



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

**Mayor:**  
Brooks Bass

**Council Members:**  
Jeff Pena  
Jerry Cain  
Mario Muraira  
Roy Yates

**City Manager:**  
Timothy Kelty

**THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON MONDAY, THE 1<sup>st</sup> DAY OF MARCH, 2021, AT 6:00 P.M., AT THE FREEPORT, POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD FREEPORT TEXAS**

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

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

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

**OR**

**AUDIO VISUAL CONFERENCE CALL USING:**

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

**International dial-in numbers: [https://fccdl.in/i/council\\_mtg\\_030121](https://fccdl.in/i/council_mtg_030121)**

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**enter access code 5678901# and the online meeting code is: council\_mtg\_030121.**

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

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

**THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE:** (Council Member)

**CITIZENS' COMMENTS:**

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

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

1. Report on Hydrant repair Schedule **(Meeks)**

**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 February 17, 2021 Emergency meeting and from February 22, 2021. **(Wells)**
3. Consideration and possible action approving Resolution No. 2021-2672 changing Texas Gulf Bank signers. **(Kelty)**
4. Consideration and possible action approving Resolution No. 2021-2673 changing TexPool signers. **(Kelty)**

5. Consideration and possible action approving Resolution No. 2021-2674 to approve submission to the GLO Beach Maintenance Reimbursement (BMR) Program. And designating the Finance Director as the official with full authority to act for the purposes of the program. **(Kelty)**

**COUNCIL BUSINESS – REGULAR SESSION:**

6. Consideration and possible action on approving amendment to the EDC By-laws. **(Holman)**
7. Consideration and possible action regarding authorizing City-Wide one-time utility billing adjustment due to winter weather event **(Kelty)**
8. Discussion and possible action regarding implementation of Salary Survey. **(Kelty)**
9. Discussion and possible action on approving Resolution No. 2021-2675, the annual review and renewal of Ethics Ordinance. **(Kelty)**
10. Discussion regarding vacancies on EDC and Planning Commission. **(Kelty)**

**WORK SESSION:**

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

**CLOSED SESSION:**

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

**COUNCIL BUSINESS – REGULAR SESSION:**

**ADJOURNMENT:**

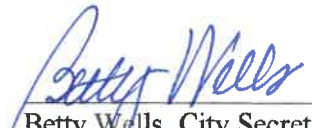
13. Adjourn.
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Items not necessarily discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government 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 2<sup>nd</sup> Street, Freeport Texas, before 6:00 p.m. in accordance with Open Meetings Act.

  
Betty Wells, City Secretary  
City of Freeport, Texas



## City Council Agenda Items # 1

**Title:** Presentation on Hydrant repair program

**Date:** March 1, 2021

**From:** Jerry Meeks, Veolia General Manager

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**Item Summary:**

At the council meeting on February 1<sup>st</sup> Council inquired about a Fire Hydrant that had a black bag over it. The Black bag over the hydrant meant that it was out of service. It was then discussed that there were a significant number of Hydrants throughout the City that had been identified by Public Works and the Fire Department that were out of services. Council requested a full report regarding why so many hydrants were out of service, and what was being done to fix them.

Under the city's contract with Veolia, they are responsible to maintain that infrastructure and Mr. Meeks will provide Council with a complete picture in this presentation.

**Background Information:** None

**Special Consideration:** None

**Financial Impact:** Undetermined

**Supporting Documentation:**

Correspondence received from Veolia regarding Hydrants.

## Tim Kelty

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**From:** Meeks, Jerry <jerry.meeks@veolia.com>  
**Sent:** Wednesday, February 10, 2021 3:40 PM  
**To:** Tim Kelty; Lance Petty  
**Subject:** Fire Hydrants  
**Attachments:** Fire Hydrant Repair List Combined 020421.docx

Attached Fire Hydrant List and time frame

Have ordered 3foot hydrants factory had 4 in stock should be in next week otherwise 8 to 10 weeks out

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**Jerry Meeks**  
*Project Manager OK/TX Area*  
*Municipal & Commercial Business*  
**VEOLIA NORTH AMERICA**

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/ office

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[jerry.meeks@veolia.com](mailto:jerry.meeks@veolia.com)  
[www.veolionorthamerica.com](http://www.veolionorthamerica.com)



## Fire Hydrant Repair List as of Feb. 10, 2021

The Following is what is remaining from Fire Department List

East 5<sup>th</sup> @ FM 1495- Valve in street must be closed and covered with asphalt. When contractor for the Port moved hydrant they did not open valve Looking for valve in TXDot Highway should be able to just turn it on

1426 North Ave M- Need to replace Week of Feb. 15<sup>th</sup> Material Cost \$2,285.00

Ave B @ Munson- Need to replace Week of Feb. 15<sup>th</sup> Material Cost \$2,285.00 will need to bust out concrete Line Locates called in

Dolphin @ Marlin- Need to Replace Looking at Mid to Late March Cost \$2,285.00

Ash @ West 4<sup>th</sup>: Valve in Street is off due to this hydrant is tied into the same line the school water meter is, which does not have a valve and the meter is running. We will be looking for a way to isolate the two. School has water running somewhere when valve is on 1,000 gallons in 8 hours BISD says they still need water for work later on Left valve off Looking at what can be done Cost will depend on what we come with

FM 1495 @ 4<sup>th</sup> : Was hit by a mower for the Port and will need to be replaced Ordered 3 foot hydrate waiting delivery Hopefully week of Feb 15<sup>th</sup> or 22<sup>nd</sup> Cost \$2,475.00 Line Locates called in

FM 1495 @ 7<sup>th</sup> : Will need to be replaced Ordered 3 foot hydrate waiting delivery Hopefully week of Feb 15<sup>th</sup> or 22<sup>nd</sup> Cost \$2,475.00 Line Locates called in

FM 1495 @ 8<sup>th</sup> Was hit by a mower for the Port and will need to be replaced Ordered 3 foot hydrate waiting delivery Hopefully week of Feb 15<sup>th</sup> or 22<sup>nd</sup> Cost \$2,475.00 Line Locates called in

Ave A @ Dezavala- will not open: Valve in street is broke will need to replace In March will need to shut down water main to replace valve and bust out portion of concrete street if replace hydrate also cost \$2,672.00

Ave C @ Velasco: Valve in street is broke Will need to replace Repaired Feb 6th

Ave A @ Division- water only drips out of the hydrant: Valve in street is broke Will need to replace In March will need to shut down water main to replace valve and bust out portion of concrete street if replace hydrate also cost \$2,672.00

S Ave F @ Velasco: Hydrant is broke Will need to be replaced Ordered 3 foot hydrate waiting delivery Hopefully week of Feb 15<sup>th</sup> or 22<sup>nd</sup> Cost \$2,475.00 Line Locates called in

**Velasco @ Kelly Services- top will not turn: Hydrant is broke Will need to be replaced Week of March 1<sup>st</sup> Cost \$2,285.00**

**Velasco @ Railroad track: Hydrant is broke. Will need to be replaced Week of March 1<sup>st</sup> Cost \$2,285.00**

**West 7<sup>th</sup> @ Pecan: Leak at Bottom Possible need to replace Repaired Feb 6<sup>th</sup>**

**1122 Marlin Around Mid to Late March Cost \$2,285.00**

**In Bridge Harbor Marine Around Mid to Late March Cost \$2,865.00**

**3329 East Hwy 332 Around Mid to Late March Cost \$2,865.00**

**1605 East Hwy 332 Around Mid to Late March Cost \$2,865.00**

**Cost of Material \$37,489.00**



## Tim Kelty

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**From:** Meeks, Jerry <jerry.meeks@veolia.com>  
**Sent:** Wednesday, February 24, 2021 6:21 AM  
**To:** Tim Kelty; Lance Petty  
**Subject:** Fwd: FM 1495 Fire Hydrant Plans

Would you like me to look into this with The Texas Department of Transportation or pass it onto Freese Nichlos

----- Forwarded message -----

**From:** Adam Camarillo <[Adam.Camarillo@txdot.gov](mailto:Adam.Camarillo@txdot.gov)>  
**Date:** Tue, Feb 23, 2021 at 5:21 PM  
**Subject:** Re: FM 1495 Fire Hydrant Plans  
**To:** Meeks, Jerry <[Jerry.Meeks@veolia.com](mailto:Jerry.Meeks@veolia.com)>

Good afternoon Jerry,

We were looking through the fire hydrant plans you provided. We came to the conclusion that some of the fire hydrants may be in conflict with the work proposed on FM 1495 and anticipate a need for possible relocation of these hydrants. I wanted to know if you would be the person to initiate talks on the process of possibly relocating these fire hydrants? Or if you could kindly provide contact info for the person that we would need to initiate these talks with?

Thanks,  
**Adam Camarillo**  
Engineering Assistant II  
Texas Dept. of Transportation  
Brazoria Area Office  
979-864-8528

**From:** Adam Camarillo <[Adam.Camarillo@txdot.gov](mailto:Adam.Camarillo@txdot.gov)>  
**Sent:** Wednesday, February 10, 2021 10:19 AM  
**To:** Meeks, Jerry <[jerry.meeks@veolia.com](mailto:jerry.meeks@veolia.com)>  
**Subject:** Re: FM 1495 Fire Hydrant Plans

Thank you Jerry, I was able to view the PDF from my gmail account. The info and effort in this matter is greatly appreciated!

Regards,  
Adam

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**From:** Meeks, Jerry <[jerry.meeks@veolia.com](mailto:jerry.meeks@veolia.com)>  
**Sent:** Wednesday, February 10, 2021 9:30 AM  
**To:** Adam Camarillo <[Adam.Camarillo@txdot.gov](mailto:Adam.Camarillo@txdot.gov)>  
**Cc:** Jay Rodriguez <[Jay.Rodriguez@txdot.gov](mailto:Jay.Rodriguez@txdot.gov)>  
**Subject:** Re: FM 1495 Fire Hydrant Plans

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached is a drawing from East 5th to pass SH 288/36 intersection

I could not find anything from East Broad to East 5th But what I know if you look at the East 5th intersection you will see where the water main as it crosses in 1495 tees off to the north in the road. I know it runs in 1495 in the right lane. It is a 6" line at East 4th street it tees off to the East and runs through that field, there is a fire hydrant there. I believe but am not sure if it continues north in 1495 but at the alley between East Broad and East 4th there is a 6" valve that is off and when opened it leaks so not sure if it is tied into anything. The hotel that was on the corner of East Broad and FM 1495 was serviced water from the East side not from FM 1495  
Hope this helps

 [\\_Scan\\_veolia.pdf](#)

On Fri, Feb 5, 2021 at 3:22 PM Adam Camarillo <[Adam.Camarillo@txdot.gov](mailto:Adam.Camarillo@txdot.gov)> wrote:  
Good afternoon Jerry,

As we discussed earlier per our phone call, we are working on the design of removing and replacing concrete pavement on FM 1495 in Freeport, TX. Attached for visual representation are the limits of where on FM 1495 this project runs. We would like to request plans/maps showing the fire hydrants running along FM 1495 at the project limits as well as the pipes connected to the hydrants showing where they are running for approximately 30 feet away from the edge of the curb of FM 1495.

Your concern and effort in this matter is greatly appreciated.

Thanks,  
**Adam Camarillo**  
Engineering Assistant II  
Texas Dept. of Transportation  
Brazoria Area Office  
979-864-8528

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A Texas Department of Transportation (TxDOT) message

**#EndTheStreakTX**

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State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Wednesday, February 17, 2021, at 2:30 p.m. at the Freeport Police Department, Conference Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

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

Staff: Tim Kelty, City Manager  
Betty Wells, City Secretary  
Lance Petty, Public Works Director  
Chris Motley, Freeport Fire Chief  
Ray Garivey, Freeport Police Chief  
Micheal Dumas, Freeport Fire Marshal  
Mike Praslicka, Freeport Deputy Chief EMS

Visitors: Melanie Oldham Nick Irene (Facts)  
Jerry Meeks (Veolia)

**Call to order.**

Mayor called the meeting to order at 2:30 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Invocation was led by Mayor Bass.

**CITIZENS' COMMENTS:**

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

Melanie Oldham 922 West 5, spoke about her concern for the elderly, and the disabled during this declared emergency. She said that she wanted guidance from council on what is allowed and not allowed in starting a volunteer group to help these people out during a crisis.

**EMERGENCY MEETING WORK SESSION:**

Discussion and dissemination of information related to the ongoing declared disaster brought on by the freezing temperatures and loss of power and water.

Council met and discussed information to the ongoing declared disaster brought on by the freezing temperatures and the loss of power and water. Chief Motley said that BWA lost power to the generator on Wednesday morning around 2:30-3:00, he also said that all the leaks around the city, and residents allowing water to run to prevent busted pipes are causing problems with the loss of water.

The phone outage with AT&T, and the internet outage has made it challenging to post onto the website, and to get communication with updates out for the residents. Chief Motley said that 911 was down as well, but these calls are being routed through the Brazoria County Sheriff's Office.

The power outage forced the relocation of the temporary warming shelter for the homeless from the Freeport Recreation Center to the Freeport Police Department Council Chambers. The City of Freeport has also partnered with the City of Lake Jackson for the temporary shelter to be moved to the Lake Jackson Recreation Center. But cots are being maintained here and we will remain open.

Council discussed putting a temporary generator at Arlan's grocery store so that citizens could purchase food items that were available at the store. Mr. Petty, with Freeport Public Works Department got this process started.

Adjourn

There was no motion made by council to adjourn the meeting. The meeting ended at 3:39.

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Mayor, Brooks Bass  
City of Freeport, Texas

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City Secretary, Betty Wells  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, February 22, 2021, at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

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

Staff: Tim Kelty, City Manager  
Stephanie Russell, Assistant City Manager  
Betty Wells, City Secretary  
Chris Duncan, City Attorney  
Laura Tolar, Assistant City Secretary/ Special Projects Coordinator  
Brenda Ferguson, Human Resource Director  
Lance Petty, Public Works Director  
Chris Motley, Freeport Fire Chief  
Ray Garivey, Freeport Police Chief  
Billy Shoemaker, Building/Code Director  
Emily Jimenez, Court Supervisor  
Courtland Holman, EDC Director  
Robert Cramer, Freeport Parks Via Teleconference  
Clarisa Molina, Administrative Assistant Via Teleconference

Visitors: Nicole Mireles Tommy Pearson  
Sam Reyna Desiree Pearson  
Ruben Renobato Sabrina Brimage  
Melanie Oldham Manning Rollerson  
Nick Irene (Facts) Andrew Dill  
Kenny Hayes Donna Hayes  
Captain Ken Green Troy Brimage

Visitors, Via Teleconference: Amanda Petty Pam Tilley

**Call to order.**

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

## **INVOCATION AND PLEDGE OF ALLEGIANCE:**

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

## **CITIZENS' COMMENTS:**

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

Manning Rollerson spoke to Council about a citizen being denied water, and asked how we can give the water to other city residents but not our own residents. He said that he was concerned that the city had no power or water during the winter storm. He said that it is the elected leader's responsibility to take care of the city residents.

Ruben Renobato passed out to council a report from the city's code department on junked vehicles. He said that there should be more code cases on junked vehicles than listed in the report. He said that the report does not match the monthly cases. Mr. Renobato said that this needs to be addressed and the ordinance needs to be enforced. He told council that he hopes they review the information that he provided to them on this issue of junked vehicles.

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

### Presentation of Employee of the Month for the month of January 2021.

City Manager Tim Kelty presented employee of the month for the month of January 2021, to Emily Jimenez, Court Department Supervisor.

### Emergency management briefing COVID-19.

Freeport Fire Chief, Chris Motley said that COVID-19 for the beginning of the month the numbers were about 150 for the County. He said that on the 21<sup>st</sup> there were 20 cases in the City of Freeport, the numbers did drop with the winter storm. He said that supplies are good, we are still picking up supplies from the State. Chief Motley said that he wants to commend the dispatch.

Chief Motley said with the winter storm, the city joined with the Salvation Army and set up a warming station at the Freeport Recreation Center. He said that this facility was used until the power went out, and then it was moved to Council Chambers until the city partnered with the City of Lake Jackson, and used their Recreation Center as a warming station. Chief Motley said that he wants to commend all the Public Works employees for all of the hard work that they did during this time.

Freeport Police Chief, Ray Garivey said that he wanted to commend all the employees that serve the city for all of the hard work that was done during winter storm. He also said that there is a very high chance that the city will be receiving 150,000 pounds of food to be delivered on Wednesday night from New England, this is being sponsored by the New England Patriots. He said that they will be contacting the churches, and the food pantries so that this food gets to the people that need it the most.

Mayor Bass commended the Police Department, Fire Department, and all the departments that worked so hard during this time.

Presentation of FY2020-2021 First Quarterly Investment Report.

Assistant City Manager, Stephanie Russell presented to council the FY2020-2021 first quarterly investment report. She said that this report follows the Public Information Act compliance, she said this is a housekeeping item, and it must be brought before council, no less than each quarter.

**CONSENT AGENDA**

Consideration and possible action on the approval of City Council meeting minutes from February 1, 2021.

Consideration and possible action approving Ordinance No. 2021-2626 for the Rezoning from R1 to C2 approved by Council on February 1, 2021.

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

**COUNCIL REGULAR AGENDA:**

Discussion and possible action regarding Salary Survey.

This item was tabled by Mayor Bass until March 1, 2021 City Council Meeting.

Discussion regarding 2020 Bond Projects

City Manager Tim Kelty presented the discussion regarding the 2020 Bond Projects, he said that when the bond was issued we received \$8 million. He said that this was broken down into four project areas: Improvements to city streets, sidewalks, and related infrastructure. Improvements of city drainage. Improvements to City Hall. And, improvements to City Parks and Recreational Facilities, (these were funds for Heritage House).

Mayor Bass said that his personal opinion is that he does not want to spend the money on the Heritage House, he said to bring it up to code has raised the cost of the repair beyond what he wants to spend on the building. He said we need to focus on assigning the rest of the street and drainage funding. That is his priority

Councilman Yates asked if there is a list for the streets and drainage. Mr. Kelty said that he will resend this information to Councilman Yates and the rest of the Council.

Mayor Bass said that what we are needing to do is give Mr. Kelty further direction of what we and the citizens are wanting to be done.

Councilman Pena said that he would like to see the breakdown of the list for the streets.

Councilman Muraira said that he would like the funding for the Heritage House to be moved to lighting at the ball diamonds and soccer fields around the city, or the fishing pier. He said that the renovation of

\$1.2 million to City Hall is a lot of money, but it needs to be fixed. Councilman Muraira also said that there needs to be focus on the sidewalks as well, there are many that need repair.

Freeport Police Chief Garivey said that they really need Council Chambers to be used for police use. He said that they do not have enough space.

Consideration and possible action on approving amendment to the EDC By-laws.

Mayor Bass asked City Attorney Chris Duncan, if there is any legal conflict with Councilman Pena voting on amendments as the EDC President. Mr. Duncan said no.

Freeport EDC Director, Courtland Holman presented to council the possible action on approving the amendment to the EDC By-Laws. He said that on February 9, 2021 the EDC Board voted to recommend amendments; the proposed amendments are 1). Preventing board members from abstaining from voting, and 2). Board members shall be required to attend in person a special board meeting if they request the special meeting.

Mayor Bass tabled this item until the March 1, 2021 City Council meeting.

Discussion regarding amending City Personnel Policy regarding residency requirements.

City Manager Tim Kelty presented to council the discussion of amending City Personnel Policy regarding residency requirements. He said that this was brought up by Councilman Pena, he asked of the possibility of requiring department heads to live in the city.

Councilman Pena said that he believes Freeport is a winner, and everyone wants to play for a winner. He said that he would like to know if we can make incentives to encourage employees want to live here in the city.

City Attorney Chris Duncan explained that there are state laws regarding this matter. He said that a city may not require employees to live in the city, with the exception of department heads appointed by the Mayor or Council. He said that another exception is, if a department head lives outside of the city you can have a time standard so they can respond to an emergency in a certain amount of time. He said that this can only be done to new hired employees. It cannot be retroactive.

Mayor Bass said that these standards cannot be retroactive under Section 150.021 A section C. Chris Duncan said only on proximity requirements.

Councilman Pena said that he really thinks we need to really consider incentives, he said we need to get creative.

Kenny Hayes, asked how this relates to the EDC?

Councilman Pena said this is just to help bring new jobs to Freeport.

Ruben Renobato asked if the City Charter needs to be amended to comply to the State Law?

City Attorney Chris Duncan said "no".

**WORK SESSION:**



Councilman Cain said that last week with the freezing weather, no power, and no water it was so nice to see the city come together. First Responders, Public Works, and City Residents. He said that checking on your neighbor this is something that the city government is not responsible for, this takes the people of the community, and he wants to commend everyone in the city.

Councilman Muraira asked if there is an update on the leak at the library. Lance Petty said that the water has been removed, Brazosport Plumbing replaced the pipe, and TML will send an adjuster next week. He said that hopefully it will back up and open soon. Councilman Muraira asked about the leaks in the windows, Mr. Petty said we are waiting on bids to get these replaced. Mayor Bass asked Mr. Petty who owns the building, Mr. Petty said we do. Mayor Bass who owns the books? Mr. Petty said that is the County. Mayor Bass asked if we are responsible for any remediation? Mr. Petty said he would think this would fall into the insurance claim. Councilman Muraira asked about the status of the Building/Permit Inspection form. Billy Shoemaker said that he has not had time to work on the Inspection form, he said that the department is shorthanded. Billy Shoemaker announced that our Building Inspector Daniel Ramirez passed away on Friday. Councilman Muraira asked once the inspection sheet is presented to council how can we make sure it is being used correctly, properly, and fairly. Mayor Bass said that if anyone feels that they have been treated unfairly they need to come forward, and we will stay on top of this.

Councilman Roy Yates asked why Freeport lost power as it did, and Lake Jackson and Clute didn't. Mr. Kelty said this was not due to any infrastructure to our city. He said that Centerpoint indicated it had to do with rolling brownouts but gave no detail as to how those were targeted or scheduled. We were in direct contact with Centerpoint but they would not provide ANY detail. He said that he does not have an answer as to why we lost power and others didn't. Mr. Yates said that he likes the report that Mr. Renobato handed out.

Councilman Pena thanked the emergency response team, he said that it is very encouraging seeing everyone working together and so involved. He announced that today is the Mayors birthday. Councilman Pena said that he recommends the emergency response team should have cell phones with every provider. He said that we need to have one uniform social media area for residents to go and find the information that is needed during an emergency. He said that we need to lean on each other, and look out for each other. Councilman Pena spoke again on the Police Department parking lot lighting. He said that the fountain in downtown is not working right now, do we know if it is from the freeze and if so when will we have it back to working. Lance Petty said that the field line busted, we are hoping to have it fixed by tomorrow. Councilman Pena said that he hopes that we can help the residents with the water bills, the residents that suffered from leaks. He spoke about the vacancy on the EDC Board.

City Manager Tim Kelty said that he would like to recognize that this will be the last meeting for Stephanie Russell, he said that he wanted to thank her for all her hard work in moving the city forward. Mr. Kelty said that the new Finance Director will start on March 8. He spoke on trying to bill the residents on their normal consumption, this will help the residents who had leaks from the storm. Councilman Pena asked if the golf course is up and running.

Mayor Bass said that Stephanie Russell has done a solid job on keeping everything straight. He said we will miss you. God Speed.

Update on reports / concerns from Department heads

Chief Motley said that the daily average is six calls he said that 20 plus is rare. The Chief said that we did not ID anyone at the water POD, he also said that restaurants can open back up to 75%.

Open session was closed at 7:44 pm and Council entered into Executive Session.

**CLOSED SESSION:**

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

**REGULAR SESSION**

Mayor Bass reconvened regular session at 8:04 P.M.

There was no action taken from executive session.

Adjourn

On a motion by Councilman Cain, seconded by Councilman Pena, with all present voting "Aye", Mayor Bass adjourned the meeting at 8:04 PM.

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Mayor, Brooks Bass  
City of Freeport, Texas

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City Secretary, Betty Wells  
City of Freeport, Texas



## City Council Agenda Item # 3

**Title:** Consideration of a Resolution Designating Signatories of City Bank Accounts.

**Date:** March 1, 2021

**From:** Stephanie Russell, Assistant City Manager/Finance Director

---

**Staff Recommendation:**

Staff recommends approval of the resolution.

**Item Summary:**

The list of authorized persons for City's bank accounts need to be updated to reflect the Finance Director, Catherine Ezell. While it is recommended that Council approve this memo today, the proposed change shall be effective March 8, 2021 – the day the Ms. Ezell starts.

**Background Information:**

Banks normally require a City resolution designating which City officials are authorized to open bank accounts and to execute checks and other orders for payment of City funds.

**Special Considerations:** N/A

**Financial Impact:** N/A

**Board or 3<sup>rd</sup> Party recommendation:** N/A

**Supporting Documentation:**

Resolution

**RESOLUTION NO. 2021-2672**

**A RESOLUTION OF THE CITY COUNCIL OF FREEPORT, TEXAS, DESIGNATING SIGNATORIES OF CITY BANK ACCOUNTS.**

WHEREAS, the City of Freeport, has funds held by Texas Gulf Bank, N.A.; and

WHEREAS, the authorized persons listed for the City of Freeport accounts must be updated due to a change in staffing; and

WHEREAS, banks with whom the City does business normally require a City resolution designating which City officials are authorized to open bank accounts, execute checks, and other orders for payment of City funds; and

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. The City of Freeport approves the actions needed to update the authorized persons listed for all City of Freeport bank accounts.
2. The following persons are hereby authorized to sign/execute and submit all the necessary papers, letters, agreements, documents, writings, submissions etc. to the financial institutions listed above as may be required for day-to-day transaction, operation and correspondence:

Brooks Bass, Mayor  
Timothy Kelty, City Manager  
Catherine Ezell, Finance Director

3. That this Resolution shall be effective March 8, 2021 and continue in force until express written notice of its rescission or modification has been furnished to and received by a Bank.

PASSED AND APPROVED this 1st day of March 2021.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Betty Wells, City Secretary

\_\_\_\_\_  
Brooks Bass, Mayor



## City Council Agenda Item # 4

**Title:** Consideration of approving Resolution to amend TexPool authorized representatives

**Date:** March 1, 2021

**From:** Stephanie Russell, Assistant City Manager/Finance Director

---

**Staff Recommendation:**

Staff recommends approval of the Resolution.

**Item Summary:**

The list of authorized persons for the City's TexPool account requires updating to reflect the Finance Director, Catherine Ezell. While it is recommended that Council approve this memo today, the proposed change shall be effective March 8, 2021 – the day the Ms. Ezell starts.

**Background Information:**

TexPool requires a resolution designating which City officials are authorized to open accounts, execute wires and other transactions for City funds. The Mayor is currently listed as a Representative with inquiry access to the account. Additionally, the City Manager and Finance Director are listed as Representatives with full access.

**Special Considerations:** N/A

**Financial Impact:** N/A

**Board or 3<sup>rd</sup> Party recommendation:** N/A

**Supporting Documentation:**

Resolution

**RESOLUTION NO. 2021-2673**

**A RESOLUTION OF THE CITY COUNCIL OF FREEPORT, TEXAS, AMENDING DESIGNATED SIGNATORIES OF CITY TEXPOOL ACCOUNT.**

WHEREAS, the City of Freeport, has funds held by Texas Local Government Investment Pool ("TexPool"), a public funds investment pool, created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.; and

WHEREAS, the authorized persons listed for the City of Freeport accounts must be updated due to a change in staffing; and

WHEREAS, TexPool requires a City resolution designating which City officials are authorized to open accounts, execute wires, and other transactions of City funds; and

**NOW THEREFORE, IT IS HEREBY RESOLVED:**

1. The City of Freeport approves the actions needed to update the authorized persons listed for all City of Freeport TexPool accounts.
2. The following persons are hereby authorized to sign/execute and submit all necessary papers, letters, agreements, documents, writings, submissions etc. to the financial institutions listed above as may be required for day-to-day transaction, operation and correspondence:

Timothy Kelty, City Manager  
Catherine Ezell, Finance Director

3. The following persons are hereby authorized to perform only inquiries regarding the City Accounts:

Brooks Bass, Mayor

4. The Mayor is hereby authorized to execute a TexPool Resolution Amending Authorized Representatives, in the form attached hereto as Exhibit A.
5. That this Resolution shall be effective March 8, 2021 continue in force until express written notice of its rescission or modification.

**PASSED AND APPROVED** this 1st day of March 2021

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Betty Wells, City Secretary

\_\_\_\_\_  
Brooks Bass, Mayor



# Resolution Amending Authorized Representatives

Please use this form to amend or designate Authorized Representatives.

This document supersedes all prior Authorized Representative forms.

**\* Required Fields**

## 1. Resolution

WHEREAS,

City of Freeport

77150

Participant Name\*

Location Number\*

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool/ Texpool Prime"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool Prime account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representative(s) of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

1. Timothy Kelty City Manager  
Name Title  
9792333526 9792338867 tkelly@freeport.tx.us  
Phone Fax Email

2. Catherine Ezell Finance Director  
Name Title  
9798711107 9792338867 cezell@freeport.tx.us  
Phone Fax Email  
Signature

3. Name Title  
Phone Fax Email  
Signature







## City Council Agenda Item # 5

**Title:** Consideration of a Resolution to Amend the Designated Official with Full Authority to Act for Purposes to the Texas General Land Office (GLO) Beach Maintenance Reimbursement (BMR) Program.

**Date:** March 1, 2021

**From:** Stephanie Russell, Assistant City Manager/Finance Director

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**Staff Recommendation:**

Staff recommends approval of the Resolution.

**Item Summary:**

The GLO Beach Maintenance Reimbursement Program requires a resolution to authorize an official with full authority to act for purposes of the program. Due to the change in staffing, I recommend the new Finance Director be made as the authorized official.

**Background Information:**

The Beach Maintenance Reimbursement Fund Program, administered by the GLO, allocates approximately \$750,000 per year to help communities keep their beaches maintained. That's about \$8.5 million over the last 10 years. Contracts are renewable annually. The City has participated in the GLO Beach Cleaning and Maintenance Assistance Program since FY2012-2013.

**Special Considerations:** N/A

**Financial Impact:** N/A

**Board or 3<sup>rd</sup> Party recommendation:** N/A

**Supporting Documentation:**

Resolution

**RESOLUTION 2021-2674**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, AMENDING THE DESIGNATED OFFICIAL WITH FULL AUTHORITY TO ACT FOR PURPOSES OF THE TEXAS GENERAL LAND OFFICE BEACH MAINTENANCE REIMBURSEMENT PROGRAM.**

**WHEREAS**, the City is a recipient of the Beach Maintenance Reimbursement Fund Program (“Program”), administered by the Texas General Land Office, which allocates funding each year to help communities keep their beaches maintained; and

**WHEREAS**, the Program requires a resolution designating an official to act with full authority for purpose of the program; and

**WHEREAS**, the City’s designated official needs to be updated to reflect a change in staffing.

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

**Section 1.** The facts and statements contained in the preamble are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

**Section 2.** Finance Director of the City of Freeport, Texas, Catherine Ezell shall be vested with full authority to act for purpose of the Program.

**Section 3.** This Resolution shall become effective immediately upon its passage.

**DULY PASSED, APPROVED AND ADOPTED** on this 1st day of March, 2021.

\_\_\_\_\_  
Brooks Bass, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Betty Wells, City Secretary

\_\_\_\_\_  
Christopher Duncan, City Attorney



## City Council Agenda Item # 6

**Title:** Consideration and possible action on approving amendments to the EDC By-Laws.

**Date:** March 1, 2021

**From:** Courtland Holman, EDC Director

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**Staff Recommendation:**

FEDC Board recommends that City Council approve the amendments to the FEDC By-Laws.

**Item Summary:**

In formal action on February 9, 2021 The FEDC Board voted to recommend amendments to the FEDC Board By-Laws. The proposed amendments are (1) preventing board members from abstaining from voting and (2) Board members shall be required to attend in person a special board meeting if they request a special meeting.

**Background Information:**

The current By-Laws were amended in November, 2019, and subsequently approved by City Council. The specific proposed changes are identified in Red below:

The EDC Board approved motions to recommend that the Bylaws be amended to include in **Section 3.17 - Conduct of Business**. At the meeting of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedures as from time to time prescribed by the Board. At all meetings of the Board, the President of the board shall preside. The secretary of the Corporation shall act as secretary of all meetings of the Board, but in the absence of the secretary, the presiding officer may appoint any person to act as secretary of the meeting. *Directors in attendance of a meeting of the Board, shall vote in favor or against every item brought to a vote. Directors may not abstain in any vote, but may be recused from participating in a vote, under the legal provisions of recusal.*

and

**Section 3.13** Special meetings of the Board may be called by the President on three days notice to each director, either personally or by mail or by electronic mail; special meetings shall be called by the President, Secretary, or Executive Director in like manner on the written request of two or more directors. The secretary or the Executive Director shall give written notice to each director of each special meeting in person, by email, or facsimile transmission. *Director(s) that request a special meeting shall be required to attend such special meeting in person.*

**Special Considerations:** None

**Financial Impact:** None

**Supporting Documentation:** None



## City Council Agenda Item # 7

**Title:** Discussion and Consideration regarding authorization for city-wide, one-time utility billing adjustment due to winter weather event

**Date:** March 1, 2021

**From:** Tim Kelty, City Manager

---

**Staff Recommendation:**

Staff recommends Council authorize a one-time city-wide utility billing adjustment due to winter weather conditions that resulted in both a Gubernatorial and Mayoral Declaration of Disaster.

**Item Summary:**

Staff is requesting authorization from City Council to implement one-time across the board adjustments for residential and commercial Customers. The city reads meters between the 5<sup>th</sup> and 10<sup>th</sup> each month, and bills are based on consumption from one month to the next. We are requesting that usage between the February meter reading and March reading to be adjusted. For that time period, customers that show excessive consumption over what would normally be expected, would have their bill adjusted, and instead be billed at the average consumption for their household or business.

**Background Information:**

During the recent winter storm and weather event that the city experienced, from February 12 through February 19<sup>th</sup>, temperatures dropped into the teens and were well below freezing for extended periods of time. In effort to prevent water lines from freezing, many water customers allowed faucets and spickets to trickle. Despite this, hundreds of residential and commercial customers experienced burst pipes and water leaks.

It is estimated that Veolia or City employees shut water off to around 500 residential and commercial customers as a result of actively identified leaks. Many more customers likely turned their water off themselves when a leak was identified. Additionally, it is likely that hundreds of water customers allowed their water to trickle in order to avoid leaks during that timeframe.

The city receives well over \$500,000 per month in revenue from water and sewer customers based on average consumption. I estimate that that we may see revenue

increase \$90,000-\$100,000 this month due to the significant number of leaks. Normally when a customer documents a leak and that it has been fixed the city will give them a one-time leak adjustment. We are proposing to proactively make this happen.

**Special Considerations:**

As a community with a significant number of low income households and households on fixed incomes. This action would provide a great deal of relief.

**Financial Impact:**

The exact dollar amount of this action is not known, however because we would only adjust those bills that were excessively high, it would be a loss of excessive unbudgeted revenue and would not effect estimated budgeted revenues.

**Board or 3<sup>rd</sup> Party recommendation:** N/A

**Supporting Documentation:** N/A



## City Council Agenda Item # 8

**Title:** Presentation, Discussion, and Possible Action Regarding Salary Survey  
2020-2021 for Public Safety Personnel

**Date:** March 1, 2020

**From:** Tim Kelty, City Manager

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**Staff Recommendation:**

Staff recommends proceeding with the first phase of proposed salary increases for Public Safety.

**Item Summary:**

The City conducted a city-wide salary and benefits survey with the assistance of Strategic Government Resources (SGR) for the data collection.

**Background Information:**

In 2019 the City implemented a Merit-based pay program tied to a standardized performance management system. In 2020 pay increases became a combination of cost of living percentages and a percentage tied to performance ratings. Since the City has not updated its salary structure in several years, it was recommended that a Salary Survey be conducted to assess the competitiveness of the City's pay plan.

**Special Considerations:**

Due to the immediate need to address the starting pay for police officers and firefighters, this initial report was limited to public safety.

**Financial Impact:**

The proposed financial impact at this time is \$140,100. While this can be absorbed within the current salaries and benefits budgeted for FY2020-2021, should Council proceed with the recommendations, a future budget amendment will be required to allocate funding to the appropriate departments.

**Board or 3<sup>rd</sup> Party recommendation:** N/A

**Supporting Documentation:**

City of Freeport, Salary Survey 2020-2021, Public Safety Personnel



# **Salary Survey 2020-2021**

## **Public Safety Personnel**

City of Freeport

*This report was developed by the City of Freeport Finance Department in conjunction with Administration, Human Resources, Fire, and Police Departments utilizing original data collected by Strategic Government Solutions.*



## Background

In 2019 the City implemented a Merit-based pay program tied to a standardized performance management system. In 2020 pay increases became a combination of cost of living percentages and a percentage tied to performance ratings. Since the City has not updated its salary structure in several years, it was recommended that a Salary Survey be conducted to assess the competitiveness of the City’s pay plan.

## Comparison Cities

A foundational step in the process is identifying the cities and/or organizations that are the most relevant for comparison. To ensure that the survey includes data from municipalities and organizations that are comparatively relevant, multiple criteria including, but not limited to, geography, organizational structure, demographics, local industry, similar facilities, and community characteristics were used to develop the list of comparison cities. Additionally, City Council was provided input on the list. In total, 20 cities were surveyed on behalf of Freeport.

City	Population	Brazoria County	Paid Fire*
Pearland	117,867	Y	Y
Galveston	50,039	N	Y
Texas City	47,902	N	Y
La Porte	35,386	N	Y
Lake Jackson	27,377	Y	
Alvin	26,154	Y	
Angleton	19,410	Y	
Bay City	17,681	N	
La Marque	16,225	N	Y
Freeport	12,098	Y	Y
Clute	11,524	Y	
Rockport	10,957	N	
Manvel	9,143	Y	
Mont Belvieu	5,555	N	
West Columbia	3,896	Y	
Richwood	3,851	Y	
Sweeny	3,739	Y	
Brazoria	3,094	Y	
Jones Creek	2,192	Y	
Oyster Creek	1,278	Y	

\* Due to the lack of comparison cities for the Fire Department, the cities of Richmond, Rosenberg and Sugar Land were added to this department’s pool of cities.





### Methodology

The City conducted a city-wide salary and benefits survey with the assistance of Strategic Government Resources (SGR) for the data collection. This included: review of the organization's current salary data, job descriptions and any comparative data provided by organization; development of job summaries and a survey instrument; finalization of peer organizations to survey; dissemination of surveys; follow-up on survey responses; and clarification on responses as needed.

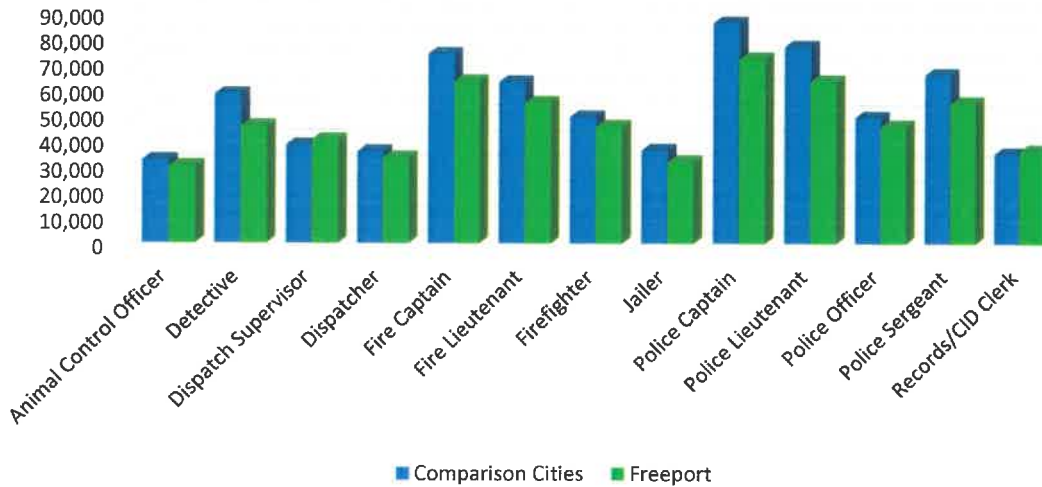
After the data was collected and verified, outliers +/-2 from the standard deviation were eliminated. The average and median minimums were calculated for each position and the proposed minimum is the average of the two. The percent increase from the minimum to the maximum was calculated for each response and the average across all responses and positions was utilized for the proposed range spread. The average range spread is 45.5 percent from the minimum to the maximum.

While all positions were surveyed, this initial report was limited to Public Safety Personnel. The Chiefs have been excluded and will be evaluated with other Department Heads in the future. Additionally, the Administrative Assistant positions were excluded because they are in multiple departments across the city.



## Survey Results

### Minimum Market Average vs. Freeport Minimum



Title	Minimum Average	Minimum Median	Max Average	Proposed Min	Proposed Max	% Increase on Actual	Est. Financial Impact*
<b>Fire/EMS</b>							<b>86,907</b>
Firefighter	49,357	47,855	67,711	48,600	70,700	5.3%	35,280
Fire Lieutenant	61,802	61,422	80,940	61,600	89,700	11.3%	26,926
Fire Marshal	74,857	74,764	110,334	74,800	108,900	12.9%	24,701
Fire Captain	72,959	74,577	98,155	73,800	107,400	0.0%	0
<b>Police</b>							<b>265,745</b>
Dispatcher	35,930	35,949	50,853	35,900	52,200	6.3%	19,939
Dispatch Supervisor	38,850	37,188	57,554	38,000	55,300	0.0%	0
Records/CID Clerk	35,482	35,938	52,526	35,700	52,000	0.0%	0
Animal Control Officer	32,535	32,154	49,335	32,300	47,000	6.7%	5,070
Jailer	35,934	35,593	52,433	35,800	52,100	11.4%	9,231
Police Officer	49,484	48,353	69,723	48,900	71,200	6.0%	78,186
Police Sergeant	65,777	62,693	85,385	64,200	93,400	16.0%	63,844
Police Lieutenant	76,401	72,920	102,940	74,700	108,700	17.0%	16,109
Police Captain	84,740	87,464	123,644	86,100	125,300	18.6%	20,164
Detective	57,144	56,408	81,696	56,800	82,700	23.1%	53,201
<b>Grand Total</b>							<b>352,652</b>

*\*The estimated financial impact includes both base salary and benefits.*



### Identifying Capacity

Historical revenue and expenditures were analyzed to determine a trend. Capital expenditures and one-time outliers were removed in order to reach a standard deviation of less than 2 for each year. Based on the historical trend, the city has the capacity to add over \$500,000 a year to its fund balance. Since this does not include capital expenditures, it is not recommended to use all \$500,000 on additional salaries and benefits. However; it does provide a conservative estimate for what funding is forecasted to be available in the future.



\* Excludes major one-time outliers and all Capital Expenses.

### Recommendations for Implementation

The original budget for FY2020-2021 included about \$100,000 across departments for implementation of the salary survey citywide. The initial annual cost for just Public Safety Personnel is over \$352,000. Therefore, it is recommended to phase in the increases over several years, starting with Public Safety.

Based on vacancy savings and current year salary projections, there is estimated to be over \$150,000 (this includes the \$100,000 originally budgeted) available in Salaries and Benefits at the end of the fiscal year. Rather than go to the full percent increase across all positions, one option is to make the first increase equal across the department. For example, the minimum proposed increase in the Police Department was 6% (police officer) and the minimum in the Fire Department is 5.3% (firefighter). This will address the immediate need for police officer and firefighter recruitment and retention while remaining equitable across the ranks. The full cost of this is over \$140,000 this fiscal year and over \$214,000 next year. Based on the capacity analysis above, the City has the capacity to absorb this increase this current fiscal year.

Depart.	Full Annual Cost at Proposed Rates	Cost at Proposed Rates for Remaining FY	Full Annual Cost at Min % Increases	Cost at Min % Increase for Remaining FY
<b>EMS</b>	<b>22,743</b>	<b>14,870</b>	<b>22,743</b>	<b>14,870</b>
<b>Fire</b>	<b>64,165</b>	<b>41,954</b>	<b>35,402</b>	<b>23,147</b>
<b>Police</b>	<b>265,745</b>	<b>173,756</b>	<b>156,115</b>	<b>102,075</b>
<b>Total</b>	<b>352,652</b>	<b>230,580</b>	<b>214,260</b>	<b>140,093</b>



## Future Years

While the proposed initial phase can be absorbed in this fiscal year, it is recommended to wait for the complete salary results for all other positions prior to implementing the next phase. This should be completed this fiscal year so that recommendations may be incorporated into next fiscal year.

## Supplemental Information

### Step Plans

Based on the respondents, none of the cities in the Brazosport area have a step plan. However; the Police Department has requested to keep a step plan model. Therefore; a proposed step plan is included for the new proposed salaries.

Yes	No
<ul style="list-style-type: none"> <li>• West Columbia</li> <li>• Rockport</li> <li>• Galveston</li> <li>• Texas City</li> <li>• La Porte</li> <li>• Mt. Belvieu</li> </ul>	<ul style="list-style-type: none"> <li>• Jones Creek</li> <li>• Richwood</li> <li>• Clute</li> <li>• Angleton</li> <li>• Lake Jackson</li> </ul>

### Education Pay

The City of Freeport provides education pay for all full-time employees in recognition of the highest degree earned according to the following schedule:

DEGREE	YEARLY	PER PAY PERIOD
Associate Degree	600.00	23.08
Bachelor Degree	1,500.00	57.70
Master Degree	2,500.00	96.16

All education pay is calculated based on the highest education level achieved (not multiple levels). In combination with Certification Pay in Section 9.17 the maximum combined pay for Education and Certification is \$ 5,000.00.



Certification Pay

The majority of responding cities do not offer certification pay for firefighters.

Yes	No	N/A
<ul style="list-style-type: none"> <li>• Texas City</li> <li>• La Porte</li> </ul>	<ul style="list-style-type: none"> <li>• Pearland</li> <li>• West Columbia</li> <li>• Richwood</li> <li>• Galveston</li> <li>• Angleton</li> </ul>	<ul style="list-style-type: none"> <li>• West Columbia</li> <li>• Jones Creek</li> <li>• Rockport</li> <li>• Clute</li> </ul>

The City offers the following certification benefits to certification(s) above and beyond minimum requirements stated in job descriptions. No changes to certification pay are recommended at this time.

POLICE/TCO	YEARLY
Intermediate	\$500.00
Advanced	\$1,000.00
Master	\$1,500.00
DEPARTMENT SPECIFIC	YEARLY
Language Interpreter	\$600.00
Functional Specialization	\$600.00
Secondary Specialization	\$300.00

FIRE/EMT	YEARLY
Intermediate	\$600.00
Advanced	\$900.00
Master	\$1,500.00
Fire Engine Operator/Driver	\$3,600.00
EMT-Intermediate	\$2,400.00
EMT-Paramedic	\$4,800.00



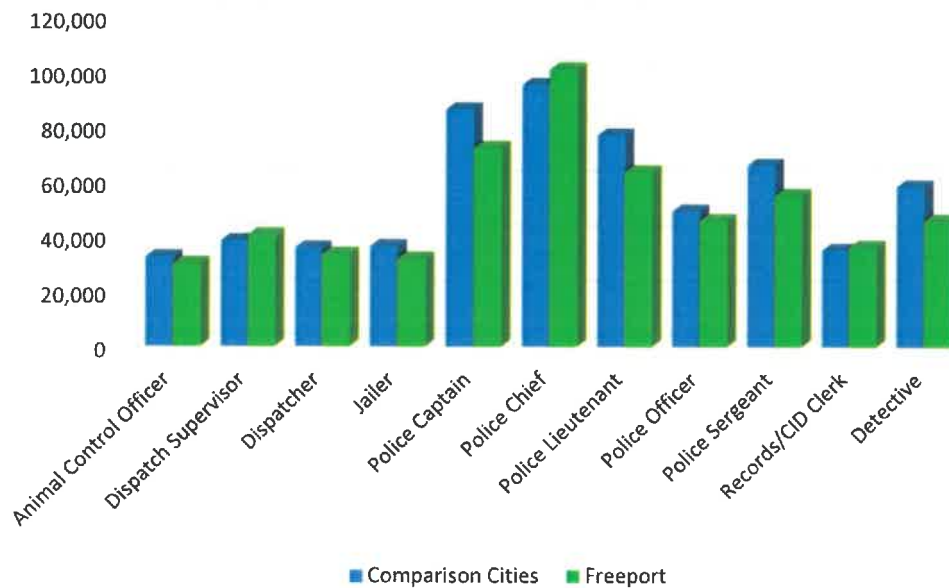
## Summary of Salary Survey Results for Public Safety Personnel

Title	Minimum Average	Minimum Median	Max Average	Actual Average	Proposed		% Increase on Min.	% Increase on Actual	# Empl.	Est. Financial Impact*
					Minimum	Maximum				
<b>Fire/EMS</b>	<b>64,766</b>	<b>64,654</b>	<b>89,749</b>	<b>75,675</b>	<b>64,700</b>	<b>94,175</b>	<b>11.3%</b>	<b>29.5%</b>	<b>16</b>	<b>86,907</b>
Firefighter	49,357	47,855	67,711	57,168	48,600	70,700	5.3%	5.3%	11	35,280
Fire Lieutenant	61,802	61,422	80,940	72,066	61,600	89,700	11.3%	11.3%	3	26,926
Fire Marshal	74,857	74,764	110,334	88,274	74,800	108,900	12.9%	12.9%	2	24,701
Fire Captain	72,959	74,577	98,155	85,191	73,800	107,400	15.6%	0.0%	0	0
<b>Police</b>	<b>51,791</b>	<b>50,466</b>	<b>71,759</b>	<b>56,547</b>	<b>50,840</b>	<b>73,990</b>	<b>9.6%</b>	<b>105.0%</b>	<b>45</b>	<b>265,745</b>
Dispatcher	35,930	35,949	50,853	40,457	35,900	52,200	6.3%	6.3%	7	19,939
Dispatch Supervisor	38,850	37,188	57,554	47,237	38,000	55,300	-6.7%	0.0%	1	0
Records/CID Clerk	35,482	35,938	52,526	40,707	35,700	52,000	-2.1%	0.0%	2	0
Animal Control Officer	32,535	32,154	49,335	38,880	32,300	47,000	6.7%	6.7%	2	5,070
Jailer	35,934	35,593	52,433	40,386	35,800	52,100	11.4%	11.4%	2	9,231
Police Officer	49,484	48,353	69,723	52,118	48,900	71,200	6.0%	6.0%	21	78,186
Police Sergeant	65,777	62,693	85,385	65,624	64,200	93,400	16.0%	16.0%	5	63,844
Police Lieutenant	76,401	72,920	102,940	82,730	74,700	108,700	17.0%	17.0%	1	16,109
Police Captain	84,740	87,464	123,644	91,447	86,100	125,300	18.6%	18.6%	1	20,164
Detective	57,144	56,408	81,696	65,881	56,800	82,700	23.1%	23.1%	3	53,201
<b>Grand Total</b>	<b>54,331</b>	<b>54,936</b>	<b>75,449</b>	<b>62,573</b>	<b>54,800</b>	<b>79,757</b>	<b>10.1%</b>	<b>134.5%</b>	<b>61</b>	<b>352,652</b>



Department	Police	
Average of Min Position	Comparison Cities	Freeport
Animal Control Officer	32,723	30,285
Dispatch Supervisor	38,640	40,741
Dispatcher	36,128	33,761
Jailer	36,693	32,142
Police Captain	86,764	72,600
Police Chief	95,695	101,271
Police Lieutenant	77,367	63,844
Police Officer	49,670	46,145
Police Sergeant	66,429	55,356
Records/CID Clerk	35,359	36,464
Detective	58,715	46,145

Minimum Market Average vs. Freeport Minimum



# Salary Survey 2020-2021, Public Safety Personnel



**Department**                      **Police**

Title	Minimum Average	Minimum Median	Max Average	Actual Average	% Increase				# Empl.	Est. Financial Impact*
					Proposed Minimum	Proposed Maximum	on Min.	on Actual		
Dispatcher	35,930	35,949	50,853	40,457	35,900	52,200	6.3%	6.3%	7	19,939
Dispatch Supervisor	38,850	37,188	57,554	47,237	38,000	55,300	-6.7%	0.0%	1	0
Records/CID Clerk	35,482	35,938	52,526	40,707	35,700	52,000	-2.1%	0.0%	2	0
Animal Control Officer	32,535	32,154	49,335	38,880	32,300	47,000	6.7%	6.7%	2	5,070
Jailer	35,934	35,593	52,433	40,386	35,800	52,100	11.4%	11.4%	2	9,231
Police Officer	49,484	48,353	69,723	52,118	48,900	71,200	6.0%	6.0%	21	78,186
Detective	57,144	56,408	81,696	65,881	56,800	82,700	23.1%	23.1%	3	53,201
Police Sergeant	65,777	62,693	85,385	65,624	64,200	93,400	16.0%	16.0%	5	63,844
Police Lieutenant	76,401	72,920	102,940	82,730	74,700	108,700	17.0%	17.0%	1	16,109
Police Captain	84,740	87,464	123,644	91,447	86,100	125,300	18.6%	18.6%	1	20,164
<b>Grand Total</b>	<b>51,791</b>	<b>50,466</b>	<b>71,759</b>	<b>56,733</b>	<b>50,840</b>	<b>73,990</b>	<b>96.2%</b>	<b>105.0%</b>	<b>45</b>	<b>265,745</b>

*\*The Estimated Financial Impact includes the full salary and benefit costs to the City as of February 2021.*



# Salary Survey 2020-2021, Public Safety Personnel



Department Police

Title	Minimum Average	Minimum Median	Max Average	Actual Average	Proposed Minimum	Proposed Maximum	% Increase on Min.	% Increase on Actual	# Empl.	Est. Financial Impact
Dispatcher	35,930	35,949	50,853	40,457	35,900	52,200	6.3%	6.3%	7	19,939
Comparison Cities	36,128	35,949	50,879	40,864						
Freeport	33,761	35,949	50,641	36,795	35,900	52,200	6.3%	6.3%	7	19,939
Dispatch Supervisor	38,850	37,188	57,554	47,237	38,000	55,300	-6.7%	0.0%	1	0
Comparison Cities	38,640	37,188	57,046	46,943						
Freeport	40,741	37,188	61,111	49,296	38,000	55,300	-6.7%	0.0%	1	0
Records/CID Clerk	35,482	35,938	52,526	40,707	35,700	52,000	-2.1%	0.0%	2	0
Comparison Cities	35,359	35,938	52,216	39,850						
Freeport	36,464	35,938	54,697	46,706	35,700	52,000	-2.1%	0.0%	2	0
Animal Control Officer	32,535	32,154	49,335	38,880	32,300	47,000	6.7%	6.7%	2	5,070
Comparison Cities	32,723	32,154	49,726	39,580						
Freeport	30,285	32,154	45,427	31,179	32,300	47,000	6.7%	6.7%	2	5,070
Jailer	35,934	35,593	52,433	40,386	35,800	52,100	11.4%	11.4%	2	9,231
Comparison Cities	36,693	35,593	53,487	42,183						
Freeport	32,142	35,593	48,213	33,197	35,800	52,100	11.4%	11.4%	2	9,231
Police Officer	49,484	48,353	69,723	52,118	48,900	71,200	6.0%	6.0%	21	78,186
Comparison Cities	49,670	48,353	69,757	52,082						
Freeport	46,145	48,353	69,217	52,514	48,900	71,200	6.0%	6.0%	21	78,186
Detective	57,144	56,408	81,695	65,881	56,800	82,700	23.1%	23.1%	3	53,201
Comparison Cities	58,715	56,408	83,775	67,218						
Freeport	46,145	56,408	69,217	52,514	56,800	82,700	23.1%	23.1%	3	53,201
Police Sergeant	65,777	62,693	85,385	65,624	64,200	93,400	16.0%	16.0%	5	63,844
Comparison Cities	66,429	62,693	85,566	65,650						
Freeport	55,356	62,693	83,034	65,412	64,200	93,400	16.0%	16.0%	5	63,844
Police Lieutenant	76,401	72,920	102,940	82,730	74,700	108,700	17.0%	17.0%	1	16,109
Comparison Cities	77,367	72,920	103,737	83,306						
Freeport	63,844	72,920	95,767	77,542	74,700	108,700	17.0%	17.0%	1	16,109
Police Captain	84,740	87,464	123,644	91,447	86,100	125,300	18.6%	18.6%	1	20,164
Comparison Cities	86,764	87,464	127,330	91,831						
Freeport	72,600	87,464	108,900	88,754	86,100	125,300	18.6%	18.6%	1	20,164



**Position:** Dispatcher

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin			
Angleton	35,938	52,110	38,979
Bay City	32,926	44,533	37,960
Brazoria	36,132	54,653	44,879
Clute	36,088		36,837
Galveston	35,960	53,940	41,616
Jones Creek			
La Marque			
La Porte			
Lake Jackson	35,110	49,150	39,654
Manvel	38,646		
Mont Belvieu			
Oyster Creek	38,251	39,832	
Pearland	40,419	60,629	48,503
Richwood			
Rockport	34,653	52,187	39,728
Sweeny			
Texas City			
West Columbia	33,280		39,624
<b>Comparison Cities Avg</b>	<b>\$36,128</b>	<b>\$50,879</b>	<b>\$40,864</b>
Freeport	\$33,761	\$50,641	\$36,795
<b>Total Average</b>	<b>\$35,930</b>	<b>\$50,853</b>	<b>\$40,457</b>
<b>Median</b>	<b>\$35,949</b>	<b>\$52,110</b>	<b>\$39,639</b>

**Title** Dispatcher

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$35,900	\$52,200	6.34%	\$19,939



Position: Dispatch Supervisor

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin	36,176	52,701	43,233
Angleton	35,935	52,110	38,979
Bay City	38,106	51,563	49,504
Brazoria			
Clute			
Galveston			
Jones Creek			
La Marque	35,339		39,522
La Porte	36,271	54,406	45,340
Lake Jackson			
Manvel	40,560		
Mont Belvieu	47,529	76,047	73,044
Oyster Creek			
Pearland			
Richwood			
Rockport	35,935	52,110	38,979
Sweeny			
Texas City	41,912	60,382	
West Columbia			
<b>Comparison Cities Avg</b>	<b>38,640</b>	<b>57,046</b>	<b>46,943</b>
<b>Freeport</b>	<b>40,741</b>	<b>61,111</b>	<b>49,296</b>
<b>Total Average</b>	<b>38,850</b>	<b>57,554</b>	<b>47,237</b>
<b>Median</b>	<b>\$37,188</b>	<b>\$52,406</b>	<b>\$41,987</b>

Title: Dispatch Supervisor

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$38,000	\$55,300	-6.73%	\$0



**Position:** Records/CID Clerk

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin			
Angleton	35,938	52,110	38,979
Bay City			
Brazoria	32,154	48,643	34,321
Clute	37,419		39,978
Galveston	48,190	72,285	48,190
Jones Creek			
La Marque			
La Porte			
Lake Jackson			
Manvel			
Mont Belvieu	36,951	59,121	43,951
Oyster Creek			
Pearland	31,670	47,504	38,003
Richwood			
Rockport	31,366	47,178	35,526
Sweeny			
Texas City	29,182	38,667	
West Columbia			
<b>Comparison Cities Avg</b>	<b>\$35,359</b>	<b>\$52,216</b>	<b>\$39,850</b>
<b>Freeport</b>	<b>\$36,464</b>	<b>\$54,697</b>	<b>\$46,706</b>
<b>Total Average</b>	<b>\$35,482</b>	<b>\$52,526</b>	<b>\$40,707</b>
<b>Median</b>	<b>\$35,938</b>	<b>\$48,074</b>	<b>\$38,491</b>

**Title:** Records/CID Clerk

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$35,700	\$52,000	-2.10%	\$0



**Position:** Animal Control Officer

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin	27,260	40,296	33,057
Angleton	31,772	46,069	38,920
Bay City	29,869	40,394	38,646
Brazoria	32,154	48,643	38,251
Clute	32,344		41,392
Galveston	34,247	51,371	34,248
Jones Creek			
La Marque			
La Porte	34,879	52,313	43,596
Lake Jackson	30,451	42,640	34,039
Manvel			
Mont Belvieu	44,420	71,072	48,627
Oyster Creek			
Pearland	38,495	57,743	39,832
Richwood			
Rockport			
Sweeny			
Texas City	33,862	46,717	
West Columbia	22,922		44,772
<b>Comparison Cities Avg</b>	<b>\$32,723</b>	<b>\$49,726</b>	<b>\$39,580</b>
<b>Freeport</b>	<b>\$30,285</b>	<b>\$45,427</b>	<b>\$31,179</b>
<b>Total Average</b>	<b>\$32,535</b>	<b>\$49,335</b>	<b>\$38,880</b>
<b>Median</b>	<b>\$32,154</b>	<b>\$46,717</b>	<b>\$38,783</b>

**Title:** Animal Control Officer

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$32,300	\$47,000	6.65%	\$5,070



**Position:** Jailer

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin			
Angleton			
Bay City			
Brazoria	40,599	61,410	49,337
Clute	32,157		32,157
Galveston			
Jones Creek			
La Marque			
La Porte	36,271	54,406	45,340
Lake Jackson			
Manvel			
Mont Belvieu			
Oyster Creek			
Pearland	34,916	52,374	41,899
Richwood			
Rockport			
Sweeny			
Texas City	39,520	45,760	
West Columbia			
<b>Comparison Cities Avg</b>	<b>\$36,693</b>	<b>\$53,487</b>	<b>\$42,183</b>
<b>Freeport</b>	<b>\$32,142</b>	<b>\$48,213</b>	<b>\$33,197</b>
<b>Total Average</b>	<b>\$35,934</b>	<b>\$52,433</b>	<b>\$40,386</b>
<b>Median</b>	<b>\$35,593</b>	<b>\$52,374</b>	<b>\$41,899</b>

**Title:** Jailer

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$35,800	\$52,100	11.38%	\$9,231



**Position:** Police Officer

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin	48,048	65,894	
Angleton	50,897	69,377	50,897
Bay City	46,322	62,670	49,109
Brazoria	48,353	73,137	59,383
Clute	46,363		47,174
Galveston	52,961	76,376	
Jones Creek	37,440	45,760	
La Marque	49,754	75,067	
La Porte	59,321	84,032	
Lake Jackson	52,953	68,846	60,900
Manvel	53,685		48,714
Mont Belvieu	61,850	82,262	65,073
Oyster Creek	46,800	56,888	54,184
Pearland	58,510	81,463	
Richwood	46,624	56,985	
Rockport	44,324	66,810	49,587
Sweeny			43,112
Texas City	52,674	80,783	
West Columbia	37,172		44,772
<b>Comparison Cities Avg</b>	<b>\$49,670</b>	<b>\$69,757</b>	<b>\$52,082</b>
<b>Freeport</b>	<b>\$46,145</b>	<b>\$69,217</b>	<b>\$52,514</b>
<b>Total Average</b>	<b>\$49,484</b>	<b>\$69,723</b>	<b>\$52,118</b>
<b>Median</b>	<b>\$48,353</b>	<b>\$69,112</b>	<b>\$49,348</b>

**Title:** Police Officer

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$48,900	\$71,200	5.97%	\$78,186



**Position:** Detective

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin			
Angleton	54,305	74,233	55,973
Bay City			
Brazoria	61,044	92,338	77,289
Clute	51,418	92,338	52,961
Galveston	74,878	76,376	74,878
Jones Creek			
La Marque			
La Porte			
Lake Jackson	66,081	85,904	75,982
Manvel			59,800
Mont Belvieu			
Oyster Creek			57,366
Pearland	58,510	81,463	
Richwood			
Rockport			
Sweeny			89,968
Texas City			80,766
West Columbia	44,772		47,195
<b>Comparison Cities Avg</b>	<b>\$58,715</b>	<b>\$83,775</b>	<b>\$67,218</b>
<b>Freeport</b>	<b>\$46,145</b>	<b>\$69,217</b>	<b>\$52,514</b>
<b>Total Average</b>	<b>\$57,144</b>	<b>\$81,696</b>	<b>\$65,881</b>
<b>Median</b>	<b>\$56,408</b>	<b>\$81,463</b>	<b>\$59,800</b>

**Title:** Detective

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$56,800	\$82,700	23.09%	\$53,201





**Position:** Police Sergeant

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin	62,483	73,362	
Angleton	62,693	82,986	62,795
Bay City	59,114	79,976	59,301
Brazoria	61,044	92,338	73,127
Clute	54,350		56,825
Galveston	79,100	89,768	
<b>Jones Creek</b>			
La Marque	75,065	84,864	
La Porte	83,345	96,324	
Lake Jackson	67,320	87,514	77,407
Manvel	62,795		
Mont Belvieu	73,007	97,100	78,078
Oyster Creek			59,093
Pearland	83,242	96,913	
Richwood	55,949	68,382	
Rockport	48,942	73,757	
<b>Sweeny</b>			
Texas City	87,233	89,072	
West Columbia	47,174		58,575
<b>Comparison Cities Avg</b>	<b>\$66,429</b>	<b>\$85,566</b>	<b>\$65,650</b>
Freeport	\$55,356	\$83,034	\$65,412
<b>Total Average</b>	<b>\$65,777</b>	<b>\$85,385</b>	<b>\$65,624</b>
<b>Median</b>	<b>\$62,693</b>	<b>\$86,189</b>	<b>\$59,301</b>

**Title** Police Sergeant

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$64,200	\$93,400	15.98%	\$63,844



**Position:** Police Lieutenant

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
<b>Alvin</b>			
Angleton	72,392	96,346	72,392
Bay City	65,187	88,192	68,801
Brazoria	72,707	109,974	92,984
Clute	65,042		66,928
Galveston	91,893	101,391	
Jones Creek	49,920		
La Marque	83,491		
La Porte	99,216	110,697	
Lake Jackson	73,132	117,020	95,076
<b>Manvel</b>			
Mont Belvieu	86,843	115,455	109,425
Oyster Creek			88,042
Pearland	99,911	109,028	
<b>Richwood</b>			
Rockport	56,763	85,530	63,482
<b>Sweeny</b>			
Texas City	89,274		92,622
<b>West Columbia</b>			
<b>Comparison Cities Avg</b>	<b>\$77,367</b>	<b>\$103,737</b>	<b>\$83,306</b>
Freeport	\$63,844	\$95,767	\$77,542
<b>Total Average</b>	<b>\$76,401</b>	<b>\$102,940</b>	<b>\$82,730</b>
<b>Median</b>	<b>\$72,920</b>	<b>\$105,210</b>	<b>\$80,217</b>

**Title:** Police Lieutenant

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$74,700	\$108,700	17.00%	\$16,109



**Position:** Police Captain

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin			
Angleton			
Bay City	68,432	92,602	81,067
Brazoria	81,693	123,568	113,082
Clute			
Galveston			107,433
Jones Creek			
La Marque			
La Porte			
Lake Jackson	87,464	139,942	113,713
Manvel	88,005		
Mont Belvieu			
Oyster Creek			71,552
Pearland	102,138	153,207	
Richwood			
Rockport			
Sweeny			59,645
Texas City	92,851		96,329
West Columbia			
<b>Comparison Cities Avg</b>	<b>\$86,764</b>	<b>\$127,330</b>	<b>\$91,831</b>
Freeport	\$72,600	\$108,900	\$88,754
<b>Total Average</b>	<b>\$84,740</b>	<b>\$123,644</b>	<b>\$91,447</b>
<b>Median</b>	<b>\$87,464</b>	<b>\$123,568</b>	<b>\$88,698</b>

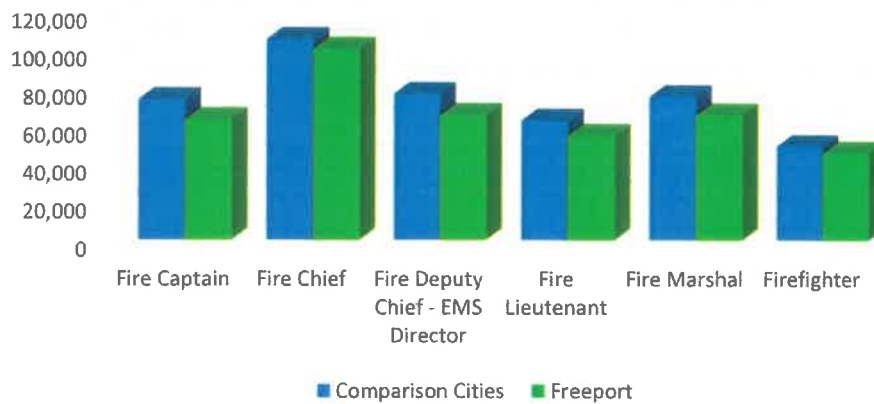
**Title:** Police Captain

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$86,100	\$125,300	18.59%	\$20,164



Department	Fire/EMS	
Average of Min Position	Column Labels Comparison Cities	Freeport
Fire Captain	74,478	63,844
Fire Chief	106,353	101,271
Fire Deputy Chief - EMS Director	77,502	66,235
Fire Lieutenant	63,413	55,356
Fire Marshal	76,089	66,235
Firefighter	49,816	46,145

Minimum Market Average vs. Freeport Minimum



# Salary Survey 2020-2021, Public Safety Personnel



**Department** Fire/EMS

Title	Minimum Average	Minimum Median	Max Average	Actual Average	% Increase				# Empl.	Est. Financial Impact*
					Proposed Minimum	Proposed Maximum	on Min.	on Actual		
Firefighter	49,357	47,855	67,711	57,168	48,600	70,700	5.3%	5.3%	11	35,280
Fire Lieutenant	61,802	61,422	80,940	72,066	61,600	89,700	11.3%	11.3%	3	26,926
Fire Captain	72,959	74,577	98,155	85,191	73,800	107,400	15.6%	0.0%	0	0
Fire Marshal	74,857	74,764	110,334	88,274	74,800	108,900	12.9%	12.9%	2	24,701
<b>Grand Total</b>	<b>64,766</b>	<b>64,654</b>	<b>89,749</b>	<b>81,782</b>	<b>64,700</b>	<b>94,175</b>	<b>45.1%</b>	<b>29.5%</b>	<b>16</b>	<b>86,907</b>

*\*The Estimated Financial Impact includes the full salary and benefit costs to the City as of February 2021.*

# Salary Survey 2020-2021, Public Safety Personnel



Department Fire/EMS

Title	Minimum Average	Minimum Median	Max Average	Actual Average	Proposed Minimum	Proposed Maximum	% Increase on Min.	% Increase on Actual	# Empl.	Est. Financial Impact
Firefighter	49,357	47,855	67,711	57,168	48,600	70,700	5.3%	5.3%	11	35,280
Comparison Cities	49,816	47,855	67,460	65,000						
Freeport	46,145	47,855	69,217	49,337	<b>48,600</b>	<b>70,700</b>	<b>5.3%</b>	<b>5.3%</b>	<b>11</b>	<b>35,280</b>
Fire Lieutenant	61,802	61,422	80,940	72,066	61,600	89,700	11.3%	11.3%	3	26,926
Comparison Cities	63,413	61,422	80,416	79,007						
Freeport	55,356	61,422	83,034	65,124	<b>61,600</b>	<b>89,700</b>	<b>11.3%</b>	<b>11.3%</b>	<b>3</b>	<b>26,926</b>
Fire Captain	72,959	74,577	98,155	85,191	73,800	107,400	15.6%	0.0%	0	0
Comparison Cities	74,478	74,577	98,951	85,191						
Freeport	63,844	74,577	95,767		<b>73,800</b>	<b>107,400</b>	<b>15.6%</b>	<b>0.0%</b>	<b>0</b>	<b>0</b>
Fire Marshal	74,857	74,764	110,334	88,274	74,800	108,900	12.9%	12.9%	2	24,701
Comparison Cities	76,089	74,764	111,903	89,920						
Freeport	66,235	74,764	99,353	75,100	<b>74,800</b>	<b>108,900</b>	<b>12.9%</b>	<b>12.9%</b>	<b>2</b>	<b>24,701</b>



**Position:** Firefighter

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin			
Angleton			
Bay City			
Brazoria			
Clute			
Galveston	48,942	60,033	
Jones Creek			
La Marque	46,769		
La Porte			
Lake Jackson			
Manvel			
Mont Belvieu			
Oyster Creek			
Pearland	54,166	81,249	65,000
Richwood			
Rockport			
Sweeny			
Texas City	56,911	68,983	
West Columbia			
Sugar Land	\$51,234	\$69,176	
Richmond	\$44,088	\$61,739	
Rosenberg	\$46,604	\$63,581	
<b>Comparison Cities Avg</b>	<b>\$49,816</b>	<b>\$67,460</b>	<b>\$65,000</b>
<b>Freeport</b>	<b>\$46,145</b>	<b>\$69,217</b>	<b>\$49,337</b>
<b>Total Average</b>	<b>\$49,357</b>	<b>\$67,711</b>	<b>\$57,168</b>
<b>Median</b>	<b>\$48,942</b>	<b>\$64,508</b>	<b>\$55,572</b>

**Title:** Firefighter

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$48,600	\$70,700	5.32%	\$35,280



**Position:** Fire Lieutenant

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin			
Angleton			
Bay City			
Brazoria			
Clute			
Galveston			
Jones Creek			
La Marque			
La Porte			
Lake Jackson			
Manvel			
Mont Belvieu			
Oyster Creek			
Pearland	65,839	98,759	79,007
Richwood			
Rockport			
Sweeny			
Texas City			
West Columbia			
Sugar Land	\$61,422	\$73,715	
Richmond	\$56,913	\$71,141	
Rosenberg	\$69,479	\$78,050	
<b>Comparison Cities Avg</b>	<b>\$63,413</b>	<b>\$80,416</b>	<b>\$79,007</b>
<b>Freeport</b>	<b>\$55,356</b>	<b>\$83,034</b>	<b>\$65,124</b>
<b>Total Average</b>	<b>\$61,802</b>	<b>\$80,940</b>	<b>\$72,066</b>
<b>Median</b>	<b>\$60,597</b>	<b>\$77,057</b>	<b>\$67,182</b>

**Title:** Fire Lieutenant

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$61,600	\$89,700	11.28%	\$26,926





**Position:** Fire Captain

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin			
Angleton			
Bay City			
Brazoria			
Clute			
Galveston	75,489		81,488
Jones Creek			
La Marque	69,210		
La Porte	68,747	93,011	
Lake Jackson			
Manvel			
Mont Belvieu			
Oyster Creek			
Pearland	76,217	114,326	91,461
Richwood			
Rockport			
Sweeny			
Texas City	82,629		82,625
West Columbia			
Sugar Land	\$74,577	\$89,515	
Richmond			
Rosenberg			
<b>Comparison Cities Avg</b>	<b>\$74,478</b>	<b>\$98,951</b>	<b>\$85,191</b>
<b>Freeport</b>	<b>\$63,844</b>	<b>\$95,767</b>	
<b>Total Average</b>	<b>\$72,959</b>	<b>\$98,155</b>	<b>\$85,191</b>
<b>Median</b>	<b>\$72,350</b>	<b>\$93,011</b>	<b>\$82,057</b>

**Title:** Fire Captain

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$73,800	\$107,400	15.59%	\$0



**Position:** Fire Marshal

Agency	Average of Min	Average of Max	Average of Actual
<b>Comparison Cities</b>			
Alvin	60,000	87,421	
Angleton			
Bay City			
Brazoria	72,707	109,974	89,419
Clute			\$49,082
Galveston			107,432
Jones Creek			
La Marque			
La Porte	76,820	110,795	
Lake Jackson	87,464	139,942	113,713
Manvel			82,400
Mont Belvieu	68,053	108,885	93,844
Oyster Creek			
Pearland	84,029	126,044	100,835
Richwood			
Rockport			
Sweeny			
Texas City			82,638
West Columbia			
Sugar Land			
Richmond	\$83,551	\$100,261	
Rosenberg			
<b>Comparison Cities Avg</b>	<b>\$76,089</b>	<b>\$111,903</b>	<b>\$89,920</b>
<b>Freeport</b>	<b>\$66,235</b>	<b>\$99,353</b>	<b>\$75,100</b>
<b>Total Average</b>	<b>\$74,857</b>	<b>\$110,334</b>	<b>\$88,274</b>
<b>Median</b>	<b>\$72,707</b>	<b>\$109,974</b>	<b>\$89,419</b>

**Title:** Fire Marshal

Sum of Proposed Min	Sum of Proposed Max	Sum of Percent Increase-Min	Sum of Financial Impact
\$74,800	\$108,900	12.93%	\$24,701



## City Council Agenda Item # 9

**Title:** Review, Discussion and Action regarding the annual re-adoption of ordinance for the City's ethics policy for all elected and appointed city officials, and all city employees.

**Date:** March 1, 2021

**From:** Tim Kelty, City Manager

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**Staff Recommendation:** Staff recommends review of the proposed ordinance and re-adoption following review and discussion.

**Item Summary:** The Ethics ordinance adopted by the City last year requires annual review of that ordinance and action for re-adoption.

The ordinance lays out specific ethical expectations for all individuals involved in Freeport Local Government, including all employees, all appointed board and committee members as well as elected officials. The precepts are very common sense in nature but ensures that everything is well spelled out.

**Special Considerations:**

The ordinance lists the purposes of the policy as follows

1. To encourage ethical conduct on the part of City officials and employees;
2. To encourage public service with the city.
3. To establish standards for ethical conduct for city officials and employees by defining and prohibiting conduct that is incompatible with the interests of the city;
4. To require disclosure by city officials and employees of their economic interests that may conflict with the interest of the City; and
5. To serve as a basis for disciplining those who fail to abide by its terms.

A sixth and very important purpose of re-adopting the ordinance is to continue the effort of this council and administration to rebuild and reinforce the public trust.

**Financial Impact:** It is intended that this ordinance would protect the financial interests of the city as well as the City's overall integrity and reputation.

**Board or 3<sup>rd</sup> Party recommendation:** None

**Supporting Documentation:** Resolution and Ethics Ordinance

**RESOLUTION NO. 2021-2675**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS TO EVIDENCE THE REVIEW OF ETHICS ORDINANCE 2019-2567, OBTAIN CONSENT OF THE CITY COUNCIL TO CONTINUE SAID ORDINANCE WITHOUT ANY CHANGES, AMENDMENTS OR DELETIONS; AND PROVIDING FOR A FINDING OF PROPER MEETING AND NOTICE.**

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

**WHEREAS**, Sections 51.072 and 342.011 of the Local Government Code of Texas and Sections 2.01, 2.02 and 3.07, Item (u), of the Home Rule Charter of the City of Freeport authorize the City Council thereof to adopt the provisions of an Ethics Ordinance; and,

**WHEREAS**, the proper operation of government requires that the all City Officials, including elected officers, appointed officers, boards and commission members, as well as employees be independent and impartial, and that governmental decisions and policy be made within the proper channels of the government structure; and

**WHEREAS**, the City adopted Ordinance #2019-2567 in February of 2019, establishing an ethics policy for all appointed or elected officials, boards and commissions as well as City employees; and,

**WHEREAS**, that ordinance is required to be reviewed annually and considered for re-adoption; and,

**WHEREAS**, the intent of said Ethics Ordinance is to maintain a set of general principles and guidelines pertaining to ethical conduct, responsibility, and duty; and

**WHEREAS**, the City of Freeport desires to maintain said Ethics Ordinance to govern the actions of public officials and employees and to memorialize Freeport officials' dedication and service to the citizens of the City; and

**WHEREAS**, it is important that the public have confidence in the integrity of its government; and

**WHEREAS**, a Motion was brought before the City Council to review said Ethics Ordinance, entertaining any changes, additions or deletions to said ordinance, and allowing for discussion and debate.

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

**SECTION 1.** The City Council consents and approves to continue Ethics Ordinance 2019-2567 to remain in effect and continue without any changes.

**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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Brooks Bass, Mayor  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Betty Wells, City Secretary  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Christopher Duncan, City Attorney  
City of Freeport, Texas

ORDINANCE NO.# 2019-2567

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; BY ADDING TO TITLE IX OF THE CODE OF ORDINANCES OF THE CITY A NEW CHAPTER 100 ESTABLISHING AN ETHICS POLICY FOR ALL APPOINTED OR ELECTED OFFICIALS, BOARDS AND COMMISSIONS, AS WELL AS EMPLOYEES WHEN REPRESENTING THE CITY OR DOING BUSINESS FOR THE CITY IN ANY CAPACITY; REQUIRING THAT SUCH ORDINANCE BE REVIEWED ANNUALLY; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS ADOPTION BY CITY COUNCIL.

Whereas, it is important that the public have confidence in the integrity of its government; and

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

Whereas, Sections 51.072 and 342.011 of the Local Government Code of Texas and Sections 2.01, 2.02 and 3.07, Item (u), of the Home Rule Charter of the City of Freeport authorize the City Council thereof to adopt the provisions of this Ordinance: and,

Whereas, the proper operation of government requires that the all City Officials, including elected officers, appointed officers, boards and commission members, as well as employees be independent and impartial, and that governmental decisions and policy be made within the proper channels of the government structure; and

Whereas, the intent of this ordinance is to establish a set of general principles and guidelines pertaining to ethical conduct, responsibility, and duty; and

Whereas, the City of Freeport desires to adopt said policy to govern the actions of public officials and employees and to memorialize Freeport officials' dedication and service to the citizens of the City; and

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

First, a new Chapter, to be known as Chapter 100, is hereby adopted and added to the Code of Ordinances of the City of Freeport, Texas, and shall read as follows:

"Chapter 100. CODE OF ETHICS

Part One - General Provisions

Section 100.01. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Benefit means anything reasonably regarded as economic gain or economic advantage, including benefit to any other person in whose welfare the beneficiary is interested, but does not include a contribution to expenditure made and reported in accordance with law.

Board means a board, commission, or committee:

- (1) Which is established by city ordinance, charter, interlocal contract, or state law, or
- (2) Which serves as the board of a nonprofit development corporation that acts as an instrumentality of the city, and
- (3) Any part of whose membership is appointed by the city council, but does not include a board, commission, or committee which is the governing body of a separate political subdivision of the state.

City ("the City") means City of Freeport

Employee means a person employed and paid a salary by the city whether under civil service or not, including those individuals on a part-time basis, but does not include an independent contractor or the Mayor or city council members.

Fair and Equitable Standards means the intent of the City of Freeport to safeguard the rights of all citizens, to ensure that all citizen's actions are judged by fair and equitable standards, and to require that all rules are applied on an equitable basis.

Negotiating concerning prospective employment means a discussion between a city officer or employee and another employer concerning the possibility of the city officer or employee considering or accepting employment with the employer, in which discussion the city officer or employee responds in a positive way.

Officer or official means Mayor or any member of the City Council and any appointed member of a board, committee, or commission set up by ordinance, charter, state law or otherwise, on a regular basis, excluding those boards and commissions not operating under the direct authority of or subject to the direct control of the City Council.

Section 100.03. Purpose of the Ethics Policy.

(a) The code of ethics has five purposes:

1. To encourage ethical conduct on the part of city officials and employees;
2. To encourage public service with the city;
3. To establish standards for ethical conduct for city officials and employees by defining and prohibiting conduct that is incompatible with the interests of the city;
4. To require disclosure by city officials and employees of their economic interests that may conflict with the interests of the city; and
5. To serve as a basis for disciplining those who fail to abide by its terms.

(b) The code of ethics is not intended to be used as a political weapon or to intimidate or embarrass affected persons. The officials charged with administration of this code of ethics shall administer it in a manner that avoids any such use of this code of ethics.

(c) Ethics Policy Statement.

It is the policy of the city that all city officials and employees shall conduct themselves both inside and outside the city's service so as to give no occasion for distrust of their integrity, impartiality or devotion to the best interest of the city and the public trust which the city holds.

(d) It is further declared to be the policy of the city that the proper operation of democratic government requires that:

- (1) Officials and employees be independent, impartial and responsible;
- (2) Governmental decisions and policy be made using the proper procedures of the governmental structure;
- (3) No officer or employee have any financial interest, direct or indirect, or engage in any business, transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of his duties in the public interest;
- (4) Public office is not be used for personal gain; and
- (5) All boards of the City are at all times to be maintained as a nonpartisan body.

(e) It is the policy of the City to uphold, promote, and demand the highest standards of ethical behavior from its Mayor, members of the City Council, employees, and individuals appointed to serve on the city's boards, commissions, committees, task forces, and other appointed advisory groups ("City Officials"). Honesty, integrity, fairness, and transparency of action are the hallmarks of public service in Freeport.

(f) Appearance of impropriety. Public service is a public trust. All city officials and employees are stewards of the public trust. They have a responsibility to the citizens of the city to administer and enforce the City Charter and city ordinances. To ensure and enhance public confidence in city government, each city official and employee must strive not only to maintain technical compliance with the principles of ethical conduct set forth in this article and in state law, but also to avoid the appearance of impropriety at all times.

(g) To implement this article, the city council has determined that it is advisable to enact this code of ethics for all officials and employees, whether elected or appointed, paid or unpaid, advisory or administrative, to serve not only as a guide for official conduct of the city's public servants, but also as a basis for discipline for those who refuse to abide by its terms.



(h) Notwithstanding any other provision of this article, a member of the board of directors of a reinvestment zone established under the tax increment financing act, as amended, may:

- (1) Own property within that reinvestment zone; and
- (2) Participate in discussions and voting on matters before the board of directors that may directly or indirectly affect the member's property within the reinvestment zone.

## Part 2 Administration

### Section 100.10 Standards of conduct.

(a) An officer or employee of the city shall not:

- (1) Accept or solicit a benefit that might reasonable tend to influence the officer or employee in the discharge of his official duties.
- (2) Use his official position to secure special privilege or exemptions for himself or others.
- (3) Grant any special consideration, treatment or advantage to a person or organization beyond that which is available to every other person or organization. This shall not prohibit the granting of fringe benefits to city employees a part of their contract of employment or as an added incentive to the securing or retaining of employees.
- (4) Disclose information that could adversely affect the property of affairs of the city, or directly or indirectly, use any information understood to be confidential which was gained by reason of his official position or employment for his own personal gain or benefit or for the private interest of others.
- (5) Transact any business on behalf of the city in his official capacity with any business entity with which he is an officer, agent or member or in which he has a financial interest. In the event that such a circumstance should arise, then he shall make known his interest, and:

(i) In the case of an officer, leave the room during debate or hearing, refrain from discussing the matter at any time with the members of the body of which he is a member or any other body which will consider the matter and abstain from voting on the matter; or

(ii) In the case of an employee, turn the matter over to his superior for reassignment, state the reasons for doing so and have nothing further to do with the matter involved.

- (6) Personally provide services for compensation, directly or indirectly, to a person or organization who is requesting an approval, investigation, or determination from the body or department of which the officer or employee is a member. This restriction does not apply to outside employment of an officer if the employment is the officer's primary source of income.
- (7) Accept other employment or engage in outside activities incompatible with the full and proper discharge of his duties and responsibilities with the city, or which might impair his independent judgment in the performance of his public duty.
- (8) Personally participate in a decision, approval, disapproval, recommendation, investigation, or rendering of advice in a proceeding, application, request for ruling or determination, contract, claim, or other matter under the jurisdiction of the city, if the officer or employee is negotiating or has an arrangement concerning prospective employment with a person or organization which has a financial interest in the matter, and, in the case of an employee, it has been determined by the city manager that a conflict of interest exists. If an officer or employee begins negotiation or enters an arrangement concerning prospective employment with a person or organization that has a financial interest in a matter in which the officer or employee has been participating, the officer or employee shall:
  - (i) In the case of an employee, immediately notify the official responsible for appointment to his position of the nature of the negotiation or arrangement and, if the city manager or mayor determines that a conflict of interest exists, follow the instructions of the city manager or mayor with regard to further involvement in the matter; or
  - (ii) In the case of a board member, immediately notify the board of which he is a member the nature of the negotiation or arrangement and:
    - (a) Refrain from discussing the matter at any time with other board members or members of the city council if the city council will also consider the matter;
    - (b) Leave the room during debate hearing on the matter; and
    - (c) Abstain from voting on the matter; or
    - (d) In the case of the Mayor or a member of the city council, file an affidavit with the city secretary regarding the nature of the negotiation or arrangement and:

- (i) Refrain from discussing the matter at any time with other council members or members of a board that will consider the matter;
  - (ii) Leave the room during debate or hearing on the matter; and
  - (iii) Abstain from voting on the matter.
- (9) Receive any fee or compensation for his services as an officer or employee of the city from any source other than the city, except as may be otherwise provided by law. This shall not prohibit his performing the same or other services for a public or private organization that he performs for the city if there is no conflict with his city duties and responsibilities.
- (10) In the case of a member of the city council or an employee, personally represent, or appear in behalf of, the private interest of others:
  - (i) Before the city council or any city board or department;
  - (ii) In any proceeding involving the city; or
  - (iii) In any litigation to which the city is a party.
- (11) In the case of a board member, personally represent or appear in behalf of, the private interests of others:
  - (i) Before the board of which he is a member;
  - (ii) Before the city council;
  - (iii) Before a board which has appellate jurisdiction over the board of which he is a member; or
  - (iv) In litigation or a claim to which the city or an employee of the city is a party if the interests of the person being represented are adverse to the city or an employee of the city and the subject of the litigation or claim involves the board on which the board member is serving or the department providing support services to that board.
- (12) Use the prestige of his position with the city in behalf of any political party.
- (13) Knowingly perform or refuse to perform any act in order to deliberately thwart the execution of the city ordinances, rules or regulations or the achievement of official city programs.
- (14) Use city supplies, equipment or facilities for any purpose other than the conduct of official city business.

(15) Engage in any dishonest or criminal act or any other conduct prejudicial to the government of the city or that reflects discredit upon the government of the city.

#### Section 100.11 - Exceptions

(a) The restrictions in this section do not apply to business associates of officers or employees, but only personally to the officers and employees themselves.

(b) The restrictions and requirements of subsection (a) (5) do not apply to an officer or employee of the city serving as a member of any board, commission, or other entity when transacting business on behalf of the city in an official capacity with that board, commission, or entity, if the officer or employee:

(1) Was appointed by the mayor, city council, or city manager to represent the city on the board, commission, or entity; and

(2) Has no financial interest in the board, commission or entity or in the business.

#### Section 100.12- Financial interests.

Any officer, whether elected or appointed, who has a financial interest in any matter that is pending before, or that might be considered by, the body of which the officer is a member shall:

(a) Disclose such interest to the other members of the body;

(b) Refrain from discussing the matter at any time with any other member of the body of which the officer is a member or with a member of any other body that might consider the matter;

(c) Leave the room during debate or hearing; and

(d) Refrain from voting on the matter.

#### Section 100.13 Political activities of officers.

(a) In elections other than for city council, a member of the city council may not:

(1) Use the prestige of the member's position with the city on behalf of a candidate;

(2) Solicit or receive contributions; or

(3) Serve as the designated campaign treasurer for a candidate as required by V.T.C.A. Election Code, ch. 14.

(b) In any election, a member of a city board, commission, or committee, whether governmental or advisory, may not:

(1) Use the prestige of the member's position with the city on behalf of a candidate;

(2) Serve as the designated campaign treasurer for a candidate as required by V.T.C.A. Election Code, ch. 14;

(3) Personally solicit or receive contributions for a candidate. A member, however, is not prohibited from serving on a steering committee to plan a program of solicitation and listing the member's name without reference to the office held when the committee as a whole is listed.

(c) Subsections (a)(1) and (b)(1) do not prohibit a member of the city council or of a board from lending the member's name in support of a candidate so long as the office held with the city is not mentioned in connection with the endorsement.

#### Section 100.14 Additional employment.

An employee of the city may accept outside employment if:

- (a) The employment complies with the Personnel Policy Handbook; and
- (b) The employment does not conflict with his duties as an employee of the city.

#### Section 100.15 Restrictions on contracting with the city or providing representation of others.

(a) An officer or employee in a position that involves significant reporting, decision-making, advisory, or supervisory responsibility who leaves the service or employment of the city may not, within 12 months after leaving that service or employment, represent any other person or organization in any formal or informal appearance:

(1) Before the city concerning a project for which the person had responsibility as a city officer or employee; or

(2) Before any other agency on a project for which the person had responsibility as an officer or employee.

(b) A former officer or employee who is subject to the requirements of subsection (a) shall, during the 24 months after leaving the service or employment of the city, disclose the officer or employee's previous position and responsibilities with the city when representing any other person or organization in any formal or informal appearance before a city agency.

(c) A member of the city council or an employee may not, within 12 months after leaving the service or employment of the city, either individually or as the officer or principal of a private business entity:

(1) Submit a proposal, on behalf of the member or employee or on behalf of a private business entity, to make any city contract that is not required by state law to be competitively bid;

(2) Negotiate or enter into any city contract that is not required by state law to be competitively bid; or

(3) Have or acquire any financial interest, direct or indirect, in any city contract that is not required by state law to be competitively bid.

Section 100.16 Limitations on employee political activity and on the holding of elective public office by an employee.

(a) An employee of the city immediately forfeits employment with the city if:

(1) The employee becomes a candidate for election to the city council;

(2) The employee becomes a candidate for nomination or election in a partisan election for public office within the county or in a partisan election for a public office, the constituency of which includes all or part of the county;

(3) The employee becomes a candidate for nomination or election to an elective public office where the holding of that office will conflict with the full and proper discharge of the employee's duties with the city; or

(4) A managerial or supervisory exempt city employee becomes a candidate for nomination or election to an elective public office of an entity having contractual relations with the city that involve the employee's department.

Section 100.17 Penalty for violation of article; appeals.

(a) The failure of any officer or employee to comply with this article or the violation of one or more of the standards of conduct set forth in this article, which apply to him, shall constitute grounds for all legal remedies provided by law which may include, if permissible, expulsion, reprimand, censure, removal from office, or discharge. In the case of a city council member, the matter shall be decided by a vote of two-thirds of the entire membership of the city council.

(b) The city council hereby adopts the following procedures to implement a censure policy:

(1) Two or more Elected City Officials may file a written notice of censure against another Elected City official with the City Secretary. The written notice shall set forth the allegation(s) of conduct which the accused Elected Official shall have allegedly violated. A copy shall be delivered to all elected members. A written response to the allegation(s) may be filed by the accused Elected Official ten days after receipt thereof. A copy of the notice of censure and response thereto shall be delivered to each Elected Official within two days after the response is filed.

(2) On the first regularly called meeting of the City Council, which complies with the Texas Open Meetings Act, after the filing of the notice and response, the City Secretary shall formally read the notice and response into the public record. The City Council, by majority vote, shall thereafter determine whether or not good cause shall exist to set a formal hearing on the merits of the notice of censure or dismiss the allegation(s). If it is determined, based upon the merits, a public hearing is required, a public hearing shall be set on the allegation(s) by the City Council. A vote to hold a public hearing shall not be construed to be a vote of censure.

(3) At a public hearing, the accused Elected Official has the right to be represented by legal counsel and present witnesses relative to the allegation(s).

(4) A public hearing on the allegation(s) and response shall be held at either a regular or special called meeting of the city council, which shall be open to the public.

(5) At a public hearing, the City Council will hear evidence concerning the notice of censure. The Elected Officials proffering the charges shall present evidence in support of the allegation(s) contained in the notice of censure. The Elected Official who is the subject of the censure shall have the opportunity to present evidence to support his or her position with respect to the notice of censure. After receiving evidence at an open public meeting, the city council shall then take a roll-call vote, after motion duly made and seconded, two-thirds of all members of the City Council shall be required to sustain the censure of the council member.

(c) In the case of an employee of the city, disciplinary action and appeals therefrom shall be in conformance with procedures established by the city charter and personnel rules and regulations.

(d) In the case of members of boards or committees, the matters shall be decided by a majority vote of the city council.

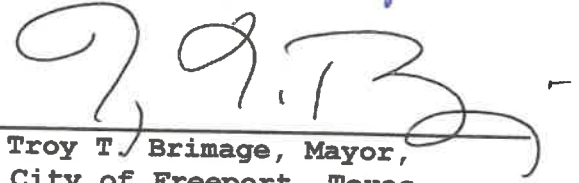
(e) The decision of the bodies authorized to hear violations shall be final in the absence of bias, prejudice or fraud.

Section 100.18 Annual Review and Re-adoption


This ordinance must be reviewed by the City Council on or before each anniversary of its adoption and may be amended at anytime.

Second, this ordinance shall take effect and be in force from and after its adoption.

READ, PASSED AND ADOPTED this 19<sup>th</sup> day of February, 2019.

  
Troy T. Brimage, Mayor,  
City of Freeport, Texas

ATTEST:

  
Laura Tolar, Assistant City Secretary  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

  
Wallace Shaw, City Attorney,  
City of Freeport, Texas

C\Freeport\Ethics Policy-Ord





## City Council Agenda Items # 10

**Title:** Discussion and Announcement regarding open positions on the EDC Board and Planning and Zoning Commission

**Date:** March 1, 2021

**From:** Tim Kelty, City Manager

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**Staff Recommendation:**

Mayor Bass has requested this be placed on the agenda to remind Council of the importance of finding qualified and dedicated individuals to represent the City Council on these important boards, and to invite the members of public that may be interested to submit application indicating their desire to serve the community by serving on these boards.

**Item Summary:**

A Vacancy has occurred on each of the Planning and Zoning Commission and the Economic Development Corporation Board due to recent resignations (Cliff Vandegrift from Planning and Zoning and Lesa Girouard from EDC). In the past, when vacancies have occurred the public has been notified at a public meeting of the opening, and council has recommended individuals for consideration.

These are two of the most active volunteer boards in the city, and filling the vacancy is important to allow for full and representative discussion of important issues.

**Background Information:** None

**Special Consideration:** None

**Financial Impact:** None

**Supporting Documentation:** None



## Update Report from Department Directors

**Title: FY 2020 Staffing for Adequate Fire & Emergency Response Grant Program**

**Date:** 03/01/2021

**From:** Christopher D. Motley, Fire Chief

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**Staff Recommendation:** N/A

**Item Summary:** Freeport Fire & EMS Department has made application under The Department of Homeland Security (DHS): Fiscal Year 2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program. If awarded, this grant will allow the federal funding for three additional firefighters over the next three (3) years with 100% funding for salary and benefits. This will increase firefighter staffing from the current five (5) per shift to a total of six (6) per shift. The departments current daily minimum staffing is four firefighters. Firefighters on shift responded to all call of service regardless of fire, rescue, EMS, and all hazard emergencies. The department will be applying for a second application in 2021 grant funding period for one additional firefighter per shift as well.

The department is making application to address the annual strategic planning topic #3 – Staffing / Structure:

Freeport Fire & EMS staffing and structure has evolved overtime from an all-volunteer fire department to a career fire department. Along with the times the mission and responsibilities has greatly changed from putting fires out to rescue, EMS, and all hazards preparedness. The Department has not evolved in its staffing and structure to accommodate these changes by addressing the division of labor as it has been accomplished in other city departments.

The combination type (career/call) system that we have utilized to deliver these services has performed adequately for many years. However, at this time, a decline in the availability of our on-call personnel coupled with increasing requests for services has adversely impacted the ability of our organization to meet the demands of the community and maintain the incident scene safety of our personnel.

Currently, in order to maintain the comprehensive programs of public education, fire inspection, emergency response, facility maintenance, training, and apparatus maintenance that we have established, all career personnel have multiple responsibilities assigned to them outside of their primary job duties. This is a less than adequate situation that reduces our ability to complete tasks in a timely manner as well as limits overall productivity of our personnel which in turns promotes ineffective operations.

The National Fire Protection Association (NFPA) sets national fire service response and staffing standards. While these standards are not law, they are generally considered as compliance documents for fire departments and are often adopted by Texas Commission on

Fire Protection, and Texas Department Health and State Health Services. NFPA 1710 (Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Departments) is a guiding document that specifies the minimum requirements for the operation and deployment of fire suppression, emergency medical services, and special operation responses. The document is split into the categories of fire and EMS response. The fire response directive requires the minimum response and on scene arrival of one engine company staffed by four (4) firefighters within four (4) minutes and a full first alarm (14) personnel within eight (8) minutes 90% of the time. Freeport Fire & EMS is not capable of reaching these goals at this time. The EMS response directive requires the minimum response of an ALS unit within eight (8) minutes 90% of the time. Freeport Fire & EMS is capable of reaching this goal for first requests for EMS services when ALS personnel are on-duty. However, during second, third, or subsequent requests for EMS services this standard is often not achievable. Response times are an essential factor within the ISO rating calculation. The goal is to improve our current capabilities and adequately meet current/ future response requirements of the community and meet national standards.

Objectives:

- 1.) Hire three additional career firefighters/EMTs, which would increase one career firefighter per shift. This would provide six firefighters per shift improving the response capabilities at station #1.
- 2.) Increase fire fighter staffing for Station #2. In essence this would provide two crews for daily EMS response. Each fire station would meet NFPA 1710 deployment standard and Texas Commission on Fire Protection standards for response with one Engine Company and one ambulance at each fire station.
- 3.) Include Part time/contract labor for firefighter/EMT.
- 4.) Develop/re-establish the existing volunteer program

**Background Information:** Program: The Department of Homeland Security (DHS) Fiscal Year 2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program. The Federal award information is this program has available funding for up to \$355 Million with a projected number of awards up to 300 departments. The Period of Performance is 12 to 48 months from date of award. This application is for hiring of firefighters (hiring) activity: This period of performance hiring activity will be 36 months.

Application Date: Open: February 8, 2021      Deadline: March 12, 2021  
Projected Start dates of Period of Performance: August 24, 2021  
Projected Period of Performance End Date: August 24, 2022-25  
Anticipated Funding Selection Date: May 24, 2021  
Funding Type: Grant  
Cost Share or Match: There is no cost or match or position cost limit for the FY 2020 SAFER Program.

**Financial Impact:** The fire department operations budget would be increased at the end of grant period to provide salaries and benefits. In meeting with City Administration, this would allow sufficient time for the ad valorem tax this expenditure.

**Board or 3<sup>rd</sup> Party recommendation:** None

**Supporting Documentation:** Attached FY 2020 Staffing for Adequate Fire & Emergency response Grant Program – Frequently Asked Questions

# FY2020 Staffing for Adequate Fire & Emergency Response Grant Program - Frequently Asked Questions

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This document addresses Frequently Asked Questions related to the Fiscal Year (FY) 2020 Staffing for Adequate Fire & Emergency Response (SAFER) Grant Program.

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**FEMA**

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## **What is the purpose of the SAFER Grant Program?**

The purpose of the SAFER Grant Program is to provide funding directly to fire departments and volunteer firefighter interest organizations to assist with increasing the number of firefighters to help communities meet industry minimum standards, to attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments. The SAFER Grant Program is separated into two activities: Hiring of Firefighters (Hiring) Activity and Recruitment and Retention (R&R) Activity. Using a competitive process that is informed by fire service subject-matter experts, grants in both activities are awarded to applicants whose requests best address the priorities of the FY 2020 SAFER Grant Program.

## **What changes were made to the SAFER Grant Program since last year?**

The FY 2020 SAFER Grant Program Notice of Funding Opportunity contains some changes to definitions, descriptions, and priority categories, including:

- Under authorities provided under Department of Homeland Security Appropriations Act, 2020 (Pub. L. No. 116-93), the following requirements are being waived for the FY 2020 SAFER Program:
  - Position Cost Limits: There are no annual salary limits under the Hiring of Firefighters Activity.
  - Cost-Share: There is no prescribed cost-share under the Hiring of Firefighters Activity.
  - New Additional Firefighters Requirement: Grant funds can now be used to rehire laid off firefighters and retain firefighters facing layoff under the Hiring of Firefighters Activity.
  - Period of Performance: Extensions to the period of performance under the Hiring of Firefighters Activity are now available.
  - Supplanting Requirement: There is no supplanting requirement under the Hiring of Firefighters Activity.
  - Minimum Budget Requirement: There is no minimum budget requirement.
- Under sections D – Application and Submission Information, E – Application Review Information, F – Federal Award Administration Information, G – DHS Awarding Agency Contact and Resource Information, and H – Additional Information:
  - Various grants management changes due to recent Office of Management and Budget (OMB) revisions to 2 C.F.R., particularly regarding the System for Award Management (SAM) registration, performance measures, procurement, closeout and termination
- Under Supporting Definitions:
  - Definitions added for Primary Fire Due.

## Reminders for FY 2020

The online FY 2020 SAFER Grant Program application is only available in the FEMA GO (FEMA Grants Outcomes) application portal at <https://go.fema.gov>.

Applicants must complete the following to start, complete and submit a SAFER Grant Program application:

- The applicant organization must provide a valid Dun & Bradstreet Data Universal Numbering System (DUNS) number registered in the System for Award Management (SAM) to apply in FEMA GO system. Instructions for obtaining a DUNS number can be found at the following website:  
<https://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html>.
- The applicant organization must be currently registered and active in the System for Award Management (SAM) in order to apply. SAM is available from Grants.gov at  
<https://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html>.

## Environmental and Historic Preservation (EHP)

It is FEMA policy that actions initiated and/or completed without fulfilling the specific EHP requirements will not be considered for funding.

SAFER Grant Program projects that involve the installation of supplies/equipment not specifically excluded from a FEMA EHP Review, per the GPD Programmatic Environmental Assessment, such as ground-disturbing activities, or modification/renovation of existing buildings or structures, will require an EHP review. Some equipment activities will require an EHP review, as well. Such activities include but are not limited to the installation of:

- Building renovations such as removal of wall or installation of electrical or water lines;
- Training/exercises in natural settings such as rope or swift water;
- LED Signs; and
- Any scope of work that involves ground disturbances.

Please see FEMA's EHP Screening Process. EHP Screening form and instructions are available at [EHP Screening Form](#). EHP policy guidance can be found at [Preparedness Grants EHP Compliance webpage](#). Recipients will be notified of their EHP responsibilities in the grant award package.

## Help FEMA Prevent Fraud, Waste and Abuse

If you have information about instances of fraud, waste, abuse or mismanagement involving FEMA programs or operations, you should contact the Department of Homeland Security Office of Inspector General Hotline at 1-800-323-8603; by fax at 202-254-4297; or online at <https://www.oig.dhs.gov/hotline>.

## **Who is eligible to apply under the SAFER Grant Program?**

Eligible applicants for the SAFER Grant Program include fire departments, any federally recognized Indian tribe or tribal organization, and national, regional, state, local, tribal and nonprofit interest organizations representing the interests of volunteer firefighters.

## **What activities may I apply for under the SAFER Grant Program?**

The SAFER Grant Program is separated into two activities:

- **Hiring Activity:** Provides federal financial assistance to help fire departments hire new, additional firefighters (or change the status of part-time or paid-on-call firefighters to full-time firefighters), rehire laid off firefighters, or to retain firefighters facing layoff. National, regional, state, local, tribal, and nonprofit interest organizations are not eligible to apply for funding under the Hiring Activity.
- **R&R Activity:** Assists fire departments and national, state, local, or federally recognized tribal organizations with the recruitment and/or retention of volunteer firefighters who are involved with or trained in the operations of firefighting and emergency response. Career fire departments are not eligible to apply for funding under the R&R Activity.

## **How many applications may I submit?**

Eligible applicants may submit only one application for each eligible activity under the SAFER Grant Program (one under the Hiring Activity and/or one under the R&R Activity). Applicants interested in applying under both the Hiring Activity and the R&R Activity must submit two separate applications, one for each activity. All submissions of duplicate applications may be disqualified.

## **I have an open SAFER Grant award(s). May I still apply under the FY 2020 SAFER Grant Program?**

Yes. However, since the possibility exists that the period of performance on the open grant award(s) and the FY 2020 Grant will overlap, you need to ensure that the start of your FY 2020 Grant does not depend on the completion of your open grant(s), or that receipt of a FY 2020 Grant will impact your ability to continue with and/or complete your open grant award(s). The grant activities requested in the FY 2020 SAFER Grant must supplement the current award(s) and cannot be for the same activities, expenditures or personnel funded under the open grant award(s). Applicants with an active SAFER Grant award who wish to apply under the FY 2020 SAFER Grant Program are subject to the guidelines and requirements outlined in the FY 2020 SAFER Notice of Funding Opportunity (NOFO).

## **How much funding is available for the FY 2020 SAFER Grant Program?**

There is \$355 million available for funding FY 2020 SAFER Grant Program Activities. However, the following specific funding parameters are either required by law or are the outcome of recommendations from the Assistance to Firefighters Grant Program Criteria Development Panel:

- 10% of the funding is set aside for the recruitment and retention of volunteer firefighters.



## FY 2020 SAFER Grant Program Frequently Asked Questions

- No more than 33% of the total amount allocated for the recruitment and retention of volunteer firefighters can be awarded to national, state, local, territorial or federally recognized tribal organizations that represent the interests of volunteer firefighters.
- 10% of the funding is set aside for grants awarded to all volunteer or majority volunteer departments for hiring of firefighters.
- If FEMA awards less than 10% of the funds available for the hiring of firefighters to volunteer and majority volunteer fire departments, it must transfer the remaining funds to provide grants for the recruitment and retention of volunteer firefighters.

### **What is the maximum amount of funding a recipient may be awarded?**

There is no maximum award amount for FY 2020 SAFER Grant Program awards.

### **Is there a cost share for all applicants?**

There is no cost share or match or position cost limit for the FY 2020 SAFER Program.

### **How do I apply for a SAFER Grant?**

The online FY 2020 SAFER Grant Program application is available through the Assistance to Firefighters Grant Program's FEMA GO (FEMA Grants Outcomes) application portal at <https://go.fema.gov>. The application will also be linked with the US Fire Administration's (USFA) website <https://www.usfa.fema.gov/grants> and the Grants.gov website <https://www.grants.gov>.

### **Which internet browsers are compatible with FEMA GO?**

FEMA GO is compatible with the most recent major release of Google Chrome, Internet Explorer, Mozilla Firefox, Apple Safari and Microsoft Edge. Users who attempt to use tablet type devices or other browsers may encounter issues with using FEMA GO.

### **When can I apply?**

Applications will only be accepted only from 8 a.m. Eastern Time (ET) on Monday, February 8, 2021 until 5 p.m. ET on Friday, March 12, 2021. Applications received after the close of the application period will not be accepted.

### **How do I sign-up for e-mail notifications about the SAFER Grant Program?**

To register for automatic e-mail notices of NOFO availability and other important program information go to: [https://public.govdelivery.com/accounts/USDHSFEMA/subscriber/new?topic\\_id=USDHSFEMA\\_409](https://public.govdelivery.com/accounts/USDHSFEMA/subscriber/new?topic_id=USDHSFEMA_409).

### **Do I need to register with the System for Award Management (SAM)?**

Yes. Per 2 C.F.R. § 25.205, SAM registration is required to both begin and submit a SAFER Grant Program application in the FEMA GO system. Organizational SAM.gov registrations are only active for one year and must be

renewed annually. Therefore, applicants must ensure the applicant entity has a valid and active registration in SAM.gov before starting an application.

Step-by-step instructions for registering with SAM can be found at <http://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html>. Applicants should contact SAM.gov with questions or concerns about their SAM registration.

DHS may not make a federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with the requirements by the time DHS is ready to make a federal award, DHS may determine that the applicant is not qualified to receive a federal award and may make a federal award to another applicant.

The submission of payment requests and amendments are also contingent on the information provided in the entity's SAM.gov registration. It is imperative that all information in the application is correct, current, and matches the information in the SAM.gov registration. Please ensure that your organization's name, address, DUNS number, and EIN are up to date in SAM.gov and that the DUNS number used in SAM.gov is the same number used to apply for all other FEMA grant program awards.

More information on SAM.gov may be located in the FY 2020 SAFER NOFO and on the Assistance to Firefighters Grant Programs (AFGP) Website. If applicants have questions or concerns about a SAM registration, please contact the Federal Support Desk at <https://www.fsd.gov/> or call (866) 606-8220, Monday – Friday between the hours of 8 a.m. and 8 p.m. ET.

### **May I change or edit my application after it has been submitted?**

You will be able to review or edit the entire application prior to submission. However, if you would like to edit or change your application after submission, you will have to withdraw the application from consideration of award to edit. Then, the application must be resubmitted to FEMA to be considered for an award.

### **How can I obtain help with the application?**

The SAFER Grant Program Help Desk at 866-274-0960 will be available to provide technical assistance with completing your SAFER Grant Program Application(s).

During the application period, the Help Desk will be staffed between the hours of 8 a.m. and 4:30 p.m. ET, Monday through Friday; and until 5 p.m. ET on the last day of the application period. However, these hours may change as the application period progresses. The toll-free number also accepts voicemail messages after hours or if the line is busy. Questions may also be e-mailed to [FireGrants@fema.dhs.gov](mailto:FireGrants@fema.dhs.gov).

### **Where can I find SAFER Grant Program documents and other information?**



You can find SAFER Grant Program documents and additional information on the [Staffing for Adequate Fire and Emergency Response Program webpage](#).

### **When will the awards be announced?**

Award announcements will be made at the beginning of spring 2021 and on a continuous basis until all available funds have been awarded (but no later than September 30, 2021).

### **What is program income?**

Although not common, recipients may generate income in the course of carrying out grant-supported activities during the period of performance under the SAFER Grant Program award. This is referred to as program income. This income can be used to defray program costs, where appropriate, consistent with 2 CFR § 200.307. The Budget Summary section of the grant application contains a field for program income. The response should be \$0 unless the recipient anticipates generating program income during the period of performance. If the recipient plans to generate program income, it should be explained in the narrative. The FEMA GO application will not include program income estimates in the total budget. FEMA will review the program income submitted and adjust the budget as appropriate, prior to award. Any program income must be used and managed in accordance with 2 C.F.R. § 200.307.

### **What is Management and Administration (M&A)?**

M&A costs are administrative expenses that are incurred during the administration of a SAFER Grant Program award. Applicants may apply for M&A costs if the costs are directly related to the implementation of the program for which they are applying. M&A costs are identifiable costs directly associated with the implementation and management of the grant and cannot exceed 3% of the federal share of SAFER Grant Program funds awarded. If you are requesting M&A expenses, you must list the costs under the "Other" category in the budget and explain the purpose for the administrative costs in your Project Narrative. All M&A costs must be in accordance with 2 C.F.R. Part 225, Cost Principles for state, local and Indian Tribal Governments (OMB Circular A-87) or 2 C.F.R. Part 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122), as applicable and should be based on actual expenses only, not a percentage of the overall grant. Examples of eligible administrative costs include shipping, office supplies.

M&A costs are not eligible under the Hiring Activity.

### **Where do I submit the federally approved Indirect Cost Rate Agreement?**

Applicants required to have a negotiated indirect cost rate agreement that desire to charge indirect costs to an award must provide a copy of their negotiated indirect cost rate agreement at the time of application. Applicants that are not required by 2 C.F.R. Part 200 to have a negotiated indirect cost rate agreement but are required by 2 C.F.R. Part 200 to develop an indirect cost rate proposal must provide a copy of their proposal at the time of application. Copies of the indirect cost rate agreements or proposals, along with the SAFER Grant Program application number, must be submitted electronically to [FireGrants@fema.dhs.gov](mailto:FireGrants@fema.dhs.gov). Please ensure that the request details budget portion of your application includes information pertaining to your indirect cost rate agreement or proposal. Post-award requests to charge indirect costs will be considered on a case-by-case basis and based upon the submission of an agreement or proposal as discussed above or based upon on the de minimis rate or cost allocation plan, as applicable.

Indirect costs are not allowable under the Hiring Activity.

### **When a SAFER Grant Program award is accepted, when does the period of performance start?**

Recipients are notified via email and through the FEMA GO system of the award offer. The recipient shall notify the awarding agency of its intent to accept or decline the award. Recipients must accept their grant awards no later than 30 days from the award date. Funds remain on hold (for a maximum of 90 days) until the recipient accepts or declines the award. The grant award date can be found in the award agreement within the Obligating Document for Award in section 14. - Performance Period.

The period of performance under the Hiring Activity is 36 months for all grants awarded. A default 180-day recruitment period, which allows grant recipients to begin hiring SAFER-funded firefighters, begins when FEMA approves an application for an award under this activity. The 36-month period of performance automatically starts after the 180-day recruitment period, regardless of whether the recipient has successfully hired the requested firefighters.

The period of performance under the R&R Activity is 12, 24, 36 or 48 months for all grants awarded. A default 90-day recruitment period, which allows recipients time to gather resources, initiate processes, and finalize contracts needed to implement SAFER grant, begins when FEMA approves the application for award. The period of performance automatically starts after the 90-day recruitment period ends, regardless of whether the recipient has begun implementing its grant award.

### **What standards does the SAFER Grant Program focus on?**

The SAFER Grant Program focuses on the Deployment or Staffing and Deployment compliance standards of the National Fire Protection Association (NFPA):

- **NFPA 1710 Assembly Requirements – Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Department (Section 5.2.4.1 – Single-Family Dwelling Initial Full Alarm Assignment Capability):** This standard applies primarily to career fire departments and combination departments if the combination department chooses it, and
- **NFPA 1720 Assembly Requirements – Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments (Section 4.3 – Staffing and Deployment):** This standard applies primarily to all-volunteer fire departments, but it may also apply to combination departments if the combination department does not choose to comply with the NFPA 1710 standard.

FEMA prioritizes bringing non-compliant (NFPA 1710 or 1720) departments into compliance in the most cost-effective manner.

### **Do applicants have to report to the National Fire Incident Reporting System?**

No. FEMA does not require FY 2020 SAFER Grant Program applicants to report to the National Fire Incident Reporting System (NFIRS).

### **Do applicants have to comply with the National Incident Management System?**

SAFER Grant Program applicants are not required to comply with the National Incident Management System (NIMS) to apply for federal assistance under the SAFER Grant Program. However, any applicant who receives an FY 2020 SAFER Grant Program award must achieve the level of NIMS compliance required by the Authority Having Jurisdiction over the applicant's emergency service operations (e.g., a local government), prior to the end of the grant's period of performance. Information about NIMS can be found at <https://www.fema.gov/national-incident-management-system>.

### **What type of firefighter positions will be funded under the Hiring Activity?**

Grants awarded under the Hiring Activity enable volunteer, combination, and career fire departments to restore staffing levels to attain a more effective level of response and a safer incident scene. FEMA awards Hiring Activity grants directly to volunteer, combination, and career fire departments to help fire departments increase their cadre of frontline firefighters by providing financial assistance in three categories:

- Rehire: Rehiring firefighters who were laid-off within the two years prior to the start of the application period;
- Retention: Retaining firefighters facing imminent layoff – within 120 days of the close of the application period; or,
- New Hire: Hire new, additional firefighters.

### **What are the requirements if a Hiring Activity applicant wants to apply under the Rehire or Retention categories?**

Eligible positions for funding under the Rehire category must have been laid off in the two years prior to the start of the application period (February 8, 2021). Copies of the official, signed, and issued layoff notices will be required at the time of application.

Firefighters who have been issued a formal layoff notice, which includes a specific date for the layoff action, prior to the start of the application period, and those who face imminent layoff – within 120 days of the close of the application period – are eligible for SAFER Program funding under the Retention category. As the application period closes on (March 12, 2021), the layoffs must become effective on or before (July 10, 2021). Copies of the official, signed and issued layoff notices will be required at the time of application.

Eligible positions under the Retention category must be employees of the department at the time the application is submitted. Note: if a retention position becomes vacant after the application is submitted, departments must fill the vacancy with a new hire in order to maintain the operational staffing level.

A layoff notice that is not executed within the specified terms will be considered void unless an additional notice is provided within 14 days of the original action date will not qualify for funding in the Rehire or Retention categories. Applicants who do not meet these parameters must apply under the New Hire category.

Any layoff action not executed in accordance with the terms of the official layoff notice or which does not meet the above requirements will not qualify for funding in the Rehire or Retention categories. Applicants who do not meet these parameters must apply under the New Hire category.

### **What are the eligible expenses under the Hiring Activity?**

The only eligible expenses are the salary and associated benefits (actual payroll expenses) for the positions funded under the SAFER Program grant. Costs are reimbursable if they are included as part of the standard package, available to all operational firefighter positions, and contractually obligated. Compensation for a firefighter's normal, contracted work schedule is reimbursable, but overtime costs are not eligible for reimbursement by the SAFER Program grant award (including overtime for holdovers, extra shifts, to attend training, etc.). Only costs for overtime that the fire department routinely pays as a part of the base salary or a firefighter's regularly scheduled and contracted shift hours, in order to comply with FLSA, are eligible.

### **What are the eligible expenses under the R&R Activity?**

Applicants must correlate the activities for which funding is being requested with the identified recruitment and/or retention problems/issues being addressed. FEMA will not provide funding for a budgeted line item if an applicant does not provide enough information detailing how the item and/or activity will enhance the recruitment and retention of volunteer firefighters and allowable costs may be limited to reasonable amounts, as determined by FEMA.

All grant-related purchases and activities must be incurred, received, and completed within the period of performance. Additionally, all funded activities under the R&R Activity must be governed by formally adopted Standard Operating Procedures (SOPs). Minimally, these SOPs should specify who qualifies for each of the incentives, specific requirements for earning the incentives, and the disposition of the awarded incentives if an individual fails to fulfill the stipulations. FEMA may ask for copies of SOPs prior to, or after being awarded.

Examples of eligible expenses include but are not limited to the following:

- Marketing Program (e.g., media and print advertising) to recruit new volunteer firefighters;
- New recruit basic training;
- Leadership/career development training; and
- Personal Protective Equipment for new recruits.

For the full list of eligible and ineligible costs, please refer to Appendix B – Programmatic Information and Priorities, in the FY 2020 SAFER NOFO.

### **How is “new recruit” defined according to the SAFER Grant Program?**

The SAFER Grant Program defines a “new recruit” as a volunteer that joins the department with the intent to serve as a firefighter after the recipient is notified of the grant award (i.e., the date of the award notification email in FEMA GO).

### **Does the SAFER Grant Program allow regional applications?**

Yes. Eligible applicants may apply for a regional R&R Activity grant if the request will have a direct or local regional benefit beyond the immediate boundaries of the applicant’s first-due response area. Direct or local regional benefit means that other eligible organizations will receive a portion of the grant awarded funds, or the department will receive items purchased with the grant funds.

An eligible applicant will serve as the “host applicant” and can apply for funding on behalf of itself and any number of other participating R&R Activity eligible organizations. The application must include a list of all the participating organizations, including the point of contact information and Employer Identification Number (EIN) for each organization benefitting from a proposed regional project.

If awarded, the host applicant must agree to be responsible for all aspects of the grant. This includes, but is not limited to, accountability for all assets and all reporting requirements. Regional host applicants and participating partner agencies must execute a Memorandum of Understanding (MOU) or equivalent document, signed by all parties participating in the award, before applying under the Regional Program activities.

The Hiring Activity is not eligible as a regional project.

### **How important is it to address all Narrative Statements in the application?**

The Narrative Statements of the application must provide specific details about the activity for which applicants seek funding, including budget details. Peer Review Panelists will evaluate and score each activity based on the narrative elements within each activity. The weighted evaluation criteria used by the peer reviewers in determining the grant award, as described in the NOFO, make up the elements of the Narrative Statements’ score. FEMA reviews and compares applications for duplication. Therefore, all elements of the Narrative Statements must be original.

### **What are the character limitations for text boxes in FEMA GO?**

The Narrative Statements blocks do not allow for formatting. Do not type the Narrative Statements using only capital letters. Additionally, do not include tables, special characters or fonts (e.g., quotation marks, bullets), or graphs. Space for the Narrative Statements is limited. Although each element must have a minimum of 200 characters, the maximum amount of characters varies based on the questions being asked. Once the Narrative Statements are saved to the online application, log-out and then log back into the application to verify that the information was successfully saved.

### **How are the SAFER Grant Program applications reviewed?**

SAFER Grant Program applications are reviewed through a multi-phase process. All applications are electronically pre-scored and ranked based on how well they align with the funding priorities outlined in the FY 2020 SAFER Grant Program NOFO. Applications are then scored competitively by no less than three members of a Peer Review Panel.

Applications with the highest score rankings per activity will also be evaluated through a series of internal FEMA review processes for completeness, adherence to programmatic guidelines, technical feasibility, costs/quantities, and anticipated effectiveness of the proposed project(s).

### **Should I include a discussion of the possible impact of the pandemic on my application, if it is awarded?**

→ Yes, you should incorporate into the narrative a discussion about how you will implement the grant in a pandemic environment. Reviewers will consider the ability of a project to be completed successfully during the proposed period of performance. Be sure to also consider the ability of staff to conduct all hiring or recruitment practices in a pandemic setting. Suggest ways you could alter or change your process to meet all objectives of the grant award by the end of the period of performance.