance 2023-2703, amending the direction of traffic on McNeal Street and Karankawa Street in the City of Freeport.

Adjourn

On a motion by Councilman Cain, seconded by Councilman Matamoros, with a 4-0 vote, Mayor Bass adjourned the meeting at 6:09 P.M.

Mayor, Brooks Bass
City of Freeport, Texas

City Secretary, Betty Wells
City of Freeport, Texas



City Council Agenda Item #3.

Title: Consideration and possible action changing the first meeting in September to Tuesday September 5th

Date: August 21, 2023

From: Betty Wells, City Secretary

Staff Recommendation: Staff recommends this date change

Item Summary: Staff recommends rescheduling the first regular City Council Meeting in September, from Monday, September 4, 2023 to Tuesday, September 5, 2023, due to the Labor Day Holiday, and City Offices will be closed.

Background Information: None

Special Considerations: None

Financial Impact: None

Board or 3rd Party Recommendation: None

Supporting Documentation:
None



City Council Agenda Item #4.

Title: Proposed Fiscal Year 2023-2024 Budget Discussion.

Date: August 21, 2023

From: Cathy Ezell, Finance Director

Staff Recommendation: N/A

Item Summary: This item is for the continued discussion for the Fiscal Year 2023-2024 Budget. The following changes have been made to the Fiscal Year 2023-2024 Budget:

- Corrected Recreation Center Telephone expenditure added \$58,500 to fund balance
- Added the Property Tax Revenue for the Tax Rate of \$0.533 per \$100 in valuation added \$360,000 to fund balance

After consultation with individual City Council members, the following are proposed changes for discussion to the Fiscal Year 2023-2024 Budget previously presented:

- Promote Officers in Charge to Corporals - **(\$30,725)**
- Only adjust Police Salaries for Patrol, Animal Control, Jailers, and Dispatch Step Plan by \$2.00 excludes 3.5% cost of living adjustment - **(\$63,578)**
- Only provide Fire Fighters with 3.5% cost of living salary increase excludes 1.5% merit - **(\$17,037)**
- Remove tower at Police Department - **(\$30,000)**
- Part-time Administrative Assistant in Building/Code - **(19,614)**
- Traveling Exhibit at Museum - **(\$17,000)**
- Advertising Brochures for Museum - **(\$8,500)**
- Interpretive Panels - **(\$7,000)**
- Double Pedestal Desk at Library - **(\$2,500)**
- Waste Receptacles Library - **(\$850)**
- Budgeting Software - **(\$21,645)**
- Free Weights for Recreation Center - **(\$4,000)**
- Resurfacing of Greens Golf for nine holes only - **(\$187,500)**
- New Evidence Lockers - **(\$11,000)**

- Equipment for one Police Vehicle to be funded from Court Security - **(36,959)**
- FMP Kitchen Renovations - **(\$40,000)**
- New Display Cases Museum - **(\$11,500)**
- Restroom Upgrade Library - **(\$20,000)**
- Nesting Training Tables Library - **(\$6,750)**
- Fire Reserves PPE - **(\$19,100)**
- Budgeting Software - **(\$8,500)**
- Streets 1/2 Ton 4x4 Work Truck - **(\$40,000)**
- One Police Vehicle - **(\$85,463)**

Possible Department Cuts Net Budgeted Revenue:

- Recreation Center - **(\$557,486)**
- Museum - **(\$274,480)**
- Golf - **(\$532,222)**

Possible Additions:

- Markee Monument Signs - \$85,000
- Engineer Stormwater Utility - \$80,000
- Sidewalk & Drainage on Skinner St. - \$1,500,000

Background Information: At the last City Council meeting the preliminary proposed budget was discussed. The items above have been identified by individual Council members. The intent of this discussion is to go through them as a group and determine if there is a consensus of the Council to make changes. If so, changes will be incorporated into the overall Fiscal Year 2023-2024 Budget for formal Council Action.

Special Considerations:

Financial Impact:

Board or 3rd Party Recommendation: The EDC has approved it's budget. The EDC budget will be included in the City's budget and adopted with the adoption of the City's budget.

Supporting Documentation:

1. EDC Approved Budget
2. General Fund Budget Summary Page
3. Budget Website Information

Component Unit Funds

Component unit funds are legally separate organizations for which the elected officials of the primary government are financially accountable.

Freeport Economic Development Corporation Fund (30) - This fund is used to account for revenues derived from the 0.005% local economic development sales tax, which became effective XXXXXX. Expenditures are restricted to specific projects outlined in State Law and overseen by the Freeport Economic Development Board.

EDC Projects Fund (31) - This fund is used to account for the various projects that have been funded by the Freeport Economic Development Corporation.

EDC Marketing Fund (33) - This fund is used to account for marketing expenditures that have been funded by the Freeport Economic Development Corporation.

Freeport Economic Development Corporation

Economic Development Fund (Fund 30)

The purpose of the Freeport Economic Development Corporation is to promote community improvements and economic development within the City and the State of Texas and the public welfare of, for and on behalf of the City by developing, implementing, providing, and financing projects under the Act as defined by Section 4B of the Act; and for all other purposes allowed by law as permitted by the Development Corporation Act as it now exists or is hereafter amended.

FY2022-2023 Achievements

Economic Development agreement with Taco Bell.
Economic Development agreement with Starbucks.
Successful Business Improvement Grant Program.
Continuing working with Architecture firm to develop the Boardwalk.

Goals & Objectives for FY2023-2024

Complete Renovations of EDC building on W Park Avenue.
Implement a Downtown Grant Program.
Collaborate with the City and private partners on the Park Improvement Project.
Partner with Retail Strategies to bring in potential retail development.
Continue to seek development for the 8.8 acre waterfront property.

Major Changes In FY2023-2024

Salaries have been increased 5% of which 3.5% is a cost of living adjustment and 1.5% is a merit based increase.
Employee retirement increased by 1.24%
Created at EDC Projects Fund
Created an EDC Marketing Fund

Indicators

Fund Summary

Category	FY2020-2021	FY2021-2022	FY2022-2023	FY2022-2023	FY2022-2023	FY2023-2024	Increase/ (Decrease)	
	Actual	Actual	Adopted Budget	Current Budget	Estimate	Proposed Budget		
Revenue								
Tax - Sales Tax	\$ 1,193,959	\$ 1,180,898	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ -	
Miscellaneous Income	(0)	5,000	-	-	-	-	-	
Investment Earnings	5,706	16,654	7,250	7,250	75,000	25,000	17,750	
Lease Income	5,586	1,700	2,000	2,000	2,000	2,000	-	
Revenue Total	\$ 1,205,251	\$ 1,204,251	\$ 1,259,250	\$ 1,259,250	\$ 1,327,000	\$ 1,277,000	\$ 17,750	
Expenditures								
Salaries	\$ 121,018	\$ 22,225	\$ 178,536	\$ 178,536	\$ 178,536	\$ 208,039	\$ 29,503	
Benefits	40,453	4,527	66,464	66,464	66,464	70,400	3,936	
Supplies	817	2,619	14,000	14,000	14,000	14,500	500	
Services	333,451	437,830	1,515,100	371,295	367,497	305,100	(1,210,000)	
Maintenance	-	-	-	-	-	-	-	
Sundry	11,002	140,926	16,200	16,200	16,200	28,200	12,000	
Capital Outlay	-	-	400,000	400,000	-	700,000	300,000	
Expenditures Total	\$ 506,741	\$ 608,126.99	\$ 2,190,300	\$ 1,046,495	\$ 642,697	\$ 1,326,239	\$ (864,061)	
Beg Fund Balance*	\$ 884,813	\$ 1,583,322	\$ 1,985,749	\$ 2,179,446	\$ 2,179,446	\$ 1,719,944		
Revenue Less Expenditures	\$ 698,509	\$ 596,124	\$ (931,050)	\$ 212,755	\$ 684,303	\$ (49,239)		
Transfers	\$ -	\$ -	\$ -	\$ 1,143,805	\$ 1,143,805	\$ 525,000		
Ending Fund Balance*	\$ 1,583,322	\$ 2,179,446	\$ 1,054,699	\$ 1,248,396	\$ 1,719,944	\$ 1,145,706		

* (Unrestricted)

Employee Count

Position	FY2020-2021	FY2021-2022	FY2022-2023			FY2023-2024	
	Actual	Actual	Adopted Budget	FY2022-2023 Current Budget	FY2022-2023 Estimate	Proposed Budget	Increase/ (Decrease)
Water							
EDC Director	1	1	1	1	1	1	0
Administrative Assistant	1	1	1	1	0	0	-1
Economic Development Specialist	0	0	0	0	1	1	1
Water Total	2	2	2	2	2	2	0

Freeport Economic Development Corporation

Economic Development Fund (Fund 30)

Category	FY2020-2021 Actual	FY2021-2022 Actual	FY2022-2023 Adopted Budget	FY2022-2023 Current Budget	FY2022-2023 Estimate	FY2023-2024 Proposed Budget	Increase/ (Decrease)
Revenue							
318-300 Tax - Sales EDC	\$ 1,193,959	\$ 1,180,898	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ -
360-100 Interest Income	5,706	16,654	7,250	7,250	75,000	25,000	17,750
360-101 Misc Income	(0)	-	-	-	-	-	-
360-200 Sale of Property	-	5,000	-	-	-	-	-
360-600 Lease Income	5,586	1,700	2,000	2,000	2,000	2,000	-
Revenue Total	\$ 1,205,251	\$ 1,204,251	\$ 1,259,250	\$ 1,259,250	\$ 1,327,000	\$ 1,277,000	\$ 17,750
Expenditures							
Salaries							
100 Salaries/Wages	\$ 114,121	\$ 21,055	\$ 169,836	\$ 169,836	\$ 169,836	\$ 198,604	\$ 28,768
110 Salaries/Wages-Pt	1,269	-	-	-	-	-	-
165 Education	51	-	1,500	1,500	1,500	600	(900)
175 Longevity	5,077	-	-	-	-	135	135
180 Auto Allowance	-	-	6,000	6,000	6,000	6,500	500
181 Cell Phone Allowance	500	300	1,200	1,200	1,200	1,200	-
190 Overtime	-	870	-	-	-	1,000	1,000
Salaries Total	\$ 121,018	\$ 22,225	\$ 178,536	\$ 178,536	\$ 178,536	\$ 208,039	\$ 29,503
Benefits							
201 FICA & Medicare	\$ 8,768	\$ 1,579	\$ 13,678	\$ 13,678	\$ 13,678	\$ 15,915	\$ 2,237
210 Group Insurance	14,147	-	26,753	26,753	26,753	22,219	(4,534)
230 T M R S	17,531	2,948	25,692	25,692	25,692	31,892	6,200
240 Workmen's Compensation	6	-	125	125	125	125	-
291 Unemployment Insurance	-	-	216	216	216	248	32
Benefits Total	\$ 40,453	\$ 4,527	\$ 66,464	\$ 66,464	\$ 66,464	\$ 70,400	\$ 3,936
Supplies							
310 Office/Computer Supplies	\$ 215	\$ 1,868	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ -
311 Postage/Shipping	-	-	200	200	200	500	300
312 Books/Publ/Subscriptions	-	-	2,000	2,000	2,000	1,000	(1,000)
313 Printing	-	-	500	500	500	500	-
335 Clothing	437	-	-	-	-	1,000	1,000
352 Furniture & Fixtures	-	444	3,000	3,000	3,000	3,000	-
399 Other Supplies	165	308	800	800	800	1,000	200
Supplies Total	\$ 817	\$ 2,619	\$ 14,000	\$ 14,000	\$ 14,000	\$ 14,500	\$ 500
Services							
411 Water	\$ -	\$ 753	\$ 4,000	\$ 4,000	\$ 4,000	\$ 2,000	\$ (2,000)
413 Professional Services	17,005	160,935	180,000	180,000	180,000	180,000	-
414 Bank Charges	170	85	100	100	100	100	-
415 Telephone	-	-	-	-	-	-	-
416 Professional Fees - Auditor	-	-	4,000	4,000	4,000	4,000	-
417 Professional Fees - Legal	38,911	40,492	40,000	40,000	40,000	60,000	20,000
426 Physicals	-	-	-	-	-	-	-
430 Advertising	3,535	18,732	50,000	50,000	50,000	50,000	-
434 Marketing	5,430	100,111	100,000	15,009	11,261	-	(100,000)
435 Special Projects	261,486	111,391	1,125,000	66,186	66,136	-	(1,125,000)
440 Electricity	233	5,331	12,000	12,000	12,000	9,000	(3,000)
499 Other Services	6,681	-	-	-	-	-	-
Services Total	\$ 333,451	\$ 437,830	\$ 1,515,100	\$ 371,295	\$ 367,497	\$ 305,100	\$ (1,210,000)
Sundry							
602 Seminars/Dues/Travel	\$ 10,187	\$ 8,268	\$ 15,000	\$ 15,000	\$ 15,000	\$ 25,000	\$ 10,000
605 Meal	-	-	-	-	-	2,000	2,000
628 Property/Liability Insurance	125	-	-	-	-	-	-
629 Property Taxes	-	504	-	-	-	-	-
699 Other Sundry	690	1,100	1,200	1,200	1,200	1,200	-
010 Transfer to General Fund	-	150,000	-	-	-	-	-
018 Transfer from TIRZ	-	(18,946)	-	-	-	-	-
Sundry Total	\$ 11,002	\$ 140,926	\$ 16,200	\$ 16,200	\$ 16,200	\$ 28,200	\$ 12,000
Debt Service							
700 Bond Premium	\$ -	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ 40,000	\$ -
Debt Service Total	\$ -	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ 40,000	\$ -
Capital Outlay							
899 Capital Outlay	\$ -	\$ -	\$ 400,000	\$ 400,000	\$ -	\$ 700,000	\$ 300,000
Capital Outlay Total	\$ -	\$ -	\$ 400,000	\$ 400,000	\$ -	\$ 700,000	\$ 300,000
Grand Total	\$ 506,741	\$ 608,127	\$ 2,240,300	\$ 1,096,495	\$ 692,697	\$ 1,366,239	\$ (864,061)

EDC Projects Fund (Fund 31)

This fund is used to account for the various projects that have been funded by the Freeport Economic Development Corporation.

Category	FY2020-2021		FY2021-2022		FY2022-2023		FY2023-2024		Increase/ (Decrease)
	Actual		Actual		Adopted Budget	FY2022-2023 Current Budget	FY2022-2023 Estimate	Proposed Budget	
Revenue									
360-100 Interest Income	\$ -		\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Revenue Total	\$ -		\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Expenditures									
Services									
435 Special Projects	\$ -		\$ -		\$ -	\$ 1,058,814	\$ 89,130	\$ 1,369,684	\$ 1,369,684
Services Total	\$ -		\$ -		\$ -	\$ 1,058,814	\$ 89,130	\$ 1,369,684	\$ 1,369,684
Expenditures Total	\$ -		\$ -		\$ -	\$ 1,058,814	\$ 89,130	\$ 1,369,684	\$ 1,369,684
Beginning Fund Balance	\$ -		\$ -		\$ -	\$ -	\$ -	\$ 969,684	-
Revenue Less Expenditures	\$ -		\$ -		\$ -	\$ (1,058,814)	\$ (89,130)	\$ (1,369,684)	
Transfers		-		-		(1,058,814)	(1,058,814)	(400,000)	
Ending Fund Balance	\$ -		\$ -		\$ -	\$ -	\$ 969,684	\$ -	

Projects

Project	Budget		Amount	
	FY2023	FY2023	Spent FY2023	Amount Remaining
Business Improvement Grants	\$ 150,000		\$ 65,558	
Sweet Tea's	4,995	4,995	0	
La Caza Azul	10,000	-	10,000	
SPCA Re-Tail	2,175	-	2,175	
Four Corners Shopping Center	6,058	4,163	1,895	
Quest Apartments	29,250	-	29,250	
Rhombus Inc	10,000	-	10,000	
La Caza Azul #2	18,674	-	18,674	
Baytown Seafood	3,290	-	3,290	
Sub Total	150,000	9,158	140,842	
Starbucks	150,000	50,000	100,000	
Taco Bell	80,000	20,000	60,000	
Bridge Lighting	25,000	-	25,000	
Boardwalk	25,000	23,324	1,676	
Fish Market	25,000	16,615	8,385	
Bryan Beach Sign	9,000	-	9,000	
Total	\$ 464,000	\$ 119,097	\$ 344,903	

EDC Marketing Fund (Fund 33)

This fund is used to account for marketing expenditures that have been funded by the Freeport Economic Development Corporation.

Category	FY2020-2021		FY2021-2022		FY2022-2023			FY2023-2024			Increase/ (Decrease)
	Actual		Actual		Adopted Budget	FY2022-2023 Current Budget	FY2022-2023 Estimate	Proposed Budget			
Revenue											
360-100 Interest Income	\$ -		\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Revenue Total	\$ -		\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Expenditures											
Services											
434 Marketing	\$ -		\$ -		\$ -	\$ 84,991	\$ 13,701	\$ 125,000	\$ 125,000		
Services Total	\$ -		\$ -		\$ -	\$ 84,991	\$ 13,701	\$ 125,000	\$ 125,000		
Expenditures Total	\$ -		\$ -		\$ -	\$ 84,991	\$ 13,701	\$ 125,000	\$ 125,000		
Beginning Fund Balance	\$ -		\$ -		\$ -	\$ -	\$ -	\$ 71,290		-	
Revenue Less Expenditures	\$ -		\$ -		\$ -	\$ (84,991)	\$ (13,701)	\$ (125,000)			
Transfers		-		-			(84,991)	(84,991)	(125,000)		
Ending Fund Balance	\$ -		\$ -		\$ -	\$ -	\$ 71,290	\$ 71,290			

General Fund Summary

	FY2020-2021	FY2021-2022	FY2022-2023		FY2022-2023	FY2022-2023	FY2023-2024	Increase/
	Actual	Actual	Adopted	Current Budget	Estimate	Estimate	Proposed Budget	(Decrease)
Revenue								
Industrial Districts	\$ 8,090,088	\$ 8,171,633	\$ 8,679,299	\$ 8,679,299	\$ 8,723,000	\$ 8,896,690	\$ 217,391	
Property Tax	2,716,469	3,092,192	3,355,000	3,355,000	3,180,000	3,715,000	360,000	
Sales Tax	2,387,917	2,361,795	2,250,000	2,250,000	2,450,000	2,300,000	50,000	
Charges for Service	2,225,465	2,157,122	1,886,600	1,886,600	2,085,155	2,063,350	176,750	
Franchise & Other Taxes	636,793	664,892	644,000	644,000	678,600	685,000	41,000	
Intergovernmental	1,132,500	2,064,386	2,252,765	2,252,765	1,664,204	172,000	(2,080,765)	
Fines & Forfeits	176,376	234,733	208,500	208,500	207,700	257,700	49,200	
Miscellaneous Income	667,032	521,794	245,420	245,420	432,220	215,500	(29,920)	
Lease Income	242,901	151,087	125,000	125,000	121,500	110,000	(15,000)	
Investment Earnings	15,577	61,079	20,000	20,000	300,000	150,000	130,000	
License and Permits	183,562	276,188	196,625	196,625	512,860	238,025	41,400	
Revenue Total	\$ 18,474,680	\$ 19,756,901	\$ 19,863,209	\$ 19,863,209	\$ 20,355,239	\$ 18,903,265	\$ (1,059,944)	
Expenditures								
Salaries	\$ 7,522,982	\$ 7,257,261	\$ 7,862,190	\$ 7,862,190	\$ 7,641,814	\$ 8,442,986	\$ 580,796	
Benefits	2,849,563	3,145,455	3,356,971	3,356,971	3,356,309	3,502,623	145,652	
Supplies	734,105	743,604	914,485	928,585	846,990	908,675	(5,810)	
Services	2,887,424	3,246,202	3,116,335	3,154,140	3,437,100	3,233,765	117,430	
Maintenance	857,003	923,962	788,685	812,263	1,004,927	912,845	124,160	
Sundry	719,949	565,591	645,370	640,912	615,626	787,170	141,800	
Capital Outlay	555,870	332,881	-	23,246	118,500	-	-	
Expenditures Total	\$ 16,126,896	\$ 16,214,954	\$ 16,684,035	\$ 16,778,306	\$ 17,021,266	\$ 17,788,063	\$ 1,104,028	
Beg Fund Balance	\$ 5,615,397	\$ 6,725,855	\$ 5,564,696	\$ 5,914,821	\$ 5,914,821	\$ 6,124,699		
Revenue Less Expenditures	\$ 2,347,784	\$ 3,541,946	\$ 3,179,173	\$ 3,084,902	\$ 3,333,973	\$ 1,015,202		
Transfers Out	(1,410,846)	(4,502,980)	(3,729,095)	(3,729,095)	(3,274,095)	(1,911,750)		
Transfers In	173,520	150,000.00	150,000	150,000	150,000	150,000		
Net Transfers	(1,237,326)	(4,352,980)	(3,579,095)	(3,579,095)	(3,124,095)	(1,761,750)		
Ending Fund Balance	\$ 6,725,855	\$ 5,914,821	\$ 5,164,774	\$ 5,420,629	\$ 6,124,699	\$ 5,378,151		
90 Days Operating Reserve	\$ 3,892,756	\$ 3,970,518	\$ 4,171,009	\$ 4,188,765	\$ 4,225,692	\$ 4,447,016		
Available Fund Balance	\$ 2,833,099	\$ 1,944,303	\$ 993,765	\$ 1,231,863	\$ 1,899,008	\$ 931,135		



The Proposed Budget for Fiscal Year 2023-2024 Draft as of August 16, 2023 is posted on the City of Freeport's website on the Finance page.



City Council Agenda Item #5.

Title: Consideration and possible action on a Resolution Amending the City of Freeport Master Fee Schedule adjusting the rates for sewer taps, water rates and sewer rates.

Date: August 21, 2023

From: Cathy Ezell, Finance Director

Staff Recommendation: Staff recommends approval of the Resolution.

Item Summary: Currently, the sewer tap fee is \$500.00. The current cost to do a standard four-inch sewer tap is \$1,000.00. The cost of a sewer taps larger than four inches is based on actual costs, size and location of the tap. The City Water/Sewer Fund is subsidizing \$500.00 of the cost to complete the standard sewer tap.

The proposed utility rate increases are being presented to offset the increased cost for water resulting from Brazosport Water Authority (BWA) adopting a 7.7% increase, the cost of the unfunded mandate by the Federal Government for lead and copper water line identification and plans, the increase in costs for Veolia operations and repair & maintenance services based on the increase in the Consumer Price Index (CPI), and cost overruns by Veolia for Fiscal Years 2022 and 2023 in their R&M budget. The proposed rate will raise water rates by 12.4%, and sewer rates by 2.3%. Below is a summary of the impact of the changes to Single-Family Residences beginning September 1, 2023. The Ordinance presented has the new rates for all the rate schedules.

Single-Family Residences	Current Rate	Proposed Rate	Increase \$	Increase %
Water Rates				
0 gal. to 2,000 gal.	\$ 16.43	\$18.47	\$2.04	12.4%
3,000 gal. to 12,000 gal.	\$ 5.68	\$ 6.38	\$0.70	12.4%
All over 12,000 gal.	\$ 7.47	\$ 8.40	\$0.93	12.4%

Commercial/Non-Res	Current Rate	Proposed Rate	Increase \$	Increase %
Water Rates				
0 gal. to 2,000 gal.				
1" Meter	\$ 23.07	\$ 25.93	\$ 2.86	12.4%
1.5" Meter	\$ 29.67	\$ 33.35	\$ 3.68	12.4%
2" Meter	\$ 47.74	\$ 53.66	\$ 5.92	12.4%
3" Meter	\$181.22	\$203.69	\$22.47	12.4%
4" Meter	\$230.92	\$259.55	\$28.63	12.4%
6" Meter	\$345.94	\$388.84	\$42.90	12.4%
8" Meter	\$477.72	\$536.96	\$59.24	12.4%
10" Meter	\$619.28	\$696.07	\$76.79	12.4%
3,000 gal. to 12,000 gal.	\$ 10.78	\$ 12.12	\$ 1.34	12.4%
All over 12,000 gal.	\$ 14.21	\$ 15.97	\$ 1.76	12.4%

Single-Family Residences	Current Rate	Proposed Rate	Increase \$	Increase %
Sewer Rates				
0 gal. to 2,000 gal.	\$13.71	\$14.03	\$0.32	2.3%
3,000 gal. to 12,000 gal.	\$ 4.73	\$ 4.84	\$0.11	2.3%

Commercial/Non-Res	Current Rate	Proposed Rate	Increase \$	Increase %
Sewer Rates				
0 gal. to 2,000 gal.				
1" Meter	\$ 18.32	\$ 18.74	\$ 0.42	2.3%
1.5" Meter	\$ 23.55	\$ 24.09	\$ 0.54	2.3%
2" Meter	\$ 37.95	\$ 38.82	\$ 0.87	2.3%
3" Meter	\$143.89	\$147.20	\$ 3.31	2.3%
4" Meter	\$183.12	\$187.33	\$ 4.21	2.3%
6" Meter	\$274.70	\$281.02	\$ 6.32	2.3%
8" Meter	\$379.33	\$388.05	\$ 8.72	2.3%
10" Meter	\$484.62	\$495.77	\$11.15	2.3%
3,000 gal. to 12,000 gal.	\$ 9.87	\$ 10.10	\$ 0.23	2.3%
13,000 gal. and up	\$ 14.21	\$ 14.54	\$ 0.33	2.3%

5,000 gal. bill	Current Rate	Proposed Rate	Increase \$	Increase %
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Water	\$33.47	\$37.61	\$4.14	12.4%
Sewer	\$27.90	\$28.55	\$0.65	2.3%
Total	\$61.37	\$66.16	\$4.79	7.8%

Background Information: SEWER TAPS On April 18, 2022, City Council approved setting the fee for sewer taps at \$500.00 for a standard four-inch sewer tap. That adjustment does not cover the complete cost of the standard sewer tap. The adjustment made on April 18, 2022 charged the cost for a sewer tap from \$20.00 to \$500.00. This change to \$1,000 covers the actual cost of the new sewer tap.

UTILITY RATES BWA sells water to the City of Freeport and the cities of Angleton, Brazoria, Clute, Lake Jackson, Oyster Creek, and Richwood. On June 28, 2023, the cities received a letter from BWA stating that they were increasing the rate per 1,000 gallons of water sold from \$3.78 to \$4.07. This is a 7.7% increase and will cost the City of Freeport \$211,700 per year.

Compliance with the Federal Mandate regarding Lead and Copper waterlines will cost the City approximately \$305,000. This funding is for the creation of the required plans, creation of required communications to citizens and any other required plans and documents. It also funds two part-time employees to inventory the City's water meter connections.

Per the contract with Veolia, to provide water/sewer operation and repair and maintenance services, the cost of services will increase based on the Consumer Price Index. This increase will cost approximately \$185,600. Also, in Fiscal Year 2022, the costs of repairs and maintenance to the water/sewer system overran the budget by more than \$300,000 and it is estimated that these costs will overrun the budget by more than \$300,000 in Fiscal Year 2023.

Special Considerations:

5,000 gal. bill	Current Rate	Proposed Rate	Increase \$	Increase %
<u>Freeport</u>				
Water	33.47	37.61	4.14	12.4%
Sewer	27.90	28.55	0.65	2.3%
Total	61.37	66.16	4.79	7.8%

Angleton

Water	55.09	62.25	7.16	13.0%
Sewer	32.67	34.31	1.64	5.0%
Total	87.76	96.56	8.80	10.0%

Richwood

Water	52.04	55.95	3.91	7.5%
Sewer	40.06	43.35	3.29	8.2%

Total	92.10	99.30	7.20	7.8%
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**Lake
Jackson**

Water	31.40	32.30	0.90	2.9%
Sewer	33.15	34.90	1.75	5.3%
Total	64.55	67.20	2.65	4.1%

**West
Columbia**

Water	38.40	39.94	1.54	4.0%
Sewer	38.40	39.94	1.54	4.0%
	76.80	79.88	3.08	4.0%

Clute

Water	31.68	33.42	1.74	5.5%
Sewer	31.68	33.42	1.74	5.5%
Total	63.36	66.84	3.48	5.5%

**Oyster
Creek**

		<u>unknown</u>		
Water	29.73			
Sewer	23.78			
Total	53.51			

Financial Impact: There will be an increase in sewer tap revenue, water rates and sewer rates.

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Resolution - Master fee sewer tap Wat-Sew Rates
2. Master Fee Schedule Exhibit A

RESOLUTION NO. 2023-2809

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS AMENDING THE MASTER FEE SCHEDULE FOR ASSESSING RATES AND FEES AND CHARGES FOR SERVICES PROVIDED BY CITY DEPARTMENTS, USE OF CITY PROPERTY, AND PURCHASE CERTAIN GOODS PROVIDED BY THE CITY; SPECIFICALLY SETTING FEES FOR SEWER TAPS, WATER RATES AND SEWER RATES; AUTHORIZING THE CITY CLERK TO MAINTAIN THE MASTER FEE SCHEDULE AND RECOMMEND ADJUSTMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR A FINDING OF PROPER MEETING AND NOTICE.

WHEREAS, the City Council of the City of Freeport, Texas ("City") seeks to provide for reasonable fees and charges for services provided by City departments use of City property, and purchase of certain goods provided by the City in order to recoup the cost of conducting municipal business on the public's behalf without unduly relying on taxes; and

WHEREAS, the City Council finds that the Code of Ordinances of the City of Freeport, Texas ("Code") contains rates and fees throughout the Code and desires to consolidate all City rates and fees to provide a single and convenient location for a list of all rates and fees charged by the City through a Master Rate Schedule; and

WHEREAS, by Ordinance the City Council of the City authorized the establishment and maintenance of a Master Fee Schedule; a

WHEREAS, the City Council has determined that the public welfare would be best served by maintaining and amending sewer tap fees in the Master Fee Schedule;

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

SECTION 1. FEES. Pursuant to the provisions of its Code of Ordinances, the City Council of the City hereby amends the Master Fee Schedule with the rates and fees hereto as Exhibit "A".

SECTION 2. EFFECTIVE DATE. This resolution and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect on the date of passage and upon execution by the mayor and city secretary as set forth below.

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

Read, passed and adopted the _____ day of _____, 2023.

ATTEST:

APPROVED:

Betty Wells, City Secretary
City of Freeport, Texas

Brooks Bass, Mayor
City of Freeport, Texas

APPROVED AS TO FORM ONLY

David Olson, City Attorney
City of Freeport, Texas

FREEPORT SEWER AND WATER DEPARTMENT 2022		
Sewer Service		
DESCRIPTION	Fee	
Single-Family Residences & Multi-Family Residences		
0 to 2,000 gal.	\$14.03	Base Fee
3,000 to 12,000 gal.	\$4.84	per 1,000 gal.
Industrial Facilities, Offices & Other Commercial Establishments		
1" Meter 0 to 2,000 gal.	\$18.74	Base Fee
1-1/2" Meter 0 to 2,000 gal	\$24.09	Base Fee
2" Meter 0 to 2,000 gal	\$38.82	Base Fee
3" Meter 0 to 2,000 gal	\$147.20	Base Fee
4" Meter 0 to 2,000 gal	\$187.33	Base Fee
6" Meter 0 to 2,000 gal	\$281.02	Base Fee
8" Meter 0 to 2,000 gal	\$388.05	Base Fee
10" Meter 0 to 2,000 gal	\$495.77	Base Fee
3,000 to 12,000 gal.	\$10.10	per 1,000 gal.
13,000 gal. and up	\$14.54	per 1,000 gal.
Water Service		
Deposits for water		
Residential Owner	\$100.00	
Residential Renter	\$100.00	
Senior Citizen	\$50.00	
Commercial Accounts	\$100.00	or based on average bill
Apartments	\$50.00	per unit
Connection Fee/Cut-on	\$25.00	
Disconnect Fee/Cut-off	\$25.00	
Transfer Fee	\$25.00	
10 Day Clean (Up to 2,000 Gallons)	\$21.00	
Return Check Fee	\$25.00	
Meter Read For Pool Filing Credit	\$25.00	

Single-Family Residences & Multi-Family Residences			
0 gallons to 2,000 gallons	\$18.47	Base Fee	
3,000 gallons to 12,000 gallons	\$6.38	per 1,000 gal.	
All over 12,000 gallons	\$8.40	per 1,000 gal.	
Industrial Facilities, Offices & Other Commercial Establishments Within the City			
1" Meter 0 to 2,000 gal.	\$25.93	Base Fee	
1-1/2" Meter 0 to 2,000 gal	\$33.35	Base Fee	
2" Meter 0 to 2,000 gal	\$53.66	Base Fee	
3" Meter 0 to 2,000 gal	\$203.69	Base Fee	
4" Meter 0 to 2,000 gal	\$259.55	Base Fee	
6" Meter 0 to 2,000 gal	\$388.84	Base Fee	
8" Meter 0 to 2,000 gal	\$536.96	Base Fee	
10" Meter 0 to 2,000 gal	\$696.07	Base Fee	
3,000 gallons to 12,000 gallons	\$12.12	per 1,000 gal.	
13,000 gallons and up gallons	\$15.97	per 1,000 gal.	
Customers Outside the Corporate Limits of the City			
1" Meter 0 to 2,000 gal.	\$38.90	Base Fee	
1-1/2" Meter 0 to 2,000 gal	\$50.00	Base Fee	
2" Meter 0 to 2,000 gal	\$80.53	Base Fee	
3" Meter 0 to 2,000 gal	\$314.23	Base Fee	
4" Meter 0 to 2,000 gal	\$388.76	Base Fee	
6" Meter 0 to 2,000 gal	\$583.13	Base Fee	
8" Meter 0 to 2,000 gal	\$801.90	Base Fee	
10" Meter 0 to 2,000 gal	\$1,028.75	Base Fee	
3,000 gallons and up	\$18.15	per 1,000 gal.	
Water-Only Service Inside the Corporate Limits of the City			
1" Meter 0 to 2,000 gal.	\$37.02	Base Fee	
1-1/2" Meter 0 to 2,000 gal	\$47.61	Base Fee	
2" Meter 0 to 2,000 gal	\$77.15	Base Fee	
3" Meter 0 to 2,000 gal	\$290.87	Base Fee	
4" Meter 0 to 2,000 gal	\$370.19	Base Fee	
6" Meter 0 to 2,000 gal	\$555.27	Base Fee	
8" Meter 0 to 2,000 gal	\$766.79	Base Fee	
10" Meter 0 to 2,000 gal	\$978.86	Base Fee	
3,000 gallons to 12,000 gallons	\$12.77	per 1,000 gal.	
13,000 gallons and up gallons	\$16.85	per 1,000 gal.	
Tap Charges			
Water			
Five-eighths-inch x three-fourths-inch water tap	\$550.00		
All other size taps will be charged based on actual cost, size and location			
Sewer			
Standard four inch tap	\$1,000.00		
All other size taps will be charged based on actual cost, size and location			



City Council Agenda Item #6.

Title: Discussion and possible action on Ordinance releasing ETJ controlled by the City of Freeport to the city of Brazoria for planning and development purposes by the City of Brazoria.

Date: August 21, 2023

From: Tim Kelty, City Manager

Staff Recommendation: Staff recommends Council approve the Ordinance.

Item Summary: The City of Brazoria has formally requested that the City of Freeport release the Freeport/Brazoria the overlapping and “Contested” ETJ around the south and east side of Brazoria to them, for the purposes of planning for the growth and development of the City of Brazoria. This proposed release would be an act of good neighbors.

Background Information: In the 1970s, the City of Freeport aggressively annexed 10-foot strips of land, encircling the Cities of Clute and Lake Jackson. This 10-foot strip also provides for extended Extra Territorial Jurisdiction (ETJ) along its length. In certain cases when the annexed strips run close to the city limits of another city, there is “Contested ETJ, where both cities have certain legal claims regarding potential annexation. There is such a strip that runs along the southern and eastern edge of the City of Brazoria.

Special Considerations: On the attached map, the RED line depicts the 10-foot strip annexed into the city of Freeport. The YELLOW area depicts the City of Freeport ETJ. The PEACH area depicts the city limits of the City of Brazoria and light BLUE is Brazoria’s ETJ. The Light GREEN area depicts the Contested ETJ between Freeport and Brazoria. (the PINK area is Lake Jackson ETJ and ORANGE area is Contested ETJ between Lake Jackson and Brazoria.)

The city plans to have discussions with Clute and Lake Jackson in the near future to negotiate the potential exchange of ETJ based upon the tangle that currently exists hampering the growth and development of all three cities. In this request, the city would retain the 10 foot strip previously annexed to retain contiguity of the previous annexations, but the ETJ in the vicinity of the City of Brazoria has no strategic value to the City of Freeport and they have no ETJ of value to potentially swap

Financial Impact: None

Board or 3rd Party Recommendation: Requested by the City of Brazoria

Supporting Documentation:

1. Ordinance ETJ Brazoria
2. Brazoria ETJ request documentation.

ORDINANCE NO. 2023-2704

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, RELEASING CERTAIN TERRITORY IN BRAZORIA COUNTY WITHIN AREAS DESCRIBED AS THE FREEPORT ETJ AROUND THE SOUTH AND EAST SIDE OF THE CITY OF BRAZORIA, ALL FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF FREEPORT; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, the City of Brazoria has requested that certain portions of the City of Freeport’s extraterritorial jurisdiction (“ETJ”) around the south and east side of the City of Brazoria be released by the City of Freeport; and

WHEREAS, the City of Freeport recognizes that this portion of its ETJ is over 15 miles from the City of Freeport’s core corporate limits and will not be developed with City of Freeport utilities and infrastructure; and

WHEREAS, the City of Freeport also recognizes that the City of Brazoria has represented that it intends to develop this ETJ area with City of Brazoria services and infrastructure, including an existing City of Brazoria sewer plant and sewer trunk main; and

WHEREAS, the City of Council of the City of Freeport wants to be good neighbors with the City of Brazoria and allow this ETJ area to be properly developed for the benefit of the residents of the City of Brazoria and surrounding area;

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

Section 1. The findings and recitations set out in the preamble to this ordinance are found to be true and correct and they are hereby adopted by the City Council and made part hereof for all purposes.

Section 2. Pursuant to and in accordance with Section 42.023 of the Texas Local Government Code, the City Council of the City of Freeport hereby consents to the reduction of its ETJ area by releasing the “Freeport/Brazoria ETJ Overlap” identified as the solid green shaded area on the map attached hereto as Exhibit A and made a part of this Ordinance hereof.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Freeport declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

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

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

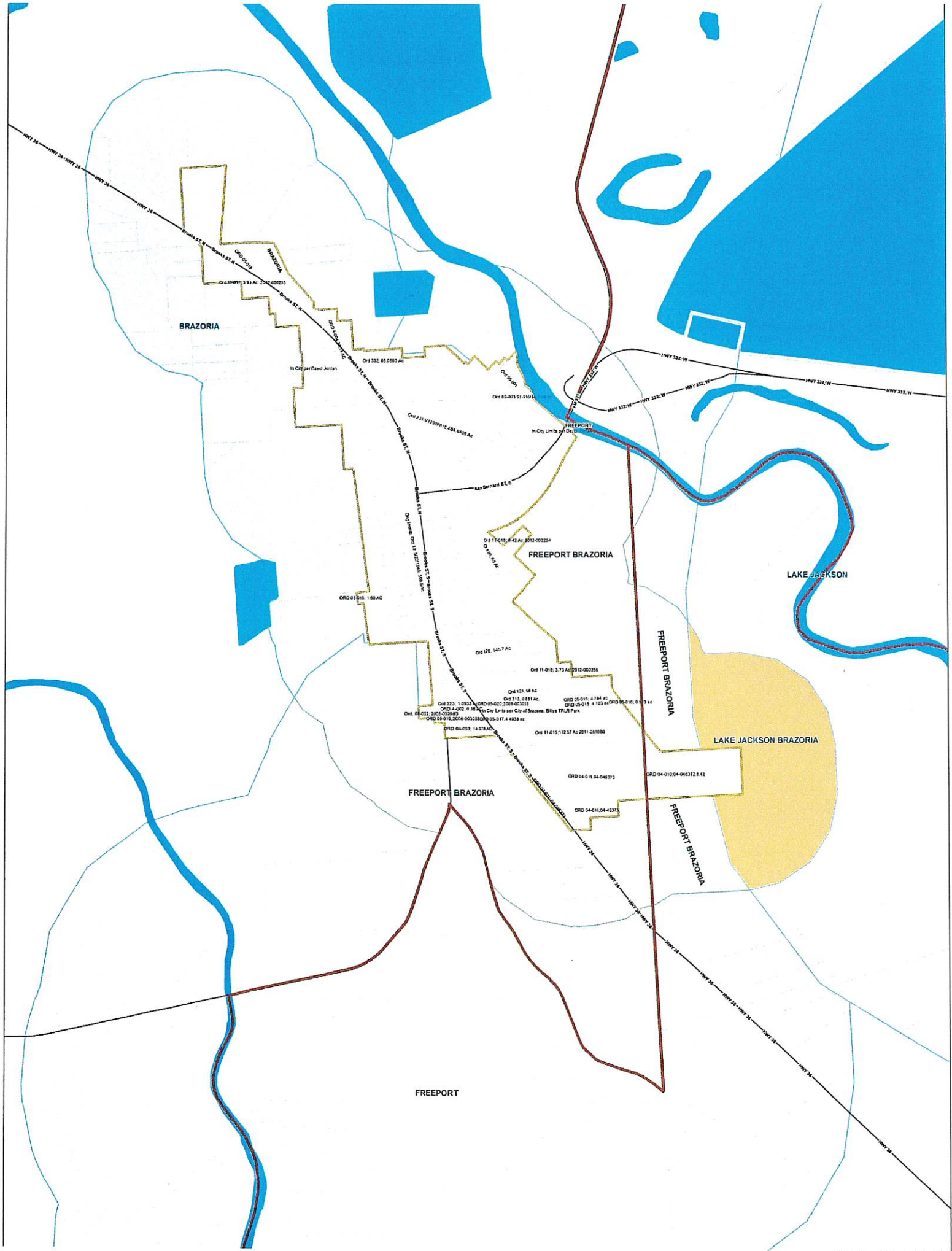
Betty Wells, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

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

Exhibit A

Map of Released Freeport ETJ ("Freeport/Brazoria ETJ Overlap")





April 26, 2023

201 S. MAIN ST.
BRAZORIA, TEXAS 77422

Ph: (979) 798-2489
Fax: (979) 798-2018

Honorable Mayor Bass
City of Freeport
200 W. 2nd Street
Freeport, TX 77541

**Re: City of Brazoria & Freeport
Release of overlapping ETJ boundaries near Brazoria**

Dear Mayor and Council,

It has come to our attention the City of Brazoria and Freeport has overlapping extra-territorial jurisdiction ("ETJ") based on our research. Currently, the Brazoria ETJ extends ½ mile beyond the city limit boundary as shown on the attached map. Whereas Freeport ETJ, following the city limit line, extends over 15 miles beyond the core of the city.

As the City of Brazoria is planning for future growth, we are requesting Freeport to release any overlapping areas with the Brazoria ETJ. The purpose of the release is as follow:

1. Services Provision: We can help provide city services to unincorporated areas that are adjacent to the city. This can improve the quality of life for residents in those areas by providing access to services such as police and fire protection, garbage collection, and street maintenance.
2. Infrastructure Development: Expand our infrastructure, such as roads, water, sewage, and public transportation systems, to serve a larger population. This can improve the quality of life for residents and attract new businesses and residents to the area.
3. Economic Growth: Potential annexation in the ETJ area to help cities expand their tax base, create more economic opportunities, and attract new businesses to the area.
4. Sewer Plant and Sewer Trunk Main are located in the overlapping ETJ.

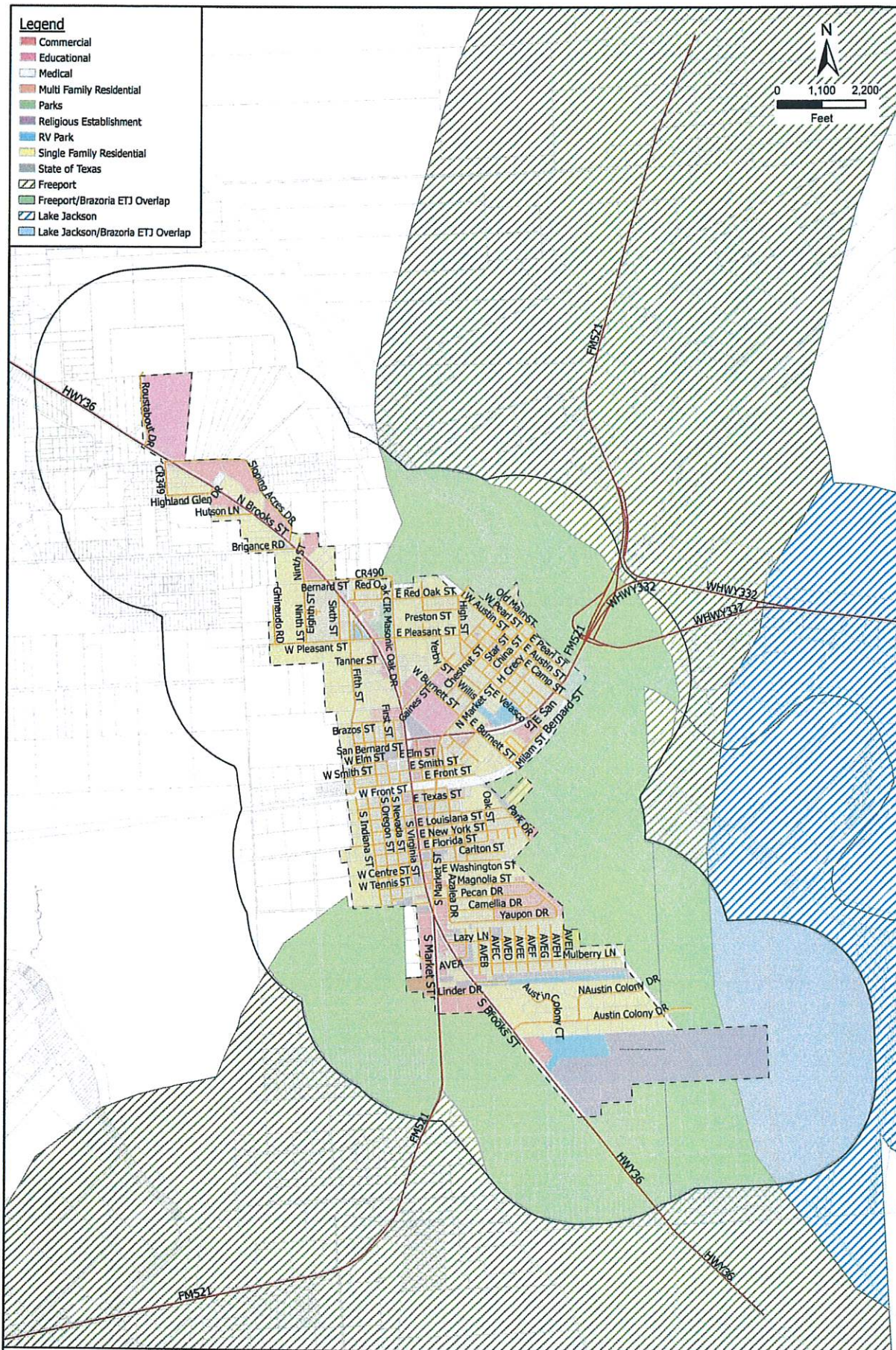
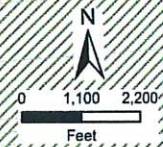
We appreciate your assistance. Should you have any questions, please don't hesitate to contact us at citymanager@cityofbrazoria.org or by phone (979) 798-2489.

Regards,

Sheila Williams
City Manager

Legend

- Commercial
- Educational
- Medical
- Multi Family Residential
- Parks
- Religious Establishment
- RV Park
- Single Family Residential
- State of Texas
- Freeport
- Freeport/Brazoria ETJ Overlap
- Lake Jackson
- Lake Jackson/Brazoria ETJ Overlap





City Council Agenda Item #7.

Title: Consideration regarding first reading of EDC project; 2023-2024 Local Business Improvement Grant Program.

Date: August 21, 2023

From: Robert Johnson, Economic Development Director

Staff Recommendation: Staff recommends City Council Discuss for future consideration the Resolution for the requested EDC Economic Development project for the Business Improvement Grant Program.

Item Summary: The EDC has identified the Business Improvement Grant program as an economic development project it would like to consider for funding in the 2023-2024 fiscal year. Because of its nature, it is required to have City Council approval following two readings. This is the first of the two required readings.

Background Information: 1. 2023 LOCAL BUSINESS IMPROVEMENT GRANT PROGRAM

The local business improvement grant program provides grant funding from the EDC under several categories including Façade Improvements, Sign Improvements, General Property improvements, and Landscaping improvements. Applications for these categories are accepted anytime and considered individually as they are received. Funding for these categories is available up to \$10,000 There is also a single Mega Grant of up to \$30,000 which will be competitively offered, with one awarded per year in May. Businesses that receive the grant are reimbursed 50% of their documented and qualified expenses up to the maximum grant amount. The EDC is requesting council approval for expenditure of up to \$150,000 in the 2023-2024 fiscal year for this program.

The purpose of this program is to promote the development and expansion of new and existing business enterprises within the city of Freeport, and enhance the economic welfare of the citizens of the City by securing and retaining business enterprises and maintain a higher level of employment, economic activity and stability.

Special Considerations: The EDC conducted a required public hearing with no opposition to this proposed project.

Financial Impact: Funding for these projects would come out of the \$969,684 Special Project line included in the EDC fiscal year budget for projects.

Board or 3rd Party Recommendation: Following a public hearing on the issue, EDC voted to recommend approval of this project at the mentioned dollar limits.

Supporting Documentation:

1. Resolution EDC 2023-2024 Business improvement grant program Project
2. EDC Grant Packet 08-08-23

RESOLUTION NO. 2023-2815

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; APPROVING AN ECONOMIC DEVELOPMENT PROJECT TO BE ENACTED BY THE FREEPORT ECONOMIC DEVELOPMENT CORPORATION; AND PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City of Freeport, Texas is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, the Freeport Economic Development Corporation (the "EDC") is a "type B" nonprofit economic development corporation, authorized under Texas Development Corporations Act, Title 12, Section 501.001 et. seq. specifically Chapter 505 of said Act; and,

WHEREAS, the EDC's specific purpose is to sustain economic development efforts and promote business development in the City; and,

WHEREAS, the City and the EDC have made the specific findings that the EDC may pursue the development project set forth below, that said project is authorized by the Texas Development Corporation Act, and that the project promotes economic development within the City of Freeport and satisfies the requirement of serving a public purpose; and,

WHEREAS, prior to passage of this resolution, the City Council conducted two (2) public readings of this resolution, in open session of duly noticed and posted council meetings, and further finds that a duly noticed and posted public hearing was previously held by the EDC on the projects contained herein.

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

FIRST, the City Council of the City of Freeport finds that the facts recited in the preamble hereof are true.

SECOND, the City Council of the City of Freeport hereby approves the following economic development project: 2023-2024 Local Business Improvement Grant Program";

THIRD, the funds to fund the above project have been budgeted and no further authorization is required from the City Council for the EDC to implement the above project.

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

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

APPROVED:

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

Betty Wells, City Clerk
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

David Olson, City Attorney
City of Freeport, Texas



FREEPORT

ECONOMIC DEVELOPMENT CORPORATION

Business Improvement Grant Program Guidelines and Criteria

Section 1. Purpose

The purpose of this program is to promote the development and expansion of new and existing business enterprises within the City limits of Freeport, Texas and enhance the economic welfare of the citizens of the City by securing and retaining business enterprises and maintaining a higher level of employment, economic activity, and stability.

Section 2. Type and amount of grants

A. Façade Improvement:

Exterior front façade enhancements. Improvements may be considered if located on a corner or paralleling an internal public space such as a park, parking lot, pedestrian way, or visible from a public right-of-way.

Improvements to store facade including, but not limited to:

Exterior painting that incorporates a major visual change
(Maintenance painting does not apply.);

Significant masonry cleaning and/or restoration;

Addition of awnings (business logo & letters on awnings are acceptable);

Enhanced exterior building lighting that creates a noticeably enhanced appearance
(Replacement of current lighting that is simply repair does not enhance the appearance of the building, such as replacement of inoperable fixtures and is not included.);

Store front entry systems and individual windows and door replacement or modification (if part of an overall design restoration; general building maintenance repairs are not included);

New or restored façade elements, such as cornices, soffits, canopies, and other detail elements.

The grant amount may be up to 50% of the cost of such improvement, up to a maximum of \$10,000

B. Sign Improvement:

New signs and/or major renovations or removal of existing signs. Typically LED Signs are not approved but may be reviewed on a case-by-case basis if integrated into an overall sign.

The grant amount may be up to \$3,500 for both new and existing business.

C. Property Improvement:

Items such as, but not limited to, parking lot resurfacing, striping, driveway improvement, lighting, decorative fencing, pedestrian oriented/streetscape amenities, including street furniture, new curb and sidewalk, and related amenities, demolition and/or removal of a dilapidated structure

The grant amount may be up to 50% of the cost of such improvement, up to a maximum of \$10,000.

D. Landscaping Improvement:

Material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms, landscape lighting and non-living durable materials that are commonly used in landscaping such as, but not limited to, rocks, pebbles, sand, but excluding paving. (All living materials will be reviewed at 25% of the cost if irrigation is not present or will be applied)

The grant amount may be up to 50% of the cost of such improvement, up to a maximum of \$10,000.

E. Fire Suppression System Grant:

The purpose of this grant is to assist payment for purchase and installation of a sprinkler/fire suppression system as required by the Freeport Fire Marshall. The grant application must contain documentation from the applicant and the Freeport Fire Marshall containing a floorplan, a diagram of the proposed system, and the specific occupancy and use that was submitted to the Freeport Fire Marshall. If this grant is provided to a leased space, the landlord and tenant are jointly responsible to pay back the grant if the applicant fails to complete the performance requirements. Further, this grant will only be made for an active retail business or a business that has signed a lease to begin operation of a retail business.

The grant amount may be up to 50% of the cost of such improvement, up to a maximum of \$25,000.

F. MEGA Grant:

Can be a combination of Grant Type A, C, or D or can stand alone as either. This grant will be reserved for those business that are within the defined Downtown boundaries as laid out by our Community Comprehensive Plans or at the discretion of the FEDC Board of Directors. Must provide 1 additional Job with this grant. This grant will be awarded to one (1) applicant per a fiscal year (October 1st– September 30th). Grant applications will be accepted starting October 1st and will close February 28th. Review will be held in March and notification of grant recipient will be announced by May 15th. The grant amount may be up to 50% of the cost of such improvement up to a maximum of \$30,000.

Section 3. Eligibility

- A. All business buildings and facilities located within the City at the time of adoption of these guidelines shall be eligible for this program.
- B. Any new business planning to locate within the City, or any business currently located within the city limits, shall be eligible for this program.
- C. A *business* is defined as an occupation, profession, or trade in the purchase or sale of goods or services in an attempt to make a profit.
- D. The proposed project must comply with applicable regulations, city- approved planning studies, comprehensive plan designations, City Ordinances, Building Codes, and Americans with Disabilities Act Guidelines.
- E. All applicants must be current and provide FEDC with documentation providing they are current with all Ad Valorem Taxes.
- F. Grants may not be used for refinancing existing loans, working capital, inventory, permits, inspections, security fencing or gates, home occupations, interior remodeling, new construction, and routine maintenance of landscaping and signage (with the exception of letters/logos on new awnings).

Section 4. Guidelines

- A. Proof of the applicant's ownership of the subject facility or facilities, or proof that the owner of such facility has approved the application for such grant funds, shall be required.

- B. The owner of a business to be operated within a leased facility, and the owner of such lease facility, must apply jointly for the program. Copies of a lease agreement and proof of ownership of the leased facility shall be required.
- C. A business or property owner may apply for one (1) or more of the four (4) types of grants per physical location (address) set forth herein within any fiscal year (October 1 to September 30). A business that receives grant funding during a fiscal year shall not be precluded from making subsequent applications for funding in following years.
- D. The maximum amount of funding available to any one applicant, business establishment or property owner at one physical location (address) shall be \$50,000.00 per fiscal year unless applying for the mega grant.
- E. All grants are reimbursement grants and will only be funded after completion of the project in accordance with drawings and specifications approved by the Freeport Economic Development Corporation Board of Directors and after the applicant submits to the FEDC proof of paid receipts for all applicable labor, materials, and permits. Digital photographs of the completed work shall also be required.
- F. Reimbursement grants are a cash payment of up to the approved percentage of funds expended by the applicant on the improvements and are not to exceed the limits set forth in Section 2(A), (B), and (C) hereof. In-kind contributions to the improvements by the applicant will not be considered as an expenditure by the applicant. Only cash expenditures by the applicant may be used in calculating the cost of improvements.
- G. The applicant shall be obligated to make the improvements in accordance with the application submitted to and approved by the FEDC Board of Directors. Thereafter, any modifications must first receive written approval by either the FEDC Board or the FEDC Executive Director. Failure to obtain such written approval prior to making any such modifications shall render the applicant ineligible to receive grant funding.
- H. The applicant shall be responsible for obtaining all applicable permits related to the improvement project, and failure to do so will render the applicant ineligible to receive grant funding.
- I. The improvements, as presented in the application, must be completed in their entirety. Failure to complete all of the stated improvements shall render the applicant ineligible to receive grant funding.
- J. Upon approval of a grant application, and during the construction of the improvements, a representative or representatives of the FEDC shall have the right, at all reasonable times, to have access to and inspect the work in progress.
- K. The applicant shall not begin any improvements prior to receiving written approval of grant funding from the FEDC.

- L. The applicant must complete the improvement project within six (6) months of receiving written approval therefore from the FEDC. Failure to complete the improvements within the required time period shall result in the loss of the grant funds allocated for the project. Time extensions may be granted at the discretion of the FEDC Board of Directors.
- M. Approval of all applications shall be with the understanding and agreement that, in the event the business (applicant) fails to remain open, or the business or property is sold or transferred and subsequently closes, within twelve (12) months after the funding of the grant, the applicant shall be considered in default of its obligations under the grant, and shall be required to reimburse the FEDC the grant money received.
- N. The applicant must agree that, in the event of default of its obligations, the applicant shall repay to the FEDC the amount of grant funds it has received, with interest, at the rate of 10% per annum, within thirty (30) days after the FEDC notifies the applicant of the default. The form of such payment shall be a cashier's check or money order, made payable to the Freeport Economic Development Corporation.
- O. The applicant must certify that the applicant does not employ nor will it employ any undocumented workers (an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or authorized under law to be employed in that manner in the United States). The applicant must agree that if, after receiving grant funds, it is convicted of a violation under 8 U.S.C. Section 1324a(f), the applicant shall repay the amount of the grant funds received by the applicant, with interest, at the rate of 10% per annum, within thirty (30) days after the FEDC notifies the applicant of the violation.
- P. The FEDC shall have the authority to bring a civil action to recover any amounts that the applicant must repay to the FEDC under paragraphs M, N, and O of this Section, and in such action may recover court costs and reasonable attorney's fees.

Section 5. Application and Approval

- A. Applications must be made on a form provided by the FEDC, which form shall be made available at the FEDC offices located at 200 West Second Street, Freeport, TX 77541 and on the FEDC website at www.freeport.tx.us.
- B. The grant application must include:
- Request Letter describing proposed project and the need for grant funds
 - Establishment of business entity name (Copy of Article of Incorporation, dba, etc.)
 - Copy of business plan
 - Copy of Lease Agreement (if facility is leased)
 - Legal description of subject property
 - Vicinity map of subject property

- Estimates of proposed improvements. This quote shall be utilized only for the purpose of determining the amount of grant needed for the project and any costs incurred in obtaining the quote shall be the responsibility of the applicant, not the FEDC.
 - Itemized work estimates which include details and information such as color samples of paint, fabric, sign material
 - Digital Picture of Property and the area to be improved
 - Written statement from Code Enforcement stating approval of the work to be performed.
 - Notarized Seal on Application
 - Acknowledge that a sign will be placed at your property stating FEDC – Business Improvement Grant Recipient
- C. All applications must be approved by the FEDC Board of Directors
- D. An applicant shall be notified, in writing or email, within (10) ten business days of the FEDC Board's decision to approve or disapprove its application.
- E. The FEDC may award grant funds to an applicant, with certain provisions, conditions, or other requirements that the FEDC deems necessary or appropriate.
- F. The FEDC Board of Director shall have sole discretion to accept or reject an application. Applications are submitted on a competitive basis and will be graded on but not limited to:
1. Those applicants that best match our Community Comprehensive Plans
 2. Needs of the City of Freeport and FEDC
 3. Best match for our Downtown Specific Plan
 4. Those that will be beneficial for the growth of our Freeport's Economic Development
- G. During the FEDC meeting to take action on the grant request by the APPLICANT, the board will conduct a Public Hearing which is followed by a 60-day public comment period. No reimbursements will be dispersed until the 60-day public comment period has passed. If public comments are received, the board will review and take any appropriate action.

Section 6. Funding

- A. Upon notification to the FEDC by the applicant that a project has been completed, an inspection by a FEDC representative or representatives shall be made to confirm that such project has been completed in accordance with the application or any approved modifications thereto. Such notification shall include, but not be limited to, documentation of paid receipts for materials, labor, permits, inspection reports, an

affidavit stating that all contractors and subcontractors providing work and/or materials in the construction of the project improvements have been paid and any and all liens and claims regarding such work have been released, or any other item that the FEDC may reasonably deem necessary for determining the project's completion.

- B. The FEDC agrees to distribute such funds to the applicant within thirty (30) days following the inspection required in paragraph (A) hereof, and confirmation of completion of the project in accordance with the application or any approved modifications thereto. The Executive Director of the FEDC shall issue a letter to the FEDC Board of Directors notifying them of the funding action to be taken. A copy of such letter shall also be provided to the applicant.
- C. Within ten (10) business days following an inspection and the presentation of the receipts as provided in Section 6(A) above, and after a determination is made by the FEDC's representative that the project has not been completed in accordance with the application, or any approved modifications thereof, the Executive Director shall issue a letter to the applicant indicating any and all areas of non-compliance. The applicant shall then have sixty (60) days, from the date of such letter, to make the modifications necessary to bring the project into compliance. Failure to complete such modifications within said sixty-day period shall be deemed a default of applicant's obligations under the grant, and the applicant shall be ineligible to receive grant funding.
- D. Available funding: The FEDC has budgeted \$150,000 per the current fiscal year (October 1 to September 30) to fund improvement grants. Grant applications received after the available funding has been exhausted may be accepted and held until the following fiscal year. The FEDC retains sole discretion to accept or reject applications received after the available funding has been exhausted.

Section 7. Miscellaneous

- A. THE FREEPORT ECONOMIC DEVELOPMENT CORPORATION SHALL DELIVER A COPY OF THESE GUIDELINES TO ANY APPLICANT FOR HIS/HER REVIEW AND THE DELIVERY HEREOF DOES NOT CONSTITUTE AN OFFER OF A BUSINESS IMPROVEMENT GRANT TO THE APPLICANT.
- B. THE LAWS OF THE STATE OF TEXAS SHALL GOVERN THE INTERPRETATION, VALIDITY, PERFORMANCE, AND ENFORCEMENT OF THIS BUSINESS IMPROVEMENT GRANT PROGRAM. IF ANY PROVISION OF THIS BUSINESS IMPROVEMENT GRANT PROGRAM IS HELD TO BE INVALID OR UNENFORCEABLE, THE VALIDITY AND ENFORCEABILITY OF THE REMAINING PROVISIONS SHALL NOT BE AFFECTED THERE.

**ACKNOWLEDGMENT OF RECEIPT OF AND AGREE TO COMPLY WITH THE
GUIDELINES AND CRITERIA FOR BUSINESS IMPROVEMENT GRANT PROGRAM
BY THE FREEPORT ECONOMIC DEVELOPMENT CORPORATION**

Applicant: _____

Address: _____

Phone No.: _____

Signature: _____

Property Owner/Landlord: _____

Address: _____

Phone No.: _____

Signature: _____

This acknowledgement page must be signed and returned to the Executive Director of Freeport Economic Development Corporation. Please retain the Guidelines and Criteria for your records.

Applicants are strongly encouraged to shop local Brazoria County businesses for products and services.



Application for Business Improvement Grant

DOCUMENTATION CHECKLIST **Business Improvement Grant Program**

As a part of this application, the following documentation is being provided by the applicant:

- _____ 1. Request Letter describing proposed project and the need for grant funds
- _____ 2. Establishment of business entity name
(Copy of Articles of Incorporation, dba, etc.)
- _____ 3. Copy of lease agreement (if facility is leased)
- _____ 4. Copy of business plan
- _____ 5. Legal description of subject property (Exhibit A)
- _____ 6. Vicinity map of subject property (Exhibit B)
- _____ 7. Estimates of proposed improvements (Exhibit C)
Itemized work estimates which include details and information such as color
samples of paint, fabric, and sign material
- _____ 8. Digital Pictures of Property and area to be improved (Exhibit D)
- _____ 9. Acknowledge that a sign will be placed at your property stating
FEDC-Business Improvement Grant Recipient
- _____ 10. Signed statement from Code Enforcement stating project is in compliance
with City Ordinance

I (We), referred to as "APPLICANT", on behalf of the identified entity, submit to the Freeport Economic Development Corporation, referred to as "FEDC", this application for consideration of a Business Improvement Grant under the provisions of the FEDC's Business Improvement Grant Program.

As part of this application, APPLICANT represents to FEDC the following:

1. APPLICANT has received a copy of the FEDC's Guidelines and Criteria for the Business Improvement Grant Program. APPLICANT acknowledges to FEDC that in making this application, APPLICANT understands the terms and provisions, and all questions relating to any needed interpretation have been answered by authorized representatives of FEDC prior to the submission of this application.
2. APPLICANT has secured such legal, accounting, and/or other advice that may be necessary for APPLICANT to determine the desirability of making this application and/or accurately and correctly answering any questions as set out. APPLICANT acknowledges that it has completely relied on the advice and counsel of experts and/or appropriate persons retained, employed, or compensated by APPLICANT, and that it has not relied upon, nor is APPLICANT now attempting to rely upon, the advice and counsel of FEDC, its servants, agents, employees and/or elected or appointed officers.
3. By signing this document, "Application for Business Improvement Grant" either in an individual capacity, jointly, or in a representative capacity. APPLICANT acknowledges and verifies that all of the facts, information, and allegations as set out are true, correct and accurate, and that FEDC may rely on as if the same had been signed by APPLICANT or APPLICANT'S agent before a Notary Public or other authorized officer permitted by law to administer oaths and to take acknowledgements. APPLICANT further acknowledges and understands that any materially false or misleading statements of fact may be considered a violation of the criminal laws of the State of Texas.
4. The APPLICANT, whether a corporate entity, partnership, or other legal type business entity, or an individual, acknowledges and verifies that it is current on all current tax obligations, assessments, or other governmental levies and assessments, and that the same have been paid when due and payable, and that no delinquencies exist at this time. The APPLICANT swears and affirms that the APPLICANT is fully authorized to transact business in the State of Texas and in the state of incorporation if different from the State of Texas.
5. The APPLICANT hereby certifies that the APPLICANT does not and will not knowingly employ an undocumented worker. An "undocumented worker" shall mean an individual who, at the time of employment, is not (a) lawfully admitted for permanent residence to the United States; or (b) authorized under the law to be employed in that manner in the United States. APPLICANT understands and agrees that if, after receiving a Business Improvement Grant, APPLICANT is convicted of a violation under 8 U.S.C. Section 1324a(f), the APPLICANT shall be required to reimburse to the FEDC the grant amount received. Payments must be paid in full within thirty (30) days after the date of written notification by the FEDC. The form of such payment shall be a cashier's check or money order, made payable to the Freeport Economic Development Corporation. The FEDC has the right to recover court costs and reasonable attorney's fees as a result of any civil action required to recover such repayment.

Business Entity Name: _____

Mailing Address: _____

Phone Number: _____

Location in the City of Freeport for which the improvement is being requested

Street Address: _____

City/State/Zip: _____

Other companies and locations owned and/or operated by the APPLICANT

Company Name: _____

Street Address: _____

City/State/Zip: _____

6. Please attach a separate document providing a legal description of the property upon which the contemplated improvements will be located as *Exhibit A*.
7. Please attach a vicinity map locating the property within the City of Freeport as *Exhibit B*.
8. Please furnish detailed drawings, plans, specifications, color schemes, or any other available supporting documents for the proposed improvements and cost estimates as *Exhibit C*.
9. Please attach a letter addressing the need for the project as well as need for the FEDC grant funds.
10. Description of proposed improvements:

DESCRIPTION	ESTIMATED REPAIR	ESTIMATED START DATE	COMPLETION DATE

11. New or existing business: _____ New _____ Existing

_____ has been in operation for _____ years.

Existing number of jobs: _____ (if applicable) FT _____ PT _____

New jobs (FT): _____

New jobs (PT): _____

12. If leased facility, provide the following information (*attach copy of current lease*):

Current Landlord: _____

Address: _____

Phone Number: _____

13. Prior to APPLICANT'S execution of this application, APPLICANT has had this reviewed by an Attorney of the APPLICANT, or has had the opportunity to do so, and the parties agree that based on the foregoing, this application for the business improvement grant program shall not be construed in favor of one party over the other based on the drafting of this application.
14. APPLICANT and owner/landlord indemnify, defend, and hold FEDC harmless from any liability, injury, claim, expenses, and attorney's fees arising out of a contractor, builder, or contract for performance of improvements, or repair to buildings and facilities.
15. FEDC has delivered a copy of the guidelines and criteria for a business improvement grant program to applicant for review, and the delivery does not constitute an offer of an improvement grant.
16. The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of the application for the business improvement grant program. The Business Improvement Grant Program shall be performable in the County of Brazoria. If any provision of this application for business improvement grant program should be held to be invalid or unenforceable, the validity and enforceability of the remaining provisions of this application shall not be affected.
17. Before submitting an application to the FEDC, the APPLICANT must meet with the Planning/Building Department of the City of Freeport for any code requirements.

VERIFICATION

I (We), the undersigned APPLICANT(S), certify that all the information furnished to FEDC has been furnished freely by the APPLICANT(S), and further acknowledge that no rights or privileges may be relied on as a part of any application. In addition, it is acknowledged that the Freeport Economic Development Corporation may or may not grant a Business Improvement Grant based upon application or request purely as a matter of discretion, and that there is no legal right to rely on any previous actions taken in same or similar applications, or previous actions taken on other applications concerning the same or similar property.

Signed and submitted to Freeport Economic Development Corporation on this, the _____ day of _____, 20 ____.

Applicant: _____ Applicant: _____

Signature: _____ Signature: _____

Address: _____ Address: _____

Phone No.: _____ Phone No.: _____

Property _____

Owner/Landlord: _____

Signature: _____

Address: _____

Phone No.: _____

The State of Texas
County of Brazoria

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me and that they executed the same for the purposes therein expressed.

Notary Public in and for the State of Texas
My Commission Expires: _____

The State of Texas
County of Brazoria

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me and that they executed the same for the purposes therein expressed.

Notary Public in and for the State of Texas
My Commission Expires: _____

The State of Texas
County of Brazoria

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me and that they executed the same for the purposes therein expressed.

Notary Public in and for the State of Texas
My Commission Expires: _____



City Council Agenda Item #8.

Title: Consideration and possible action approving a resolution revising the Personnel Policy Manual regarding Mental Health Leave for Dispatchers, personal appearance protections, and incentive for voluntary payroll deduction for United Way.

Date: August 21, 2023

From: Donna Fisher, HR Director

Staff Recommendation: Staff recommends approval of these amendments to the Personnel Policy Manual

Item Summary: The City previously developed and adopted a policy allowing the use of mental health leave by peace officers, firefighters, and EMTs who experience a traumatic event in the scope of their employment. This amendment to Section 8.12 of the Personnel Policy Manual would allow dispatchers the use of mental health leave.

The amendment to Section 5.01 of the Personnel Policy Manual would comply with the passage of HB 567.

The amendment to Section 9.09 of the Personnel Policy Manual would allow payroll deductions for contributions to a United Way of Brazoria County campaign.

Background Information: HB 1486, passed by the Texas Legislature and signed by the Governor, takes effect on September 1, 2023. This bill adds telecommunicators (dispatchers) to the policy allowing the use of mental health leave by peace officers who experience a traumatic event in the scope of that employment.

HB 567, passed by the Texas Legislature and signed by the Governor, takes effect on September 1, 2023. This bill prohibits employers from adopting or enforcing a dress or grooming policy that discriminates against a hair texture or protective hairstyle that is commonly or historically associated with race.

The City of Freeport would like to encourage full-time employees to contribute to United Way of Brazoria County. The proposed amendment to the policy allows us to process those

contributions by payroll deduction. In order to further encourage employees to contribute, we would like to offer 4 hours of additional vacation to contributing employees.

Special Considerations: N/A

Financial Impact: No financial impact

Board or 3rd Party Recommendation:

Supporting Documentation:

1. Resolution - Policy Amendment
2. Mental Health Leave
3. Personal Appearance
4. Section 9.09 Deductions from Pay

RESOLUTION 2023-2814

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, REVISING SECTION 8.12 MENTAL HEALTH LEAVE, SECTION 5.01 PERSONAL APPEARANCE, AND SECTION 9.09 DEDUCTIONS FROM PAY AND APPROVING THESE REVISIONS 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 Mental Health Leave policy for the benefit of our employees; and

WHEREAS, the City of Freeport seeks to revise the Personal Appearance policy for the benefit of our employees; and

WHEREAS, the City of Freeport seeks to revise the Deductions from Pay 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. POLICY REVISIONS. The City Council of the City of Freeport hereby approves and adopts the revision to the Mental Health Leave Policy attached hereto as Exhibit "A" and approves its addition to the Personnel Policy Handbook; The City Council of the City of Freeport hereby approves and adopts the revision to the Personal Appearance Policy attached hereto as Exhibit "B" and approves its addition to the Personnel Policy Handbook; The City Council for the City of Freeport hereby approves and adopts the revision to the Deductions from Pay Policy attached hereto as Exhibit "C" 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 _____, 2023.

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

APPROVED AS TO FORM:

Betty Wells, City Secretary
City of Freeport

David Olson, City Attorney
City of Freeport

Mental Health Leave

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

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

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

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

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

Once an employee has been granted use of mental health leave, the supervisor will code their timesheets as "absent with pay". The maximum number of mental health days an individual may

Appendix A

use is 10 days (80 hours) per Identified Traumatic Event. Any additional leave requested beyond the 10 days, the employee will need to use sick leave or the leave may be determined to be leave covered under worker's compensation. The additional leave requested will also need to be substantiated in writing by the employee's medical professional. In addition, the Chief or City Manager may request the employee submit to a fitness for duty requirement in order to return to work.

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

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

The City of Freeport will keep requests to take mental health leave and any medical information related to mental health leave under this policy confidential to the extent allowed by law and separate from the employee's general personnel file. The City of Freeport cannot guarantee anonymity of information that is otherwise public or necessary to carry out duties required by law. A list of mental health facilities available in our area may be obtained from the Human Resource Department.

Personal Appearance

The City of Freeport understands the necessity for each department to set their own dress standards. Therefore, each department will establish a dress policy for their employees based on the type of duties assigned. Any departmental dress policy established will prohibit discrimination based on hair texture and protective hairstyles that are commonly associated with a particular race or national origin.

Deductions from Pay

The City of Freeport may deduct money from an employee's pay for reasons that fall into the following categories:

- Court ordered disbursements.
- Taxes.
- Premiums for medical/dental plans.
- Contributions made to retirement or pension plans.
- Contributions made to cafeteria plans.
- Over payments of wages.
- The cost of personal long-distance calls that an employee makes on the City's phone systems.
- The cost of unreturned uniforms.
- The cost of repairing or replacing any supplies, materials, equipment, money, or other property that an employee damages, loses, fails to return, or takes without appropriate authorization from the City of Freeport during their employment.
- If an employee takes paid vacation or sick leave in advance of the date he/she would normally be entitled to it and he/she separates from the City of Freeport before accruing time to cover such advance leave, the value of such leave taken in advance.
- Voluntary contributions to a United Way of Brazoria County campaign with written authorization from the employee

Deductions from Leave

All absences from work for full-time (regular) status employees will require leave and/or compensatory time benefits to be used for those absences.

The City of Freeport will make all efforts to notify the employee before such deductions are made.



City Council Agenda Item #9.

Title: Consideration and possible action to approve FEMA American Firefighter Grant for portable radios in the amount of \$216,000.00

Date: August 21, 2023

From: Christopher Motley, Fire Chief

Staff Recommendation: Staff recommends the approval of accepting the FEMA American Firefighter Grant program in the amount of \$216,000.00.

Item Summary: The FEMA AGF was applied for in November 2022 for departmental portable radios (quad bandwidth), a response vehicle for wildland firefighting, and the S.A.F.E.R. grant funding for additional staffing. On August 7, 2023, the department was notified by email that it had been awarded a radio grant for the amount of \$216,000.00.

This grant covers multi-band portable radios including batteries, charger, speaker-mic, and programming (\$196,363.63). The awarded entity is responsible for a ten percent cost share for a total of \$19,636.37.

Background Information: The purpose of the AFG Program is to enhance the safety of the public and firefighters with respect to fire and fire-related hazards. The program provides direct financial assistance to eligible fire departments. The funds provide critically needed resources that equip and train emergency personnel to recognize standards, enhance operational efficiencies, foster interoperability, and support community resilience.

This FEMA AFG program addresses the department's strategic plan for public safety communications. Objective: Addressing interoperability within local public safety organizations (fire/EMS/Law Enforcement), Public Works, Port Freeport, and Industrial Responders.

Special Considerations: N/A

Financial Impact: No impact. The cost share portion can be addressed in the existing budget line in Other Electronics (320) and Other-Sundry (699). The cost share is \$19,636.37.

Board or 3rd Party Recommendation: No

Supporting Documentation:

1. FEMA AFG Radio Grant Award Package

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 08/07/2023



Chris Motley
CITY OF FREEPORT
200 W 2ND ST
FREEPORT, TX 77541

EMW-2022-FG-02061

Dear Chris Motley,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2022 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of \$196,363.63 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$19,636.37 for a total approved budget of \$216,000.00. Please see the FY 2022 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligor Document - included in this document
- 2022 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in blue ink, appearing to read "P. Williams", is written over a horizontal line.

PAMELA WILLIAMS
Assistant Administrator, Grant Programs

Summary Award Memo

Program: Fiscal Year 2022 Assistance to Firefighters Grant

Recipient: CITY OF FREEPORT

UEI-EFT: YXPGDGAKHRF9

DUNS number: 182748061

Award number: EMW-2022-FG-02061

Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for Fiscal Year (FY) 2022 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	\$0.00
Fringe benefits	\$0.00
Travel	\$0.00
Equipment	\$216,000.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect charges	\$0.00
Federal	\$196,363.63
Non-federal	\$19,636.37
Total	\$216,000.00
Program Income	\$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2022 AFG NOFO.

Approved request details:

Equipment

Portable Radios (must be P-25 Compliant)

DESCRIPTION

27 multi-band portable radios at a cost of \$8,000 each including batteries, charger, speaker-mic, and programming

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	27	\$8,000.00	\$216,000.00	Equipment

Agreement Articles

Program: Fiscal Year 2022 Assistance to Firefighters Grant

Recipient: CITY OF FREEPORT

UEI-EFT: YXPGDGAKHRF9

DUNS number: 182748061

Award number: EMW-2022-FG-02061

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Article 1**Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the awarding agency. II. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R. Part 3002. III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. § 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

Article 2**General Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities or personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance. V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made.

Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. DHS Civil Rights Evaluation Tool | Homeland Security. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

Article 3**Acknowledgement of Federal Funding from DHS**

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Article 4**Activities Conducted Abroad**

Recipients must ensure that project activities performed outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

- Article 5 Age Discrimination Act of 1975**
Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
- Article 6 Americans with Disabilities Act of 1990**
Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
- Article 7 Best Practices for Collection and Use of Personally Identifiable Information**
Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.
- Article 8 Civil Rights Act of 1964 – Title VI**
Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.
- Article 9 Civil Rights Act of 1968**
Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article 10 Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article 11 Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article 12 Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

Article 13 Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons.

Article 14 Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

- Article 15** **E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety**
Recipient State, Tribal, local, or territorial law enforcement agencies must comply with the requirements of section 12(c) of E.O. 14074. Recipient State, Tribal, local, or territorial law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.
- Article 16** **Energy Policy and Conservation Act**
Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.
- Article 17** **False Claims Act and Program Fraud Civil Remedies**
Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)
- Article 18** **Federal Debt Status**
All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)
- Article 19** **Federal Leadership on Reducing Text Messaging while Driving**
Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the Federal Government.
- Article 20** **Fly America Act of 1974**
Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C.) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

- Article 21 Hotel and Motel Fire Safety Act of 1990**
Recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a
- Article 22 John S. McCain National Defense Authorization Act of Fiscal Year 2019**
Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons
- Article 23 Limited English Proficiency (Civil Rights Act of 1964, Title VI)**
Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.
- Article 24 Lobbying Prohibitions**
Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.
- Article 25 National Environmental Policy Act**
Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq. and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans

- Article 26 Nondiscrimination in Matters Pertaining to Faith-Based Organizations**
It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.
- Article 27 Non-Supplanting Requirement**
Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.
- Article 28 Notice of Funding Opportunity Requirements**
All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.
- Article 29 Patents and Intellectual Property Rights**
Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.
- Article 30 Procurement of Recovered Materials**
States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
- Article 31 Rehabilitation Act of 1973**
Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

- Article 32 Reporting of Matters Related to Recipient Integrity and Performance**
General Reporting Requirements: If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.
- Article 33 Reporting Subawards and Executive Compensation**
Reporting of first tier subawards. Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.
- Article 34 Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**
Recipients must comply with the “Build America, Buy America” provisions of the Infrastructure Investment and Jobs Act and E.O. 14005. Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. Information on the process for requesting a waiver from these requirements is on the website below. (a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the

application of the domestic content procurement preference in any case in which the agency determines that: (1) applying the domestic content procurement preference would be inconsistent with the public interest; (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at “Buy America” Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. The awarding Component may provide specific instructions to Recipients of awards from infrastructure programs that are subject to the “Build America, Buy America” provisions. Recipients should refer to the Notice of Funding Opportunity for further information on the Buy America preference and waiver process.

Article 35

SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article 36

Terrorist Financing

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article 37

Trafficking Victims Protection Act of 2000 (TVPA)

Trafficking in Persons. Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.

Article 38

Universal Identifier and System of Award Management

Requirements for System for Award Management and Unique Entity Identifier Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

- Article 39 USA PATRIOT Act of 2001**
Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.
- Article 40 Use of DHS Seal, Logo and Flags**
Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.
- Article 41 Whistleblower Protection Act**
Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.
- Article 42 Environmental Planning and Historic Preservation (EHP) Review**
DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and any other applicable laws and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program and applicants should contact their grant Program Officer to be put into contact with EHP staff responsible for assisting their specific grant program. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archaeological resources are discovered the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

- Article 43 Applicability of DHS Standard Terms and Conditions to Tribes**
The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to sub-recipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.
- Article 44 Acceptance of Post Award Changes**
In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/ GMD Call Center at (866) 927-5646 or via e-mail to: ASK-GMD@fema.dhs.gov if you have any questions.
- Article 45 Disposition of Equipment Acquired Under the Federal Award**
For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state sub-recipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state sub-recipients must follow the disposition requirements in accordance with state laws and procedures.

Article 46**Prior Approval for Modification of Approved Budget**

Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308. For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 47**Indirect Cost Rate**

2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

Article 48**Award Performance Goals**

FEMA will measure the recipient's performance of the grant by comparing the number of items requested in its application, the numbers acquired (ordered, paid, and received) within the period of performance. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the recipients compliance with the applicable industry, local, state and national standards described in the NOFO.

Obligating document

1. Agreement No. EMW-2022-FG-02061	2. Amendment No. N/A	3. Recipient No. 746000889	4. Type of Action AWARD	5. Control No. WX01191N2023T		
6. Recipient Name and Address CITY OF FREEPORT 200 W 2ND ST FREEPORT, TX 77541		7. Issuing FEMA Office and Address Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		8. Payment Office and Address FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
9. Name of Recipient Project Officer Chris Motley		9a. Phone No. 9792332111	10. Name of FEMA Project Coordinator Assistance to Firefighters Grant Program		10a. Phone No. 1-866-274-0960	
11. Effective Date of This Action 08/07/2023	12. Method of Payment OTHER - FEMA GO		13. Assistance Arrangement COST SHARING		14. Performance Period 08/14/2023 to 08/13/2025 Budget Period 08/14/2023 to 08/13/2025	
15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	Assistance Listings No.	Accounting Data(ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
AFG	97.044	2023-F2-GB01 - P410-xxxx-4101-D	\$0.00	\$196,363.63	\$196,363.63	\$19,636.37
Totals			\$0.00	\$196,363.63	\$196,363.63	\$19,636.37
b. To describe changes other than funding data or financial changes, attach schedule and check here: N/A						
16.FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) This field is not applicable for digitally signed grant agreements						

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title)	DATE
PAMELA WILLIAMS, Assistant Administrator, Grant Programs	08/07/2023



City Council Agenda Item #10.

Title: Consideration and possible action to approve the purchase of a modular building for Fire Station #2.

Date: August 21, 2023

From: Christopher Motley, Fire Chief

Staff Recommendation: Staff recommends City council to approve the purchase of a modular building from Palomar Modular Buildings, LLC for \$219,949.00, including option 1: Fire Alarm System \$12,317.00, and option 2: Wood deck steps and ADA accessible ramp \$15,870.00 for a total \$248,136.00. This is one of two buildings to address fire/EMS response to the community. A second building will be built to accommodate response equipment such as a fire engine and an ambulance through a competitive bid process.

This recommendation is based on the City of Freeport Strategic Plan. TxDOT formally notified the City of Freeport about the FM 1495 bridge closure on January 19, 2022. The anticipated construction period to replace FM1495 bridge is a 24 to 36- month project. This relocation will allow proper response during the reconstruction of FM 1495 bridge. This addition will assist in proper distribution of personnel and response equipment to address the response standards of NFPA 1710.

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

To address this immediate need, the department performed a needs assessment for the placement of a modular fire station at the Fire Station #2 location.

Background Information: Fire Station #2 was a manned fire station with an apparatus driver/operator until the department operations changed and two daytime career firefighters supplemented with reserve firefighter/medic in 1993. After a loss of reserve firefighters from

1993 to 2000, Fire Station #2 housed Fire/EMS response equipment with Fire Station #1 housing career and reserve members.

In 1999, Fire Station #2 was revitalized to house two shift firefighter/EMTs as career firefighters were increased to supplement reserve membership and EMS billing had been initiated as EMS revenue for staffing.

In September 2010, Fire Station #2 was utilized until living conditions affected the responder's health. This was noted after numerous complaints from shift personnel that became ill after sleeping in fire station #2.

Fire Station #2 needs to be demolished and rebuilt to address the needs of a fire station for today as well as for the future. Fire Station #2 is one of the oldest operating buildings in the city. Originally, this building housed an engine and an ambulance. The apparatus bay is currently utilized for health POD response equipment and storage of prevention vehicles. Today, the apparatus bays will not accommodate a fire engine due to height and length.

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

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

Special Considerations: None

Financial Impact: This recommendation is funded in the Facilities CIP Fund Projects FY2022-2023 for the amount \$426,095.

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

Recommendation #19: Fire Station #2 should be permanently closed because of unhealthy building conditions and inadequate engine bay space. The building should also be inspected to determine if it suffers from the "sick building syndrome." If that proves to be the case, the building is not worth the cost to bring up to health standards. The engine bay space is also inadequate for modern apparatus.

Supporting Documentation:

1. Palomar Modular Buildings Proposal

2. Freeport Fire Station Response Locations
3. Fire Station #2 Site Survey & GIS
4. TxDOT FM 1495 Bridge Closure Letter



505 North I-35 East, DeSoto, Texas 75115 P 469.727.0727 F 469.727.0728 866.912.4587 www.palomarmodularbuildings.com

July 25, 2023
City of Freeport Texas
Freeport, TX

Chris,

Thank you for your interest in Palomar Modular Buildings, LLC. The price reflected below, for a new **28' x 64' Fire House Building** (nominal dimensions), manufactured, delivered, and set in Freeport, TX is based on the attached specifications and floor plan.

The purchase price as specified for the building is **\$219,949.00**. The price does not include poured concrete footers, canopies, handicap ramps, steps, gutters, self-contained fire alarm, low voltage equipment, utility hookups, site work, taxes or permits. It is assumed that the site can support the building, is relatively level and easily accessible.

Options

1. **Standalone Fire Alarm System (add) \$12,317.00**
2. **Wood decks steps and ramps (add) \$15,870.00**

Co-op Contracts

1. **BuyBoard #637-21**
2. **Tips #200902, #21020201, #21020202**
3. **HGAC #MB11-20**

The building will be built in compliance with the International Building, Plumbing and mechanical codes, Americans with Disabilities Act, and the National Electric Code. The building will be engineered to meet local floor and roof load requirements and will have electrical, heating and cooling loads sized in accordance with code. Cost to comply with local codes beyond the attached floor plan and specifications is the responsibility of the owner.

Prices are valid for 30 days. Our payment terms are 50% due upon execution on PO or Contract, 40% due upon completion of manufacturing at PMB and 10% when the building is accepted or occupied, whichever comes first.

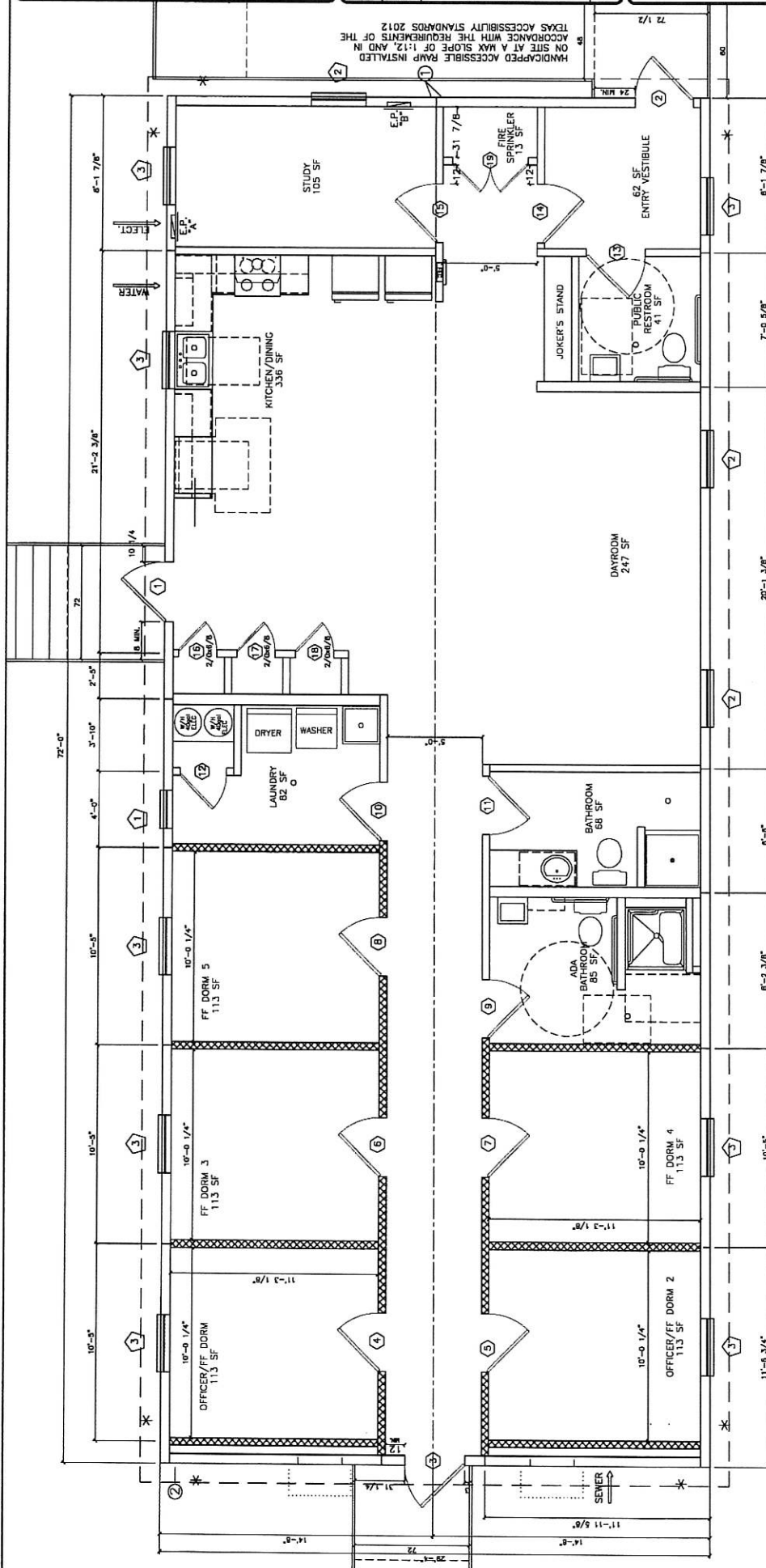
Sincerely,

Guy Cruce
Business Developer
Palomar Modular Buildings LLC
469-727-0727 (o)
972-989-9456 (c)

DATE:	01/25/2019
SCALE:	3/16" = 1'-0"
PLOT SCALE:	1:1
DRAWN BY:	BG
CHECKED BY:	

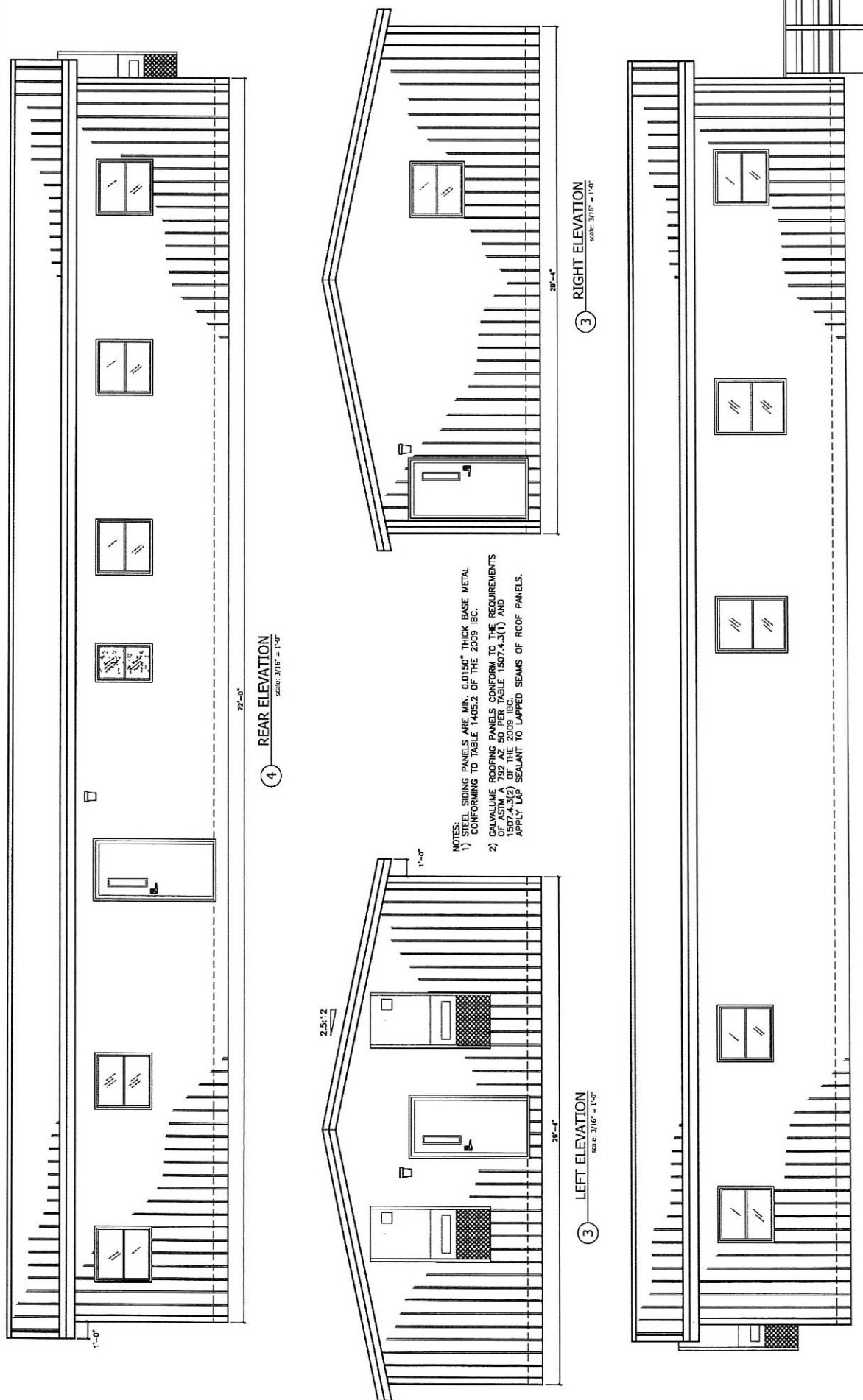
DATE		REMARKS	

MODULAR STRUCTURAL
CONSULTANTS LLC
720 DART RD. STE. 220-150
PLANO, TEXAS 75025-5533
PHONE: 469-238-9368
FAX: 469-238-9368

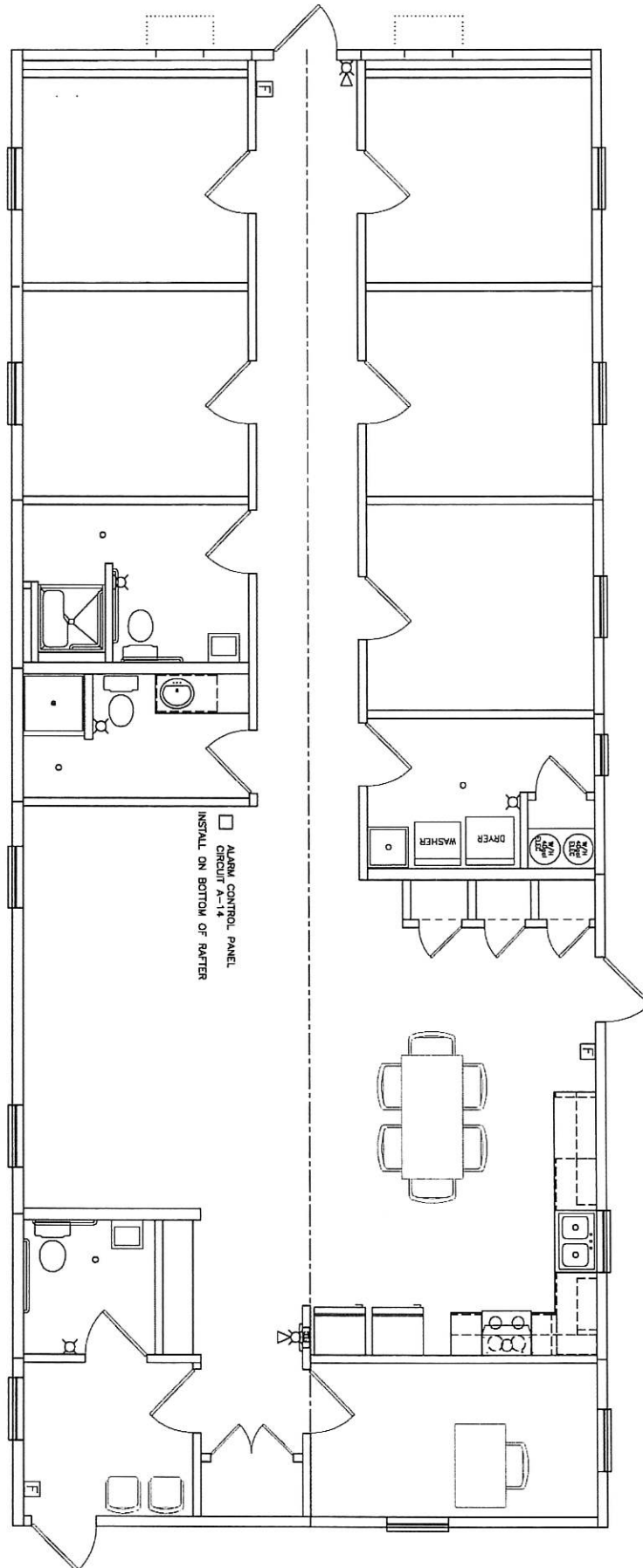


NOTE: NUMBER OF STEPS AND RUN OF RAMP DEPEND ON THE INSTALLATION HEIGHT FROM GRADE TO FINISHED FLOOR AND TOPOGRAPHICAL SITE CONDITIONS.

GENERAL NOTES	
* -	- DENOTES SHEAR WALL LOCATION
①	- DENOTES 4-EA. 2x4's AND 1-EA. 3" WIDE x 26ga. STRAP AT MATCH-LINE FASTENED W/ 11 - 1 1/2" x .148" NAILS EACH END OF EACH STRAP
②	- DENOTES TDLR LABEL LOCATION
⬡	- DENOTES DOOR NUMBER
⬢	- DENOTES WINDOW STYLE
⬤	- DENOTES 1/2 HOUR RATED WALL



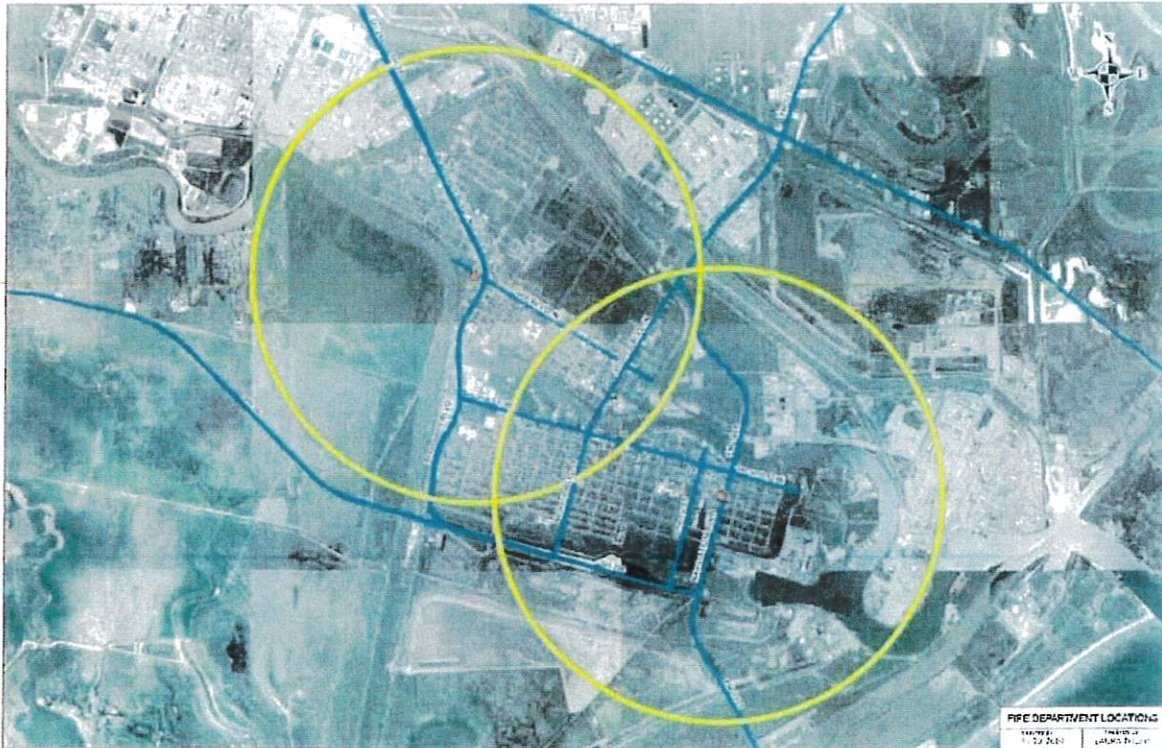
SYMBOL LEGEND	
	ALARM PULL STATION AT 48" A.F.F. TO TOP
	ALARM HORN/STROBE AT 86" A.F.F.
	ALARM STROBE AT 86" A.F.F.
	FIRE EXTINGUISHER CABINET



1 ALARM SYSTEM LAYOUT
SCALE: 3/16" = 1'-0"

SHEET No. E4	FIRE STATION #54 SAN ANTONIO, TEXAS ALARM SYSTEM LAYOUT FILE: 3172 SAFD SERIAL #: 0000	DATE: 01/25/2019 SCALE: 3/16" = 1'-0" PLOT SCALE: 1:1 DRAWN BY: BG CHECKED BY:	No. DESCRIPTION BY DATE	PALOMAR MODULAR BUILDINGS LLC © 2016, PALOMAR MODULAR BUILDINGS LLC All Rights Reserved. 800 N. I-30E DOWNEY, TEXAS 78119 PH: 409-727-0767	MODULAR STRUCTURAL CONSULTANTS LLC 9720 COT RD. STE. 220-150 PLANO, TEXAS 75025-5633 PHONE: 409-200-8300 TX. REGISTRATION # F-15000
		AS BUILT'S 06/22/2017			

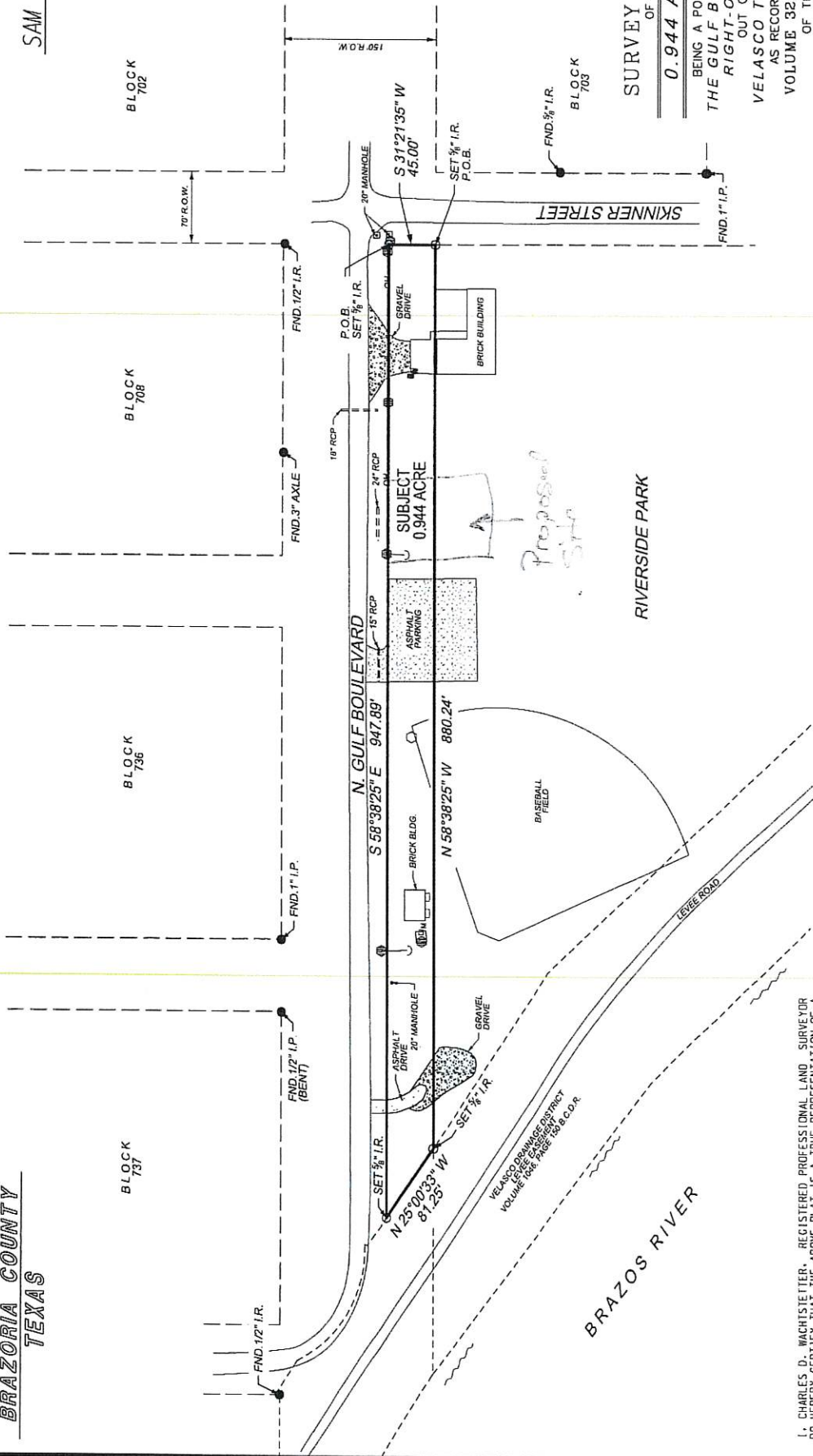
Figure Eight
Freeport Fire Station Locations



The above photo depicts the current location of Fire Stations #1 and #2. The yellow circles represent a radius of one and one-half miles. Station #1 is the red dot in the lower, right-hand circle and Station #2 is the red dot in the upper left hand circle. Please note that with Station #2 being closed, all of the northwestern portions of the City are beyond the one and one-half mile coverage distance.

**BRAZORIA COUNTY
TEXAS**

**SAM T. ANGLIER SURVEY
ABSTRACT 8**



**SURVEY PLAT
OF
0.944 ACRE**

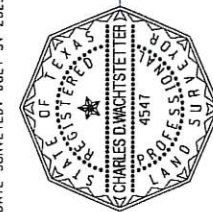
BEING A PORTION OF
THE GULF BOULEVARD
RIGHT-OF-WAY
OUT OF
VELASCO TOWNSITE
AS RECORDED IN
VOLUME 32, PAGE 14
OF THE

BRAZORIA COUNTY DEED RECORDS
IN THE
SAM T. ANGLIER SURVEY
ABSTRACT 8
BRAZORIA COUNTY, TEXAS
FOR
THE CITY OF FREEPORT

- NOTES:**
1. ALL BEARINGS ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 14AD 271.
 2. NO TITLE COMMITMENT WAS PROVIDED FOR THIS SURVEY. THERE MAY BE ITEMS OF RECORD WHICH AFFECT THIS PROPERTY NOT SHOWN HEREON.
 3. THIS PLAT IS ACCOMPANIED BY A METES AND BOUNDS DESCRIPTION ON FILE IN THE OFFICES OF DOYLE AND WACHTSTETTER, INC.

- LEGEND**
- FOUND IRON PIPE/ROD
 - SET 5/8" IRON ROD W/ SURVEY CAP "CDW 4547"
 - EASEMENT LINE
 - LOT LINE
 - ⊕ POWER POLE
 - OH — OVERHEAD WIRES

I, CHARLES D. WACHTSTETTER, REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE ABOVE PLAT IS A TRUE REPRESENTATION OF A SURVEY MADE UNDER MY SUPERVISION, ON THE GROUND, AND THAT THERE ARE NO EXCESSES NOR INTRUSIONS ON THIS PROPERTY, EXCEPT AS SHOWN.
DATE SURVEYED: JULY 5, 2023



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

Doyle & Wachtstetter, Inc.
Surveying and Mapping GPS/GIS
131 COMMERCIAL STREET, CLUTE, TEXAS 77531
OFFICE: 979.263.4622 FAX: 979.263.4940
FIRM NO.: 10054000
DRAWN BY: MCK/01-05-23 CHECKED: GSW/01-05-23 REVISED: GSW/01-05-23
DATE: 01/05/2023 TIME: 10:57:06 AM



P.O.BOX 1386, HOUSTON, TEXAS 77251-1386 | 713.802.5000 | WWW.TXDOT.GOV

January 19, 2022

RE: U.S. Coast Guard Outreach with Affected Landowners and Businesses
Freeport, Brazoria County, Texas
FM 1495: At Old Brazos River
County Road 229: To Fourth Street
Control 0587-01-060

Dear Sir or Madam:

The Texas Department of Transportation (TxDOT) Houston District previously reached out to adjacent landowners and businesses in June 2020 to notify individuals that TxDOT is proposing to replace the Farm-to-Market (FM) 1495 bridge at the Old Brazos River crossing in Freeport, Brazoria County, Texas (Project). TxDOT would like to take this opportunity to update you of the final plan details of the proposed bridge replacement, the anticipated impacts to the navigable river segment, and the estimated construction phase schedule.

The proposed project would not require any additional right-of-way (ROW) acquisition; however, you are receiving this notice because records indicate that you either own or occupy a property and/or business along the Old Brazos River and is in close proximity to the project.

A fact sheet with project information about the FM 1495 bridge replacement has been attached to this correspondence for your review. For general design and/or construction related inquiries please contact our Brazoria Area Office Engineer, Carlos Zepeda Jr., P.E., at (979) 864-8500 or via email at Carlos.Zepeda@txdot.gov.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

Sincerely,

Sue Theiss
Director of Advanced Project Development
Houston District

Attachments

Project Location Map
Fact Sheet

CC: Tunisia Smith, TxDOT Houston District
Carlos Zepeda, Jr. P.E., TxDOT Brazoria Area Office

FM 1495 at Old Brazos River

CSJ: 0587-01-060



Navigational Waters Outreach to Affected Property Owners - January 2022

ABOUT THE PROPOSED PROJECT

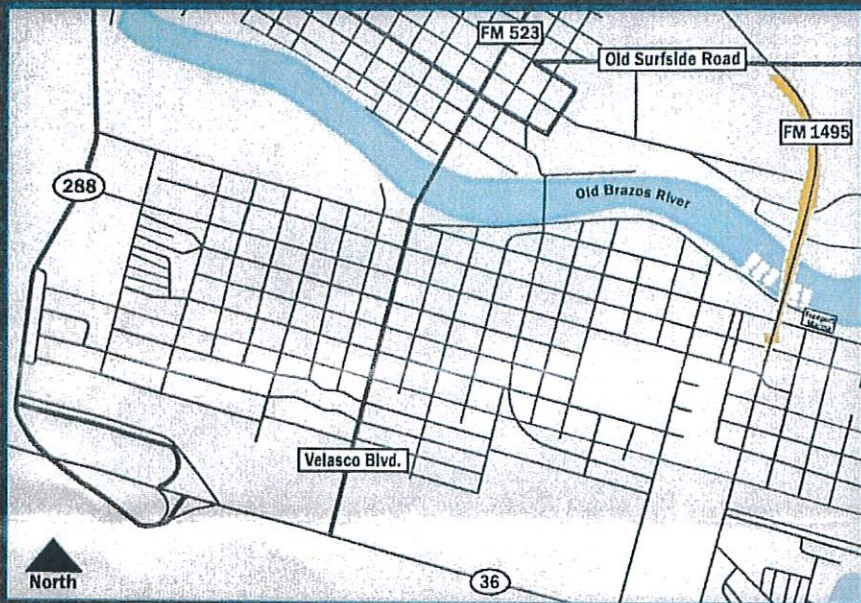
The Texas Department of Transportation (TxDOT) proposes to complete a replacement of the existing Farm-to-Market (FM) 1495 bridge structure, plus a partial installation of the fender system, at the Old Brazos River. The minimum vertical clearance would be reduced from 60.00 feet to 59.27 feet.

The existing bridge structure was constructed in 1967 and is classified as structurally deficient. The existing bridge consists of two 12-foot travel lanes with two 3-foot shoulders that do not meet current bridge design standards; therefore, will need to be replaced. The proposed bridge would be constructed in the footprint of the existing bridge and would be replaced by a bridge with two 12-foot travel lanes, two 15-foot shoulders, and a pedestrian sidewalk along one side of the bridge.

All improvements would be completed within the existing right of way. No additional right of way would be required. The bridge would be closed during construction and vehicular traffic would need to utilize a detour at Velasco Boulevard, State Highway (SH) 36, or SH 288.



The purpose of the proposed project is to replace the existing bridge structure, which is structurally deficient and does not meet current bridge design standards, with the proposed bridge structure that meets current bridge standards and is safer for current end users.



Project Study Area

Project Action Area

Map Not To Scale

WATERBORNE ACTIVITIES ANTICIPATED DURING CONSTRUCTION

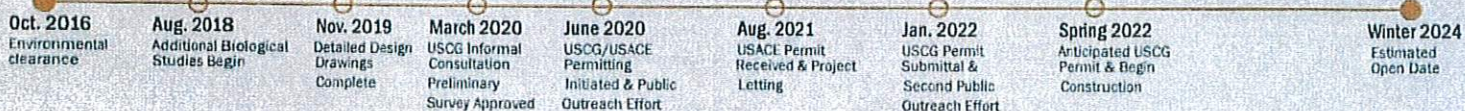
The proposed bridge replacement would be constructed from barges and temporary construction platforms within the Old Brazos River. The following events are anticipated during the construction period (24-36 months):

- ▶ Temporary displacement of a limited number of boat slips at the Freeport Marina.
- ▶ Additional heavy duty vehicle and equipment traffic near the Freeport Marina parking area.
- ▶ Scheduled closures of the Old Brazos River to waterborne traffic. Such closures would be posted at the Freeport Marina and/or its website.
- ▶ Temporary lighting system would be installed for the navigational channel.
- ▶ Existing navigational fender system would remain in place during construction.

Comments on Navigable Waters Outreach
Director of Advanced Project Development
TxDOT Houston District
E-mail: [hou-piwebmail@txdot.gov](mailto:houstonpiwebmail@txdot.gov)
Address: P.O. Box 1386
Houston, Texas 77251

Design Inquiries
Carlos Zepeda Jr., P.E.
TxDOT Brazoria Area Office
Office Phone: (979) 864-8500
E-mail: Carlos.Zepeda@txdot.gov
Address: 18671 FM 523
Angleton, Texas 77515

STUDY TIMELINE



Monthly Golf Course Report July 2023

For the month of July we have hit another revenue high month for any July. This fiscal year continues to be a record setting month, and the second month in a row we have made over \$100,000 in gross revenue. A big contributor to this increase is the higher number of visitors we receive and we are on track to beat our long standing goal of 30,000 rounds in a fiscal year, which makes us one of the top attractions the city has to offer. Another key contributor has been the dry conditions which equals to more playable rounds.

Forecasting for the last two months, given Mother Nature cooperates, we will be on track to end the fiscal year around \$925,000. The good news is we continue to get closer to being a breakeven muni golf course which is very rare. If we do not invest in growing our course to bring in additional revenue these numbers will be hard to beat especially during times the weather does not work in our favor. There are key areas we are missing out revenue wise that have been discussed in the past that would make us profitable, but for now kudos to my staff for having the amazing year we are seeing.

I have attached more detailed numbers

Thank you

Brian

Revenue 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
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
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
December	\$ 34,148.00	\$ 25,466.00	\$ 37,308.00	\$ 36,530.00	\$ 20,950.00	\$ 35,136.00	\$ 31,312.00	\$ 32,256.00	\$ 29,786.00	\$ 29,645.00	\$ 26,178.00	\$ 24,651.00	\$ 20,856.00	\$ 40,933.00	\$ 48,990.47	\$ 56,927.48	\$ 62,544.32	\$ 53,930.64
January	\$ 38,163.00	\$ 19,599.00	\$ 23,783.00	\$ 40,207.00	\$ 21,224.00	\$ 27,521.00	\$ 49,748.00	\$ 25,563.00	\$ 37,898.00	\$ 20,982.00	\$ 36,242.00	\$ 57,636.00	\$ 30,342.00	\$ 30,239.00	\$ 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	\$ 65,535.00	\$ 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	\$ 75,786.66	\$ 92,185.04	\$ 86,160.24
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	\$ 98,988.23
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	\$ 96,200.29
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	
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	\$ 21,600.00	\$ 15,674.00	\$ 38,567.00	\$ 57,786.23	\$ 45,708.61	\$ 68,991.57	
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	\$ 755,382.00

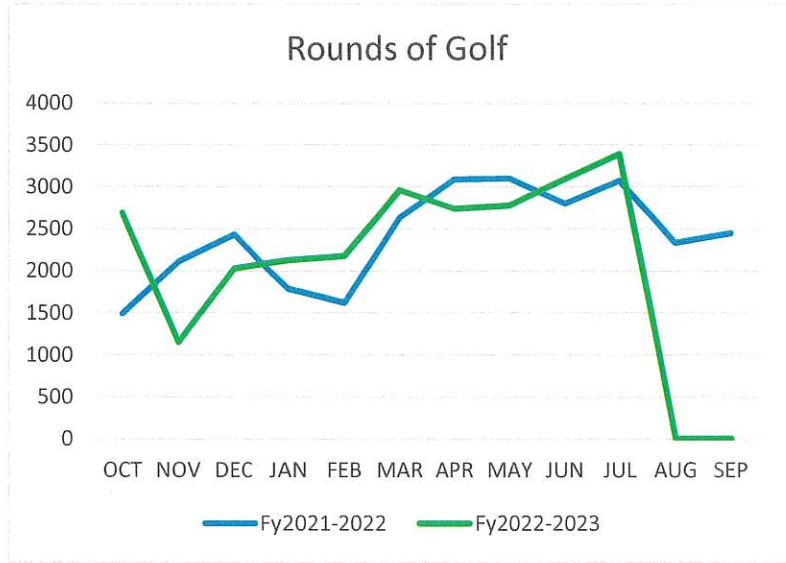
Golf Course Goals vs Actuals 2022-2023

Goal	Category	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Totals
	Green Fee	14,000	12,000	13,000	10,000	10,000	16,000	18,000	18,000	17,000	16,000	13,000	13,000	170,000
	Rec(taxable)	0	0	0	0	0	0	0	0	0	0	0	0	0
	Golf Cart	8,000	8,000	6,000	6,000	5,000	7,000	10,000	11,000	11,000	10,000	9,000	9,000	100,000
	Merchandise	11,000	11,000	12,000	10,000	10,000	15,000	20,000	19,000	18,000	16,000	13,000	13,000	168,000
	Prep Food	550	650	400	500	400	800	1,100	1,200	1,200	750	750	700	9,000
	Beer Sales	6,000	7,000	7,000	5,000	3,000	7,000	9,000	9,000	8,000	7,000	6,000	6,000	80,000
	Drinks/Chips	2,500	2,000	1,500	1,500	1,500	2,000	3,500	3,500	3,000	3,000	3,000	3,000	30,000
	Memberships	8,000	8,000	8,000	8,000	7,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	95,000
	Total	\$50,050	\$48,650	\$47,900	\$41,000	\$36,900	\$55,800	\$69,600	\$69,700	\$66,200	\$60,750	\$52,750	\$52,700	\$652,000

Actual	Category	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Totals
	Green Fee	25,233	8,835	13,854	23,431	19,742	28,061	33,171	29,641	31,959	33,549			247,476
	Rec(taxable)	0	0	0	0	0	0	0	0	0	0			
	Golf Cart	11,864	5,066	8,021	8,567	9,249	12,140	10,565	10,618	13,531	15,135			104,755
	Merchandise	15,283	6,623	9,337	10,781	13,225	22,171	18,872	18,916	21,578	17,986			154,773
	Prep Food	952	390	839	885	883	1,267	3,650	1,577	1,243	1,229			12,914
	Beer Sales	9,311	3,189	5,716	5,874	6,204	9,174	9,571	8,617	10,871	10,118			78,645
	Drinks/Chips	3,499	1,390	2,431	2,293	2,990	4,476	4,014	4,852	6,234	7,128			39,306
	Memberships	10,450	7,890	13,733	9,927	10,278	14,601	14,066	11,939	13,572	11,064			117,521
	Total	\$76,592	\$33,384	\$53,931	\$61,757	\$62,570	\$91,891	\$93,909	\$86,160	\$98,988	\$96,210	\$0	\$0	\$755,390
	Over/Under	\$26,542	-\$15,266	\$6,031	\$20,757	\$25,670	\$36,091	\$24,309	\$16,460	\$32,788	\$35,460			\$208,842

Rounds of Golf

Month	Fy2021-2022	Fy2022-2023
OCT	1489	2692
NOV	2109	1153
DEC	2430	2028
JAN	1785	2125
FEB	1619	2176
MAR	2633	2961
APR	3089	2740
MAY	3100	2776
JUN	2801	3094
JUL	3076	3393
AUG	2328	0
SEP	2443	0



28902 25138

Memberships

Month	FY2021-2022	FY2022-2023
OCT	179	194
NOV	171	184
DEC	172	186
JAN	158	174
FEB	160	178
MAR	163	195
APR	178	192
MAY	191	196
JUN	201	186
JUL	200	162
AUG	199	0
SEP	198	0



Office of City Secretary Monthly Report July 2023

Public Information Request:

- 10 requests were received, and 10 were closed in the month of July.

Agenda's and Minutes Prepared:

- 3 City Council Agenda's. 3 sets of City Council Meeting Minutes

•Zoom training for the new CivicClerk:

- there were two Zoom training

Zoom training for the new Click Scan

- there was one meeting in the month of July.

Record Retention:

- None for month of July.

Recodification of Code of Ordinances:

- The recodification for the Code of Ordinance was completed.



Finance, Court & Water Departments

Title: Monthly Report for July 31, 2023

Date: August 31, 2023

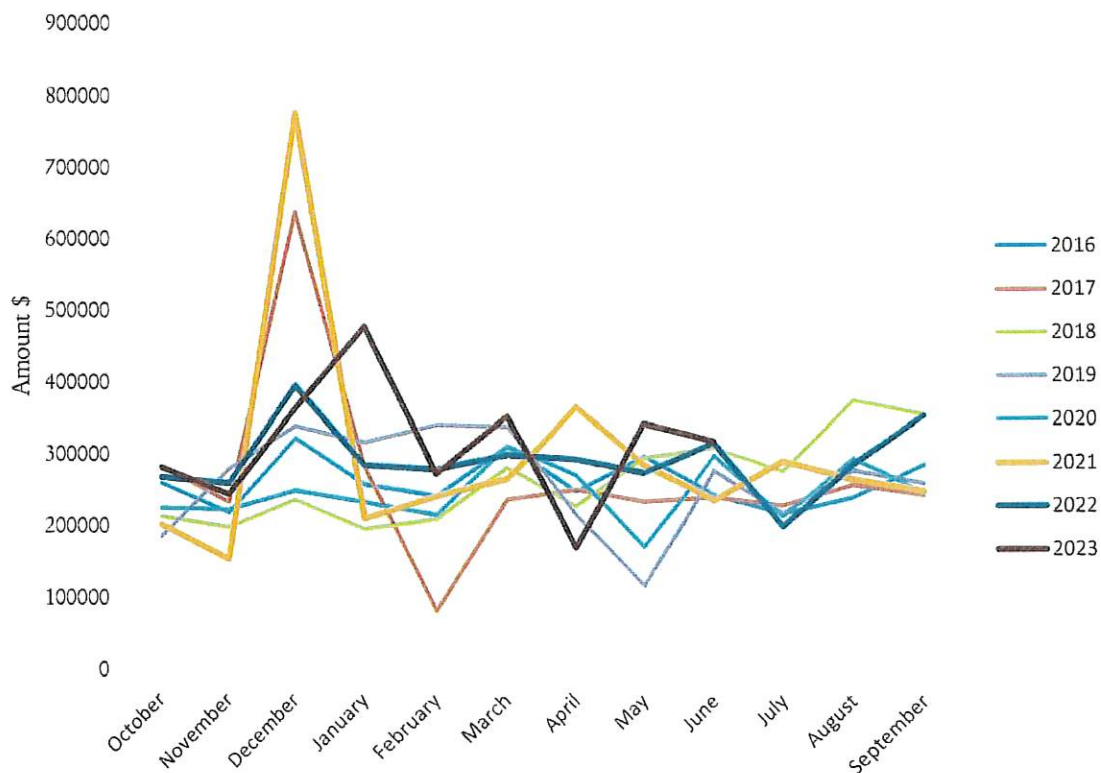
From: Cathy Ezell, Finance Director

Financial Information

The General Fund:

The revenues collected for the General fund as of July 31, 2023 are \$18,935,840 or 95.33% of the total budgeted revenues. Sales tax revenue is collected two months in arrears. The sales tax collections received are more than last year at this time.

Comparison of Sales Tax Revenue by Year



The expenditures for the General Fund as of July 31, 2023 are \$15,812,449 or 78.04% of the budgeted expenditures. See the attached Monthly Financial Report for more detail.

The revenues are over the expenditures by \$3,123,391. The fund balance or reserves of the General Fund as of July 31, 2023 is \$9,038,212. This is 44.6% of the expenditure budget.

Monthly Report Finance, Court & Water Departments

Water & Sewer Fund

The revenues for the Water & Sewer Fund as of July 31, 2023 are \$6,211,549 or 34.22% of the budgeted revenues. See the attached Monthly Financial Report for more detail.

The expenditures for the Water & Sewer Fund as of July 31, 2023 are \$5,576,923 or 84.55% of the budgeted expenditures. See the attached Monthly Financial Report for more detail.

The revenues are over the expenditures by \$634,625. The fund balance or reserves for the Water & Sewer Fund as of July 31, 2023 is \$734,332. This fund balance is only 11.13% of the operating expenditures.

Customer Service Department – Water & Court

We are continuing with the cross-training of employees. Also, we are working with Veolia to identify dead meters and idle accounts.

The review of all court records continues. Municipal Court has fully migrated to Incode 10 as of October 31, 2022. Standard Operating Procedures have been created for Municipal Court.

We will begin the process of scanning Municipal Court records into Incode software in October. Then move to the Water/Sewer records, Human Resources records, invoice and purchase orders

Other

We created a departmental calendar for informational flyers to be included in the water bills each month.

We have completed the process of converting to the new time and attendance application.

City of Freeport
Monthly Financial Report
As of July 31, 2023
General Fund

	FY2022 Actuals	Adopted FY2023 Budget	Amended FY2023 Budget	Year to Date Actual	% YTD Budget
Beginning Fund Balance	\$ 6,725,855	\$ 5,564,969	\$ 5,914,821	\$ 5,914,821	
Revenues					
EMS	\$ 571,697	\$ 589,000	\$ 589,000	\$ 605,791	102.85%
Property Taxes	3,092,192	3,355,000	3,355,000	3,062,520	91.28%
Industrial Taxes	8,171,633	8,679,299	8,679,299	8,407,114	96.86%
Sales Tax	2,361,795	2,250,000	2,250,000	1,902,450	84.55%
Franchise & Other Taxes	664,892	644,000	644,000	561,772	87.23%
Permits	276,188	196,625	196,625	505,602	257.14%
Charges for Services	858,762	793,700	793,700	667,529	84.10%
Recreation/Rental	121,819	100,500	100,500	77,219	76.84%
Golf	814,284	652,000	652,000	753,836	115.62%
Municipal Court	234,733	208,500	208,500	130,967	62.81%
Grants	1,788,558	2,092,765	2,092,765	1,495,759	71.47%
Lease Income	151,087	125,000	125,000	23,492	18.79%
Miscellaneous	649,261	176,820	176,820	741,791	419.52%
Total Revenues	19,756,901	\$ 19,863,209	\$ 19,863,209	\$ 18,935,840	95.33%
Expenditures					
Administration	\$ 2,113,246	\$ 1,792,676	\$ 1,792,676	\$ 1,813,760	101.18%
Information Technology	-	229,628	229,628	257,063	111.95%
Service Center	231,715	201,887	201,887	163,012	80.74%
Municipal Court	239,515	231,301	231,301	233,286	100.86%
Police	4,855,088	5,254,992	5,254,992	4,085,156	77.74%
Fire	1,200,390	1,425,610	1,425,610	1,193,265	83.70%
EMS	1,020,517	969,552	969,552	690,134	71.18%
Emergency Management	150,986	-	-	-	
Code Enforcement	393,520	479,991	479,991	346,725	72.24%
Building	306,662	308,662	308,662	224,428	72.71%
Garbage Collection	887,107	720,000	720,000	558,417	77.56%
Street & Drainage	1,403,967	1,500,782	1,500,782	1,192,772	79.48%
Beach Fund Expense	57,529	42,850	42,850	23,723	55.36%
Historical Museum	345,069	374,526	374,526	216,974	57.93%
Sr Citizens Commission	7,731	7,500	7,500	5,298	70.64%
Library	33,549	41,535	41,535	24,640	59.32%
Parks	1,284,982	1,294,028	1,294,028	931,487	71.98%
Golf	1,190,704	1,235,668	1,235,668	1,003,995	81.25%
Recreation	492,678	572,840	572,840	300,737	52.50%
Interfund Transfer to	4,502,980	3,729,095	3,729,095	2,672,579	71.67%
Interfund Transfer from	(150,000)	(150,000)	(150,000)	(125,000)	83.33%
Total Expenditures	20,567,934	\$ 20,263,123	\$ 20,263,123	\$ 15,812,449	78.04%
Revenue Over/(Under)					
Expenditures	\$ (811,034)	\$ (399,914)	\$ (399,914)	\$ 3,123,391	
Ending Fund Balance	\$ 5,914,821	\$ 5,165,055	\$ 5,514,907	\$ 9,038,212	

City of Freeport
Monthly Financial Report
As of July 31, 2023
Water Sewer Fund

	FY2022 Actuals	Adopted FY2023 Budget	Amended FY2023 Budget	Year to Date Actual	% YTD Budget
Beginning Fund Balance	\$ 50,936	\$ 174,759	\$ 99,707	\$ 99,707	
Revenues					
Interlocal Revenue	\$ 16,086	\$ 4,000	\$ 4,000	\$ 3,691	92.28%
Interest	2,408	1,000	1,000	12,724	1272.42%
Misc Income	1,749	-	-	14	N/A
Misc Income Return Checks	1,242	1,000	1,000	850	85.00%
Utility Reimbursements	165,400	100,000	100,000	118,849	118.85%
Community Dev Grant	136,229	-	-	-	N/A
Grant - CDBG GLO	622,829	-	11,336,988	254,449	N/A
FEMA Reimbursement	-	-	-	-	N/A
Cash Over or Short	(40)	-	-	(11)	N/A
Water Revenue	3,500,777	4,178,200	4,178,200	3,374,754	80.77%
Water Revenue - Misc	(1,722)	-	-	-	N/A
Sewer Revenue	2,563,543	2,400,000	2,400,000	2,289,042	95.38%
Sewer Revenue - Misc	20	-	-	-	N/A
Sewer Surcharge	321	-	-	-	N/A
Water Tap Fee	23,752	15,000	15,000	28,876	192.51%
Sewer Tap Fee	3,040	3,000	3,000	4,429	147.63%
Bad Debt Write-Off	728	1,000	1,000	1,491	149.10%
Connect & Disconnect Fees	132,499	110,000	110,000	122,389	111.26%
Transfer from General Fund	323,000	-	-	-	N/A
Total Revenues	7,491,862	6,813,200	18,150,188	6,211,549	34.22%
Expenditures					
Salaries	\$ 98,019	\$ 102,267	\$ 102,267	\$ 77,609	75.89%
Benefits	97,149	40,692	40,692	44,406	109.13%
Supplies	76,241	70,950	70,950	25,324	35.69%
Services	5,553,016	5,848,140	5,848,140	4,715,479	80.63%
Maintenance	89,129	65,000	65,000	55,249	85.00%
Sundry	16,548	17,800	17,800	20,094	112.89%
Capital Outlay	1,083,229	-	-	262,554	N/A
Debt Service Fees	9,833	-	-	-	N/A
Transfer to Debt Service	269,928	301,450	301,450	251,208	83.33%
Transfer to CO2021 Bond Fund	-	-	-	-	N/A
Transfer to General Fund	150,000	150,000	150,000	125,000	83.33%
Total Expenditures	7,443,091	6,596,299	6,596,299	5,576,923	84.55%
Revenue Over/(Under)					
Expenditures	\$ 48,771	\$ 216,901	\$ 11,553,889	\$ 634,625	
Ending Fund Balance	\$ 99,707	\$ 391,660	\$ 11,653,596	\$ 734,332	



City of Freeport Utility Billing
July 2023 Statistics

Total Active Accounts	3,552	
Total Services Disconnected	70	
Total New Services	42	
Billed Consumption - Water	39,792,800	\$ 305,587.38
Billed Consumption - Sewer	282,405	282,405.01
Billed Garbage		72,488.47
Billed Ambulance		6,963.85
Total Billed		<u>\$ 667,444.71</u>



City of Freeport Municipal Court
July 2023 Statistics

	July	Year-to-Date
Citations Issued	112	1290
Number of Violations Issued	126	1506
Court Payments Received	\$ 19,867.85	\$ 240,546.98

	July	July
Warrants Issued	-	\$ -
Total Active Warrants	2,286	\$ 914,979.57

	Number of Persons on Docket
Court Attendance	49

Property & GIS Monthly Report July 2023

Property:

- Lien Calculations/Payoff Preparations/Releases
 - Liens Collected: \$ 0.00
 - Lien Payoff Preparations: 2
 - Liens Released: 0
- Brazoria County Tax Office – Tax Certificates (1)
- Brazoria County Clerk – File Liens (19) & Replats (1)



GIS:

- Update ownership data
 - New Data Uploads Paused per BCAD
- 200' Replat maps with ownership
- 911 Address Range Verifications
- New Address Assignments
- Departmental Data Information Requests
- Apartment Complexes
- Buildable Lots (City Owned)

Projects:

- Illumination Street Lights - Submission of Approval Letter (2/7/23) 100%
 - Centerpoint – Engineering
- Liens – Catalog by Block & Lot 10%



Human Resources Monthly Report

Date: August 8, 2023

HR TEAM: Donna Fisher

HR Services Team Priorities and Results for July 2023:

- **Welcomes and Well-wishes:**
 - We are excited to welcome:
 - William Taylor – Part-time Firefighter – Fire Department
 - Yaressy Alvarez – Part-time Recreation Attendant – Recreation Center
 - Roman Castillo – Part-time Range Attendant – Golf Course
 - Ashlee Ferguson – Financial Analyst – Finance Department
- **Training/Coaching/Performance Improvement:**
 - **Performance Issues Addressed:** We had two (2) employee termination for performance this month.
- **Employee Turnover/Recruiting/Hiring Progress:**
 - **Employee Turnover:** We had three (3) employee separations in July. One employee from the Recreation Center and two from Public Works - Streets
 - **Internal Transfers/Promotions:** Kalena Solorio transferred from Dispatcher to Jailer during the month of July.
 - **Recruiting:** Active recruiting searches include:
 - Part-time EMT
 - Firefighter/EMT – Full and Part Time
 - Part-time Crossing Guard
 - Police Officer
 - Part-time Range Attendant
 - Telecommunications Officer (Dispatch) – Police Department
 - Animal Control Officer – Police Department
 - **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 July. 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 four (4) active Workers Comp. claims in July.
 - **Family & Medical Leave Cases (FMLA)-** We had two (2) active FMLA cases in July.

- **Employee Benefits:** We finalized rates for health and ancillary services and have scheduled Open Enrollment for August 30
- **Training/Development:** We have completed the annual Cybersecurity Training Requirements. We are have scheduled a group trainings on Sexual Harassment for August 23. Attended TCOLE training in Alvin.

Priorities for August:

- **Employee Benefits** – Open Enrollment meetings August 30. Open Enrollment dates are from August 30 through September 15t
- **Training/Development** – Attend Workers Compensation training by TML in Missouri City. Hold training on Sexual Harassment for employees.

Information Technology Monthly Report

- Click-scan software installation at City Hall for digital document retrieval complete.
- Wide format Copier with OCR acquired for large format scanning and printing (such as maps and plats)
- New Council And Agenda Software set up for first use in August to replace packets.
- New Live Stream configurations for YouTube Live
- Started fiber Internet upgrades at significant cost savings for multiple city buildings.

Upcoming Events:

- Incident Response Policy/Plan
- Court Doc digital scanning system
- Website re-designs
- Secure Wireless Traffic with RADIUS and expand wireless encryption and authentication to all city facilities.
- SCADA System re-connections and re-acquiring access for functions with Veoila.

JULY 2023





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. Kelty, City Manager

From: Christopher D. Motley, Fire Chief

Date: August 21, 2023

Re: July 2023

Response alarms: Fire - 25
 EMS - 190
 Total - 215

Significant Events: Air Ambulance transport: 5
 Request mutual aid into the city EMS response: 6 FIRE 2
 Mutual aid given to other cities to cover EMS response: 5 FIRE 0
 Two EMS units working calls at the same time: 27
 Three working EMS alarms: 6
 Four working EMS alarms: 1
 Five working EMS alarms: 0
 Transport rate: 55%

Infrastructure: Fire Station #1 driveway repair: No update.
 Station #2: Addressing site plan and utilities.
 Station #2 RFP-Engine Apparatus Building New Construction

Emergency Management: Preparing emergency management response to natural disasters.

Mitigation Grants: Reviewing mitigation projects for the City of Freeport.

Personnel: Staffing:
 Fire Fighter Vacancy: Three (Full-time)
 Fire Fighter Vacancy: One (Part-time)
 EMS Vacancy: Six (Part-time).
 Employee testing: Scheduled 10, Tested: 7, No Show: 3
 Interviews: One
 Backgrounds complete: 1 inprogress
 New Employees: William Taylor (Part-time)

Training Employees: Texas A&M TEEX Municipal School: Dyson, Phillips, Swango, Shafer.



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

EMS Proctor: Brazosport College EMS Students Field Proctor: No students

Injuries: None.

Events: Brazoria County Firefighter Association, Meeting
Brazoria County OEM, Judge Sebesta Public Information Officer meeting

Prevention: Council Chambers are sanitized by staff prior to each council meeting.

Public Relations: Starbuck's Grand Opening

Announcements: N/A

DPW
Monthly Report
August 2023



DPW Monthly Report August 2023

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DPW Monthly Report August 2023

Description

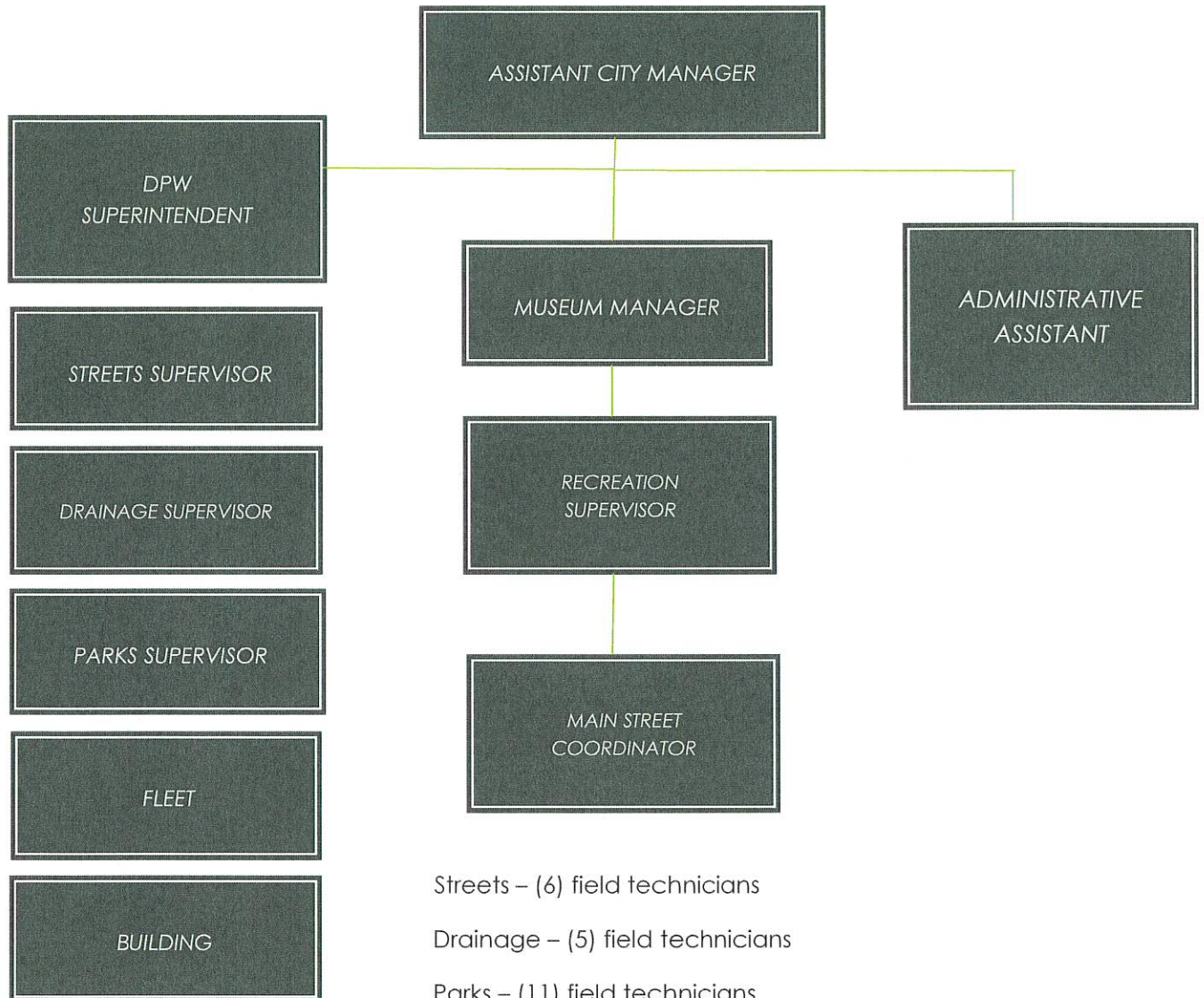
The DPW is administered by the Assistant City Manager. It is the responsibility of the department to successfully manage the City of Freeport infrastructure systems, City owned facilities, equipment, fleet, recreation and museum.

The department's mission and primary function is to provide a superior public service. In order to meet this goal, the operating function responsibilities of the department are assigned to eight groups. Each group is under the direction of a supervisor whose responsibilities include quality inspection, workload scheduling, contract management, and customer service. Each supervisor is responsible for coordinating the personnel and equipment resources of their respective divisions.

- Administration Division: under the Direction of the Assistant City Manager, this division manages the public works office, customer service, scheduling, reporting and public communication.
- Streets Division: Under the direction of the Streets Supervisor, this division provides street maintenance services to the community by pothole patching, curb, gutter and sidewalk repair and replacement of city streets and alleys. This division also provides sign maintenance which includes the installation and repair of roadway signs and the repair and maintenance of roadway markings within the city's right-of-way.
- Drainage Division: Under the direction of the Drainage Supervisor, this division is responsible for all repairs and maintenance of the city's stormwater collection system. This division also installs new culvert piping upon customer permitting.
- Parks Division: Under the direction of the Parks/Grounds/Facilities Supervisor, this division provides services to the community by conducting preservation and beautification of the City's parks, ball fields, building grounds and open spaces.
- Fleet Division: Under the direction of the Assistant City Manager, this division is responsible for all repairs and maintenance of the city's Fleet
- Building Maintenance Division: Under the direction of the Public Works Superintendent, this division provides services to the community by conducting preventative maintenance and repairs on all city property and buildings.
- Recreation Division: Under the direction of the Recreation Supervisor, this division provides services to the community through recreation, events and programs
- Museum Division: Under the Museum Manager, this division provides services to the community through museum, events and programs.

DPW Monthly Report August 2023

DPW Organizational Chart



Streets – (6) field technicians

Drainage – (5) field technicians

Parks – (11) field technicians

Fleet – (1) mechanic technician

Building – (1) lead technician

Museum – (1) assistant

Recreation – (1) event coordinator, (3) PT, (16) lifeguards

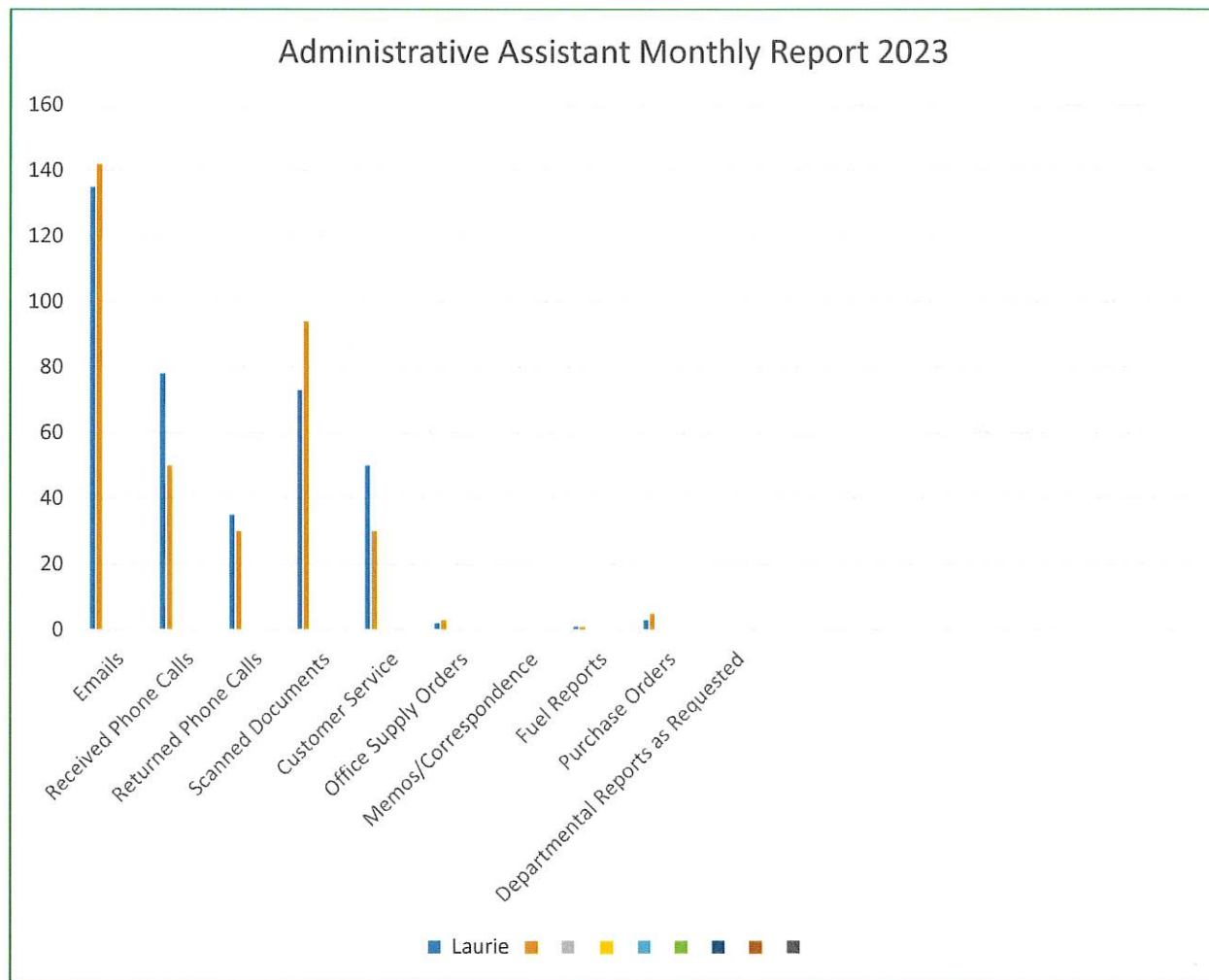
DPW Monthly Report August 2023

Administration Division:

under the Direction of the Assistant City Manager, this division manages the public works office, customer service, scheduling, reporting and public communication

Key Highlights This Month:

- Work Orders
- Expenditures
- Working on new fuel tanks/monitoring system at PW



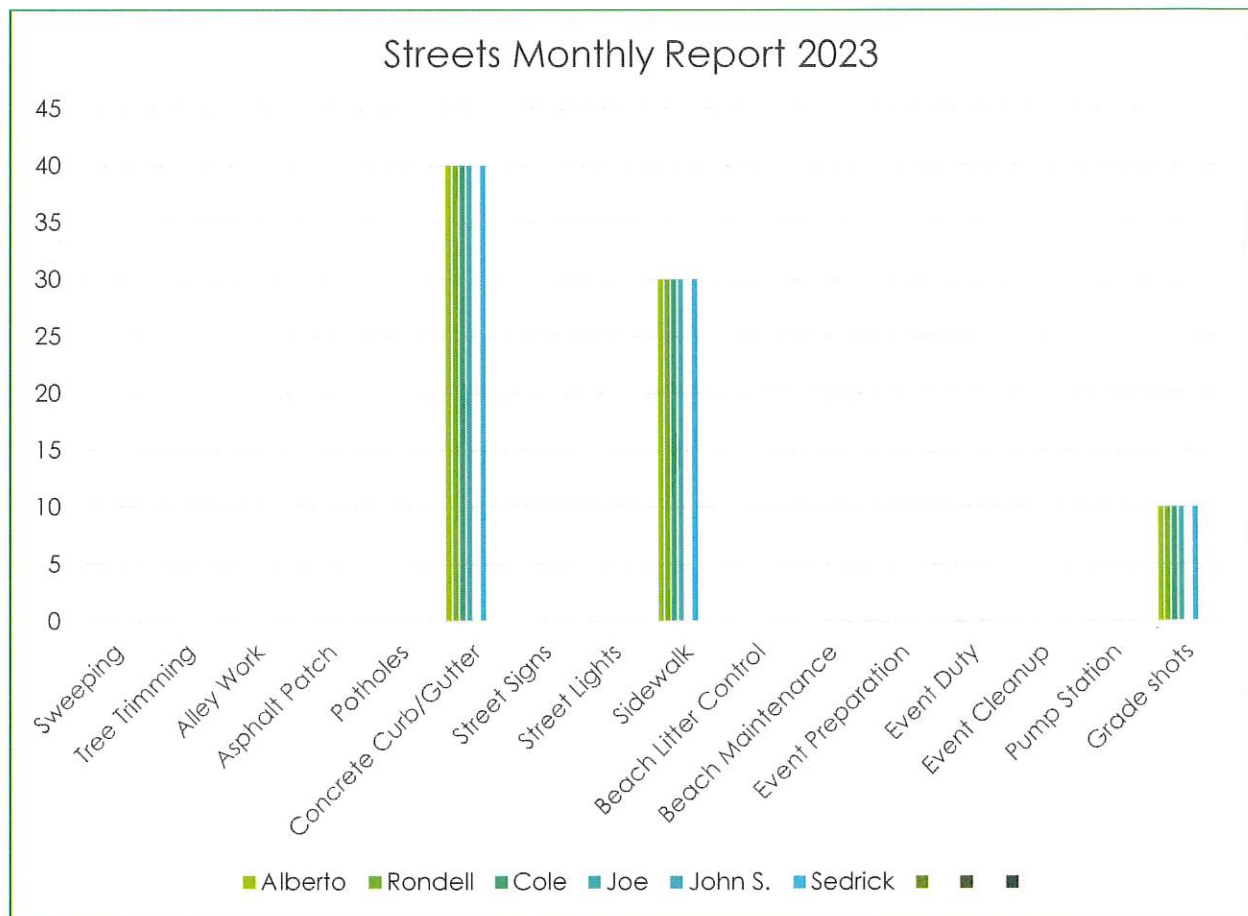
DPW Monthly Report August 2023

Streets Division:

Under the direction of the Streets Supervisor, this division provides street maintenance services to the community by pothole patching, curb, gutter and sidewalk repair and replacement of city streets and alleys. This division also provides sign maintenance which includes the installation and repair of roadway signs and the repair and maintenance of roadway markings within the city's right-of-way.

Key Highlights This Month:

- Concrete Sidewalk Replacement Program
- Curb and Gutter replacement - Locust



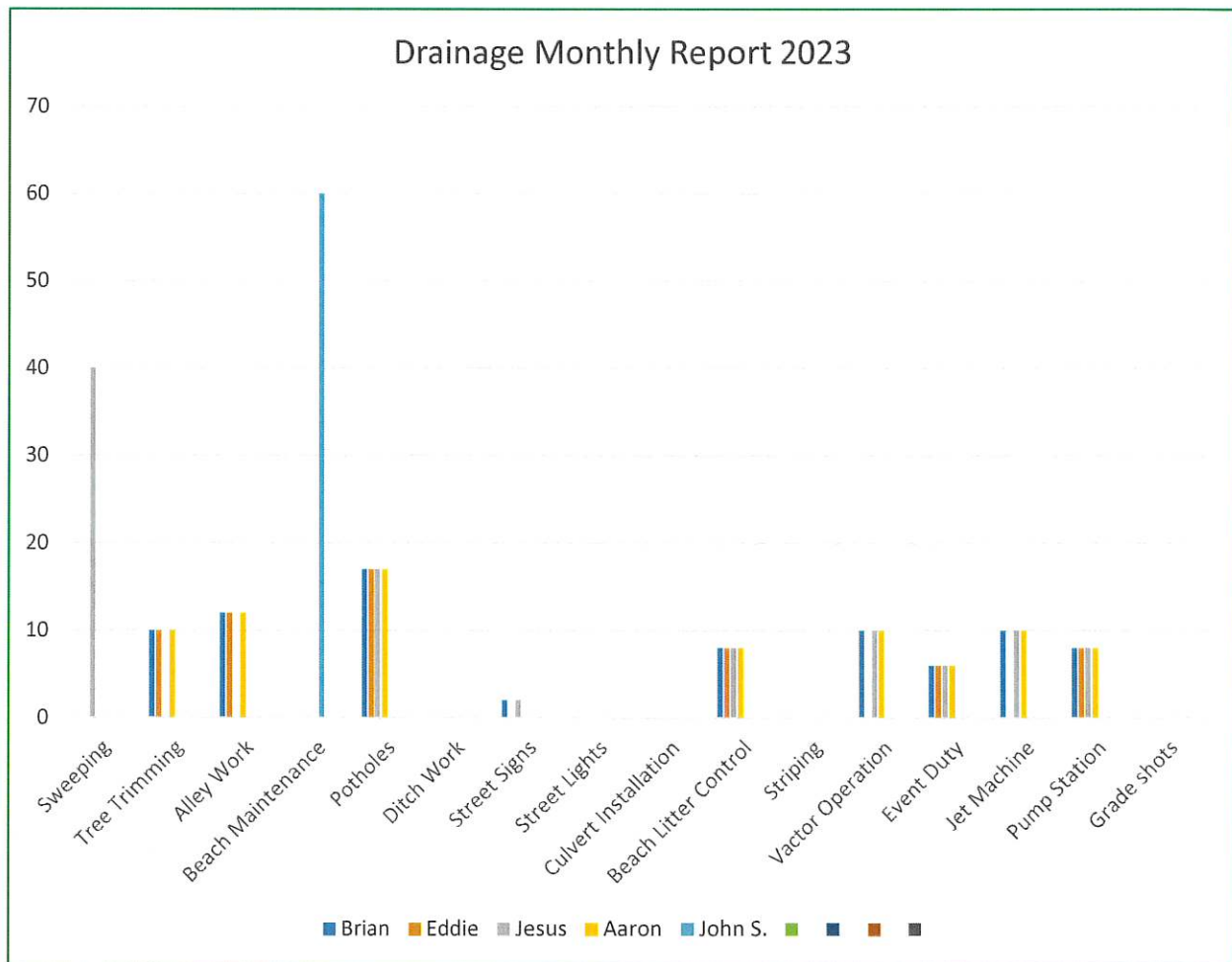
DPW Monthly Report August 2023

Drainage Division:

Under the direction of the Drainage Supervisor, this division is responsible for all repairs and maintenance of the city's stormwater collection system. This division also installs new culvert piping upon customer permitting.

Key Highlights This Month:

- Street Sweeping Ward A/B
- Mow/Weed Control all Wards
- Clean Inlets in all Wards

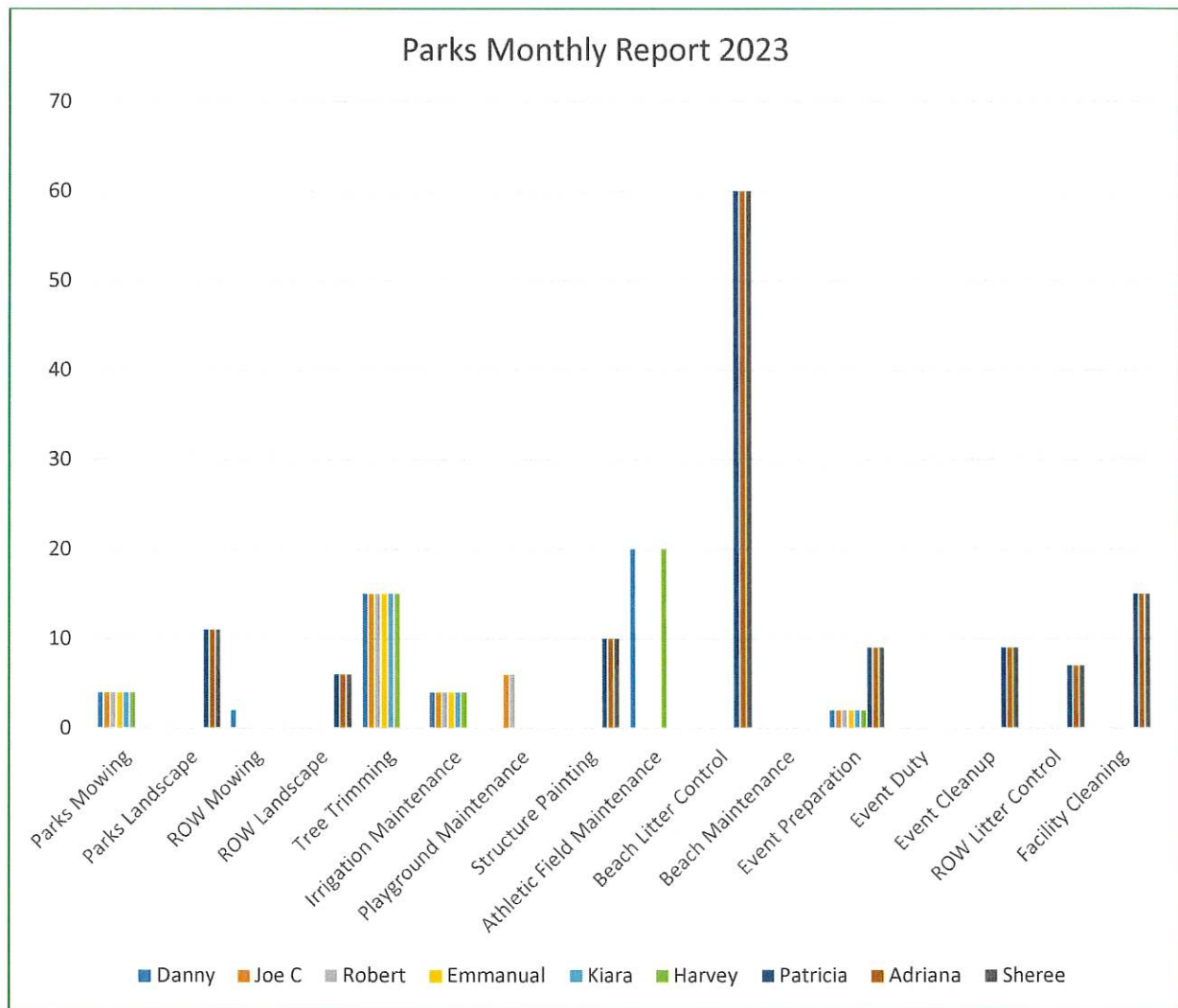


DPW Monthly Report August 2023

Parks Division:

Under the direction of the Parks/Grounds/Facilities Supervisor, this division provides services to the community by conducting preservation and beautification of the City's parks, ball fields, building grounds and open spaces.

- Park Maintenance (9)
- Athletic Field Maintenance (5)
- Beach Litter Control



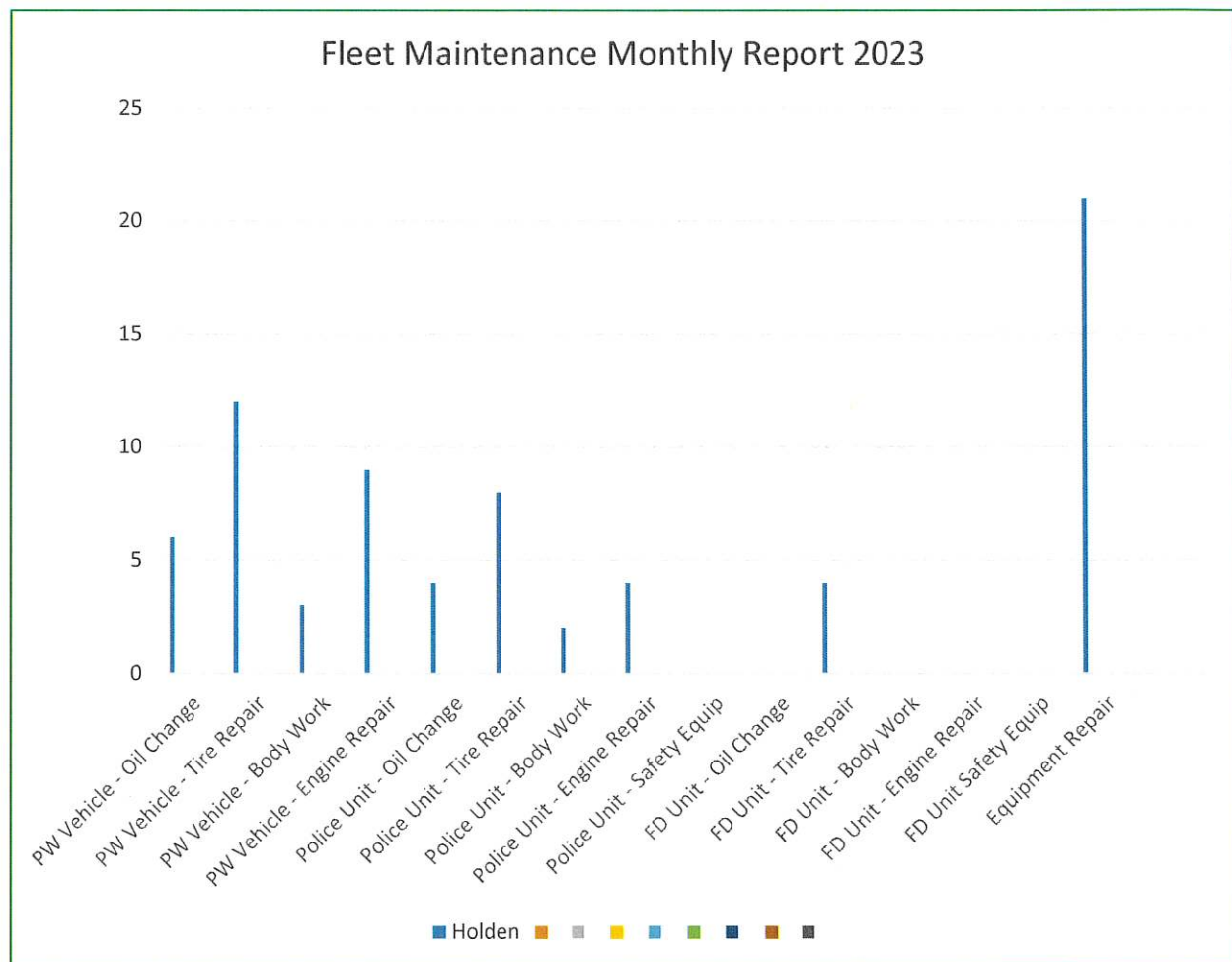
DPW Monthly Report August 2023

Fleet Division:

Under the direction of the Assistant City Manager, this division is responsible for all repairs and maintenance of the city's Fleet

Key Highlights This Month:

- Weld gate on PW 57
- c/o Starter on PD 18
- Remove lights etc., on corvette for auction



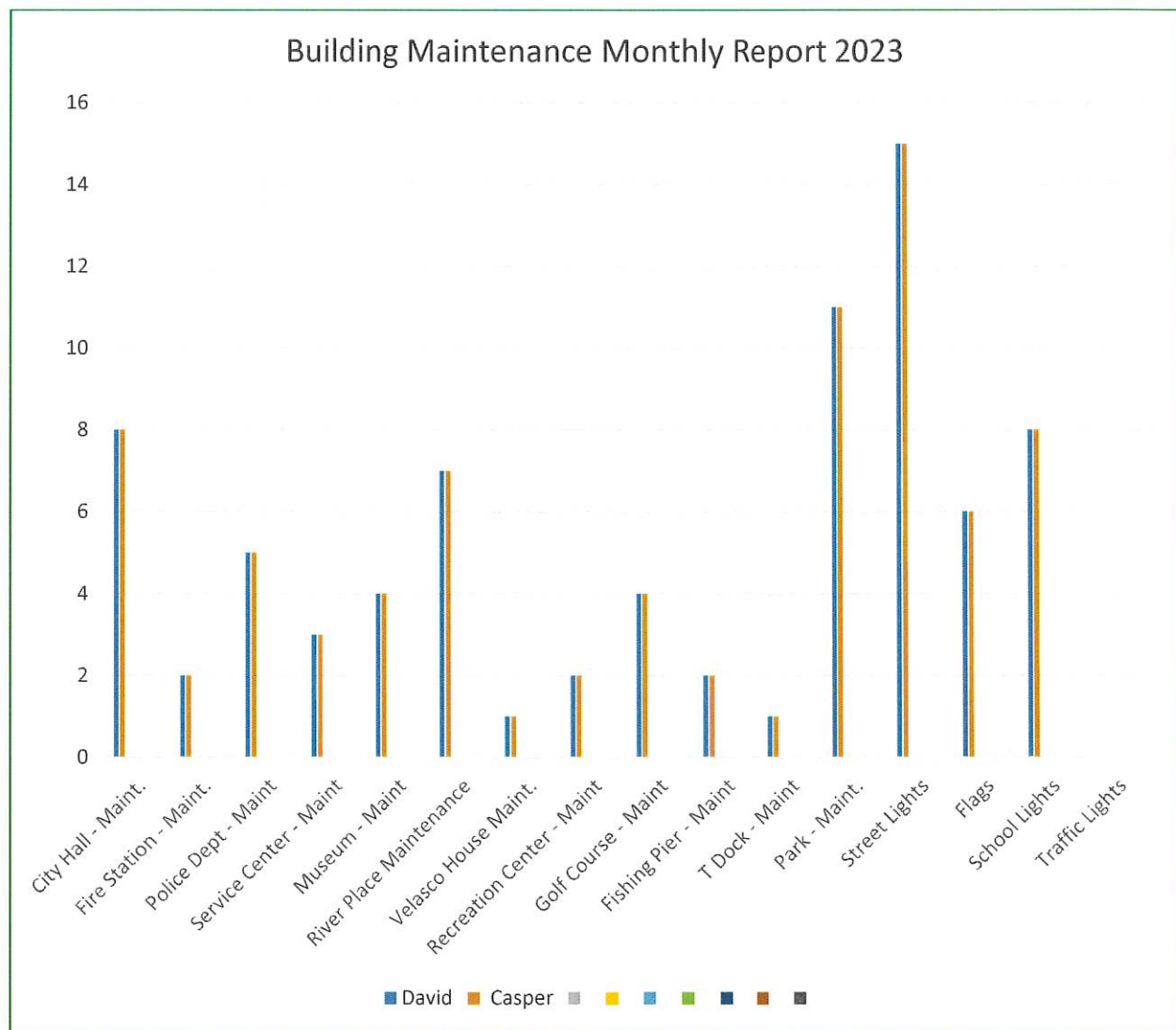
DPW Monthly Report August 2023

Building Maintenance Division:

Under the direction of the Public Works Superintendent, this division provides services to the community by conducting preventative maintenance and repairs on all city property and buildings.

Key Highlights This Month:

- Repair Bench at T Docks
- Repair Pier at T Docks
- Repair Splash Pad at Memorial Park



DPW Monthly Report August 2023

Recreation Division:

Under the direction of the Recreation Supervisor, this division provides services to the community through recreation, events and programs

Seniors Day & Commissions Meeting- July 17th (Every 3rd Monday of the month)

- Staff Updates- We are fully staffed.
- Current Programming- 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.
- Programs & Events- We had a Soccer Camp on July 10 & 11th at 10 am & 2 pm.

Facebook Data:

- July 2023 – 3511 people like the Freeport Recreation Page
- July 2023 – 3831 people follow the Freeport Recreation Page

Revenue:

- Adult Daily Pass \$385.00
- Child Daily Pass \$23.00
- Senior Daily Pass \$72.00
- Student Daily Pass \$375.00

Attendance:

- Monthly Membership Family 33
- Monthly Membership Individual 154
- Monthly Membership Senior 52
- Monthly Memberships Youth 89
- City Employees 17

DPW Monthly Report August 2023

Recreation:

• No. hrs. sports field used	2
• Facility rental revenue	\$3,900.00
• Total No. hrs. of use for non-revenue rentals	6 hrs.
• Facility rentals	20
• Sports field rentals	13
• Total No. of contract classes	25
• No. of events co-sponsored by department	3
• No. of non-profit services at park facilities at no cost for rental	3

DPW Monthly Report August 2023

Museum Division:

Under the Museum Manager, this division provides services to the community through museum, events and programs.

July 2023 Notes: July 2023 was a very busy month and saw steady visitation at 30-70 visitors daily. On July 6th, another Senior group of 24 came through out of Houston. On July 7th, Mike Fulton donated his great grandfather's WW1 helmet to the museum to eventually be displayed. Meetings were held with county wide museums for the Dia de Los Muertos Initiative, as well as Texas Archeology Month. Both events are being cross promoted amongst county wide museums with equal participation. On July 13th, Wade gave a presentation to the Brazosport Evening Lions Club in the hopes to raise sponsorships for the museum's restructuring projects. On the 15th, Wade promoted the museum during the Sea Center's Shark Celebration which saw 1,800 visitors come through the doors. On the 16th, David McGinty helped Wade cut down model bases to make them ADA compliant. On July 17th, Wade received the next series of interpretive panels from Museum Arts; 5 more to go and that project is complete. That following Tuesday, Wade met with DOW representative Jeff Lichon regarding potential sponsorships for museum display cases. On July 19th, interns from Sea Center Texas set-up inside of our Shark Exhibit to share their knowledge and real shark specimens with visitors. On July 21st, Wade conducted a webinar for the Collection Managers Committee of TAM (Texas Association of Museum) for which Wade serves as Chair. That same day, our new table display case was delivered and assembled. On July 24th, Penney's Electric began installing track lights in the first and second half of the museum, thus completing that project within 3 days. Eventually, the museum will be lit specifically by track lights to highlight and showcase the museum's collection and reducing energy costs. Towards the end of the month, Maintenance fixed the fan machine in the Children's Learning Room.

• Total No. of volunteers	7
• No. of visitors	1,043
• Museum projects improved	1
• No. of hrs. theatre used	200
• No. of programs offered	3
• No. of events co-sponsored	3
• No. of non-profit organizations	1

Museum programs for 2023:

- Freeport History Day
- Slavery in Brazoria County
- Dinosaur George
- Shark Exhibit
- Fort Velasco Day

Freeport Main Street:

Under Direction of the Main Street Coordinator, this division is responsible for revitalizing and historically preserving the downtown area to foster an environment to celebrate our rich history and diversity which offers economic, social and cultural opportunities.



1 Continue to Build Partnerships through Community Outreach

With Freeport Main Street in the Catalyst Phase (First Three Years), it is vital to continue the process of building relationships with residents, local corporations, civic organizations, community leaders and local and regional economic development partners.

2 The Four Point Main Street Approach

The work of Freeport Main Street is driven by the Four Point Main Street Approach, which focuses on design, organization, promotion and economic vitality.

3 The Main Street American Evaluation Framework

In order to continue the growth of Freeport Main Street, there are six standards to guide the historic preservation and economic revitalization of Downtown Freeport, which include:

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

DPW Monthly Report August 2023

2023 July Impact

Events Attended

Freeport EDC Independence Day Appreciation Dinner and Celebration- July 1st

The Freeport Historical Commission and Main Street Advisory Board and Main Street Coordinator attended the Freeport Economic Development Corporation Independence Day Appreciation Dinner and Celebration at the Freeport RiverPlace. As part of collaborative efforts to revitalize downtown, Freeport Main Street was proud to attend and show appreciation to business owners in our community.

Starbucks Grand Opening- July 17th

Main Street Coordinator, along with several board/subcommittee members, attended the Starbucks Grand Opening to welcome them to our community and seek an opportunity to develop a partnership for future downtown projects.

Bringing Back Main Street Roundtable/Workshop- July 25th

The Freeport Historical Commission & Main Street Advisory Board, along with Main Street Coordinator, attended the Bringing Back Main Street Roundtable hosted by Houston-Galveston Area Council in Bay City, Texas. The attendees present were provided an overview of the Bay City Main Street Program and Texas Downtown. Additionally, a presentation was given to give insight into a developer's perspective with a project breakdown of the historic renovations of The BayTex. The Bay City Main Street Program led attendees on a downtown walk around the square, which provided an opportunity to meet business owners and learn about downtown projects.

Día de Los Muertos Planning Meeting -July 12th & 26th

Día de Los Muertos: A Month of Remembrance is a joint partnership between several community organizations which includes the Brazoria County Library System, Brazoria County Hispanic Chamber of Commerce, Brazoria County Historical Museum, Freeport Historical Museum, Freeport Main Street, Lake Jackson Museum and the Center for the Arts & Sciences to host county-wide Día de Los Muertos community events. Freeport Main Street will be hosting a procession on All Souls Day -- November 2, 2023.

Meetings

Historic Design Guidelines -University of Texas-San Antonio, Center for Urban and Regional Planning Research- July 5th

As part of Freeport Main Street's strategic priorities, the design subcommittee is leading the way on a project to develop historic design guidelines for downtown. Chair Margaret McMahan contacted approximately five firms to begin the process. Ian Caine, Director of the Center for Urban and Regional Planning Research at UTSA met with Chair Margaret McMahan and Ana Silbas, Main Street Coordinator to discuss project scope for the development of design guidelines.

DPW Monthly Report August 2023

Freeport Main Street Economic Vitality Meeting- EDA Funding- July 11th

Main Street Coordinator and Chair Margaret McMahan, along with the Economic Vitality Subcommittee, met with Cathy Ezell, Finance Director to discuss potential downtown projects to submit for the 2023 EDA Disaster Supplemental Funding through the U.S. Economic Development Administration.

Downtown Grant Meeting with Freeport EDC – July 12th

As part of downtown revitalization efforts, Freeport Economic Development Corporation and Freeport Main Street are collaborating together to implement a downtown grant aimed at improving building facades within the Main Street district.

Freeport Historical Commission & Main Street Advisory Board General Meeting -July 13th

The Freeport Historical Commission & Main Street Advisory Board met to hear a presentation on the Ora Theater, appoint a secretary and discuss participating in the NexTrex Community Plastic Film Challenge.

Texas Main Street Program: Design Assistance Consult- July 18th

Main Street Coordinator met with the Texas Main Street Design Team to discuss the on-going Arlene's BBQ & Soul Food project. This virtual meeting allowed for the Texas Main Street Design Team, Freeport Main Street Coordinator and property owner to discuss the vision of the outdoor restaurant deck and address any questions.

Historic Design Guidelines -University of Texas-San Antonio, Center for Urban and Regional Planning Research- July 18th

Main Street Coordinator and Chair Margaret McMahan met with Ian Caine, Director of the Center for Urban and Regional Planning Research virtually to further discuss the scope of historic design guidelines for downtown. Caine spoke with fellow colleagues to see how Freeport Main Street and the Center for Urban and Regional Planning could work together on this project.

Historic Design Guidelines -University of Texas-San Antonio, Center for Urban and Regional Planning Research- July 24th

Ian Caine, City Manager Tim Kelty, Main Street Coordinator and Chair Margaret McMahan met to discuss three potential ways that the Center for Urban and Regional Planning Research could assist Freeport Main Street. Caine will seek to have two preliminary proposals (historic design guidelines & downtown mater plan) for us by August 15th, 2023.

DPW Monthly Report August 2023

Texas Main Street Program: Regional Call (East)-July 24th

In order to better serve Main Street communities across the state, the Texas Main Street Program has worked to create regional calls for Main Street Managers to discuss ideas, ask questions and problem solve for situations in our downtowns. Currently, Freeport Main Street is grouped in the East Texas region. The discussion of this virtual meeting was centered on the reinvestment figures and quarter two reporting questions.

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".

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.

Design Assistance Request

Main Street Coordinator is coordinating with the Texas Main Street Program Design Team a design assistance request from Rhombus INC. The purpose of this design assistance request is to create building/property design recommendations for an outdoor restaurant deck in the vacant lot next to Ocean Food Mart.

KidFest

Main Street Coordinator worked on the plans for KidFest 2023, which is set for August 5, 2023 from 3pm-7pm in downtown. This event will be held in partnership with the Freeport Historical Museum. For this year's event, there is a superhero theme. The activities will include games, inflatables, face painting, caricature drawings and balloon artist with food and a DJ to provide music. This is a free community event. Freeport Main Street will seek sponsorships and create event t-shirts. Additionally, there will be food truck vendors, community organizations, henna tattoo artist and a foam cannon.

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.

DPW Monthly Report August 2023

Historic Design Guidelines

The Design Subcommittee and the Main Street Coordinator are working together on the Historic Design Guidelines project with Ian Caine and the Center for Urban and Regional Planning Research.

Community Development

Building Permits & Inspections

Health Permits & Inspections

Short Term Rental Inspections

Planning & Zoning

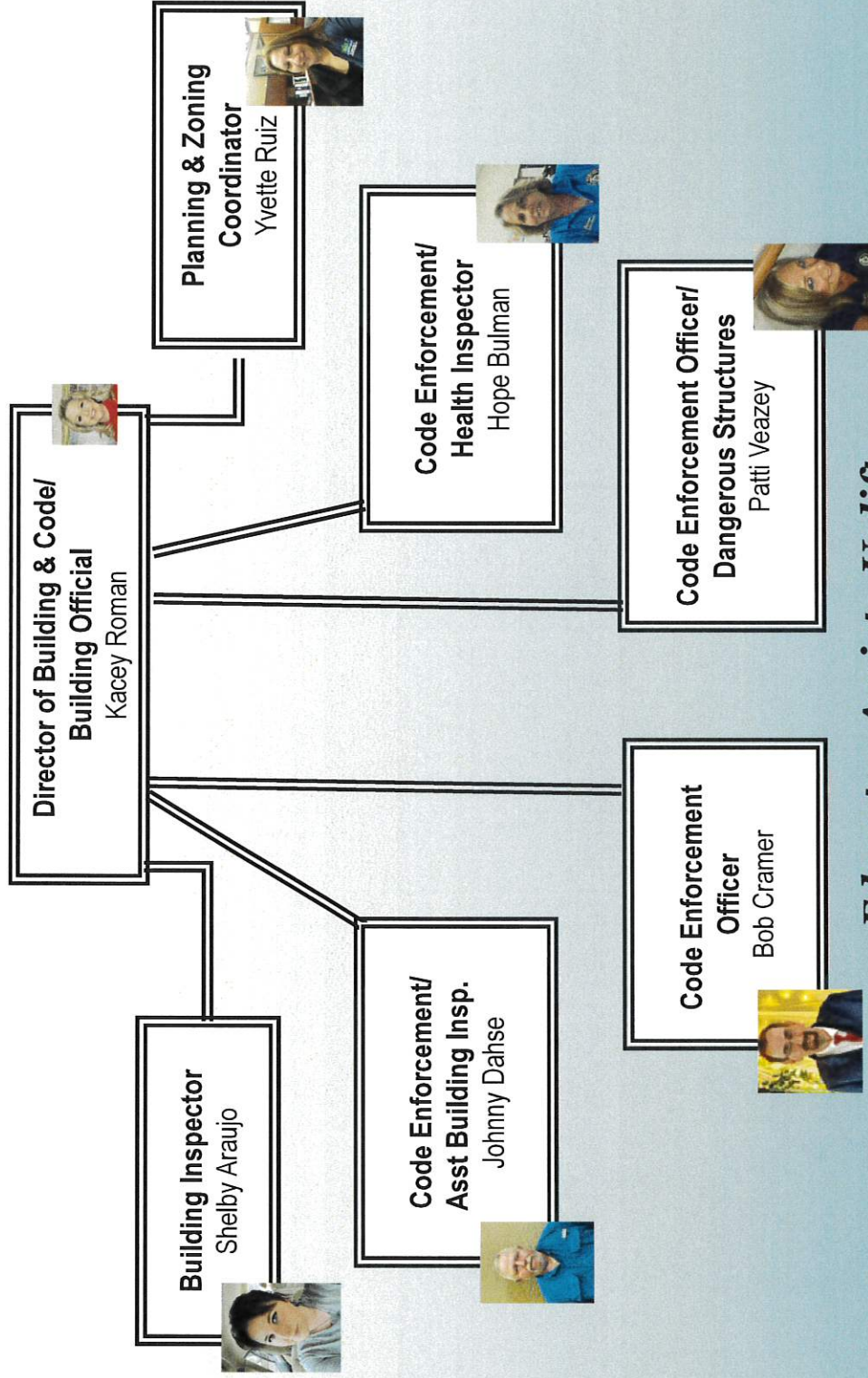
Board of Adjustments

Permit Desk Operations

Educate - Assist - Uplift



Community Development



Educate - Assist - Uplift

Board of Adjustments Orders

BoA Meeting was held on July 19, 2023



- Ongoing Code Cases since 2020
- Initial Inspection – 03/13/2023.
- The owner listed on the Brazoria CAD and the title search shows to be in the name of George Woods Estate. The owner is deceased.
- There have been ten police calls on this address from 2021-2022. This structure was wide open with vagrants going in and out of it.
- The City obtained an Administrative Search Warrant for inspection and was declared a Dangerous Structure by the Building Official 6/16/2023.
- Certified notices were sent but the owner of the property is deceased.

Demolition Ordered - 1318 W 8th

215 E. Park – Old Theater

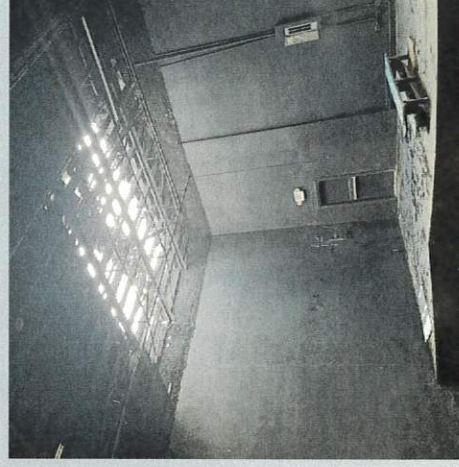
Board of Adjustments ordered owner to Board and Secure the Theater, and provide a detailed timeline of Repairs within 30 days.



Deteriorated Walls & Window Frames



Standing Water in Foundation



Sections of roof are completely missing.





- Ongoing Code Cases since 2014
- There have been three police calls on this address in 2022.
- This structure was wide open with vagrants going in and out of it. The owner of this structure has been sent several notices to repair the structure. The City obtained an Administrative Search Warrant for inspection and declared a Dangerous Structure by the Building Official 06/16/2023. The notifications were certified.
- The City of Freeport has cut the property several times with liens being placed on the property.

202 Front – Repair Ordered

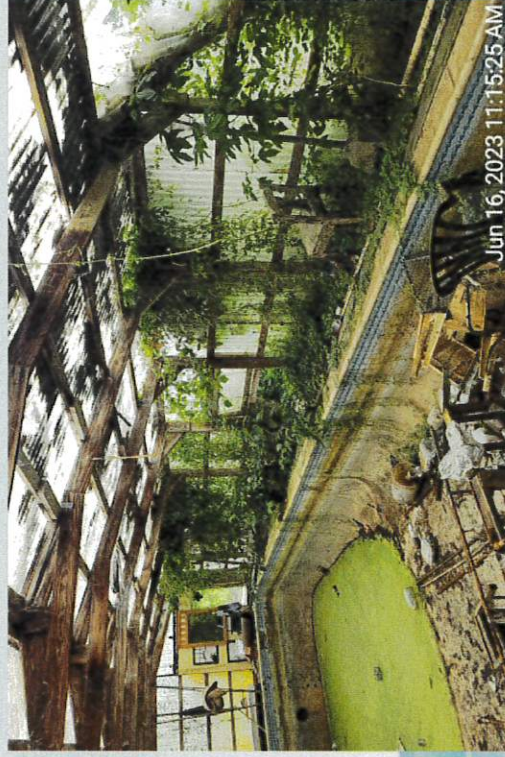
The owner listed on the Brazoria CAD and Title Search is in the name of Perez Isidoro Estate.

Police Reported a possible homicide at this property. This structure was wide open with vagrants going in and out of it.

The City obtained an Administrative Search Warrant and declared a Dangerous Structure by the Building Official 06/16/2023. The notifications were certified.

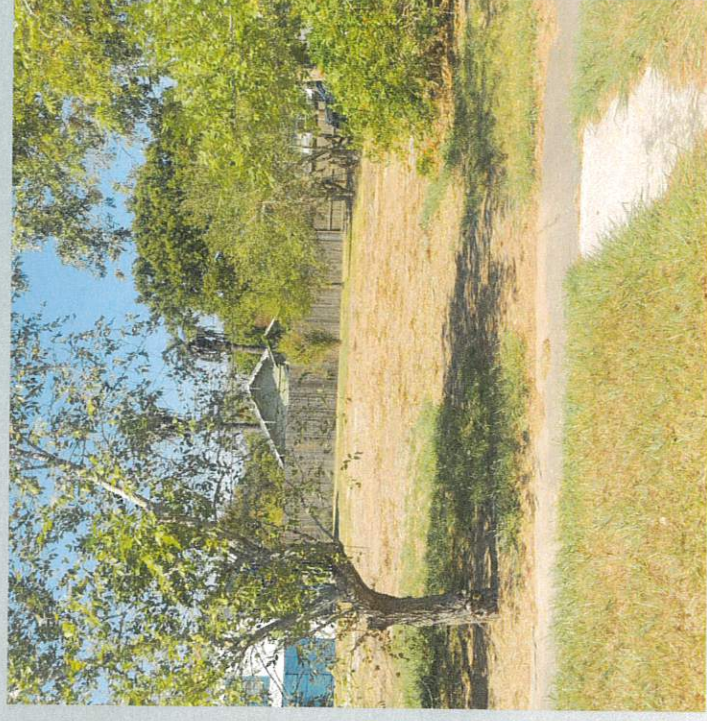
The City of Freeport has cut the property several times with liens being placed on the property.

607 N. Ave F Demolition Ordered



Demolitions

Working with the EDC to improve our Community!



Before and After – 318 W. 2nd

New Business

Working with Businesses to improve our Community!



Casa Azul – 307 S. Gulf Blvd

Health Inspections

Working with Businesses to improve our Community!

Dollar General Store # 4687	1224 N Brazosport Blvd	88
Falcon Express	1607 E HWY 332	78
Pier 30 Bar & Grill	1601 E HWY 332	70
Ocean Food Mart (Store)	231W Second St	90
Memorial Day Care	1912 Victoria	94
Arlene's	231 W Second	97
Memorial Day Care	1912 Victoria	94
Minute Market	1702 N Brazosport Blvd	76
Texas Distilling Co. LLC	202 S Gulf Blvd	97

Food Truck Inspections

New/Renewed Inspection of Food Trucks Licensed for Freeport

Tropical Gulf Coast Shaved Ice & Snacks #2
Coffee On The Go
Michelle's Cajun Shack
Re'Doggas
Guevara's Hot Sizzling Grill

Cities helping Cities

Jurisdictions helping Each Other

The City of Freeport is providing assistance to the City of Sweeny by sharing knowledge and training Sweeny's new inspector. Russell Lofton rides along with Freeport Inspectors once a month in a cooperative effort between cities. Neighbors helping neighbors!

