GLEN SMITH – Mayor
JOHNNY TRAN –Councilmember Place 1
JUDY CHAVEZ – Councilmember Place 2
MARY CROCKER – Councilmember Place 3
TROY LEWIS – Councilmember Place 4
ANDY ERDELT – Councilmember Place 5
STEPHEN MCGOVERN – Councilmember Place 6

CITY OF PALACIOS
CITY COUNCIL REGULAR MEETING AGENDA

Notice is hereby given of a Regular Council Meeting of the Palacios City Council to be held February 13, 2018, beginning at 7:00 p.m. in the Council Chambers of City Hall, 311 Henderson Avenue, Palacios, TX, for the purpose of considering the following items:

REGULAR COUNCIL MEETING

CALL TO ORDER
INVOCATION – Councilmember Erdelt
PLEDGE OF ALLEGIANCE – Councilmember Chavez
PLEDGE TO TEXAS FLAG – Councilmember Chavez
PLEDGE TO PALACIOS FLAG – Councilmember Chavez

VISITOR / CITIZEN FORUM

PRESENTATIONS

1. Mike Ferdinand to present the MCEDC Director's Report regarding visit to China

ADMINISTRATIVE REPORTS

1. Palacios Pavilion Project
2. May 5, 2018 Election Update – Deadlines
   a. Last day to file for place on ballot is February 16, 2018
   b. Deadline for write-in candidates is February 20, 2018
3. 2018 City of Palacios Calendars
4. Chamber Annual Banquet – February 15, 2018
5. Matagorda Bay Birdfest – February 16-18th, 2018 at Pavilion.
6. Lunar New Year – February 17, 2018 held at Bethany Park community center.
7. Airport Committee needs appointment for vacant position

ITEMS TO BE CONSIDERED

1. Discuss and accept the City Manager's Report as of December 31, 2017 as presented by City Manager.
2. Discuss and consider adopting Resolution 2018-R-2 ordering a General Election to be held May 5, 2018 to elect the position of Mayor and three Council Members, once each for Place 1, Place 2, and Place 6.
3. Discuss and consider adopting Resolution 2018-R-3 ordering a Special Election to be held May 5, 2018 for the purpose of submitting suggested changes to the City's Home Rule Charter to the voters.
4. Discuss and consider action to approve the First Financial bank depository agreement presented by Tammy McDonald.
5. Discuss and consider adopting Resolution 2018-R-4 approving submission of the application for a Technology upgrade grant – Chief Miles
6. Discuss and consider action to approve authorized users, Tammy McDonald and Clissa Mills for Texas Emergency Services Retirement System (TESRS) and allow Mayor Glenn Smith to sign the two confidentiality and information access agreements
7. Discuss and acknowledge the Racial Profile Report presented by Chief Miles
8. Discuss and acknowledge the 2017 Annual Report from the Planning and Zoning Committee presented by Patricia Loving
9. Discuss and consider action to approve the following consent agenda items:
   a) Minutes of the January 23, 2018 Regular Council Meeting
   b) Excuse the absences of Glen Smith, Judy Chavez, and Andy Erdelt on January 23, 2018 Regular Council Meeting

EXECUTIVE SESSION

In accordance with Chapter 551, Government Code, (Open Meetings Law) the Council May go into Executive (closed) session in order to:
Consult with its attorney (551.071) - Charter Review Amendments
Discuss Real Estate transaction (551.072)
Deliberation regarding prospective gifts or donation (551.073)
Discuss personnel matters (551.074)
Deliberation regarding security devices (551.076)
Discuss economic development negotiations (551.087)

ACTION ON EXECUTIVE SESSION:

a. Discuss and consider Charter Review Amendments

ADJOURN

In compliance with the Americans with Disabilities Act, the City of Palacios will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meeting. Please contact City Hall, at 361.972.3605.

CERTIFICATION

I certify that a copy of the February 13, 2018 agenda of items to be considered by the City Council was posted on the City Hall bulletin board by 5:00p.m. on February 9, 2018.

Clissa Mills

Clissa Mills, City Secretary

City Manager's

MONTHLY REPORT

December 2017

HURICANE HARVEY

- Working with FEMA for debris removal and emergency protective measures reimbursements
- Monitoring CDBG DR program for possible projects for the City.

UTILITIES

- Contractor is working on Lift Station Rehabilitation Project pass through from County Ike Disaster Grant
- CDBG Waterline project is completed and closed out
- Public Works is working on water leaks from the cold weather and notified owners of water leaks on their side.

AIRPORT

- Council approved Resolution for financial assistance with TxDOT Aviation Department for Palacios Airport Improvements to repair Runway 13-31, taxiways, and terminal apron. Public Hearing set for January 26 in Austin; Airport Committee meeting set for January 30th.

PAVILION

- Contractor is 70% complete
- Working on completing the work in the GLO CMP grant; plazas, picnic shelters, and wetland creation
- Commissioners' Court approved Interlocal Agreement for funding of the parking lot

POLICE

- Calls for Service 427
- Citations 49; Warnings 119
- For the Calendar Year: Calls for Service 6322; Citations 1254; Warnings 1230

FIRE

- Commissioners' Court approved Interlocal Agreement for funding of new Fire Station
- Palacios Fire Chief executed the Fire Services Agreement between Fire Department and County and STP
- Commissioners' Court approved $2,500 for each Fire Department for services to the County
- Incident Report for calendar year 2017

ADMINISTRATION

- New City Secretary to start January 22nd.
- New Public Works Director started in December
- Assisting Peggy Georgi and Engineer on the Recycle Center Expansion Project
- Auditors will be complete in February with the 2016-2017 Audit
- Attended Pavilion meetings, Bay City Chamber of Commerce Awards Banquet, and EDC meeting

RESOLUTION NO. 2018-R-2

AN RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS, ORDERING AN ELECTION TO BE HELD ON THE 5th DAY OF MAY, 2018, FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCIL MEMBERS, ONE EACH FOR PLACE 1, PLACE 2, AND PLACE 6; ESTABLISHING THE FORM OF THE BALLOTS; PROVIDING A REPEALING CLAUSE; CONTAINING A SAVING CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, pursuant to Article VII of the Charter of the City of Palacios and the Texas Election Code, the City Council herein calls for its municipal election to select a Mayor and council members for Place 1, Place 2, Place 6 of City Council of the City of Palacios; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS:

SECTION 1: That a municipal election of the City of Palacios, as prescribed in Article VII, Section 7.01 of the City Charter and pursuant to Sections 41.001 and 41.031 of the Texas Election Code, shall be held between the hours of seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m. on the 5th day of May, 2018, in the City of Palacios, Texas, for the purpose of electing a Mayor and council members to serve full terms for Place 1, Place 2, and Place 6.

SECTION 2: That the city council members shall be elected at large, by plurality vote. Each council member shall be elected to a specific place. Candidates who properly apply each council place shall be placed on the ballot, with the order of candidates for each place determined by lot.

SECTION 3: The form of the ballot shall read substantially as follows:

City Mayor

"The following individual shall serve as City Mayor." (Select not more than one)

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

Election of City Council Members

City Council, Place 1

"The following individual shall serve as City Council Member, Place 1." (Select not more than one)

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

City Council, Place 2

"The following individual shall serve as City Council Member, Place 2."
(Select not more than one)

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

City Council, Place 6

"The following individual shall serve as City Council Member, Place 6."
(Select not more than one)

☐ _____

☐ _____

☐ _____

☐ _____

☐ _____

SECTION 4: That the City is hereby declared one Election Precinct, having the following polling place for the purpose of the elections ordered herein:

Palacios Independent School District
Administration Building
1209 12th St.
Palacios, Texas 77465

SECTION 5: That any eligible and qualified person may have his name printed upon the official ballot as an independent candidate for the city council by filing a sworn application with the City Secretary of the City of Palacios no later than February 16, 2018. The form of the sworn application for the candidates for the city council shall be as set forth by Section 141.031 of the Texas Election Code.

SECTION 6: Each qualified voter who desires to cast an early vote shall be entitled to an official ballot and the right to cast such ballot in accordance with the provisions of the Texas Election Code. Early voting will be conducted at the Palacios ISD Administration Building, located at 1209 12th St., Palacios, Texas 77465. Optical scan ballots shall be used for early voting by mail and direct recording electronic voting machines shall be used for early voting by personal appearance. Early voting by personal appearance for the election shall commence on April 23, 2018, and end on May 1, 2018. Early voting by personal appearance shall be conducted each weekday from 8:30 a.m. until 4:30 p.m., except for the

first two days of the early voting period, on which days the hours for voting shall be from 7:00 a.m. until 7:00 p.m. Applications for ballot by mail shall be mailed to:

Sara Trevino – Early Voting Clerk
Palacios Independent School District
Administration Building
1209 12th St.
Palacios, Texas 77465
saraht@palaciosisd.org

Applications for ballots by mail must be received no later than the close of business on April 24, 2018.

SECTION 7: That the municipal election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. In this election, the Mayor and the City Secretary of the City Council shall do and perform each act as required to be done and performed respectively by the County Judge and the County Clerk of the Commissioners' Court. The notice of proclamation of this election shall be issued and posted on the bulletin board used for posting notices of meetings not later than the twenty-first (21st) day before the date of the election ordered herein.

SECTION 8: The Palacios ISD Administration Building, located at 1209 12th St., Palacios, Texas 77465, is hereby established as the Central Counting Station to receive and tabulate voted ballots.

SECTION 9: The precinct election officers previously selected shall also serve as the Early Voting Ballot Board which shall process early voting results.

SECTION 10: The Mayor is hereby directed to give notice of said elections by publishing a copy of the Election Proclamation and Notice in a newspaper of general circulation within the City of Palacios, Texas; said publication to be made no earlier than the 30th day or later than the tenth day prior to the date of said elections.

SECTION 11: In all matters relating to the ordering, giving notice, and holding the election, the City shall comply with the applicable parts of the Texas Election Code, including particularly Chapter 272 of the Texas Election Code pertaining to bilingual requirements, and the Federal Voting Rights Act of 1965, as amended, if applicable.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Palacios on this the _____ day of February, 2018.

CITY OF PALACIOS, TEXAS

_____
Glen Smith, Mayor

ATTEST:

_____
Clissa Mills, City Secretary

RESOLUTION NO. 2018-R-3

AN RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON THE 5th DAY OF MAY, 2018, FOR THE PURPOSE OF SUBMITTING SUGGESTED CHANGES TO THE CITY'S HOME RULE CHARTER TO THE VOTERS; ESTABLISHING THE FORM OF THE BALLOTS; PROVIDING POLLING PLACES; ESTABLISHING ALTERNATE VOTING METHODS; REQUIRING THE POSTING AND PUBLICATION OF NOTICE; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, pursuant to Article VII of the Charter of the City of Palacios and the Texas Election Code, the City Council herein calls for a special election to submit suggested changes to the City's home rule charter to the voters; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS:

SECTION 1: That a special election of the City of Palacios, as prescribed in Article VII, Section 7.01 of the City Charter and pursuant to Sections 41.001 and 41.031 of the Texas Election Code, shall be held between the hours of seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m. on the 5th day of May, 2018, in the City of Palacios, Texas, for the purpose of submitting suggested changes to the City's home rule charter to the voters.

SECTION 2: The form of the ballot shall read substantially as follows:

SUGGESTED CHANGES TO THE CITY OF PALACIOS HOME RULE CHARTER:

INSTRUCTION NOTE:
Vote "For" or "Against" making each of nine possible changes to the charter. A vote "for" the changes and the Charter will be amended to incorporate the suggested change. A vote "against" the changes and the Charter will not be changed or amended.

PROPOSITION ONE - Shall Sections 3.02(b) and 3.02(c) be amended to state:

(b) Selection. The Mayor shall be elected to office from the City at-large. The other members of the City Council shall be elected to office at-large, but by specific place which shall be designated as Place One (1), Place Two (2), Place Three (3), Place Four (4), Place Five (5), and Place Six (6). Councilmember Places Five (5) and Six (6) shall be elected in 2021 and thereafter every three (3) years. Councilmember Places Three (3) and Four (4) shall be elected in 2019 and thereafter every three (3) years. The Mayor and Councilmember Places One (1) and (2) shall be elected in 2020 and thereafter every three (3) years.

(c) Term. The Mayor and each Councilmember shall serve a term of three (3) years and until his/her successor is elected and qualified; provided, however, the term of the person elected to Councilmember Place Six (6) in 2020, upon the adoption of the Charter Amendment, shall expire in 2021; the term of the person elected to Councilmember Place Five (5) in 2019, upon the adoption of the Charter Amendment, shall expire in 2021 upon the election and qualification of his/her successor. Thereafter, all the Places shall be elected for three (3) year terms.

FOR _____ AGAINST _____

PROPOSITION TWO - Shall Section 3.03 be amended to state:

No person shall be elected or appointed as Mayor and/or Councilmember if such election or appointment would cause such person to serve a term beginning after they shall have completed nine (9) consecutive years on the City Council, unless such person has been out of office as a member of City Council for a period of not less than eleven (11) months.

FOR _____ AGAINST _____

PROPOSITION THREE - Shall Sections 3.17 be amended to state:

The City Council shall cause all general ordinances of the City to be compiled and printed in code form. For the purpose of this section, general ordinances shall be deemed to be those ordinances of a permanent nature, which affect the residents of the City at large. Every general ordinance enacted subsequent to the original codification required above shall be enacted as an amendment to the code. After the original codification, the City Council shall have the power to cause all general ordinances to be recodified and reprinted whenever in its discretion such is deemed desirable. When adopted by the City Council, the printed codes of general ordinances contemplated by this section shall be known and cited officially as "Code of Ordinances of the City of Palacios" and shall be in full force and effect without the necessity of such codes or any part thereof being published in any newspaper, unless otherwise required by Law. The caption, descriptive clause, and other formal parts of the ordinances of the City may be omitted without affecting the validity of such ordinances when they are published as a code. Copies of the code shall be furnished to the City Officers, placed in any city library for free reference, placed on the city website for viewing and printing, and made available for purchase by the public at a reasonable price. Amendments to the code shall also be made available for purchase by the public as they become available.

FOR _____ AGAINST _____

PROPOSITION FOUR - Shall Sections 4.01 (d)(1) and 4.01 (d)(9) be amended to state:

(d)(1) be responsible for the administration of all affairs of the City;

(d)(9) ensure that the City staff is comprised of appropriately qualified people by following the personnel practices listed below:

Position descriptions for department directors and senior staff will be prepared by the City Manager, compared with those of cities of similar size, and approved by City Council. Position descriptions will be updated biannually.

Annually, salaries for department directors and senior staff will be compared with salaries of cities of similar size and a recommendation will be made to City Council regarding adjustment of current salary levels.

Job vacancies will be posted internally, with appropriate professional organizations, on the City's website and in local newspapers.

Vacancies for department directors and senior staff will be filled by:

conducting a job search;
updating the salary requirements and job descriptions;
interviewing qualified candidates;
conducting a background check of the candidates; and
selection based on qualifications, strengths and weaknesses of the candidates and determination of the order of preference of the candidates; and

FOR _____ AGAINST _____

PROPOSITION FIVE - Shall Section 5.02 be amended to state:

(a) The Municipal Court shall be presided over by a Judge who is a qualified voter in Commissioner Court Precinct 3 in Matagorda County. The Judge of said court shall be appointed by Council to serve for a term of two years. The Judge shall receive such salary as may be fixed by Council.

(b) The Council may appoint such Associate or Alternate Judges of said court as shall be deemed necessary and appropriate by said Council. Associate or Alternate

Judges shall be appointed for terms and shall possess the same qualifications as are required for the presiding Judge of said court. Associate Judges shall receive such salary as may be fixed by Council.

(c) Municipal Court Judge(s) may be removed from office in accordance with State Law.

FOR _____ AGAINST _____

PROPOSITION SIX - Shall Sections 6.02(f) and 6.02(g) be amended and/or added to state:

(f) The budget shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year, compared to the estimate for the budgeted year.

(g) such other information required by State Law and/or City Council.

FOR _____ AGAINST _____

PROPOSITION SEVEN - Shall Sections 7.04 and 7.06 be amended to state:

7.04 Filing for Office
Any person having the qualifications required by this Charter for holding office as a member of the City Council who desires to become a candidate for election to the City Council shall file an application to that effect, in writing, with the City Secretary within the time prescribed by Law. The application must provide information required by the Texas Election Code. The City Council shall investigate the qualifications of the candidates.

Section 7.06 Conducting and Canvassing Elections
The returns of each City election shall be delivered to the City Secretary by the election judges. The City Council shall canvass the returns and declare the official results of the election in the manner and within the time periods provided by State Law. Returns of each City election shall be recorded in the minutes of the City Council.

FOR _____ AGAINST _____

PROPOSITION EIGHT - Shall Sections 10.03(a) be amended to state:

The Commission shall hold, at a minimum, quarterly meetings and report to the City Council annually;

FOR _____ AGAINST _____

PROPOSITION NINE - Shall Sections 11.01 be amended to state:

No member of the City Council, officer, Boards/Committee Members, or employee of the City shall personally engage in any business with the City nor shall have any financial interest, direct, or indirect, in any commercial entity doing business with the City, or in the sale of any land, commodity, or service to the City, without making disclosure thereof. Any willful violation of this section shall constitute malfeasance in office, and any such member of City Council or City officer of [or] employee guilty thereof shall thereby forfeit his/her office, position, or employment. Any violation of this section with the express or implied knowledge of the person or entity doing business with the City shall render the contract voidable by the City Council.

FOR _____ AGAINST _____

SECTION 3: That the City is hereby declared one Election Precinct, having the following polling place for the purpose of the elections ordered herein:

Palacios Independent School District
Administration Building
1209 12th St.
Palacios, Texas 77465

SECTION 4: Each qualified voter who desires to cast an early vote shall be entitled to an official ballot and the right to cast such ballot in accordance with the provisions of the Texas Election Code. Early voting will be conducted at the Palacios ISD Administration Building, located at 1209 12th St., Palacios, Texas 77465. Optical scan ballots shall be used for early voting by mail and direct recording electronic voting machines shall be used for early voting by personal appearance. Early voting by personal appearance for the election shall commence on April 23, 2018, and end on May 1, 2018. Early voting by personal appearance shall be conducted each weekday from 8:30 a.m. until 4:30 p.m., except for the first two days of the early voting period, on which days the hours for voting shall be from 7:00 a.m. until 7:00 p.m. Applications for ballot by mail shall be mailed to:

Sara Trevino – Early Voting Clerk
Palacios Independent School District
Administration Building
1209 12th St.
Palacios, Texas 77465

Applications for ballots by mail must be received no later than the close of business on April 24, 2018.

SECTION 5: That the municipal election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. In this election, the Mayor and the City Secretary of the City Council shall do and perform each act as required to be done and performed respectively by the County Judge and the County Clerk of the Commissioners' Court. The notice of proclamation of this election shall be issued and posted on the bulletin board used for posting notices of meetings not later than the twenty-first (21st) day before the date of the election ordered herein.

SECTION 6: The Palacios ISD Administration Building, located at 1209 12th St., Palacios, Texas 77465, is hereby established as the Central Counting Station to receive and tabulate voted ballots.

SECTION 7: The precinct election officers previously selected shall also serve as the Early Voting Ballot Board which shall process early voting results.

SECTION 8: The Mayor is hereby directed to give notice of said elections by publishing a copy of the Election Proclamation and Notice in a newspaper of general circulation within the City of Palacios, Texas; said publication to be made no earlier than the 30th day or later than the tenth day prior to the date of said elections.

SECTION 9: In all matters relating to the ordering, giving notice, and holding the election, the City shall comply with the applicable parts of the Texas Election Code, including particularly Chapter 272 of the Texas Election Code pertaining to bilingual requirements, and the Federal Voting Rights Act of 1965, as amended.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Palacios on this the 13th day of February, 2018.

CITY OF PALACIOS, TEXAS

_____

GLEN SMITH, Mayor

ATTEST:

_____

CLISSA MILLS, City Secretary

APPROVED:

_____

RANDALL B. STRONG, City Attorney

...charter\2018-R-3 ordering special election.01

BANK DEPOSITORY AGREEMENT

This Bank Depository Agreement (the "Agreement") is made and entered into this 13th day of February, 2018 by and between the City of Palacios (the "City") and First Financial Bank (the "Bank") a bank chartered by the State of Texas.

Section I Designation as Depository
The City, through action of its Governing Body, hereby designates the Bank as its depository for banking services for a 5-year period commencing February 14, 2018 through February 13, 2023.

Section II Collateral
City time and demand deposits, inclusive of interest, in excess of the Federal Deposit Insurance Corporation insurance shall be secured at all times by collateral, acceptable to the City and in accordance with the Public Funds Collateral Act (Texas Government Code 2257), pledged by the Bank and held in trust by the Custodian in an amount equal to at least 102% of the total of those funds. Custodian will provide a monthly report of the collateral directly to the City.

Such pledged securities shall be subject only to the joint written instructions of both (a) authorized representatives of the City and (b) specifically authorized representatives of the Bank. The Bank shall have the right, with the prior written consent of the City, to substitute or replace any or all of the pledged securities with collateral acceptable to the City.

Section III Financial Position
The Bank will provide a statement of its financial position on at least a quarterly basis. The Bank will provide an annual statement audited by its independent auditors including a letter as to its "fair representation".

Section IV Scope of Services
The Bank's response to the City's RFP, (the "Response") is incorporated into this Agreement for all purposes, including service charges, time deposit, demand deposit and loan rates, and attached as Exhibit A. If any provisions of the Response and this Agreement are in conflict, this Agreement will control.

The Bank shall faithfully perform all of its duties and obligations required by the laws of the State of Texas for public funds depositories and shall upon presentation pay all checks drawn on it against collected funds on demand deposits, and shall, at the expiration of the Agreement, turn over to its successor all funds, City-owned securities, property and things of value held as depository.

The City shall have the power to determine and designate the character and amount of the funds to be deposited in the Bank. The City may arrange for time deposits and Bank may accept such deposits subject to the terms of the Bank's Response.

This Agreement, along with all Exhibits and other incorporated documents shall constitute the entire Agreement between the parties.

Section V Bank Compensation
Bank will be compensated for any and all services rendered to City under this Agreement. Bank agrees to offset monthly service fees against its customary earnings credit for balances in City's on-interest bearing accounts. Net insufficiencies in earnings credits will be charged on an annual basis.

FEE BASIS LANGUAGE
Bank will be compensated for any and all services rendered to City under this Agreement on a cost per item or monthly charge basis as set forth in the service charges of the Bank's Response.

Section VI Default
The Bank shall be in default if it fails to pay all or part of a demand deposit, a matured time deposit, or a matured certificate of deposit, including accrued but unpaid interest, at a specified maturity date. The Bank shall also be in default if ruled "bankrupt", "insolvent" or "failed" by a federal or state banking regulator, or if a receiver is appointed for the Bank.

In the event of a default, failure or insolvency of the Bank, the City shall be deemed to have vested full title to all securities pledged under this Agreement. The City is empowered to take possession of and transfer and or sell any and all securities. If the security is liquidated, any proceeds over the defaulted amount, plus expenses related to liquidation, shall be returned to the Bank. This power is in addition to other remedies which the City may have under this Agreement and without prejudice to its rights to maintain any suit in any court for redress of injuries sustained by the City under this Agreement.

Section VII Non-Assignability
This Agreement is not assignable in whole or in part but is binding on the parties, their successors and assigns.

Section VIII Termination
This Agreement may be terminated by either the City or the Bank by giving sixty (60) days prior written notice to the parties.

Section IX Law Governing
All applicable provisions and requirements of the laws of the State of Texas governing depositories for the City shall be a part of this Agreement.

Section X Bank Authorization
The Bank represents and warrants that this Agreement is made pursuant to and is duly authorized by the Board of Directors of the Bank and recorded in the official records of the Bank.

CITY

_____

_____
Name and Title

ATTEST:

_____

CUSTODIAN:
BANK

_____

ATTEST

_____

BANK

_____

_____
Name and Title

ATTEST:

_____

REQUEST FOR PROPOSAL
FOR BANKING SERVICES

III. REQUIRED FINANCIAL INSTITUTION INFORMATION

All banks must provide, as part of the proposal:

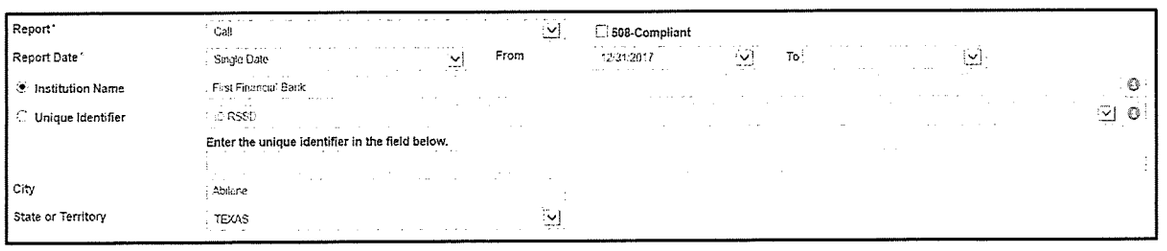
-audited financial statements for the most recent fiscal year,
-a copy of the current call report, and
-a statement regarding any recent or foreseen merger or acquisition.

First Financial Bank is a national bank owned by First Financial Bankshares, a publicly traded company on the NASDAQ under the symbol FFIN.

First Financial Bankshares, Inc. is recognized as one of the nation's most financially secure banking institutions. With our latest acquisition of Commercial Bancshares, Inc. and its wholly owned subsidiary, Commercial State Bank, Kingwood, Texas, First Financial now has 73 convenient locations that span from Hereford in the Panhandle to Orange in Southeast Texas.

First Financial Bank invites the City to navigate to the URL below to access all financial information including the annual audited financial statement of the Bank's parent company:
http://www1.snl.com/irweblinkx/FinancialDocs.aspx?iid=100572

Call Reports through the quarters ending December 31, 2017 and the UBPR through December 31, 2017 are provided by navigating to the URL below, selecting the report type desired, and entering the information provided in the screen shot below:
https://cdr.ffiec.gov/Public/ManageFacsimiles.aspx



On January 2, 2018, First Financial Bankshares announced the acquisition of Commercial Bancshares, Inc and its wholly-owned subsidiary, Commercial State Bank, Kingwood, Texas. Customers will be served by the same friendly faces that are greeting them today.

IV. REQUIRED BANKING SERVICES

This section lists all the services to be provided by the bank under this agreement. Attachment A lists each of these services. The bank should use Attachment to provide the specific price for each service.

A. Consolidated Account Structure

The bank is to provide a master consolidation account and zero balance accounts from which daily balance and detail reporting is available. The City's current structure contains the following:

Account Title
Pooled Cash Savings

Pooled Cash Checking
Police Dept Drug Seized Money
TCDP
TDHCA
DRS 2.2
City Escrow Fund

First Financial will structure accounts following the City's instructions. The City may choose to establish sweep arrangements between accounts including ZBA relationships and structure the accounts as desired to meet operational goals.

First Financial suggests analyzed non-interest bearing accounts for daily transactional needs. We will group the accounts and provide earnings credit based on the average ledger balances less float and the 10% required for reserves. Each month the City will receive an Account Analysis statement indicating the services provided and the earnings credit applied. We are proposing a premium Earnings Credit Rate of .50%. First Financial will waive bank service charges in excess of earnings credit with the exception of Merchant Services charges, which are billed separately. The City can move funds to an interest bearing account to earn interest on idle funds. Excess funds can be manually moved or once the City establishes a specific amount to maintain in an analyzed accounts, automated transfers can sweep funds to and from an interest bearing account. Interest is paid at the account level.

For funds in interest bearing accounts, First Financial is proposing an interest rate equal to 85% of the 4 week average 91 Day T-Bill rate during the prior month with a cap of 2.00%.

B. Wire Transfer Services

The City currently generates approximately one incoming and one outgoing wire each month. A standard wire transfer agreement will be executed with the bank. This proposal should include a copy of your standard transfer agreement. The City requires adequate security provisions and procedures. If the wire transfer requests are available on line, full information should be submitted detailing the use.

First Financial has provided a Wire Transfer Agreement behind Tab 7 with other service agreements.

The City can initiate Wire Transfers using Online Banking as well as the ability to phone in Wire Transfer instructions.

Authorized Online Banking users can initiate wire transfers using fill-in-the blank screens. User privileges can be restricted by account and function. Funds transfer functions, including wire transfers, can be restricted by dollar amount. Dual control is always recommended for wire transfers.

All outgoing wires require the added layer of security using a Bank provided token to approve wire transfers initiated through Online Banking and a pre-arranged personal identification number (PIN) for phone in wire transfers.

Wire transfers, both repetitive and non-repetitive wires, can be scheduled for future dates. The City may initiate a wire for any business date in the future. Users with wire transfer authorities can build templates for wires sent to the same beneficiary and the templates can be shared with other users with wire transfer authority.

Email notifications are sent immediately to designated staff when Incoming and Outgoing Wire Transfer funds are received and/or withdrawn. A sample Incoming and Outgoing Wire notification is provided behind Tab 5 with the Remote Deposit Reports and Other Notices. Wire transfer activity can be viewed immediately in Online Banking.

C. Automated Daily BalanceReporting

The City requires an automated PC-based reporting system for access to the closing ledger and available balances. Stipulate the time at which the access is available and describe the system to be used. Reporting should include balance and detail reporting. Samples of the reports are to be included in the proposal.

First Financial Bank's comprehensive Online Banking provides balance reporting. Those authorized by the City can access account information 24/7/365 from any computer with internet access.

User privileges are assigned by account and feature the ability to restrict access on a need to know basis.

By 8:00AM each business day, Online Banking is updated with all overnight transfer activity and current day activity. Wire Transfer activity memo posts upon arrival with immediate availability to funds. Incoming ACH activity is memo posted three times during the day. First between 4:00AM and 6:00AM, then by 3:00PM, and finally by 5:00PM each business day with immediate availability. In-clearing checks are memo posted by 3:00PM daily providing the City the opportunity to review items prior to posting, and if necessary fund accounts by deposit at any First Financial Bank location or by transferring funds using Online Banking from another account by 11:00PM.

Online Banking provides authorized users:

- **Ability to view account balances online**
- **Review electronic activity as it happens – ACH deposits, debit card activity**
- **View at least 60 days of account history**
- **View images front and back**
- **Transfer funds between accounts and make loan payments**
- **Apply Principal Only payments to Loans**
- **Schedule transfers to occur on a specific date – routinely or one time**
- **View statements online for at least 18 months**
- **Create Alert Messages for email notification when prescribed condition is met**
- **Download transactions to CSV, Excel, Quicken or QuickBooks**
- **Initiate Wire Transfers until 4PM (requires separate agreement)**
- **Initiate Stop Payments**
- **True online E-Statement including check images**

Our Online Banking System accommodates dual control on transfer and stop payment functions as directed by the City. First Financial offers Single Sign On to the Positive Pay, ACH Origination and Remote Deposit systems from Online Banking.

An Online Banking User Guide includes screen shots and is provided behind Tab 6. A sample Business Online Banking form is included with Services Agreement behind Tab 7.

D. Sweep Account Provisions

If the City chooses, the bank will be responsible for automatically sweeping the balances in all accounts daily to an investment option (money market fund, repo, etc.). Describe the sweep

options and, if a money market fund is used, provide a prospectus. The accounts will be swept to the compensating balance.

The City can establish sweep arrangements between First Financial Bank accounts, including non-interest bearing and interest bearing accounts. For interest bearing accounts, First Financial is proposing a rate equal to 85% of the 4 week average 91 Day T-Bill rate during the prior month with a cap of 2.00%. The rate we are paying during the month of January 2018 is 1.1696%.

First Financial is proposing to WAIVE BANK SERVICE CHARGES in excess of earnings credit for balances held in transactional accounts and grouped under Account Analysis, with the exception of fees related to Merchant Services which are billed separately. The City has the opportunity to move funds into interest bearing accounts that will not be under analysis.

First Financial does not offer SEC-registered money market accounts as an investment sweep option.

E. Investment of Idle Funds and Safekeeping of City Securities

All certificates of deposit bought by the City will be bought on a competitive basis. The City has no obligation to invest its funds with or through the bank. If the bank is proposing overnight repurchase agreements, an executed Master Repurchase Agreement is required. In order to fulfill GASB III requirements for reporting, if a repurchase agreement is executed with the bank itself, the collateral must be held in the trust department of the bank in a separate account.

All securities will be handled on a delivery versus payment (DVP) basis as they are cleared into and out of the account. There will be approximately ten securities in safekeeping at any times. All clearing and safekeeping will be in the bank or its correspondent. All correspondent and safekeeping arrangement will be stipulated in the proposal.

First Financial understands the City's requirements regarding investment options and safekeeping. First Financial is offering the City an option to invest idle funds in an interest bearing checking account earning interest at a rate equal to 85% of the 4 week average 91 Day T-Bill rate during the prior month with a cap of 2.00%. As rates rise, so will the rate paid to the City up to the stated cap. This option provides the City with interest on excess funds and provides liquidity.

First Financial will provide safekeeping services for securities purchased by the City. Frost Bank of San Antonio is our third-party provider of Safekeeping Services.

A sample Safekeeping Agreement is provided with other Service Agreements behind Tab 3.

F. Standard Disbursing Services

Standard disbursing services for all accounts are required to include the payment of all checks upon presentation.

First Financial is a full service, nationally chartered bank providing banking services to more than 200 public entities. As checks are presented for payment, we will honor the payment drawn on the City's account. We are asking the City to participate in Positive

Pay as a step in protecting City funds.

Positive Pay is a partnership between the City and the Bank for controlling check fraud. The City provides us with a list of issued checks and as each check is presented for payment, whether at the teller line or through our cash letters, the check information will be matched against the City's officially issued check list. If the check number, amount, or payee name (if the City elects payee name match) does not match, the check is considered and exception and will be presented to the City for a Pay or Return decision. Positive Pay provides the City with peace of mind knowing only approved items are paid.

If the City participates in Positive Pay, First Financial Bank will cash checks drawn on-us made payable to individuals and issued by the City without charge as long as proper identification is provided.

G. Standard Deposit Services

The bank must guarantee immediate credit on all incoming wire transfers and U.S. Treasury checks upon receipt and all other checks based on the bank's published availability schedule. The Bank should specify in their proposal their deposit requirements and commercial and retail deposit locations, including night deposit services and procedures. The bank must offer check deposit imaging with a 2 year history.

First Financial does not have an early cutoff time. First Financial provides same day credit and next day availability. First Financial will accept deposits at any branch or drive through location during hours of operation as same day credit.

First Financial operates a full service location including drive through and night deposit services at 459 Main Street, Palacios, Texas. The lobby hours are 9:00 AM to 3:00 PM Monday through Thursday and 9:00 AM to 6:00PM on Friday. The drive through is open from 8:00AM until 4:00PM Monday through Thursday and from 8:00AM until 6:00PM on Friday.

Incoming funds from Wire Transfers, ACH, U.S. Treasury checks and cash are immediately available. In some unusual cases, we may delay your ability to withdraw funds beyond the next business day. Then, the funds will generally be available according to the guidelines of Federal Regulation CC.

Check deposits delivered electronically through Remote Deposit must be transmitted by 7:00PM on any banking day for same day credit. Deposits made at an ATM by 8PM on any banking day, will be considered that day's deposit.

Transactional history, including deposit slips and adjustments, are available for at least 60 days though Online Banking. Statements including the images of all paid items, deposits slips and adjustments, are available for at least 18 months. If the City needs documentation older than what is available online, we can provide up to 7 years of transactional history through a research request

H. Reporting and Account Analysis

Monthly account analysis reports must be provided by the bank on a timely basis for each account and on a total account basis. A sample account analysis format must be provided as part of the proposal. Samples of monthly statements should also be provided. The monthly statements are to be received within 7 business days of the next month. It is preferable to have online access for the City of Palacios to print their own statements.

First Financial will mail a monthly account analysis statement to document transaction volumes and services provided to the City. The account analysis statement will also state the earnings credit. First Financial is proposing an Earnings Credit Rate of .50% to reduce the required balances that offset bank service charges. We are proposing to WAIVE bank service charges in excess of earnings credit for funds held in non-interest bearing, analyzed accounts. Fees for Merchant Services are billed separately.

Account Analysis statements are printed and mailed around the 15th of each month. Monthly statements are mailed on the business day following the statement cut-off, which is the last business day of the month. Monthly statements are also available for viewing on the business day following the statement cut-off.

Samples of both the Account Analysis statement and the monthly statement are provided behind Tab 4.

I. Account Executive

An account executive must be assigned to the account to coordinate the account services and expedite the solution of any problem. A trained and competent backup for the account executive, familiar with the account, should be assigned in the proposal. Stipulate the name and a brief biography of the account executive to be assigned to the City's account.

Kenneth Johnson, Executive Vice President, will continue to serve as the City's account executive. Kenneth has 47 years of banking experience with 17 years as the Senior Officer of the Palacios branch. Mary Van Borssum, Vice President and Branch Manager, will serve as Mr. Johnson's back up. Mary has many years of experience in bank operations and is very familiar with the City's account.

J. Direct Deposit

Describe the requirements and deadlines for computer tape for ACH transactions. The proposal should indicate when funds will be available in participating banks.

First Financial offers a securely delivery channel for NACHA formatted files created for payables, receivables, and payroll through our Online Banking system. The City can also create individual ACH transactions. Transactions are submitted and approved by City staff. The process will be familiar to City staff as First Financial offers the same online banking solution used today.

Financial Bank's ACH deadline is 3PM one business day before the effective date (or payday). Files must be transmitted by 3PM on Thursday to be available to employees by Friday, unless Thursday is a banking holiday, then files must be delivered on Wednesday by 3PM.

Availability of funds at receiving banks will vary depending upon their procedures. At First Financial Bank, ACH transactions are posted between 4:00AM and 6:00am on the effective date.

K. Daylight Overdraft Provisions

Every effort will be made to eliminate daylight overdraft situations on the account. However, in case this situation does arise, the proposal should include any and all bank policies regarding daylight overdrafts charges or handling procedures.

First Financial does not have an early cut-off. Should the balance be in a negative positive during the day, the City can move funds from another account or make a deposit. There

are no charges for daylight overdrafts. If the account is in a negative position after night processing, the account will be considered in overdraft and an overdraft fee will be listed as a service charge item on the analysis statement.

Overdraft protection will be available for all City accounts. First Financial will pay the item and contact the City in the event an account is overdrawn. The City will have the opportunity to transfer funds from another account or make a deposit.

L. Stop Payments

The proposal must include a statement on the proposed stop payment process on an automated or manual basis.

Stop Payment orders can be placed through the Online Banking system 24 hours a day, 7 days a week by designated City staff. The Stop Payment order will be effective immediately upon receipt, if received between 8:00 AM and 11:00PM on any banking day. Otherwise, the Stop Payment order will be in place on the following business day.

Stop Payments may be placed by phone through the Phone Center or in person at any of our lobby locations.

M. Collateralization of Deposits

The bank must agree to obtain and maintain acceptable collateral sufficient to cover all anticipated time and demand deposits, above the FDIC insured limit of $100,000. Securities used to pledge against time and demand deposits must be held in an independent third-party safekeeping institution outside the bank's holding company. The bank will execute a tri-party safekeeping agreement with the City and the Safekeeping bank for safekeeping of these securities. Collateral will be maintained at a minimum of 102% and marked to market at least once a month. Control will be shared jointly between the bank and the entity. Substitutions of collateral will be requested in writing and new collateral will be received before the existing collateral is released. The proposal will name the safekeeping bank for collateral.

First Financial will provide collateral equal to 102% of the City's deposits and accrued interest above FDIC coverage. Pledged securities are held in safekeeping at Frost Bank of San Antonio, Texas. The City's balances are monitored daily to verify funds are collateralized. When additional securities are required, a Pledge Notice will be delivered identifying the added security. If a substitution is necessary, we will obtain written approval from the City. The substitute collateral will not be released until a replacement security is assigned.

The City will also receive a monthly report listing the pledged securities including descriptions, par amount, CUSIP, and market value. A sample collateral report is provided behind Tab 3. Also included behind Tab 3 is a sample Pledge Notice and Authorization to Release a Security.

The City is encouraged to maintain an open line of communication enabling the Bank to adjust pledged securities when large deposits are expected.

N. Additional Services

If new services become available and are provided during the period of this contract, they will be charged at the bank's then published rates.

Understood.

V. OTHER SERVICES

The City is interested in obtaining service and cost information on additional services for possible use during the contract period. These services are not required but will be evaluated in terms of availability, feasibility, service levels, service providers and cost. The City will make its determination after receipt of proposals as to whether a service will be used. If the service is accepted later in the contract period the services and charges stipulated in the proposal will be applied.

A. Lockbox Services

The City may choose to utilize lockbox services for certain revenue collections. Describe the service including the lockbox location and a full description of the service.

First Financial offers Lockbox Services for processing payments received by mail. Mail is delivered to a designated USPO box. Envelopes are opened and payments are processed. Deposits are received electronically on the day the mail is opened. The City can receive information about the payments electronically with information such as account number and amount.

Envelope contents are delivered in a manner and frequency specified by the City.

Pricing for Lockbox services are included in the agreement and will vary depending on the level of service required by the City. A sample Lockbox agreement and set up form is provided with other service agreements behind Tab 7.

Other Services

First Financial continues to review trends to incorporate enhancements to existing services and introduce new services. The list below provides information about services we can provide to the City that were not incorporated in the RFP.

Although the City currently banks with Commercial State Bank, with the acquisition by First Financial, account numbers and routing numbers will change. Therefore, we are offering the City up to $1,000 to apply toward new printed check stock and deposit slips as long as the order is placed through the Bank's provider.

Consulting Services

First Financial is quite privileged to have on staff, Daniel Neely, a Certified Treasury Professional (CTP). Daniel is a Senior Vice President in our Treasury Management Services department and brings 15 years of experience working with businesses and public entities of all sizes and types. Daniel regularly offers his expertise to improve cash management and processes that reduce expenses and maximize earnings.

Daniel will work with you to structure accounts and implement services that meet financial goals as well as expedite payments. Daniel welcomes the opportunity to build a working relationship with you to stay abreast of your needs as well as trends in the financial industry that deliver results.

Remote Deposit

Remote Deposit is one of the most innovative banking products introduced in many years. Checks can be deposited without leaving the office. Checks are scanned and the images are

transmitted to the Bank through our secure, web hosted application. All deposits received by 7:00 PM on any banking day are given same day credit and next day availability, just as if the deposit was made with a teller. Once the checks are scanned and the deposit is confirmed, the original checks can be destroyed.

The monthly charge for Remote Deposit is $25.00 with an item fee of $0.08. Although the City would see a line item on their analysis statement, fees in excess of earnings credit will be waived. First Financial agrees to provide up to two (2) FREE batch-feed scanners at NO COST to the City, which is a value of $1,186. Additional scanners can be purchased at cost.

A sample agreement is provided behind Tab 7.

Payroll Cards

Payroll Cards provide a means for employers to achieve 100% participation in Direct Deposit Payroll. Some employees are unable to or do not wish to open a regular checking or savings account. The Payroll Card works like a checkless checking account for the employees and a bank account for employers. Payroll Cards can be used to distribute payroll funds, per diem payments, and expense reimbursements.

First Financial Bank, N.A. currently has over 200 companies with employees using our Payroll Cards.

The normal cost to the City would be $5.00 to issue the card; however, the fee will be listed under analysis and offset by earnings credit or WAIVED. All other fees are cardholder fees. All fees are provided in the agreement, a sample of which is included behind Tab 7.

Positive Pay and ACH Block/Filter Services

Positive Pay creates a partnership between the Bank and our customer in an effort to control check fraud. Using a web-hosted Positive Pay program, an issued check file is uploaded or individual check information is keyed into the system. When checks are presented for payment (at the teller line or from the cash letter), we will match them against the issued items for check number, amount, and soon the payee name. When a check is presented that is not listed or does not match what was delivered, an email notification is sent. If the item is presented at the teller line, a call for approval to pay the item will be made. Exceptions are reviewed within the Positive Pay system for a pay or return decision. Returned items require a reason, which is selected from drop down menu options. Positive Pay is an excellent way to protect funds and avoid losses.

Our Positive Pay system also supports ACH block and filter services. Block all ACH activity, particularly debit activity, or build a list of originators from which ACH activity is allowed. For example, a routine insurance payment can be allowed to post, but all other debit and or credit transactions are blocked. Approved originators are added to a list to allow those incoming transactions and any other ACH activity would be considered an exception. ACH exceptions are managed just as check exceptions. An email notification is delivered and exceptions are reviewed and marked to pay or return.

Positive Pay is recommended for all businesses and public fund organizations to protect funds. Additional benefits include reconciliation tools and reporting.

The cost of Positive Pay is $5.00 per month per relationship. ACH Block/Filter service is an additional $5.00 per month per relationship. Both fees will be listed on the City's analysis statement and offset by earnings credit. A sample agreement is provided behind Tab 7.

Business and Consumer Credit Cards

First Financial introduced a program to meet the credit card needs of our consumer and business customers. Businesses can choose from a variety of programs from a VISA Business Card with an extended 0% introductory rate to Business Rewards programs including points and cash back options.

For businesses needing a credit line in excess of $25,000 and need a pay in full each month, we offer our VISA Company Card or the VISA CommUNITY Card for non-profit entities.

First Financial has partnered with Elan Financial Services to deliver the best in product and service. Elan's program is backed by 24/7 support and online access to transactional history and statements. Elan and First Financial understand businesses and non-profits need robust features to manage card spending, control expenses and limit liability.

Businesses and non-profits using our credit card enjoy the benefits and security such as $0 liability from VISA on unauthorized transactions (with timely notification) and $0 liability is extended to employee misuse up to $100,000, provided certain conditions are met.

Elan's long-term success and reputation weighed heavily in First Financial's selection for a credit card provider. We are pleased to offer a variety of card programs to meet the needs of consumers, business, and non-profits with features that provide convenience, security, and money saving benefits.

Merchant Services

First Financial Bank partners with TSYS, a premier provider of merchant services, for credit card processing. Through TSYS, we offer a suite of products and services using traditional terminals, mobile, gateway and wireless solutions.

With TSYS and the support from First Financial Bank, N.A., merchants are assured of receiving outstanding customer support and dependable credit card processing. Highlights include:

- Month to month service, no contract required
- Competitive Rates, no hidden fees, no monthly minimums
- Easy application process
- 24/7 Help Desk support
- Online Reporting
- Automated Chargeback process

Merchant services provides retail businesses, non-profit organizations, public entities, and service providers the ability to offer more payment options for their customers, resulting in convenience and guaranteed funds.

TSYS provides a separate monthly statement to document activity and charges related to merchant services. Fees related to Merchant Services are billed separately and not eligible for earnings credit.

1st Safe and Loomis Armored Car Service

First Financial offers 1stSafe in conjunction with Loomis. A separate contract is required when implementing 1stSafe. A brochure describing the services is provided in the back cover of the bid packet.

Smart safe technology provides same day credit for all cash deposited through the safe. Cash is safely stored until the scheduled pickup by Loomis' Armored Car service. As cash is fed into the safe, it is counted and at a scheduled time each day, the totals are uploaded to Loomis' secure internet site. The deposit activity is also transmitted to the Bank for credit to your account. On a scheduled basis, Loomis will pick-up cash stored in the safe.

First Financial will coordinate implementation of a smart safe in one or more locations. The cost is based on several factors and will be negotiated through Loomis. The business is responsible for preparing the safe installation site.

With 1stSafe, you have peace of mind knowing credit for cash is provided and cash is safely stored until the next armored car pick-up.

Since each location has specific requirements and schedules, fees related to Loomis' Smart Safe are negotiated directly with Loomis. Fees assessed by First Financial to implement a direct connection between Loomis and the City's First Financial bank account to receive credit are also negotiated on a case by case basis.

VI. BANK COMPENSATION

Any net settlement on compensating balances will be made annually. If fees are chosen as the payment methodology, fees will be paid monthly after receipt of the account analysis.

First Financial is proposing to WAIVE bank service charges in excess of earnings credit for non-interest bearing, transactional accounts grouped under analysis. Fees related to Merchant Services are billed and charged separately. Bank service charges are the same whether the fees are covered by earnings credit or if the City pays fees. First Financial Bank is proposing an Earnings Credit Rate of .50%.

The City can structure the accounts to meet the City's objectives. The City can maintain non-interest bearing accounts for daily operational accounts and move excess or idle funds into interest bearing accounts. Transfers can be manual or the City can maintain a specific balance in an account and move excess funds using an automated sweep.

Attachment A - BANKING SERVICES CHARGES

SERVICE DESCRIPTION	CAN BE INCLUDED IN COMPENSATING BALANCE (YES) (NO)	DIRECT FEE OR SERVICE CHARGE
Account Maintenance	N/A	WAIVED
Deposits/Credits Posted	N/A	WAIVED
Items Deposited/Encoding Charge	N/A	WAIVED
Clearing Charge	N/A	WAIVED
Debits/Checks Paid	N/A	WAIVED
Return Items - Recleared	N/A	WAIVED
Return Items - Charged back	N/A	WAIVED
Stop Payment	N/A	WAIVED
Daily Balance Reporting Via Telephone	N/A	WAIVED
Via Fax	N/A	WAIVED
Cash Deposit Processing	N/A	WAIVED
Coin Counting & Wrapping Service	N/A	WAIVED
Rolls of Coin/Straps of Currency Purchased	N/A	WAIVED
Wire Transfers		WAIVED
Outgoing	N/A	WAIVED
Incoming	N/A	WAIVED
Mail Advices	N/A	WAIVED
Telephone Transfers Between Accounts	N/A	WAIVED
Insufficient Funds Items	N/A	WAIVED
CPA Confirmations	N/A	WAIVED
Cashiers Checks	N/A	WAIVED
FDIC Insurance	N/A	WAIVED
Resesarch/Statement Reproduction	N/A	WAIVED
Collateral Fee	N/A	WAIVED
Detailed monthly collateral report at market value	N/A	WAIVED
One Safe Deposit Box*	N/A	WAIVED
Night Depository Services	N/A	WAIVED
3 Locking bank bags and 2 night drop keys	N/A	WAIVED
Safekeeping services for any book-entry securities purchase by the City	N/A	WAIVED
Cash management advice on a semi-annual basis	N/A	WAIVED
Preparation of monthly bank statement beginning with first day of month and ending with the last day of month,showing debits credits and balances of each separate account and sequential listing of cashed checks within five working days of closing date	N/A	WAIVED
Monthly account analysis statement	N/A	WAIVED
Deposit slips	N/A	First Order up to $1,000**
Coin wrappers and currency straps	N/A	Prefer loose coin & currency

Service Description	CAN BE INCLUDED IN COMPENSATING BALANCE (YES) (NO)	DIRECT FEE OR SERVICE CHARGE
Endorsement Stamps	N/A	No Charge for one per account
Direct Deposit	N/A	
Per transmission or file	N/A	WAIVED
Per transaction originated	N/A	WAIVED
Return Items/Notification of change	N/A	WAIVED
Direct Debit	N/A	
Per transmission or file	N/A	WAIVED
Per transaction originated	N/A	WAIVED
Return Items/Notification of change	N/A	WAIVED

NOTE: Fees may apply based on future service subscriptions to be mutually agreed upon.

No charge for eStatements.

Online Banking Services includes Previous Day, Current Day and Detail Transaction Reporting.

Two batch feed Remote Deposit scanners will be provided at NO COST to the City, a value of $1,186.

One free endorsement stamp per account will be provided.

First Financial prefers loose coin and currency; therefore, there is no need for coin wrappers and currency straps.

***A safe deposit box will be provided at NO COST. The size will be based on availability.**

****First Financial will provide initial order of printed check stock and deposit slips, up to $1,000, provided the order is placed through the Bank's provider.**

Attachment B - INTEREST ON FUNDS

First Financial proposes interest bearing checking accounts for idle or excess funds. We are proposing a rate equal to **85% of the 4 week average 91 Day T-Bill rate during the prior month with a cap of 2.00%**. Funds can be moved manually or swept automatically from an operating account. This provides the City an option to earn interest at a higher rate than offered through Certificates of Deposit and the City maximizes liquidity.

First Financial does not offer Certificates Deposit rates tied to an index.

CERTIFICATES OF DEPOSIT

MATURITY	**> $100,000.00**	**<100,000**
	Basis point spread over (+)/under(-) T-Bill "asked" rate	Basis point spread over (+)/under(-) T-Bill "asked" rate
	Per month	
7-29 days		
30-59 days		
60-89 days		
90-179 days		
180-364 days		

However, if the City prefers, Certificates of Deposit are available at the fixed rates stated below:

CERTIFICATES OF DEPOSIT

MATURITY	FFB Maturity Date Options	**> $100,000.00**	**<100,000**
7-29 days	7-31 days	.02%	.02%
30-59 days	32-90 days	.03%	.03%
60-89 days			
90-179 days	91-180 days	.05%	.05%
180-364 days	181-364 days	.08%	.08%

RESOLUTION NO. 2018-R-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS AUTHORIZING AN APPLICATION TO THE OFFICE OF THE GOVERNOR OF THE STATE OF TEXAS FOR A TECHNOLOGY UPDATE GRANT; AUTHORIZING THE CITY MANAGER TO SIGN AND THE CITY SECRETARY TO ATTEST TO SAID GRANT APPLICATION; DESIGNATING THE CITY MANAGER AS THE GRANTEE'S AUTHORIZED OFFICIAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Texas offers grants to assist governmental entities such as the City of Palacios in upgrading technology used by the City in providing services to its citizens; and

WHEREAS, the City Council of the City of Palacios has determined it is in the best interest of the City to seek such a grant from the Governor's office, which administers such grants, to upgrade the technology use by the Palacios Police Department;

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

SECTION 1: That the City Council of the City of Palacios approves applying for a Technology Upgrade Grant from the Governor's Office, a copy of which application is attached as Exhibit "A".

SECTION 2: The City Manager and the City Secretary are hereby authorized and directed to sign and attest to said grant application on behalf of the City of Palacios, and forward said application to the Governor's Office of the State of Texas.

SECTION 3: The City of Palacios agrees and assures that in the event of loss or misuse of the grant funds awarded to the City, the funds will be returned by the City to the Office of the Governor in full.

SECTION 4: The City of Palacios designates the City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City.

SECTION 5: That this resolution shall become effective from and after the date of its passage.

PASSED, APPROVED, and ADOPTED on this the 13th day of February, 2018.

CITY OF PALACIOS, TEXAS

_____
DAVID KOCUREK, CITY MANAGER

ATTEST:

_____
CLISSA MILLS, City Secretary
...\palacios\ordinanc\resolution approving tech grant application

Print This Page

Agency Name: Palacios Police Department
Grant/App: 3523801 **Start Date:** 1/1/2018 **End Date:** 12/31/2018

Project Title: Technology upgrade
Status: Application Pending Submission

Profile Information

Applicant Agency Name: Palacios Police Department
Project Title: Technology upgrade
Division or Unit to Administer the Project: Police Department
Address Line 1: 405 Commerce Street
Address Line 2: 315 Henderson Avenue
City/State/Zip: Palacios Texas 77465
Start Date: 1/1/2018
End Date: 12/31/2018

Regional Council of Goverments(COG) within the Project's Impact Area: Houston-Galveston Area Council
Headquarter County: Matagorda
Counties within Project's Impact Area:

Grant Officials:
Authorized Official
User Name: David Kocurek
Email: dkocurek@cityofpalacios.org
Address 1: 311 Henderson
Address 1:
City: Palacios, Texas 77465
Phone: 361-972-3605 Other Phone: 281-331-9746
Fax: 361-972-6555
Title: Mr.
Salutation: Mr.
Position: City Manager

Project Director
User Name: David Miles
Email: dmiles@cityofpalacios.org
Address 1: 315 Henderson
Address 1: 405 Commerce
City: Palacios, Texas 77465
Phone: 361-972-2728 Other Phone: 631-972-3112
Fax: 361-972-2793
Title: Mr.
Salutation: Chief
Position: Chief of Police

Financial Official
User Name: Tammy McDonald
Email: tmcdonald@cityofpalacios.org
Address 1: 311 Henderson
Address 1:
City: Palacios, Texas 77465
Phone: 361-972-3605 Other Phone: 361-972-3605
Fax:
Title: Ms.
Salutation: Ms.
Position: City Treasurer

Grant Writer
User Name: David Miles
Email: dmiles@cityofpalacios.org
Address 1: 315 Henderson
Address 1: 405 Commerce
City: Palacios, Texas 77465
Phone: 361-972-2728 Other Phone: 631-972-3112
Fax: 361-972-2793
Title: Mr.
Salutation: Chief

Position: Chief of Police

You are logged in as **User Name**: dmiles

Print This Page

Agency Name: Palacios Police Department
Grant/App: 3523801 **Start Date:** 1/1/2018 **End Date:** 12/31/2018

Project Title: Technology upgrade
Status: Application Pending Submission

Narrative Information

Introduction

This application is for grants under the Justice Assistance Grant (JAG) Program.

Please read the funding announcement for program rules and application guidelines and review the *Guide to Grants*, *Grantee Conditions and Responsibilities* and *Standard Certifications and Requirements* - all available at CJD's resources webpage - for standard rules and conditions the applicant agrees to when certifying an application.

How to Apply for a CJD Grant contains special instructions for this application, and *Developing a Good Project Narrative* is essential reading for drafting effective responses to the nine boxes below in the "Project Narrative" section. Both are also available at CJD's resources webpage, and applicants wishing to receive a grant should review them closely. Applicants that fail to adequately respond to the prompts will NOT be selected by CJD for funding.

Applications for local or regional projects under this announcement will first be reviewed and ranked by the relevant regional Council of Governments' (COG) Criminal Justice Advisory Committee, and some COGs have additional, mandatory application procedures. Applicants should contact their COG's criminal justice planner early as possible for instructions. The local criminal justice planners are also the first, best contact for questions regarding the application or program, and their contact information can be found here.

Unless otherwise specifically instructed, DO NOT UPLOAD ATTACHMENTS with further information. Use the space provided here to address any aspects of the project you consider relevant.

Section 1: Program-Specific Questions

A. Specialty Courts
If applicant applying to fund a specialty court operating under Ch. 121 of the Texas Government Code, enter the **CJD ID for the court** (list available here). If applicant is not, enter "0":
0
B. Drug Testing
If the project tests program participants for drugs or alcohol, describe the testing policy, including the method used for testing and the frequency of testing for participants. Enter **'N/A'** if the project does not have participants or those participants are not drug tested.
C. Juvenile Case Managers
Select the option that best describes the support for juvenile case managers (including programs administered by juvenile case managers) in this project:
X No support for juvenile case managers
_ Support for juvenile case managers to address truancy only
_ Support for juvenile case managers to address juvenile crime

If this project includes support for juvenile case managers, select all options that apply. The juvenile case managers under this project will be employed or co-employed by:
_ A truancy court under Chapter 65, Texas Family Code
_ An independent school district
_ A juvenile probation department
_ A juvenile criminal court
_ Another type of entity
X This project does not support juvenile case managers

If this project supports juvenile case managers, list the names of the entities employing, co-employing, or utilizing the case managers, including the name of the truancy court and the name of the school district (if applicable). Projects that do not support juvenile case managers should enter **N/A**:
If this project supports juvenile case managers, list any of the entities entered immediately above that currently employ juvenile case managers. If the project does not support juvenile case managers or none of the entities currently employ them, enter **N/A**:
If the applicant is applying for funds to support a juvenile case manager, check all that apply (all other applicants select the last option):
_ Each county of the applicant retains funds collected under Sec. 102.015, Texas Code of Criminal Procedure
_ Each municipality of the applicant retains funds collected under Sec. 102.015, Texas Code of Criminal Procedure
_ Each county of the applicant currently collects fees to support juvenile case managers under Sec. 102.0174, Texas Code of Criminal Procedure
_ Each municipality of the applicant currently collects fees to support juvenile case managers under Sec. 102.0174, Texas Code of Criminal Procedure
_ Each county of the applicant has established a judicial trust fund under Sec. 36.001, Texas Government Code
_ Each municipality of the applicant has established a judicial trust fund under Sec. 36.001, Texas Government Code
_ Applicant is not applying for funds to support a juvenile case manager

D. Evaluation Projects
This section regards any evaluation budget line item and/or selection of "Program Evaluation" as a project activity.

Tier-One Evaluations
Evaluations of programs that have been implemented and the evaluations will test the fidelity of the program based on proven models or best-practices. The evaluation also will review available program output and outcome information.

Does this application include a tier-one evaluation?
_ Yes
X No

If you answered **'YES'** above, describe below the best practices/model to be used in a fidelity and performance evaluation, the goal(s) of the evaluation, and why it is needed. If you answered **'No'** above, enter **'N/A'**.
Tier-Two Evaluations
Evaluations directed at measuring the effectiveness of proposed new program models or significant changes in present program models. The goal of tier-two evaluations is both to measure the program's effectiveness and to produce data and evidence necessary for others to replicate the program models and to develop best practices that CJD can use in supporting similar efforts.

Does this application include a tier-two evaluation?
_ Yes
X No

If you answered **'YES'** above, describe below why this new program model is needed and the goal(s) of the evaluation. If you answered **'No'** above, enter **'N/A'**.

X If you answered **NO** to both questions above, check this box.

E. Sustainment
How many additional years, beyond this request, do you plan to request continuation funding?
0
1) If you entered three (3) years or fewer, provide a brief explanation of your sustainment plan (if you entered more than three years or the project will not be sustained, enter **'N/A'**):
The City of Palacios has started a program with supplus funds from the City's anual budget that after it's maturity in 5 years will be able to sustain not only the continuing needs of not only Law Enforcement and other entities with in the city with continuing advances and changes in technology.
2) If you entered more than three (3) years, explain the longer term sustainment plan or why other resources cannot be used to continue this project and why a sustainment strategy is not possible (if you entered three years or fewer or the project will not be sustained, enter **'N/A'**):

Section 2: Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

A. Constitutional Compliance
Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

B. Information Systems
Applicant assures that any new criminal justice information systems will comply with data sharing standards for the Global Justice XML Data Model and the National Information Exchange Model.

C. Bulletproof Vests
Applicant assures that if it plans to purchase body armor with grant funds, that it has adopted a mandatory wear policy and that all vests purchased have been tested and found to comply with the latest applicable National Institute of Justice (NIJ) ballistic or stab standards. Additionally, vests purchased must be American-made.

D. Uniform Crime Reports
Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety for inclusion in the annual Uniform Crime Report (UCR) and must have been current for the twelve previous months.

E. Criminal History Reporting
The county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2011 through 2015.

F. DNA Testing of Evidentiary Materials
When funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS) by a government DNA lab with access to CODIS.

G. Interoperable Communications
Funds to support emergency communications activities must ensure compliance with the FY 2015 SAFECOM Guidance on Emergency Communications Grants; adherence to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band; and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC) for Texas.

H. Twelve-Step Programs
Grant funds may not be used to support or directly fund programs such as the Twelve Step Program which courts have ruled are inherently religious. OOG grant funds cannot be used to support these programs, conduct meetings, or purchase related materials.

I. Specialty Court Certifications
If the applicant is a specialty court operated under Ch. 121 of the Texas Government Code, the following certifications apply:

1. The specialty court will develop and maintain written policies and procedures for the operation of the program.
2. The applicant will submit a copy of any project evaluations, evaluation plans, recidivism studies, or related reports that are completed during the grant period to CJD.

J. Generated Program Income
Unless specifically and explicitly authorized to do otherwise by OOG, at OOG's sole discretion, the applicant will report Generated Program Income (GPI), which includes any portion of fees collected from program participants and retained by the grantee. GPI will be applied to the grant through a grant adjustment. GPI must be used to offset project costs and must be expended prior to seeking payment from OOG.

K. Immigration and Customs Enforcement Requests
The full text of this certification can be found here. To be in compliance with this requirement, any county or municipal government that includes a department that detains individuals after arrest for a criminal violation must provide a letter signed by the head of each such department certifying to the requirements. This letter may be used for any application submitted to OOG for a period of up to two years from the date it is signed. If that period expires during the project period of any grant, the grantee must submit an updated letter for each such grant to remain in compliance with this requirement.

All applicants must select one of the following options:
_ Applicant is not a county or municipal government
_ Applicant is a county or municipal government and does not include any department that detains individuals after arrest for a criminal violation at any time
X Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. Letters certifying compliance and signed by the heads of all such departments have been uploaded to this application.
_ Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. The Authorized Official has read the certification found on the aforementioned CJD website. Further, the Authorized Official will not be submitting signed letters certifying compliance from the heads of all such departments and understands that failure to comply with this certification may result in OOG, at its sole discretion, rejecting this application and any other application from the relevant county or municipal government.

L. Civil Rights Liaison
A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with CJD and with the federal Office of Justice Programs.
Enter the Name of the Civil Rights Liaison:
Clissa Mills
Enter the Address for the Civil Rights Liaison:

311 Henderson Avenue Palacios, Texas 77465
Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999 x9999]:
361-972-3607

Overall Certification

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the CJD Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.

X I certify to all of the application content & requirements.

Project Abstract :

The purpose and need for the project is to upgrade the outdated and ineffective technological equipment that is now being utilized by the Palacios Police Department, thus enhancing the ability to protect the integrity of the mandated obligations placed on Law Enforcement in regards to Racial Profiling, provide better eventuary data and evidence for effective prosecutions. And the continued acquistion of fleets vehicles that was established in the equipment purchases in the 2015 grant apllication that layed a 5 year plan to bring the technology and equipment to a level that will allow the City of Palacios to have a replacement program that started with surpluses from the 2017 fund pools and expected to mature in 5 years. Though the Cities economic growth is on an incline, it has yet to catch up to meet the just basic demands to provide not only protection to the citizens, the monitoring and protection of the second largest inland port to the Gulf of Mexico and to coorerate and participate in a cooperative combined effort of the 3 Law Enfrocement agencies to combat the explosive drug and Methamphtamine epademic that has plagded the South Texas region, but the continued demand to rebuild and maintain a 100 year old infastructure.

Problem Statement :

The technologial equipment now being utilized by the Law Enforcement in Palacios is out dated and not servicable without removing it and sending it out of State for repairs and the length of time it takes to get it back. since the instalation of the technology 10 years ago the maufacture has moved out of State and the advanments of technology has been upgraded and simplified many times. Technial support from the manufacture is via telephone, which is very inaffective much of the time and the cost of a representitve to travel is very high. the data that is now stored is subject to invasion because of the means of transfer and is often lost be cause od equipment failure.

Supporting Data :

The City of Palacios has 2 vehicles out of the entire vehicle fleet that are within a reasonable condition to last through the 5 year period at which at murturaty will be able to provide the needed replacement equipment and technology to continue the safe and effective operation of the Police Departmenmt. the data recording equipment replacement like the vehicle were neglected due to budget restaints. Along with the demand placed on Law Enforcement for body worn equipment that should be compliant with all the equipment and provide for the opertunity for both body and vehicle equipment work in unison. The demand for Mental Health and Juvenile transport only continue to increase therefore adding to the stress of the department, department Personnel and the deteriorating equipment as layed in the yearly Matagorda County Plan.

Project Approach & Activities:

As layed out, the City of Palacios has began 5 year program that when it reaches maturity, will allow the City of Palacios Police Department and other departments with in the City to have a replacement fund that will provide the funds needed for the strategic replacement of equipment and technology that is required to meet the ever changing demands.

Capacity & Capabilities:

The Palacios Police Department proposes the finale replacement of vehicles that are beyond repair and unsafe to operate, it will allow the replacement of data recording equipment that is vitally necessary for the protection and accountability of the integrity of each member of the department's personnel that is so vitally important in this very controversial period in which every action is called to the table to be accounted for.

Performance Management :

The replacement of the outdated technology and worn out vehicles will bring the capabilities of the City of Palacios to a point where the need for assistance will be eliminated. the technology will be at a point where it will be compatible with that on hand and replace vehicles that are not only very costly to maintain but also provides much greater economically and environmentally friendly equipment

Data Management:

A data management system has already been put in place to account for all the maintenance of all the equipment and technology. systems are in place to provide for the annual acquisition of funds for the replacement programs that will be the means in which future replacement are obtained from.

Target Group :

The primary target to benefit is the citizens of the City of Palacios and Matagorda County, Texas. the replacement program proposed by the City is to meet the ever increasing demands placed on Law Enforcement. The acquisition of technology only enhances the ability and reliability of the personnel to be proactive in providing protection on the streets, in the inland Port and the highway that is a direct route to the Texas Mexico border. The technology will provide to the integrity of stored and maintained data that is now required to secure the protection of not only the Law Enforcement personnel, but integrity of evidence gathered and provided to the Judicial System. The replacement of the outdated and worn out equipment for greater cost effective use of strained funds.

Evidence-Based Practices:

The City of Palacios has continued to provide service to the citizens of the City of Palacios and Matagorda County with equipment that is less than cost effective, much of the equipment was replaced if not repaired with used equipment. Though the economy has risen, it is slow to catch up to the demands of the City to provide safe streets and healthy living conditions. Assistance from state and Federal agencies is very rare due to the rural location of Palacios, therefore leaving the greatest burden on the city.

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Agency Name: Palacios Police Department
Grant/App: 3523801 **Start Date:** 1/1/2018 **End Date:** 12/31/2018

Project Title: Technology upgrade
Status: Application Pending Submission

Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
*REQUIRED TOTAL: Equipment or technology: Individuals/ operators equipped	100
*REQUIRED TOTAL: Equipment or technology: Organizations directly using	

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL

Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL

Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL

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Agency Name: Palacios Police Department
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Budget Details Information
Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Equipment	Police / Sheriff Department Vehicle (with no law enforcement equipment installed)	2 Chevrolet Law Enforcement Vehicles equipped with emergency lights on top and front and rear strobes and siren, in-car video, control panel, prisoner separation and weapons retention	$67,746.00	$0.00	$0.00	$0.00	$67,746.00	2
Equipment	Specialized Audio-Visual System and Accessories	Kustoms Inc. G3 In-car video system with front and rear cameras with 5 inch screen and installment fees to replace 10 year old equipment	$45,000.00	$0.00	$0.00	$0.00	$45,000.00	5

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Agency Name: Palacios Police Department
Grant/App: 3523801 **Start Date:** 1/1/2018 **End Date:** 12/31/2018

Project Title: Technology upgrade
Status: Application Pending Submission

Section 1: Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a resolution that contains the following:

1. Authorization by your governing body for the submission of the application to CJD that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update CJD should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to CJD.

Upon approval from your agency's governing body, upload the approved resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

Section 2: Contract Compliance

Will CJD grant funds be used to support any contracts for professional services?
_ Yes
X No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

Section 3: Lobbying

For applicant agencies requesting grant funds in excess of $100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?
_ Yes
X No
_ N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?
_ Yes
X No
_ N/A

Section 4: Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:
10/1/2107
Enter the End Date [mm/dd/yyyy]:

Section 5: Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:
Enter the amount ($) of Federal Grant Funds:
0
Enter the amount ($) of State Grant Funds:
0

Section 6: Single Audit

Applicants who expend less than $750,000 in federal grant funding or less than $750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a CJD grant. However, CJD may require a limited scope audit as defined in 2 CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of $750,000 or more, or state grant funding of $750,000 or more during the most recently completed fiscal year?
_ Yes
_ No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit:

Section 7: Equal Employment Opportunity Plan

Type I Entity
Defined as an applicant that meets one or more of the following criteria:
- the applicant has less than 50 employees;
- the applicant is a non-profit organization;
- the applicant is a medical institution;
- the applicant is an Indian tribe;
- the applicant is an educational institution, or
- the applicant is receiving a single award of less than $25,000.

Requirements for a Type I Entity
- The applicant is exempt from the EEOP requirements required to prepare an EEOP because it is a Type I Entity as defined above, pursuant to 28 CFR 42.302;
- the applicant must complete Section A of the Certification Form and send it to the Office for Civil Rights (OCR) to claim the exemption from developing an EEOP; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Type II Entity
Defined as an applicant that meets the following criteria:
- the applicant has 50 or more employees, and
- the applicant is receiving a single award of $25,000 or more, but less than $500,000.

Requirements for a Type II Entity - Federal law requires a Type II Entity to formulate an EEOP and keep it on file.
- The applicant agency is required to formulate an EEOP in accordance with 28 CFR 42.301, et seq., subpart E;
- the EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP is available for review by the public and employees or for review or audit by officials of CJD, CJD's designee, or the Office of Civil Rights, Office of Justice Programs, U.S. Department of Justice, as required by relevant laws and regulations;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the EEOP is required to be on file in the office of (enter the name and address where the EEOP is filed below):

Enter the name of the person responsible for the EEOP and the address of the office where the EEOP is filed:
Type III Entity
Defined as an applicant that is NOT a Type I or Type II Entity.

Requirements for a Type III Entity - Federal law requires a Type III Entity to formulate an EEOP and submit it for approval to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.
- The EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP has been submitted to the Office of Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice and has been approved by the OCR, or it will be submitted to the OCR for approval upon award of the grant, as required by relevant laws and regulations; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Based on the definitions and requirements above, the applicant agency certifies to the following entity type:
_ Type I Entity
_ Type II Entity
_ Type III Entity

Section 8: Debarment

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:
_ I Certify
_ Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

Section 9: FFATA Certification

Certification of Recipient Highly Compensated Officers
The Federal Funding Accountability and Transparency Act (FFATA) requires Prime Recipients (CJD) to report the names and total compensation of each of the five most highly compensated officers (a.k.a. positions) of each sub recipient organization for the most recently completed fiscal year preceding the year in which the grant is awarded if the subrecipient answers **YES** to the **FIRST** statement but **NO** to the **SECOND** statement listed below.
In the sub recipient's preceding completed fiscal year, did the sub recipient receive: (1) 80 percent or more of its annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; AND (2) $25,000,000 or more in annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements?
_ Yes
X No

Does the public have access to information about the compensation of the senior executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986?
X Yes
_ No

If you answered **YES** to the **FIRST** statement and **NO** to the **SECOND** statement, please provide the name and total compensation amount of each of the five most highly compensated officers (a.k.a. positions) within your agency for the current calendar year. If you answered NO to the first statement you are NOT required to provide the name and compensation amounts. NOTE: "Total compensation" means the complete pay package of each of the sub recipient's compensated officers, including all forms of money, benefits, services, and in-kind payments (see SEC Regulations: 17 CCR 229.402).
Position 1 - Name:
Position 1 - Total Compensation ($):
0
Position 2 - Name:
Position 2 - Total Compensation ($):
0
Position 3 - Name:
Position 3 - Total Compensation ($):
0
Position 4 - Name:
Position 4 - Total Compensation ($):
0
Position 5 - Name:
Position 5 - Total Compensation ($):
0

You are logged in as **User Name**: dmiles

TEXAS EMERGENCY SERVICES RETIREMENT SYSTEM (TESRS)
CONFIDENTIALITY AND INFORMATION ACCESS AGREEMENT

Department Name: Palacios Volunteer Fire Department

A. AUTHORIZED USER – OBLIGATIONS

The purposes of this Agreement are:

1. To inform the authorized user of principal obligations concerning the use of TESRS information and information about the user's Participating Department, and
2. To document the authorized user's Agreement to abide by those obligations and TESRS information security policies and instructions.

The TESRS Online System and the software employed, designed, built, operated, and maintained to collect, record, process, store, retrieve, display and transmit information is subject to this Agreement. In this Agreement, "authorized user" means any person who is authorized by a Participating Department to access the TESRS Online System. Each authorized user of the TESRS Online System has the responsibility to:

1. Use the TESRS Online System only for the purpose specified by TESRS;
2. Keep information confidential;
3. Comply with information security controls and TESRS policies to prevent unauthorized or accidental disclosure, modification or destruction; and
4. Formally acknowledge that the user will comply with the TESRS Confidentiality and Information Access Agreement and TESRS security policies and procedures as determined by TESRS.

B. CONFIDENTIALITY

An authorized user will have access to confidential or sensitive information. Confidential and sensitive information is valuable, may be protected by state and federal laws and regulations, and is used only as necessary to accomplish TESRS operations. Confidential and sensitive information includes, but is not limited to, the following:

1. Identifying information related to the Participating Department's members, retirees, participants, alternate payees, beneficiaries and annuitants (each, a "*Member*"), whether in electronic, tangible or intangible form, including, but not limited to, enrollment, claims or other information related to benefits administered by TESRS, sensitive or personal identifying information such as Social Security number, date of birth, marital status, spousal information, date of death, financial information, and other personal information;
2. Protected health information as defined by the Health Insurance Portability and Accountability Act (HIPAA), the confidentiality of which the Participating Department, TESRS, and its members shall take reasonable measures to protect; and
3. Any information that may be classified as confidential by federal or state law or by TESRS.

C. USER ACKNOWLEDGEMENTS AND ASSURANCES

An authorized user of the TESRS Online System agrees to the following acknowledgements and assurances:

1. **My user ID and password are security measures that must be used only by me. I will safeguard and will not disclose my password or other authorization I have that allows me to access the TESRS Online System and confidential and sensitive information, except as permitted by law**;
2. I will access and use confidential information only as needed to perform duties related to my Participating Department and the TESRS pension system;
3. I will not misuse or carelessly handle confidential and sensitive information;
4. I will not attempt to access or alter any data that I am not authorized to access or alter;
5. I will not in any way divulge, copy, communicate, release, sell, loan, review, alter, or destroy any confidential information;
6. I will report to the TESRS Executive Director any activities by any other individual or entity that I suspect may compromise the confidentiality, integrity, or availability of confidential and sensitive information. I

understand that reports regarding suspected activities must be made in good faith and will be held in confidence to the extent permitted by law, including the name of the individual reporting the activities;

7. My privileges as an authorized user are subject to periodic review, revision, and if appropriate, renewal;
8. I have no right or ownership interest in any confidential or sensitive information referred to in this Agreement;
9. TESRS may revoke my access to the TESRS Online System at any time and without notice;
10. I will comply with this Agreement and TESRS security policies and procedures as determined by TESRS;
11. I have no right to expect privacy in my use of the TESRS Online System or in the content of my communications sent or stored in the TESRS Online System and I acknowledge that my user activity is subject to monitoring, logging, and review;
12. I may be held personally responsible for my misuse or wrongful disclosure of confidential information and for my failure to safeguard my access code/password or other authorized access to confidential information;
13. I understand that my failure to comply with this agreement may result in the loss of my access privileges and I may be subject to disciplinary action, up to and including termination of all services with TESRS and other consequences provided under applicable laws and regulations; and
14. Following my access termination, I will keep knowledge of all sensitive information confidential.

D. EXECUTION

AUTHORIZED USER:

I have fully read the TESRS Confidentiality and Information Access Agreement set forth above. I agree to comply fully with its terms and conditions.

Name of Authorized User: Tammy McDonald

Street Address: 311 Henderson

City, State, Zip Code: Palacios, TX 77465

Mobile Phone Number: (361) 972-3605

Email Address: tmcdonald@cityofpalacios.org

SIGNATURE: _____

DATE: 2/13/2018

Please indicate User role by checking the corresponding box if user is:

☐ Primary ☐ Secondary

LOCAL APPROVAL:

Local Board Chair: by my signature below, I affirm that the designee named above has been approved by the Participating Department to be an Authorized User as defined above. I affirm that the Local Board of Trustees has met and verified the request that this designee be granted TESRS Online access.

Participating Department: Palacios Volunteer Fire Department

Local Board Chair Name: Mayor Glen Smith

SIGNATURE: _____

DATE: 2/13/2018

TEXAS EMERGENCY SERVICES RETIREMENT SYSTEM (TESRS)
CONFIDENTIALITY AND INFORMATION ACCESS AGREEMENT

Department Name: Palacios Volunteer Fire Department

A. AUTHORIZED USER – OBLIGATIONS

The purposes of this Agreement are:

1. To inform the authorized user of principal obligations concerning the use of TESRS information and information about the user's Participating Department, and
2. To document the authorized user's Agreement to abide by those obligations and TESRS information security policies and instructions.

The TESRS Online System and the software employed, designed, built, operated, and maintained to collect, record, process, store, retrieve, display and transmit information is subject to this Agreement. In this Agreement, "authorized user" means any person who is authorized by a Participating Department to access the TESRS Online System. Each authorized user of the TESRS Online System has the responsibility to:

1. Use the TESRS Online System only for the purpose specified by TESRS;
2. Keep information confidential;
3. Comply with information security controls and TESRS policies to prevent unauthorized or accidental disclosure, modification or destruction; and
4. Formally acknowledge that the user will comply with the TESRS Confidentiality and Information Access Agreement and TESRS security policies and procedures as determined by TESRS.

B. CONFIDENTIALITY

An authorized user will have access to confidential or sensitive information. Confidential and sensitive information is valuable, may be protected by state and federal laws and regulations, and is used only as necessary to accomplish TESRS operations. Confidential and sensitive information includes, but is not limited to, the following:

1. Identifying information related to the Participating Department's members, retirees, participants, alternate payees, beneficiaries and annuitants (each, a "*Member*"), whether in electronic, tangible or intangible form, including, but not limited to, enrollment, claims or other information related to benefits administered by TESRS, sensitive or personal identifying information such as Social Security number, date of birth, marital status, spousal information, date of death, financial information, and other personal information;
2. Protected health information as defined by the Health Insurance Portability and Accountability Act (HIPAA), the confidentiality of which the Participating Department, TESRS, and its members shall take reasonable measures to protect; and
3. Any information that may be classified as confidential by federal or state law or by TESRS.

C. USER ACKNOWLEDGEMENTS AND ASSURANCES

An authorized user of the TESRS Online System agrees to the following acknowledgements and assurances:

1. **My user ID and password are security measures that must be used only by me. I will safeguard and will not disclose my password or other authorization I have that allows me to access the TESRS Online System and confidential and sensitive information, except as permitted by law**;
2. I will access and use confidential information only as needed to perform duties related to my Participating Department and the TESRS pension system;
3. I will not misuse or carelessly handle confidential and sensitive information;
4. I will not attempt to access or alter any data that I am not authorized to access or alter;
5. I will not in any way divulge, copy, communicate, release, sell, loan, review, alter, or destroy any confidential information;
6. I will report to the TESRS Executive Director any activities by any other individual or entity that I suspect may compromise the confidentiality, integrity, or availability of confidential and sensitive information. I

understand that reports regarding suspected activities must be made in good faith and will be held in confidence to the extent permitted by law, including the name of the individual reporting the activities;

7. My privileges as an authorized user are subject to periodic review, revision, and if appropriate, renewal;
8. I have no right or ownership interest in any confidential or sensitive information referred to in this Agreement;
9. TESRS may revoke my access to the TESRS Online System at any time and without notice;
10. I will comply with this Agreement and TESRS security policies and procedures as determined by TESRS;
11. I have no right to expect privacy in my use of the TESRS Online System or in the content of my communications sent or stored in the TESRS Online System and I acknowledge that my user activity is subject to monitoring, logging, and review;
12. I may be held personally responsible for my misuse or wrongful disclosure of confidential information and for my failure to safeguard my access code/password or other authorized access to confidential information;
13. I understand that my failure to comply with this agreement may result in the loss of my access privileges and I may be subject to disciplinary action, up to and including termination of all services with TESRS and other consequences provided under applicable laws and regulations; and
14. Following my access termination, I will keep knowledge of all sensitive information confidential.

D. EXECUTION

AUTHORIZED USER:

I have fully read the TESRS Confidentiality and Information Access Agreement set forth above. I agree to comply fully with its terms and conditions.

Name of Authorized User: Clissa Mills

Street Address: 311 Henderson

City, State, Zip Code: Palacios, TX 77465

Mobile Phone Number: (361) 972-3605

Email Address: cmills@cityofpalacios.org

SIGNATURE: _____

DATE: 2/13/2018

Please indicate User role by checking the corresponding box if user is:

☐ Primary ☐ Secondary

LOCAL APPROVAL:

Local Board Chair: by my signature below, I affirm that the designee named above has been approved by the Participating Department to be an Authorized User as defined above. I affirm that the Local Board of Trustees has met and verified the request that this designee be granted TESRS Online access.

Participating Department: Palacios Volunteer Fire Department

Local Board Chair Name: Mayor Glen Smith

SIGNATURE: _____

DATE: 2/13/2018

Palacios Police Department
Contact Data
Annual Report

January 1, 2017 – December 31, 2017

Submitted by
David Miles
Chief of Police
Palacios Police Department
405 Commerce St.
Palacios, Texas 77465
Phone: (361) 972-3112

History of the City of Palacios, Texas

The City of Palacios was founded in 1909, and is located in the heart of the Texas Gulf Coast overlooking the beautiful Tres Palacios Bay. Palacios (Spanish for Palace) is 110-miles southwest of Galveston and 110-miles northeast of Corpus Christi with a Population of over 5,000; Palacios is the second largest city in Matagorda County and is the Shrimp Capital of Texas.

The tranquil community is a favorite for tourists from all over the country who enjoy the palm-tree lined bay front, many parks, fishing and boating activities as well as its year-round beautiful, mild weather. It is renowned among birdwatchers for its variety of bird species.

A seawall walkway along the Bay Shore is the ideal place for a leisurely stroll while adjoining piers offer the perfect spot for anglers to try their skills. A beach area allows for swimming and for sunbathing.

Several bed and breakfast establishments, as well as several RV parks and the historic Luther Hotel offer a range of accommodations. Marinas are also available for those who come by the water.

Police Department Background

The Palacios Police Department's history can be traced back to July 27, 1909. When Ed Springer was appointed City Marshall by the newly formed city government. Springer's first assignment was to count all the closets (out houses) in the city and report the number to council. Today, the Palacios Police Department (PPD) is made up of 11 Full-Time and 5 Part- Time Commissioned Officers, 1 Records Clerk, 4 Full-Time and 4 Stand-By Dispatchers. The Palacios Police Department officers are committed to performing their jobs in a professional manner while serving the community of Palacios and its surrounding areas.

The Police Department promotes, to all its members, to engage in community,-policing practices in order to provide quality service to all residents of the community. In 2002, The Palacios Police Department adopted a policy, in accordance to the Texas Law on Racial Profiling, banishing racial profiling practices among all Palacios Police Department officers.

Oath of Office

Each member and volunteer of the Palacios Police Department shall subscribe to and abide by the Oath of Office:

> I_____do solemnly swear of affirm that I will faithfully execute the duties of a Police Officer of the City of Palacios, Matagorda County, Texas, and will to the best of my ability preserve, protect and defend the Constitution and Laws of the United States, and of this State, and of this City; and I furthermore solemnly swear or affirm that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute, any money or valuable thing to receive my appointment.
>
> So Help Me God.

Upon searing to the Oath of Office, a signed copy is placed in the employee's personnel file.

Code of Ethics

Each member of the Palacios Police Department shall subscribe to and abide by the Code of Ethics:

> As a Law Enforcement Officer, my fundamental duty is to serve humanity; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional Rights of all people to liberty, equality and justice.
>
> I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in obeying the laws of the land and the regulations of my Department. Whatever I see or hear of a confidential nature of that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.
>
> I will never act officiously or permit personal feelings, Prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or violence and never accepting gratuities.
>
> I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to ethics of Law Enforcement. I will constantly strive to achieve these objectives and ideals, dedication myself to my chosen profession ... Law Enforcement.

The newly sworn member shall be given one copy of the Code of Ethics.

Equal Opportunity / Affirmative Action

The policy of the Palacios Police Department is to be fair and impartial in all of its relations with its employees or applicants for employment while adhering to the concept of equal employment opportunity and affirmative action as a necessary element of basic merit system principles. In order to achieve this goal; the Palacios Police Department hereby reaffirms its official policy that discrimination on the basis of race, sex, color, religion, national origin, age, mental or physical handicap, disabled or veteran status is prohibited by all employees of the Palacios Police Department. This policy will apply and is not limited to recruitment, promotion, hiring, layoff, termination, demotion, transfer, training, rates of pay, fringe benefits, or other forms of compensation, use of facilities, and other terms, conditions and privileges of employment for all job classifications. The City of Palacios will take the necessary steps in its employment policies, practices and procedures and make reasonable accommodations in order to assure that appropriate equal employment opportunities are available to all persons.

Video Policy

Each motor vehicle regularly used by this department to make traffic and pedestrian stops is equipped with a video camera and transmitter-activated equipment.

Each traffic and pedestrian stop made by an officer of this department that is capable of being recorded by video and audio, or audio, as appropriate, is recorded.

It is the policy of this department that it is to retain the video and audiotapes, or the audiotape of each traffic and pedestrian stop for at least (90) days after the date of the stop. If a complaint is filed with this department alleging that one of our officers has engaged in racial profiling with respect to a traffic or pedestrian stop, this department retains the video and audiotapes, or the audiotape of the stop until final disposition of the complaint.

Supervisors ensure that officers of this department are recording their and pedestrian stops. A recording of each officer will be reviewed at least once every ninety (90) days.

Note: If the equipment used to record audio and / or video of traffic or pedestrian stops is malfunctioning or otherwise not operable, the officer making the stop is encouraged to properly record and report the information as required.

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>
> So Help Me God.

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>
> I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in obeying the laws of the land and the regulations of my Department. Whatever I see or hear of a confidential nature of that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.
>
> I will never act officiously or permit personal feelings, Prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or violence and never accepting gratuities.
>
> I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to ethics of Law Enforcement. I will constantly strive to achieve these objectives and ideals, dedication myself to my chosen profession ... Law Enforcement.

The newly sworn member shall be given one copy of the Code of Ethics.

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Palacios Police Department General Orders

The following section establishes the mission, vision, values, goals, objectives, oath, ethics, and employment practices of the Palacios Police Department. Each of these components is reviewed on an annual basis in order to ensure it adequately addresses the emerging needs of the department, the city, and the residents of the Palacios community.

Mission

The Palacios Police Department will always strive to provide the highest quality service, preserving human rights, lives, and property, while attempting to achieve the mission goals of the department, the city, and the community. In the Palacios Police Department, we are committed to the highest professional standards, working in partnership with our citizens to problem solve and meet the challenges of reducing crime, creating a safer environment, and improving the community members' quality of life.

Vision

We, the men and women of the Palacios Police Department, are committed to excellence in leadership, providing progressive and proactive services, developing community partnerships, and building for a better future.

Values

We, the members of the Palacios Police Department, value the following in our members and our organization:

- Honesty
- Professionalism
- Integrity
- Compassion
- Cultural Diversity

Corrective Action

It is policy of the Palacios Police Department that any officer who, after an internal investigation, has been found guilty of engaging in racial profiling; that one of the following series of disciplinary measures is taken (As per the recommendation of the Chief of Police);

1) Officer is retrained in racial sensitivity issues;

2) Officer is suspended and as a condition of further involvement with the Police Department is asked to undergo racial sensitivity Training.

3) Officer is terminated.

Data on Corrective Action

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 111/2010 Thru 12/3112010, based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.

☑ Check this box if the Palacios Police Department has not received any complaints, on any members of its police force, having violated the Texas Racial Profiling Law during the time period of 01/01/2017 Thru 12/31/2017.

Complaints field for possible violations of S.B. 1074 (Texas Racial Profiling Law)

Complaint Number	Alleged Violation	Disposition of The Case

AN ACT

relating to the prevention of racial profiling by certain peace officers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's

complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio

documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED. (a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local

law enforcement agency shall submit a report containing the information compiled during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and

(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is

exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90

days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the

purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling; and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended

to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

(1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;

(2) the registration number of the vehicle involved;

(3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;

(4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;

(5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) [~~(7)~~] the date of conviction; and

(9) [~~(8)~~] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement

agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial

profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001.

S.B. No. 1074

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

Chief Clerk of the House

Approved:

_____6-14-2001_____

Date

_____Rick Perry_____

Governor

(I) Tier 1 Data

Table 1. General Demographics of Contacts and Searches

Race / Ethnicity*	Contact		Searches		Consensual Searches		PC for Search		Custody Arrest	
	N	%	N	%	N	%	N	%	N	%
Caucasian	1071	2.8	39	21.1	11	21	18	37.5	28	27.1
African	100	4	6	3.2	4	7.5	1	2.1	3	2.9
Hispanic	1175	46.9	134	72.4	35	66	28	58.3	70	68
Asian	152	6.1	5	2.7	3	5.5	1	2.1	2	2
Native American	5	.2	1	.6	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Total	2503	100	185	100	53	100	48	100	103	100

*Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, or Native American".

(II) Comparative Analysis

Table 1. Comparison of Self-Initiated Stops of Residents and DPS Resident Data

Race / Ethnicity*	Contact		DPS Data		Variance	
	N	%	N	%	N	%
Caucasian	2246	89.7	7313	86.2	5067	-3.5
African	100	4	241	2.8	141	1.2
Asian	152	6.1	566	6.7	414	.6
Native American	5	.2	9	.1	4	.1
Other	0	0	359	4.2	359	-4.2
Total	2503	100	8488	100		

*Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, or Native American".

**In this table, Hispanics have been added to the Caucasian population.
This has been done in order to correspond with DPS data collection methods.
According to DPS, Hispanics are combined, in their data reports, with the Caucasian population.

Partial Exemption Racial Profiling Reporting

Tier 1

PALACIOS PD

Module(s): Citations
Call Type(s): N/A
Date Range: From 1/1/2017 To 12/31/2017

Number of motor vehicle stops:

Mark only 1 category per vehicle stop

1.	1191	citation only
2.	8	arrest only
3.	22	both
4.	1221	**Total**

Race or Ethnicity:

5.	44	African
6.	64	Asian
7.	526	Caucasian
8.	583	Hispanic
9.	0	Middle Eastern
10.	4	Native American
11.	1221	**Total**

Race or Ethnicity known prior to stop?

12.	4	Yes
13.	1217	No
14.	1221	**Total**

Search conducted?

15.	88	Yes
16.	1133	No
17	1221	**Total**

Was search consented?

18.	28	Yes
19.	60	No
20.	88	**Total Must equal #15**

Racial Profiling Reporting

Tier 2

PALACIOS PD

Module(s): Citations
Call Type(s): N/A
Date Range: From 1/1/2017 To 12/31/2017

Gender

1.	775	Female
2.	1728	Male
3.	2503	**Total**

Race or Ethnicity:

4.	100	African
5.	152	Asian
6.	1071	Caucasian
7.	1175	Hispanic
8.	0	Middle Eastern
9.	5	Native American
10.	2503	**Total**

Race or Ethnicity known prior to stop?

11.	11	Yes
12.	2492	No
13.	2503	**Total**

Reason for stop:

14.	84	Violation of law other than traffic
15.	43	Pre-existing knowledge (i.e. warrant)
16.	1801	Moving Traffic Violation
17.	575	Vehicle Traffic Violation (Equipment, Inspection or Registration)
18.	2503	**Total**

Search conducted?

19.	119	Yes
20.	2384	No
21.	2503	**Total**

Reason for search:
(choose 1 for each search)

22.	49	Consent
23.	2	Contraband/evidence in plain site
24.	19	Probable cause or reasonable suspicion
25.	41	Inventory search performed as result of towing
26.	8	Incident to arrest/warrant
27.	119	**Total Must equal #19**

Racial Profiling Reporting

Tier 2

PALACIOS PD

Module(s): Citations
Call Type(s): N/A
Date Range: From 1/1/2017 To 12/31/2017

Contraband discoverd?

28.	22	Yes
29.	97	No
30.	119	**Total Must equal #19**

Description of Contraband:

(choose only one)

31.	13	Illegal drugs / drug paraphernalia
32.	0	Currency
33.	1	Weapons
34.	3	Alcohol
35.	0	Stolen property
36.	5	Other
37.	22	**Total Must equal #28**

Arrest result of stop or search:

38.	30	Yes
39.	2473	No
40.	2503	**Total**

Arrest based on:

41.	3	Violation of the Penal Code
42.	13	Violation of the Traffic Law
43.	0	Violation of the City Ordinance
44.	13	Outstanding Warrant

Street address or approximate location of the stop:

45.	2085	City Street
46.	383	US Highway
47.	7	County Road
48.	18	Private Property or Other

Written warning or a citation as a result of the stop:

49.	2489	Yes
50.	14	No
51.	2503	**Total**

End of Year Racial Profiling Audit

From 1/1/2017 To 12/31/2017

HAZARDOUS TRAFFIC

Ethnicity / Sex			Known Prior		Search Type						Disposition Type							
					No Search		Consent Search		Non-Consent Search		Arrested		Citation		Warning		Released	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
African	55	3.5	0	0.0	52	3.3	2	0.1	1	0.0	1	0.0	31	2.0	24	1.5	0	0.0
M	34	2.1	0	0.0	32	2.0	2	0.1	0	0.0	1	0.0	21	1.3	13	0.8	0	0.0
F	21	1.3	0	0.0	20	1.2	0	0.0	1	0.0	0	0.0	10	0.6	11	0.7	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Asian	90	5.8	0	0.0	86	5.5	3	0.1	1	0.0	2	0.1	47	3.0	40	2.5	2	0.1
M	62	4.0	0	0.0	58	3.7	3	0.1	1	0.0	2	0.1	36	2.3	24	1.5	1	0.0
F	28	1.8	0	0.0	28	1.8	0	0.0	0	0.0	0	0.0	11	0.7	16	1.0	1	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Caucasian	754	48.6	1	0.0	731	47.1	9	0.5	14	0.9	12	0.7	456	29.4	288	18.5	0	0.0
M	493	31.8	0	0.0	475	30.6	7	0.4	11	0.7	9	0.5	306	19.7	178	11.4	0	0.0
F	261	16.8	1	0.0	256	16.5	2	0.1	3	0.1	3	0.1	150	9.6	110	7.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Hispanic	648	41.8	2	0.1	587	37.8	22	1.4	39	2.5	31	2.0	374	24.1	254	16.3	3	0.1
M	450	29.0	1	0.0	397	25.6	18	1.1	35	2.2	27	1.7	271	17.4	162	10.4	2	0.1
F	198	12.7	1	0.0	190	12.2	4	0.2	4	0.2	4	0.2	103	6.6	92	5.9	1	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Middle Eastern	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Native American	3	0.1	0	0.0	3	0.1	0	0.0	0	0.0	0	0.0	2	0.1	1	0.0	0	0.0
M	1	0.0	0	0.0	1	0.0	0	0.0	0	0.0	0	0.0	1	0.0	0	0.0	0	0.0
F	2	0.1	0	0.0	2	0.1	0	0.0	0	0.0	0	0.0	1	0.0	1	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Unknown	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Total	1550		3	0.1	1459	94.1	36	2.3	55	3.5	46	2.9	910	58.7	607	39.1	5	0.3
M	1040	67.0	1	0.0	963	62.1	30	1.9	47	3.0	39	2.5	635	40.9	377	24.3	3	0.1
F	510	32.9	2	0.1	496	32.0	6	0.3	8	0.5	7	0.4	275	17.7	230	14.8	2	0.1
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

NON-HAZARDOUS TRAFFIC

Ethnicity / Sex			Known Prior		Search Type: No Search		Search Type: Consent Search		Search Type: Non-Consent Search		Disposition Type: Arrested		Disposition Type: Citation		Disposition Type: Warning		Disposition Type: Released	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
African	43	4.4	0	0.0	40	4.1	2	0.2	1	0.1	1	0.1	12	1.2	30	3.0	0	0.0
M	32	3.2	0	0.0	30	3.0	1	0.1	1	0.1	0	0.0	7	0.7	25	2.5	0	0.0
F	11	1.1	0	0.0	10	1.0	1	0.1	0	0.0	1	0.1	5	0.5	5	0.5	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Asian	59	6.0	0	0.0	59	6.0	0	0.0	0	0.0	0	0.0	15	1.5	43	4.4	1	0.1
M	45	4.6	0	0.0	45	4.6	0	0.0	0	0.0	0	0.0	11	1.1	34	3.5	0	0.0
F	14	1.4	0	0.0	14	1.4	0	0.0	0	0.0	0	0.0	4	0.4	9	0.9	1	0.1
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Caucasian	410	42.2	1	0.1	390	40.1	5	0.5	15	1.5	15	1.5	99	10.1	299	30.7	0	0.0
M	288	29.6	0	0.0	273	28.1	4	0.4	11	1.1	11	1.1	63	6.4	214	22.0	0	0.0
F	122	12.5	1	0.1	117	12.0	1	0.1	4	0.4	4	0.4	36	3.7	85	8.7	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Hispanic	459	47.2	5	0.5	415	42.7	8	0.8	36	3.7	23	2.3	152	15.6	288	29.6	0	0.0
M	347	35.7	2	0.2	307	31.6	8	0.8	32	3.2	20	2.0	118	12.1	213	21.9	0	0.0
F	112	11.5	3	0.3	108	11.1	0	0.0	4	0.4	3	0.3	34	3.5	75	7.7	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Middle Eastern	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Native American	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Unknown	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Total	971		6	0.6	904	93.0	15	1.5	52	5.3	39	4.0	278	28.6	660	67.9	1	0.1
M	712	73.3	2	0.2	655	67.4	13	1.3	44	4.5	31	3.1	199	20.4	486	50.0	0	0.0
F	259	26.6	4	0.4	249	25.6	2	0.2	8	0.8	8	0.8	79	8.1	174	17.9	1	0.1
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

OTHER CRIMINAL INVESTIGATION

Ethnicity / Sex			Known Prior		Search Type						Disposition Type							
					No Search		Consent Search		Non-Consent Search		Arrested		Citation		Warning		Released	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
African	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Asian	1	2.0	0	0.0	0	0.0	0	0.0	1	2.0	0	0.0	1	2.0	0	0.0	0	0.0
M	1	2.0	0	0.0	0	0.0	0	0.0	1	2.0	0	0.0	1	2.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Caucasian	19	39.5	0	0.0	11	22.9	0	0.0	8	16.6	8	16.6	11	22.9	2	4.1	0	0.0
M	11	22.9	0	0.0	6	12.5	0	0.0	5	10.4	5	10.4	8	16.6	0	0.0	0	0.0
F	8	16.6	0	0.0	5	10.4	0	0.0	3	6.2	3	6.2	3	6.2	2	4.1	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Hispanic	28	58.3	3	6.2	11	22.9	2	4.1	15	31.2	9	18.7	17	35.4	3	6.2	0	0.0
M	22	45.8	1	2.0	6	12.5	2	4.1	14	29.1	9	18.7	14	29.1	0	0.0	0	0.0
F	6	12.5	2	4.1	5	10.4	0	0.0	1	2.0	0	0.0	3	6.2	3	6.2	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Middle Eastern	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Native American	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Unknown	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Total	48		3	6.2	22	45.8	2	4.1	24	50.0	17	35.4	29	60.4	5	10.4	0	0.0
M	34	70.8	1	2.0	12	25.0	2	4.1	20	41.6	14	29.1	23	47.9	0	0.0	0	0.0
F	14	29.1	2	4.1	10	20.8	0	0.0	4	8.3	3	6.2	6	12.5	5	10.4	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

SUMMARY

Ethnicity / Sex			Known Prior		Search Type: No Search		Search Type: Consent Search		Search Type: Non-Consent Search		Disposition Type: Arrested		Disposition Type: Citation		Disposition Type: Warning		Disposition Type: Released	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
African	98	3.8	0	0.0	92	3.5	4	0.1	2	0.0	2	0.0	43	1.6	54	2.1	0	0.0
M	66	2.5	0	0.0	62	2.4	3	0.1	1	0.0	1	0.0	28	1.0	38	1.4	0	0.0
F	32	1.2	0	0.0	30	1.1	1	0.0	1	0.0	1	0.0	15	0.5	16	0.6	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Asian	150	5.8	0	0.0	145	5.6	3	0.1	2	0.0	2	0.0	63	2.4	83	3.2	3	0.1
M	108	4.2	0	0.0	103	4.0	3	0.1	2	0.0	2	0.0	48	1.8	58	2.2	1	0.0
F	42	1.6	0	0.0	42	1.6	0	0.0	0	0.0	0	0.0	15	0.5	25	0.9	2	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Caucasian	1183	46.0	2	0.0	1132	44.0	14	0.5	37	1.4	35	1.3	566	22.0	589	22.9	0	0.0
M	792	30.8	0	0.0	754	29.3	11	0.4	27	1.0	25	0.9	377	14.6	392	15.2	0	0.0
F	391	15.2	2	0.0	378	14.7	3	0.1	10	0.3	10	0.3	189	7.3	197	7.6	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Hispanic	1135	44.1	10	0.3	1013	39.4	32	1.2	90	3.5	63	2.4	543	21.1	545	21.2	3	0.1
M	819	31.8	4	0.1	710	27.6	28	1.0	81	3.1	56	2.1	403	15.6	375	14.5	2	0.0
F	316	12.3	6	0.2	303	11.7	4	0.1	9	0.3	7	0.2	140	5.4	170	6.6	1	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Middle Eastern	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Native American	3	0.1	0	0.0	3	0.1	0	0.0	0	0.0	0	0.0	2	0.0	1	0.0	0	0.0
M	1	0.0	0	0.0	1	0.0	0	0.0	0	0.0	0	0.0	1	0.0	0	0.0	0	0.0
F	2	0.0	0	0.0	2	0.0	0	0.0	0	0.0	0	0.0	1	0.0	1	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Unknown	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Total	2569		12	0.4	2385	92.8	53	2.0	131	5.0	102	3.9	1217	47.3	1272	49.5	6	0.2
M	1786	69.5	4	0.1	1630	63.4	45	1.7	111	4.3	84	3.2	857	33.3	863	33.5	3	0.1
F	783	30.4	8	0.3	755	29.3	8	0.3	20	0.7	18	0.7	360	14.0	409	15.9	3	0.1
U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

End of Year Racial Profiling Audit- PALACIOS PD

From 1/1/2017 To 12/31/2017

			Sex			Violation Type			Search Type			Disposition Type				Resident	
Ethnicity		Known Prior	Male	Fem	Unknown	Hazardous Traffic	Non-Hazardous Traffic	Investigation	No Search	Consent Search	Non-Consent Search	Arrested	Citation	Warning	Released	Yes	No
African	101	0	68	33	0	57	43	1	95	4	2	3	44	56	0	16	85
Asian	153	0	108	45	0	92	59	1	148	3	2	2	64	85	3	24	129
Caucasian	1095	2	725	370	0	699	374	18	1056	11	28	28	527	546	0	138	957
Hispanic	1224	10	886	338	0	698	494	28	1090	35	99	70	582	589	3	256	968
Middle Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Native American	5	0	3	2	0	4	1	0	4	0	1	0	4	1	0	1	4
Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	2578	12	1790	788	0	1550	971	48	2393	53	132	103	1221	1277	6	435	2143

City of Palàcios
Planning and Zoning Commission
Annual Report
FY 2017
Oct. 2016 – Sept. 2017

The City of Palacios Planning and Zoning Commission is submitting this FY 2017 in accordance with Section 10.03 of the Home Rule Charter and with Section 12.700 (10) to submit "an annual progress report to the City Council summarizing its activities, major accomplishments for the prior year, and a proposed work program for the coming year. This report shall contain for the year the attendance record of all members and identify commission officers".

Commissioners: Robert Garrett, Chair; Patricia Loving, Vice-Chair; Robert Turner, Leonard Lamar, David McMurray (resigned 8/17); Wayne Dodd (appointed 8/17).

City Council Liaison: Troy Lewis replace Judy Chavez.

Membership: David McMurray resigned from the Commission in August 2017. At its August meeting, the P &Z Commission reviewed and approved Wayne Dodd's application for the vacated position. The recommendation was forwarded and approved by City Council. The commission is again fully staffed.

Regular Commission Meetings: October 3, 2016, February 27, 2017, June 7, 2017; June 26, 1917; August 6, 2017.

Planning Maps Workshop: July 24, 2017

Meeting Attendance: There were five regular meetings in FY 2017:

Commissioners Present:
October 3, 2016: Robert Garrett, Patricia Loving, Robert Turner, and Leonard Lamar. Absent: City Council Liaison Judy Chavez.
February 27, 2017: Robert Garrett, Patricia Loving, David McMurray, Leonard Lamar and City Council Liaison: Judy Chavez.
June 7, 2017: Robert Garrett, Patricia Loving, Wayne Dodd, Leonard Lamar, Robert Turner. City Council Liaison: Judy Chavez absent.
June 26, 2017: Robert Garrett, Patricia Loving, Robert Turner, Leonard Lamar.
July 24, 2017: Planning Map Workshop: Robert Garrett and Patricia Loving
August 6, 2017: Robert Garrett, Patricia Loving, Leonard Lamar. City Council Liaison: Troy Lewis. Robert Turner absent.

Commission/Staff Partnership:

In FY 2017 the Commission continued to work with city staff to ensure our City Ordinances, under which they work, meet all federal, state, and local requirements; as well as, enhance their ability to perform their daily activities in an efficient and effective manner. The Commission thanks David Kocurek, Angela Flores, and Peggy Georgi for their hard work this past year.

Accomplishments:

1. First meeting of the fiscal year: reviewed duties and responsibilities; determined annual priorities; discussed zoning from commercial to residential; and tire generator ordinance.
2. Began review of "City of Palacios 2009 – 2029 Planning Study".
3. Approved all meeting minutes.
4. Recommend to City Council Ordinance No. 2017-0-3 revising Recreational Vehicle Park Regulation Sec. 10.02.442
5. Approved Replat of Block 12, Fourth Street Zoning change for lots 25, 26, 27, 28, 29 for doctor's office.

6. Reviewed and discussed replat of Blocks 11 and 12 4.69 acre Henson Subdivision with new owners. Recommended owners pursue other avenues open to them.
7. Reviewed potential areas for annexation into the city including proposed annexation costs. Tabled discussion until FY 2018.
8. Reviewed and discussed other municipalities' ordinances.
9. Review utility projects.
10. Discussed proposed development on 2.87 acre tract out of Lot 10 and 11 of the Palacios City Townsite Company Subdivision.

FY 2018 Plans: The Commission will continue to work on: the review and revision of the 2009 City Planning document and review and revision of ordinances revised for review and approval by City Council.

GLEN SMITH – Mayor
JOHNNY TRAN –Councilmember Place 1
JUDY CHAVEZ – Councilmember Place 2
MARY CROCKER – Councilmember Place 3
TROY LEWIS – Councilmember Place 4
ANDY ERDELT – Councilmember Place 5
STEPHEN MCGOVERN – Councilmember Place 6

CITY OF PALACIOS
CITY COUNCIL REGULAR MEETING MINUTES
January 23, 2018

REGULAR COUNCIL MEETING

CALL TO ORDER – Mayor Pro Tem Johnny Tran
INVOCATION – Councilmember Crocker
PLEDGE OF ALLEGIANCE – Councilmember Tran
PLEDGE TO TEXAS FLAG – Councilmember Tran
PLEDGE TO PALACIOS FLAG – Councilmember Tran

COUNCILMEMBER ABSENT: Glen Smith, Judy Chavez, Andy Erdelt
CITY STAFF PRESENT: David Kocurek, Chief Miles, Tammy McDonald, Clissa Mills

VISITOR / CITIZEN FORUM- Joe Pena Jr. spoke about Police Dept in regards to minor traffic citations, illegal gambling, and drug trafficking. Patricia Loving thanked the City for updating the website and welcomed the new City Secretary. Also thanked the Treasurer for updating the calendars, reports, and financial statements. Also discussed road repair budget in the first quarter.

ADMINISTRATIVE REPORTS

1. Palacios Pavilion Project- David Kocurek stated that he has a meeting on Thursday regarding completion of the project. The entire Pavilion should be completed by the end of February. Also discussed paving the parking lot.
2. May 5, 2018 Election – David Kocurek stated that the deadline for accepting applications to file for a place on the ballot is February 16, 2018. He stated that the Mayor's position and Council Seats 1,2, &6 will be on the ballot. He also introduced the City Secretary, Clissa Mills.
3. 2018 City of Palacios Calendars – David Kocurek stated that the 2018 city calendars should be available tomorrow for a donation of $25.00.
4. Winter Texan Chili Supper – David Kocurek stated the event was held last Thursday at Serendipity. The event served good food and had a great turn out as well.
5. Chamber Annual Banquet – February 15, 2018 - David Kocurek stated that the city will have a table for this event and to see the City Secretary for tickets. He also stated the guest speaker is Jim McInvale.

ITEMS TO BE CONSIDERED

1. Discuss and approve the second reading of Ordinance 2018-O-01 granting an increase in the Municipal Judge's Salary to $32,000.00 a year and the Associate Municipal Judge's Salary to $12.00 per hour
   Councilmember Tran motioned to approve the Ordinance 2018-O-01
   Councilmember Lewis seconded
   There was no opposition
   With no opposition, the motion carried.
2. Discuss and consider action to approve a requirement that all current and future employees must be direct deposit into employee's bank account effective March 1, 2018.
   Councilmember McGovern motioned to approve that direct deposit is required for all current and future employees as of March 1, 2018.
   Councilmember Crocker seconded
   There was no opposition
   With no opposition, the motion carried.

3. Discuss and consider action to approve the Financial Statement as of December 31, 2017 as presented by City Treasurer.
   Councilmember McGovern motioned to approve the Financial Statement as of December 31, 2017.
   Councilmember Crocker seconded
   There was no opposition
   With no opposition, the motion carried.
4. Discuss and consider action to approve the Quarterly Investment Report as of December 31, 2017 as presented by City Treasurer.
   Councilmember Lewis motioned to approve the Quarterly Investment Report as of December 31, 2017.
   Councilmember Tran seconded
   There was no opposition
   With no opposition, the motion carried.
5. Discuss and consider approving Memorandum of Understanding between Matagorda County and Partners for the Communication Tower Lease.
   Councilmember Crockett motioned to approve the Memorandum of Understanding
   Councilmember Lewis seconded
   There was no opposition
   With no opposition, the motion carried.
6. Discuss and consider action to approve the following consent agenda items:
   a) Minutes of the January 9, 2018 Regular Council Meeting
   b) Excuse the absence of Johnny Tran on January 9, 2018 Regular Council Meeting
   Councilmember McGovern motioned to approve the Regular Council Meeting minutes for January 9, 2018 and to excuse Councilmember Tran's absence on January 9, 2018 meeting
   Councilmember Crocker seconded
   There was no opposition
   With no opposition, the motion carried

NO EXECUTIVE SESSION

ADJOURN
Councilmember Lewis motioned to adjourn the meeting at 7:39 PM
Councilmember Tran seconded
There was no opposition
With no opposition, the motion carried.

_____
Glen Smith, Mayor

_____
Clissa Mills, City Secretary