CITY OF EL LAGO

AGENDA
CITY COUNCIL MEETING
411 TALLOWOOD DRIVE, EL LAGO,
TEXAS 77586
AUGUST 19, 2020
7:00 P.M.

NOTICE is hereby given of a Meeting of the City Council of the City of El Lago, County of Harris, State of Texas, to be held on the above stated date and time.

This meeting will be closed to in person attendance by the public. Due to the COVID 19 pandemic and CDC's recommendation regarding social distancing measures, the public will not be allowed to be physically present at this meeting, but the meeting will be available to members of the public via telephonic audio. Public Comments may be submitted. Citizens may join the WebEx Meeting by calling (844) 992-4726 and entering the Access Code 146 568 3928 Any person interested in speaking on any item on the agenda must submit his/her comment via email to the City Secretary at citysec@ellago-tx.gov. The request must include the name and address of the person commenting. Citizen comments will be read aloud by the City Secretary during the meeting. Comments must be received before 1:00 p.m., Wednesday, August 19, 2020.

1. Call to Order

2. Declaration of a Quorum

2.1. Announce Absent Members of Council

3. Citizen Comments

Submitted citizens comments will be read aloud by the City Secretary

4. Consent Agenda

4.1. Check Detail for checks printed from August 6, 2020 through August 19, 2020.
4.2. Minutes from the Council Meeting of August 5, 2020.

5. City Official, Board, Commission, Committee, & City Service Report

5.1. Report on LPD activity in the City with Call For Service reports for July, 2020 (Chief Tom Savage)
5.2. Deanna Scott to report on Parks Board activity and future requests.

6. New Business

6.1. Consider/Approve General Order 600-23 of the Lakeview Police Department Use of Force and Less Lethal Devices procedures revised on August 10, 2020.
6.2. Consider/ Approve the Lakeview Police Department FY 2021 budget.
6.3. Consider/Approve the Harris Center for Mental Health and IDD Fiscal Year 2021 contract for rental of the El Lago Event Room at a rate of no more than $9600 for the year.
6.4. Consider/Approve $1500 upgrade of the City's QuickBooks subscription to resolve data limit issues.
6.5. Consider/Approve a new City computer server and data migration at a cost of $8500 and annual subscription for a cloud-based server at a cost of $2500 per year for cloud based file storage.
6.6. Consider/Approve proposed 2020 Maintenance and Operations Ad Valorem no-new-revenue tax rate of 0.431112 per $100 valuation and proposed 2020 Debt rate of .053828 per $100 valuation for a total 2020 proposed ad valorem tax rate of $0.484940 per $100 valuation.
6.7. Consider/Approve proposed FY2021 budget with a total income of $2,132,233.69, maintenance and operations expenses of $2,036,980.95, debt expense of $150,933.00, and monies from reserved funds of $55,680.26 to support the budget.

7. Future Agenda Item Requests

8. Adjournment

ALL AGENDA ITEMS ARE SUBJECT TO ACTION

In compliance with the Americans with Disabilities Act, the City of El Lago will provide for reasonable accommodations for persons attending City Council Meetings. Requests should be received 48 hours prior to the meetings. Please contact the City office at 281-326-1951. The City Council of the City of El Lago, Texas, reserves the right to adjourn into executive session at any time during the course of the meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), §551.077 (Agency Financed by Federal Government),§551.084 (Exclusion of Witness from Hearing), §551.086 (Meeting Concerning Municipally Owned Utility), §551.087 (Deliberations Regarding Economic Development),§551.088 (Deliberations Regarding Licensing Testing Exam), & §418.183(f) (Texas Disaster Act: regarding Critical Infrastructure).

I certify that a copy of this notice of the City Council Meeting for the date listed above was posted at City Hall, 411 Tallowood Drive, El Lago, Texas, at least 72 hours in advance per the Texas Open Meetings Act.

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Rachel Lewis
City Secretary

City of El Lago
Check Detail
August 6 - 19, 2020

Type	Num	Date	Name	Memo	Account	Paid Amount
Bill P...	**ACH...**	**08/06/2020**	**Verizon**	**June 21-Jul 20 City Cell...**	**10102 · General...**	
Bill	9859...	07/23/2020		June 21-Jul 20 City Cell ...	71300 · Telephone	(397.21)
TOTAL						(397.21)
Paych...	**ACH...**	**08/06/2020**	**Baillie, Dea...**		**10102 · General...**	
					70100 · Administ...	(720.00)
					25200 · FWT pa...	20.00
					70220 · Social S...	(44.64)
					25300 · FICA Pa...	44.64
					25300 · FICA Pa...	44.64
					70220 · Social S...	(10.44)
					25300 · FICA Pa...	10.44
					25300 · FICA Pa...	10.44
TOTAL						(644.92)
Paych...	**ACH...**	**08/06/2020**	**De Leon, A...**		**10102 · General...**	
					70120 · Mainten...	(1,371.98)
					70120 · Mainten...	(152.44)
					25500 · Med. & ...	17.31
					25200 · FWT pa...	138.00
					70220 · Social S...	(94.51)
					25300 · FICA Pa...	94.51
					25300 · FICA Pa...	94.51
					70220 · Social S...	(22.11)
					25300 · FICA Pa...	22.11
					25300 · FICA Pa...	22.11
TOTAL						(1,252.49)
Paych...	**ACH...**	**08/06/2020**	**Dempsey, ...**		**10102 · General...**	
					77125 · Commu...	(414.44)
					70220 · Social S...	(25.70)
					25300 · FICA Pa...	25.70
					25300 · FICA Pa...	25.70
					70220 · Social S...	(6.01)
					25300 · FICA Pa...	6.01
					25300 · FICA Pa...	6.01
TOTAL						(382.73)
Paych...	**ACH...**	**08/06/2020**	**Dimel, Callie**		**10102 · General...**	
					77125 · Commu...	(243.27)
					70220 · Social S...	(15.09)
					25300 · FICA Pa...	15.09
					25300 · FICA Pa...	15.09
					70220 · Social S...	(3.53)
					25300 · FICA Pa...	3.53
					25300 · FICA Pa...	3.53
TOTAL						(224.65)

City of El Lago
Check Detail
August 6 - 19, 2020

Type	Num	Date	Name	Memo	Account	Paid Amount
Paych...	**ACH...**	**08/06/2020**	**Goldston, ...**		**10102 · General...**	
					77125 · Commu...	(239.96)
					70220 · Social S...	(14.87)
					25300 · FICA Pa...	14.87
					25300 · FICA Pa...	14.87
					70220 · Social S...	(3.48)
					25300 · FICA Pa...	3.48
					25300 · FICA Pa...	3.48
TOTAL						(221.61)
Paych...	**ACH...**	**08/06/2020**	**Gulledge, ...**		**10102 · General...**	
					77125 · Commu...	(342.98)
					70220 · Social S...	(21.27)
					25300 · FICA Pa...	21.27
					25300 · FICA Pa...	21.27
					70220 · Social S...	(4.97)
					25300 · FICA Pa...	4.97
					25300 · FICA Pa...	4.97
TOTAL						(316.74)
Paych...	**ACH...**	**08/06/2020**	**Klingle, Br...**		**10102 · General...**	
					74010 · Court Cl...	(1,876.96)
					25400 · Pension ...	112.62
					70210 · Pension	(112.62)
					25400 · Pension ...	112.62
					25200 · FWT pa...	167.00
					70220 · Social S...	(116.37)
					25300 · FICA Pa...	116.37
					25300 · FICA Pa...	116.37
					70220 · Social S...	(27.21)
					25300 · FICA Pa...	27.21
					25300 · FICA Pa...	27.21
TOTAL						(1,453.76)
Paych...	**ACH...**	**08/06/2020**	**Kumar-Mis...**		**10102 · General...**	
					77125 · Commu...	(367.12)
					70220 · Social S...	(22.76)
					25300 · FICA Pa...	22.76
					25300 · FICA Pa...	22.76
					70220 · Social S...	(5.32)
					25300 · FICA Pa...	5.32
					25300 · FICA Pa...	5.32
TOTAL						(339.04)
Paych...	**ACH...**	**08/06/2020**	**Kumar-Mis...**		**10102 · General...**	
					77125 · Commu...	(232.94)
					70220 · Social S...	(14.44)
					25300 · FICA Pa...	14.44
					25300 · FICA Pa...	14.44
					70220 · Social S...	(3.38)
					25300 · FICA Pa...	3.38
					25300 · FICA Pa...	3.38
TOTAL						(215.12)

City of El Lago
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August 6 - 19, 2020

Type	Num	Date	Name	Memo	Account	Paid Amount
Paych...	**ACH...**	**08/06/2020**	**Lewis, Rac...**		**10102 · General...**	
					70100 · Administ...	(1,694.71)
					70100 · Administ...	(112.98)
					25400 · Pension ...	126.54
					25200 · FWT pa...	202.00
					70220 · Social S...	(112.08)
					25300 · FICA Pa...	112.08
					25300 · FICA Pa...	112.08
					70220 · Social S...	(26.21)
					25300 · FICA Pa...	26.21
					25300 · FICA Pa...	26.21
TOTAL						(1,340.86)
Paych...	**ACH...**	**08/06/2020**	**Means, Der...**		**10102 · General...**	
					70120 · Mainten...	(1,703.46)
					25200 · FWT pa...	159.00
					70220 · Social S...	(105.62)
					25300 · FICA Pa...	105.62
					25300 · FICA Pa...	105.62
					70220 · Social S...	(24.70)
					25300 · FICA Pa...	24.70
					25300 · FICA Pa...	24.70
TOTAL						(1,414.14)
Paych...	**ACH...**	**08/06/2020**	**Michalak, ...**		**10102 · General...**	
					77125 · Commu...	(373.15)
					70220 · Social S...	(23.14)
					25300 · FICA Pa...	23.14
					25300 · FICA Pa...	23.14
					70220 · Social S...	(5.41)
					25300 · FICA Pa...	5.41
					25300 · FICA Pa...	5.41
TOTAL						(344.60)
Paych...	**ACH...**	**08/06/2020**	**Skelton, Et...**		**10102 · General...**	
					77125 · Commu...	(314.93)
					70220 · Social S...	(19.52)
					25300 · FICA Pa...	19.52
					25300 · FICA Pa...	19.52
					70220 · Social S...	(4.57)
					25300 · FICA Pa...	4.57
					25300 · FICA Pa...	4.57
TOTAL						(290.84)
Paych...	**ACH...**	**08/06/2020**	**Stokes, Dia...**		**10102 · General...**	
					70100 · Administ...	(720.00)
					25200 · FWT pa...	24.00
					70220 · Social S...	(44.64)
					25300 · FICA Pa...	44.64
					25300 · FICA Pa...	44.64
					70220 · Social S...	(10.44)
					25300 · FICA Pa...	10.44
					25300 · FICA Pa...	10.44
TOTAL						(640.92)

City of El Lago
Check Detail
August 6 - 19, 2020

Type	Num	Date	Name	Memo	Account	Paid Amount
Paych...	**ACH...**	**08/06/2020**	**Verbeke, N...**		**10102 · General...**	
					77125 · Commu...	(237.60)
					70220 · Social S...	(14.73)
					25300 · FICA Pa...	14.73
					25300 · FICA Pa...	14.73
					70220 · Social S...	(3.44)
					25300 · FICA Pa...	3.44
					25300 · FICA Pa...	3.44
TOTAL						(219.43)
Paych...	**ACH...**	**08/06/2020**	**Wagner, M...**		**10102 · General...**	
					77125 · Commu...	(413.06)
					70220 · Social S...	(25.61)
					25300 · FICA Pa...	25.61
					25300 · FICA Pa...	25.61
					70220 · Social S...	(5.99)
					25300 · FICA Pa...	5.99
					25300 · FICA Pa...	5.99
TOTAL						(381.46)
Paych...	**ACH...**	**08/06/2020**	**Wagner, N...**		**10102 · General...**	
					77125 · Commu...	(489.77)
					25200 · FWT pa...	1.00
					70220 · Social S...	(30.36)
					25300 · FICA Pa...	30.36
					25300 · FICA Pa...	30.36
					70220 · Social S...	(7.10)
					25300 · FICA Pa...	7.10
					25300 · FICA Pa...	7.10
TOTAL						(451.31)
Liabilit...	**ACH...**	**08/06/2020**	**ICMA Retir...**	**Payroll 2020-08-06**	**10102 · General...**	
				B Klingle	25400 · Pension ...	(112.62)
				B Klingle	25400 · Pension ...	(112.62)
				R. Lewis	25400 · Pension ...	(126.54)
TOTAL						(351.78)
Liabilit...	**ACH...**	**08/06/2020**	**EFTPS**	**74-1612666 Payroll 202...**	**10102 · General...**	
				74-1612666 Payroll 2020...	25200 · FWT pa...	(711.00)
				74-1612666 Payroll 2020...	25300 · FICA Pa...	(174.31)
				74-1612666 Payroll 2020...	25300 · FICA Pa...	(174.31)
				74-1612666 Payroll 2020...	25300 · FICA Pa...	(745.35)
				74-1612666 Payroll 2020...	25300 · FICA Pa...	(745.35)
TOTAL						(2,550.32)
Bill P...	**ACH...**	**08/10/2020**	**CenterPoin...**	**Acct 9466040-4 Gas for...**	**10102 · General...**	
Bill	2020...	08/10/2020		Acct 9466040-4 Gas for ...	72100 · Utilities	(34.75)
TOTAL						(34.75)

City of El Lago
Check Detail
August 6 - 19, 2020

Type	Num	Date	Name	Memo	Account	Paid Amount
Bill P...	**ACH...**	**08/12/2020**	**Veritrans**	**Credit card charging fe...**	**10102 · General...**	
Bill	2020...	08/12/2020		credit card charging fees ...	70550 · Bank Se...	(305.77)
TOTAL						(305.77)
Bill P...	**ACH...**	**08/12/2020**	**Frontier Co...**	**8-10-2020 through 9-9-2...**	**10102 · General...**	
Bill	2020...	08/12/2020		07/10/20 - 08/09/20	71300 · Telephone	(170.93)
TOTAL						(170.93)
Bill P...	**ACH...**	**08/12/2020**	**Comcast**	**8777 70 112 0111874 fo...**	**10102 · General...**	
Bill	2020...	08/12/2020		11 fitness TV, 1 in event ...	71903 · Comput...	(174.51)
				Internet 50down/10up Cit...	71903 · Comput...	(174.51)
TOTAL						(349.02)
Bill P...	**11271**	**08/19/2020**	**AmeriWast...**	**July 7/1-7/31 Muni Cont...**	**10102 · General...**	
Bill	1529...	08/07/2020		July 7/1-7/31 Muni Contr...	73210 · Recycling	(15,642.34)
TOTAL						(15,642.34)
Bill P...	**11272**	**08/19/2020**	**Comcast**	**Webmaster August 202...**	**10102 · General...**	
Bill	2020...	08/07/2020		Webmaster July 2020 Bill	71903 · Comput...	(79.95)
TOTAL						(79.95)
Bill P...	**11273**	**08/19/2020**	**Hendricks, ...**	**Bailiff service on 08/11/...**	**10102 · General...**	
Bill	2020...	08/13/2020		Bailiff service on 08/11/2...	74410 · Bailiff S...	(75.00)
TOTAL						(75.00)
Bill P...	**11274**	**08/19/2020**	**Lawns and...**	**Monthly Service**	**10102 · General...**	
Bill	32740	08/10/2020		Monthly Service - 2020-0...	70350 · Grounds...	(2,625.00)
				402 Cedar Lot	70350 · Grounds...	(120.00)
TOTAL						(2,745.00)
Bill P...	**11275**	**08/19/2020**	**Leslie's Po...**	**chemicals for pool TLR...**	**10102 · General...**	
Bill	0043...	08/13/2020		chemicals for pool TLR P...	77201 · Pool Ch...	(7.12)
TOTAL						(7.12)
Bill P...	**11276**	**08/19/2020**	**Texas Dep...**	**MOTOR VEHICLE INQU...**	**10102 · General...**	
Bill	Jul-2...	08/06/2020		MOTOR VEHICLE INQ...	74500 · Court Mi...	(23.00)
TOTAL						(23.00)

City of El Lago
Check Detail
August 6 - 19, 2020

Type	Num	Date	Name	Memo	Account	Paid Amount
Bill P...	**11277**	**08/19/2020**	**TXU Energy**	**Electricity 7-5-20 to 8-2...**	**10102 · General...**	
Bill	0560...	08/11/2020		ESI ID 10089010100065...	72100 · Utilities	(6.12)
				ESI ID 10089010767831...	72100 · Utilities	(444.71)
				ESI ID 10089010100065...	72100 · Utilities	(94.15)
				ESI ID 10089010100065...	72100 · Utilities	(1,703.80)
				ESI ID 10089010100065...	72100 · Utilities	(16.15)
				ESI ID 10089010100065...	72100 · Utilities	(25.84)
				ESI ID 10089010100350...	72100 · Utilities	(21.64)
				ESI ID 10089010249012...	72100 · Utilities	(4.64)
				ESI ID 10089010238105...	72100 · Utilities	(7.50)
				ESI ID 10089010238129...	72100 · Utilities	(4.86)
				ESI ID 10089010238046...	72100 · Utilities	(16.11)
				ESI ID 10089010238135...	72100 · Utilities	(9.43)
				ESI ID 10089010238017...	72100 · Utilities	(6.78)
				ESI ID 10089010076206...	72100 · Utilities	(413.06)
				ESI ID 10089010076206...	72100 · Utilities	(10.29)
				ESI ID 10089010119015...	72100 · Utilities	(21.87)
				ESI ID 10089010238048...	72100 · Utilities	(14.61)
				ESI ID 10089010076206...	72100 · Utilities	(4.85)
				ESI ID 10089010069005...	72100 · Utilities	(1,295.52)
				ESI ID 10089010229004...	77210 · Utilities-...	(425.27)
TOTAL						(4,547.20)

CITY OF EL LAGO

MINUTES OF THE AUGUST 5, 2020
REGULAR CITY COUNCIL MEETING BY TELECONFERENCE
411 TALLOWOOD DRIVE, EL LAGO,
TEXAS 77586

1. **Call to Order** Mayor Skelton called the meeting to order at 7:00 PM.
2. **Declaration of a Quorum**
   Present: Mayor John Skelton
   Councilperson Shawn Findley
   Mayor Pro Tem Ann Vernon
   Councilperson Darin Clark
   Councilperson Jeff Michalak
   Absent: Councilperson Kris Kuehnel
3. **Citizen Comments**
   The following submitted citizen comments were read by City Secretary, Rachel Lewis and included as written:

Janice Makinen Grey of 1730 Fairoaks – "During a prior city council meeting I requested information regarding citizen involvement in the Lakeview police department. The mayor's response described the Lakeview Police Commission. I do not believe the Commission provides ample representation of El Lago and Taylor Lake Village residents. Three people cannot provide this level of representation. Additionally, the majority of the Lakeview Police Department does not live in the community it polices. I am therefore requesting that El Lago and Taylor Lake Village enact a Citizens' Independent Oversight Board for Lakeview PD. The board should consist of a representative group of citizens from each city, as well as statisticians and scholars in the field of law. The role of the board would be to provide community input to- and evaluation of Lakeview PD in regards to policing, policies, statistics, and community engagement. The board could also review internal investigations and complaints raised by the community. Lakeview PD is funded by our tax dollars, and the tax payers should have a voice in the way their communities are policed. By fostering a healthy relationship between the police department and a representative group of citizens, both cities and their police force could better serve their communities. The citizens' oversight board model has been successfully enacted in many different communities throughout the U.S., as recommended by the Presidential Task Force on 21st Century Policing – and I believe it would be of great benefit to El Lago and Taylor Lake Village. The second issue I'd like to inquire about is recycling. I understand that the budget for recycling has been eliminated for the 2021 budget proposal. I request council to provide more information regarding this budget change. First – I request council to provide data from AmeriWaste regarding how much recycling is in fact recycled. I understand that contamination issues can affect the recycling rate, and I'd like to know how effective our current recycling service is. Secondly, I'd like council to identify competitors in our recycling market and quote their recycling services. Thirdly, I request that council investigate alternative recycling options for citizens; including - but not limited to homeowner pay-for-service options, and community drop-off sites for recyclables. Lastly – I'd like council to provide cost information for the increased trash volume that will be incurred if recycling is in-fact discontinued. I value the recycling service provided by the city and I hope that we can find an effective way to be environmentally friendly."

Tiffany Wallace of 711 Crestwood Drive – "Dear Mayor, Mayor Pro Tem and council members. It is sad that once again we have to address the same issue we have had back in April, and I am fully aware that this is annoying maybe even infuriating to you and to our citizens of El Lago. As I am sure you are aware, I am speaking about yet another dog attack incident involving our own El Lago police commissioner, Michael O'Brien. I kindly ask each council member, the honorable Mayor, Madam Mayor Pro Tem and every listener of this council meeting to find it in their heart to not jump to conclusions, but to have faith in our police department to do the right thing and have an investigation that is fair and unbiased towards both parties involved. However, it is concerning that Mr. O'Brien and his two dogs have been involved in another dog attack with a different dog in our neighborhood. Thus, I would like to suggest that this time, Chief Savage and the Mayor please consider the possibility to ask for an independent review of the final report or even ask Harris County Sheriff's office to perform the investigation. Secondly, I agree with Mr. O'Brien that our neighborhood has a lot of loose dogs running around. I am aware that due to this pandemic lots of children are home and it can happen that doors or gates don't get shut all the way, even by lawn services. However, I believe we can work together as a community to reduce the risk of escaped dogs. Further, I believe it would be helpful to our community if the police department could work with a local dog trainer to offer dog training sessions for everybody with dogs to get to know each other, fresh up on basic commands, and for the local police force to get to know the owners and their dogs better. And most importantly, local dogs would know each other and not attack each other out on the street. Third, lots of citizens are very outspoken on social media about this incident and I sincerely hope they will make their voices heard during this council meeting or contact the police chief, Mayor and council members directly to voice

their concerns. Since a lot of citizens are concerned about Mr. O'Brien dog's breed type and their possible aggression, I suggest the city hire a professional dog trainer or behavior specialist to evaluate his dogs and to maybe reinsure Mr. O'Brien's statement that his dogs are not aggressive. I also believe that every dog and dog owner has the right to protect themselves and do not support the idea of asking Mr. O'Brien to muzzle his dogs. However, I do suggest that Mr. O'Brien walk one dog at a time to stay in control better or that Mr. O'Brien ask for additional help when walking his two dogs or even the use of a harness. The concern comes with a thought of someone biking with their dog coming towards Mr. O'Brien or even someone running with their dog down the road resulting in a confrontation between the dogs. Last, I would ask the Mayor, Mayor Pro Tem and council members to kindly ask Mr. O'Brien to step down as police commissioner due to the controversy of the dog attack incidents and the growing lack of confidence in Mr. O'Brien in the position of police commissioner. Further as a public figure, It is disappointing that Mr. O'Brien has been very vocal on social media including questionable comments."

Will Brabston of 1610 Lake Bluff – " I would like to see recycling kept. If we are to purport to be a Green city then we should practice what we preach. I'm sure our tax dollars are going other places that only benefit a few, like the pool area and gym we could do away with instead."

Kathy Pierpoline of 534 Whitecap Drive – "1. Please provide additional information about recycling - how much of the materials picked up for recycling are actually recycled? What is the cost, and the cost history, of doing recycling in El Lago? 2. I am strongly in favor of recycling, even at an additional cost. This could be curbside or convenient drop locations within or very near the city. Our solid waste costs would likely increase if recyclables are now put in trash. Landfill space is rapidly filling up and contributes to greenhouse gasses, pests, odors, etc. and I would like to delay building of additional landfills. If you want to see and smell the beauty of a landfill, just head up the new Hwy 99 east of Baytown. 3. I am interested in the outcome of the reported shooting of a dog in the city. Please provide an update. If one is still not available, please press the police department/commission to finalize their report. It has been close to 4 months. It is concerning that a firearm can be discharged within the city and little if any official information is available to the citizens. Official information is highly preferable to the rumor mill version. 4. I want to thank the city for providing water aerobics to the citizens this summer. We really appreciate it. 5. Fiber optic line installation - are contractors expected to return property to previous condition? Will residents be notified when work will be done on their street? Will anyone from the city follow up and inspect the work? After the road gaskets were replaced, there were street sections where they left the waste in the street - it was unsightly and potentially a safety issue with all the residents who walk, bike, skateboard, etc. and use the streets."

Tyler Miller of 1842 Raintree Circle –" I am writing to you today concerning the actions of police commissioner Michael O'brien. I emailed the city secretary last week asking about the process for filing a formal complaint against police commissioner O'brien and she told me to contact the mayor. Mayor Skelton has not responded to several of my emails so this is why I am writing to you. As you are probably aware, an incident occurred last week involving police commissioner Michael O'brien and his dogs. This incident is not why I am writing to you today. After the incident he went on social media and posted derogatory comments about my family. He is very much entitled to his own opinion about myself and my family but as a person in a public office position (police commissioner) this is very inappropriate to post this kind of material on social media. A person in his position is supposed to be held to a higher standard of moral, ethical and legal behavior and even though he wasn't formally representing the police commission at this time, he should know that he is always representing the police commission. How is someone supposed to regulate and oversee the actions of a police department when he himself cannot regulate his own actions and emotions. One of his posts on social media was very concerning to me in particular. The post was made by O'brien accusing me of running through the streets of El Lago naked exposing oneself to school age children on multiple occasions. This wild accusation, if really directed at me, is completely false and is very much defamation of my character. Again, completely inappropriate for anyone to say let alone a person in his position. This lack of integrity is very concerning to me. Also concerning is the fact that the Mayor won't even acknowledge my concerns. It is for these reasons I want to file a formal complaint against police commissioner O'brien."

Jeff Tave of 302 Pine View Circle – "Mayor & City Council, I present commentary on two topics: 1) I request that you retain the City's Residential Curbside recycling program in the FY'21 Budget. I see that Recycling (line item 73210) has been zeroed out ($21.4K) in the Mayor's Proposed FY'21 Budget. Does last year's amount ($21.4K) include the fees for the recycle dumpsters at Ed White (I believe at a $106/month rate)? If the cost is deemed excessive, have alternative contractors been contacted? Has AmeriWaste been contacted to allow them to propose a lower cost now that we've been using the same wheeled bins for multiple years? Driving around the City, I see a high participation rate by the residents in the Recycle Program, and I would guesstimate at least an 80% participation rate on a weekly basis. Does the City know what is the participation rate? To me, the $21.4K is a minor amount per residence per year (approx. $25) to avoid filling local landfills with material that can be recycled for re-use. In my opinion, having residents individually control the types of material going into their residential bin should provide a higher quality (less contamination) input stream as opposed to common dumpsters (single or split stream) which may be prone to error (cross-contamination of mixing streams eg paper/plastic) and contamination by non-residents filling with trash (if the recycle dumpsters are located in public/common areas like McNair Park). Completely eliminating the program would force a greater trash flow into the local landfill (would this cause a higher trash fee imposed by AmeriWaste off-setting any savings by program elimination?) and cause residents to make fuel-wasting trips to the Ellington Field Recycle depot (should they choose to recycle). This does not seem like the environmentally responsible thing to do for a forward-thinking city. Regarding the potential use of common dumpsters, besides the input stream quality issue previously raised, I have concerns that the dumpsters would attract critters and would be a potential odor/visual nuisance. What frequency would they be emptied? If the frequency is less than once per week, I would be concerned about the dumpster filling up and/or loose material that may fall out or be left outside the bin if full or near full. If centrally located in the McNair Park parking lot, I feel this will be an eyesore if not screened in — worsening the existing situation whereby the current trash dumpsters are exposed since their damaged fencing has not been replaced. Is this the image the City wants to present to non-resident visitors of the park? Please retain the existing curbside program and look for other cost-saving measures (or

revenue generating measures — balancing a budget means growing the revenue side, too) 2) Term Limits - For a small City with a limited pool of willing volunteers, it does not seem prudent to me to impose artificial constraints on length of service. If residents choose to re-elect an official for a single or multiple successive terms, that should be the residents' choice. Imposing limits forces a turnover that may not be desirable by the citizenry. Election outcomes should determine who serves the City not artificial limits."

Ken Pachall of 534 Whitecap Drive - I have noted in the cities proposed budget for 2021 that curbside recycling be discontinued as part of addressing a budget shortfall. I have several questions and comments: 1. What is the cost of the recycling program in 2020, and what was the proposed cost for 2021? 2. The recycling currently covers items such as glass, paper, aluminum, cardboard, and various types of plastic containers. I recognize that some of these are not currently profitable for the recycling company. Can the recycling program be adjusted to only pick up the profitable items, and/or the recycling schedule be changed from once weekly to maybe something like the first and third weeks of the month in order to maintain the program? 3. Recycling is proven to reduce the amount of debris going into landfills, and our landfills are not an infinite resource. Eventually they will fill up and require new landfills, along with higher trash fees and/or taxes, to accommodate disposal of our garbage. From a long term cost perspective it is better to continue our recycling program to delay the filling up of our landfills. I request that City Council explore options, such as noted previously, in order to continue the recycling program.

Deanna Scott of 109 Bayou View Drive – "What are we doing with the lot for the hardware store. It has been several months that I brought it up and it still has the broken down fence, unkept land, and an eye sore for the entrance to the city. Can we get this fixed by the end of October? It doesn't seem like anyone has given the owner a timeline so the end of October seems perfect since this has been vacant for over 5 years!!!!"

Sally Wrobleski of 418 Tallowood Drive –" I do not support City Council's budget proposal to discontinue Curbside Recycling. This is a much needed service for our community and there are no other local options. We need more information regarding this decision and if any other possible alternatives have been discussed. Council should canvass residents before a final decision has been made."

Tammie Harness of 627 Seaway – "I think it is our obligation as citizens to continue to have curb side recycling in our neighborhood. Why would we even consider cancelling the program? I recycle more than I trash. We need to do our part to help put less trash in landfills. Is El Lago seriously becoming one of those "trashy" neighborhoods. I feel we have council people who only put themselves first no matter what is best for our city! Money is being spent on frivolous things such as rewarding celebrations when we should put safety first! Our city lights are covered my the large trees in street yet I was told the city won't trim back these trees and simply says it is the owners responsibility. Yes, I agree but if it isn't done, for safety of others, it needs to be!"

Heather Millar of 715 Bayview Drive – "It has come to my attention on Next Door that there is a consideration to drop or re evaluate the recycling in our fair city. I regularly recycle way more than I have in my trash and would certainly hate to see this feature disappear. El Lago has a reputation of being environmentally friendly, a "green" city, and to take away the opportunity to recycle would then have residents just dumping their recycling in landfills or parking lots. Part of the quality of life people seek is an environmentally friendly community as well as being safe, having good schools, walkable streets, etc...Quality of life. Many of us would consider an increase in our collection rates if it was reasonable. I understand that during this time of Covid-19, things have to change and many sources of recycling are no longer available. All I am asking is that a decision not be made in haste and that the citizens of El Lago have ample opportunity to have a say. I looked over the agenda and meeting notes from the last Council Aug 5th, but saw no reference to changes to recycling."

Robert Burke of 1714 Hedgecroft – "I am asking for the removal of Mr. Michael O'Brien from the city's Police Commission. He posted sensitive information privy only to law enforcement, on the site Nextdoor, in response to another individual's reply regarding a recent dog attack involving his dogs. It was an obvious attempt to intimidate and silence this individual by sharing the information on a public platform. This should never be acceptable, regardless of how it was obtained, for any city official! However, this is not the first time Mr. O'Brien has violated the public's trust. When Mr. O'Brien ran for mayor in the late 1990's he released sensitive medical information regarding his then political opponent Tracy Harmon. He also helped supply sensitive information to the recent Concerned Citizen movement thus establishing him as a habitual abuser of power. Yes we all have a right to free speech but not without consequences therefore I am asking you to do the right thing and remove Mr. O'Brien."

Mayor Skelton stated that the recycling would be discussed during the budget portion of the meeting. He thanked the citizens for their comments. The Mayor said that the City does not become involved in issues with social media, nor does social media affect city policy. He stated that the leash laws would also be discussed later during the meeting. Regarding the suggestion about a citizens oversight board, he stated that since we have the LPD by agreement with TLV,both cities must agree to this. Additionally, it is not always easy to find enough volunteers to fill existing positions. Mayor Skelton thanked the citizens for the input regarding Mr. O'Brien. Councilperson Clark stated that citizen comments can be heard at Police Commission meetings and encouraged citizens to make their comments heard there as well. Mayor Pro Tem Vernon said that the concern raised about the vacant lot on NASA Rd 1 is being addressed. She began to work with the Code Officer and she will discuss the issues regarding this lot with the Mayor in order to move forward.

4. Consent Agenda City Official, Board, Commission, Committee, & City Service Report

4.1. Check Detail for checks printed from July 16, 2020 through August 5, 2020.

4.2. Minutes from the Council Meetings of July 15, 2020, July 20, 2020, and July 29, 2020.

Councilperson Vernon made a motion to approve and Councilperson Michalak provided a second. The motion passed unanimously by a roll call vote.

5. **City Official, Board, Commission, Committee, & City Service Report**

   5.1. *SVFD Monthly activity report* – Chief Andy Gutacker thanked the City and Mayor Pro Tem Vernon for allowing his Department to use the City pool to conduct water rescue training. He reported that an Assistant Chief swam 250 yards to rescue a 13-year old recently. He also reported that another Assistant Chief was appointed by Governor Abbott to the Texas State Board for Fire Services. He went over both the June and July call reports. In June there were 5 calls in El Lago, 3 were medical and 2 were non-medical. The average response time was 2 minutes and 43 seconds. In July there were 9 calls in El Lago. 5 were medical and 4 were fire calls. The average response time was 5 minutes and 16 seconds. In response to several gas leaks over the last month, Chief Gutacker encouraged residents to always call 811 prior to digging to avoid gas lines.

   5.2. *City Secretary Rachel Lewis to report on the current reported expenses to the state and FEMA for COVID-19.* City Secretary Lewis reported the current total expenses and losses were $25,137. Expenses totaled $9,159 and losses were $15,978. She stated she will continue working with Emergency Management Coordinator, Tom Merchant, to complete requirements for possible funding reimbursements that could be awarded to the City.

6. **Council member's Reports**

   6.1. *Councilpersons Clark and Kuehnel to report on the Lakeview Police Department Salary Committee meetings.* Councilperson Clark reported that there was a 3% raise to the officers that is already budgeted and the commission will propose an additional 1% increase. He stated the City should receive the total budget for the Lakeview Police Department soon.

   6.2. *Mayor Pro Tem Vernon to report on fiber optic lines being installed throughout the City by Frontier Communications.* Mayor Pro Tem Vernon reported that Frontier Communications is placing fiber optic lines in the right-of-way areas throughout the City. She stated they are digging holes approximately every 3-4 homes and then boring beneath the ground to place the lines. There was an instance where they hit a water line, but this was responded to quickly by WCID 50. It should take about 60 days to complete in El Lago.

   6.3. *Councilperson Michalak to report on a recommended public awareness committee regarding adherence to the City leash laws.* Councilperson Michalak reported that he is requesting a committee be formed to educate and perform outreach to residents regarding the City leash laws. Mayor Skelton asked him to provide a list of people in order to form this ad hoc committee, but that there needs to be a clear understanding for the goal of the committee since there is already a leash ordinance in place.

7. **Adjourn into an Executive Session as allowed by Texas Local Government Code *§551.074* to discuss Personnel Matters** Mayor Skelton Adjourned into Executive Session at 8:07 PM.

8. **Move meeting back into Regular Session –** Mayor Skelton moved the meeting back into regular session at 8:40 PM.

9. **New Business**

   9.1. *Consider/Approve Resolution 2020-06 renewing the employer group benefits plan with Texas Municipal League Health Benefits Pool.* Mayor Pro Tem Vernon made a motion to approve and a second was provided by Councilperson Findley. The motion passed unanimously by a roll call vote.

   9.2. *Consider/Approve Resolution 2020-07 adopting an allowance for eligible City employees in lieu of a City-owned mobile phone device.* City Secretary Rachel Lewis informed Council that providing an allowance to City employees to utilize their personal cell phones for work rather than the city providing cell phones would save about $3200 per year. Additionally, City staff expressed a preference for not have to carry around and care for a separate city-issued cell phone. Councilperson Findley made a motion to approve the resolution and Councilperson Clark seconded. The vote was unanimously approved by roll call.

   9.3. *Consider/Approve Ordinance 470 establishing term limits for elected officials.* Councilperson Clark informed Council the City Attorney informed him that term limits were illegal for home rule cities. however, Mayor Pro Tem Vernon stated that El Lago is not a home rule city, but a Type A General Law city; so he will need to discuss this with the City Attorney further. Council person Clark made a motion to postpone for review and Councilperson Michalak provided a second. The vote to postpone was unanimous by roll call.

   9.4. *Discuss FY 2021 City Budget and 2020 tax rate in support of that budget.* Mayor Pro Tem Vernon went over Senate Bill 2, Texas Property Tax Reform & Transparency Act (the report is attached). She stated that the increased deficit of over $45,000 when calculating the tax rate by the current No-new tax rate will be taken from money allotted for projects as previously requested by the Mayor. Mayor Skelton

also stated that the server at City Hall is old and will no longer support the current software so this will have to be addressed. The Mayor said other options for city-wide recycling will be gathered for Council to consider.

10. Future Agenda Items

Mayor Skelton stated the quotes for replacing the server will be set for approval at the next Council meeting. A proposed tax rate adoption will be included for the next meeting as well. The ordinance for term limits, if legal, will be placed on the agenda for the first meeting in September.

11. Adjournment – There being no further business the Mayor adjourned the meeting at 9:24 P.M.

ATTEST:

_____ _____

John Skelton
Mayor

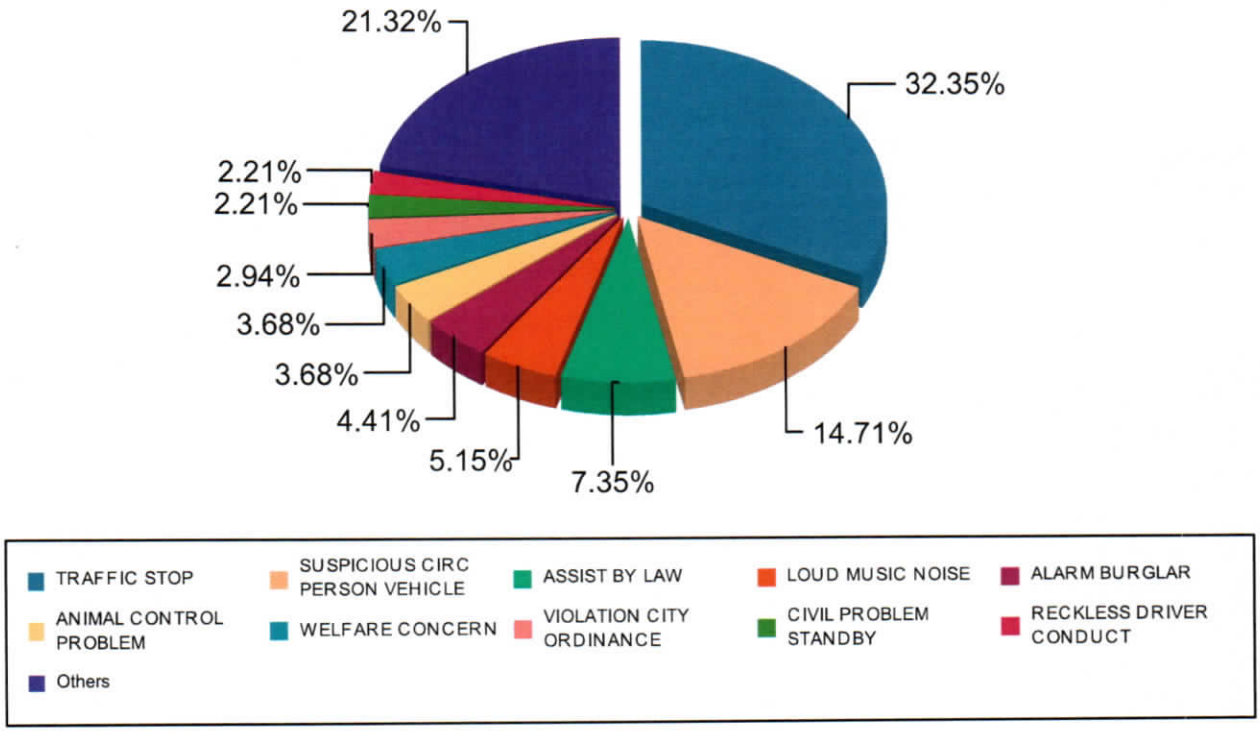
Rachel Lewis
City Secretary

LAKEVIEW POLICE
CALL FOR SERVICE REPORT
From 7/1/2020 to 7/31/2020

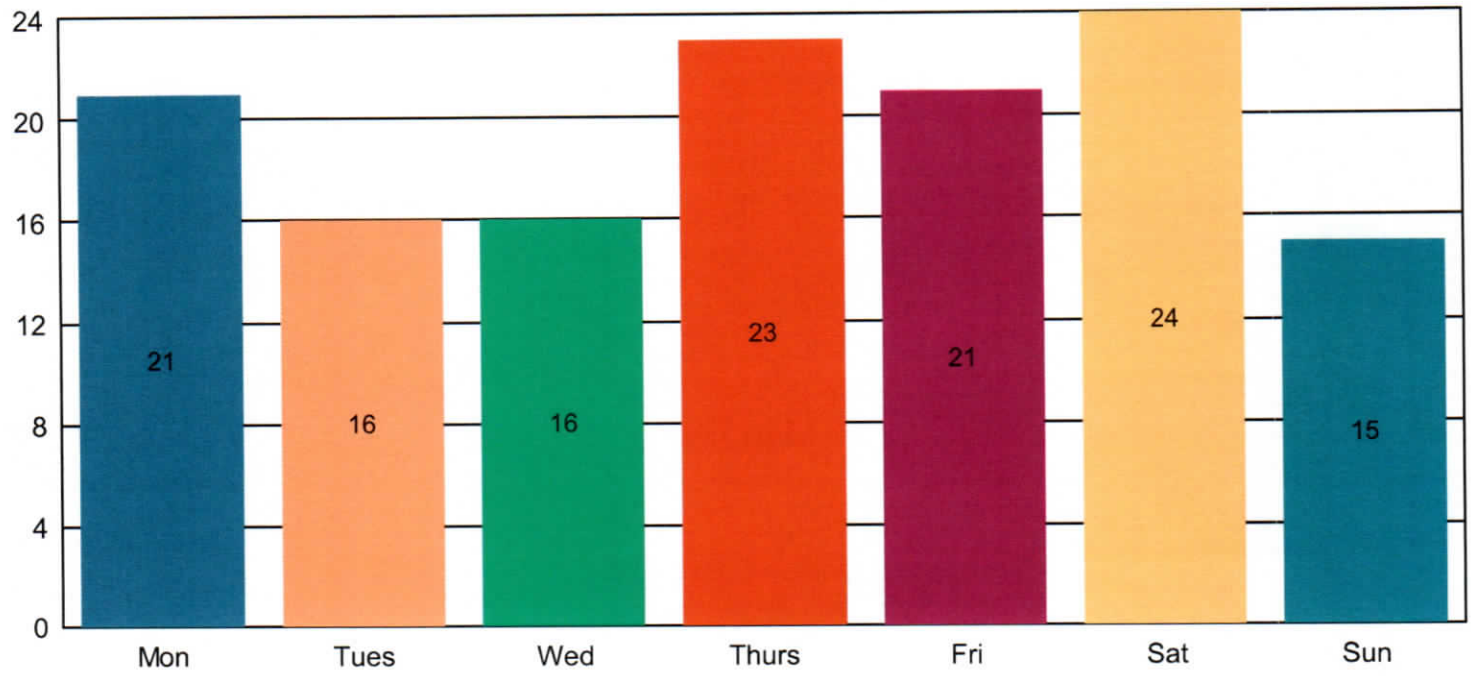
Nature:	Count of CFS:	Percent of CFS:	Total CFS Time:	Average CFS Time:
ABANDONED VEHICLE	1	1%	00:39:31	00:39:31
ALARM BURGLAR	6	4%	01:58:30	00:19:45
ANIMAL CONTROL PROBLEM	5	4%	03:02:13	00:36:26
ASSAULT	1	1%	02:32:00	02:32:00
ASSIST BY LAW	10	7%	04:36:23	00:27:38
ASSIST CITIZEN	2	1%	00:36:26	00:18:13
BURGLARY	2	1%	00:59:33	00:29:46
CIVIL PROBLEM STANDBY	3	2%	02:35:51	00:51:57
CRIMINAL MISCHIEF	1	1%	00:54:25	00:54:25
DISTURBANCE	1	1%	01:12:45	01:12:45
FLAGDOWN	2	1%	00:21:14	00:10:37
FOLLOW UP	1	1%	00:18:36	00:18:36
FRAUD	1	1%	00:49:58	00:49:58
HARASSMENT	2	1%	01:35:03	00:47:31
INTOXICATED DRIVER PERSON	1	1%	00:04:19	00:04:19
LOUD MUSIC NOISE	7	5%	05:21:20	00:45:54
MINOR ACCIDENT	1	1%	00:30:44	00:30:44
PRISONER PROCESS	1	1%	04:21:15	04:21:15
PROPERTY LOST RECOVERED	2	1%	02:43:29	01:21:44
RECKLESS DRIVER CONDUCT	3	2%	00:59:15	00:19:45
SUSPICIOUS CIRC PERSON VEHICLE	20	15%	11:21:38	00:34:04
THEFT	3	2%	04:35:08	01:31:42
THREAT TERRORISTIC	3	2%	02:58:58	00:59:39
TRAFFIC HAZ PROB DIRECT RELAT	1	1%	00:47:40	00:47:40
TRAFFIC STOP	44	32%	07:56:01	00:10:49
TRESPASS	2	1%	01:15:43	00:37:51
VIOLATION CITY ORDINANCE	4	3%	01:24:15	00:21:03

WEAPONS OFFENSES	**1**	**1%**	00:20:26	00:20:26
WELFARE CONCERN	**5**	**4%**	03:35:49	00:43:09
GRAND TOTALS:	**136**		**70:28:28**	**00:31:05**

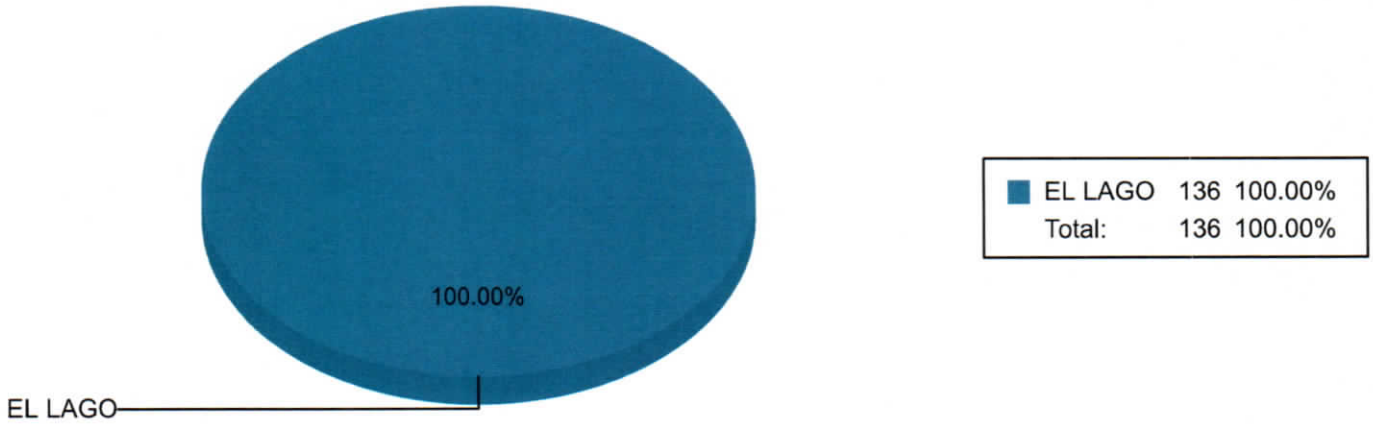
CFS By Nature



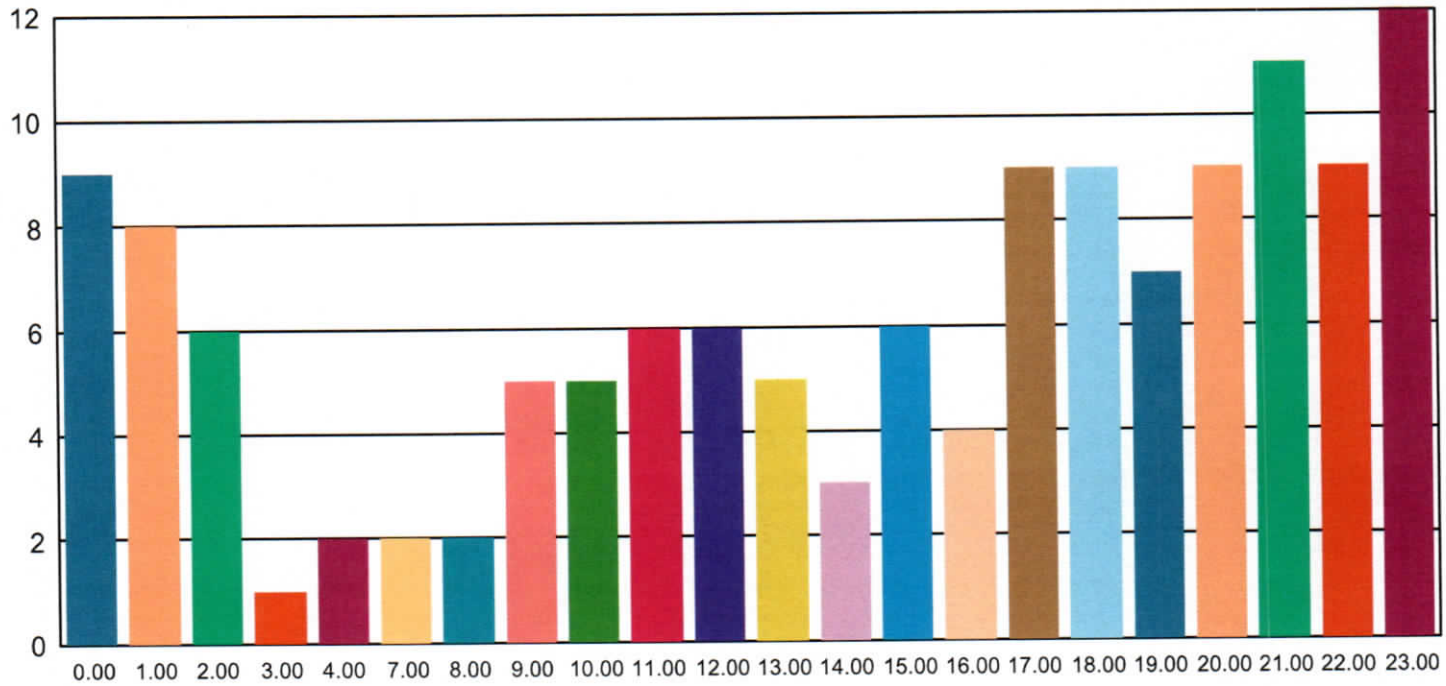
DOW



CFS by District



Calls by Hour of Day



Citation	Officer Name	Viol Location
90424	SAVAGE, THOMAS L	4000 NASA PARKWAY
E00618	HENDRICKS, CHRISTOPHER	0004000 NASA PKWY
E00619	HENDRICKS, CHRISTOPHER	0004100 NASA PKWY
E00620	STILWELL, KYLE	0004100 NASA PKWY
E00621	STILWELL, KYLE	0003900 NASA PKWY
E00629	SAVAGE, THOMAS L	0000200 CEDAR LN
E00630	BRINSON, DAVID	0003850 NASA PKWY
E00631	BRINSON, DAVID	0004300 NASA PKWY
E00638	COUNTIE, GREG P.	0004200 NASA PKWY
E00639	COUNTIE, GREG P.	0004300 NASA PKWY
E01946	SAVAGE, THOMAS L	0000300 LAKESHORE DR
E01949	BEATON, TANGIE	0004100 NASA PKWY
E01950	BRINSON, DAVID	0004300 NASA PKWY
E01951	BRINSON, DAVID	0000500 CEDAR LN
E02912	HENDRICKS, CHRISTOPHER	0004400 NASA PKWY
E03635	STILWELL, KYLE	0003800 NASA PKWY
E03636	STILWELL, KYLE	0004000 NASA PKWY
E03637	STILWELL, KYLE	0003800 NASA PKWY
E03643	MANOLESCU, DODEUS	0001200 WOODLAND DR
E03660	STILWELL, KYLE	0000900 CEDAR LN
E03664	BIANCHINO, SAM	0004400 NASA PKWY
E04109	BRINSON, DAVID	0004400 NASA PKWY
E04114	BRINSON, DAVID	0000000 CEDAR LN
E04115	BRINSON, DAVID	0004400 NASA PKWY
E04116	BRINSON, DAVID	0003900 NASA PKWY
E04117	BRINSON, DAVID	0004400 NASA PKWY
E04120	BRINSON, DAVID	0004400 NASA PKWY
E04121	BRINSON, DAVID	0004300 NASA PKWY
E04126	BRINSON, DAVID	0004100 NASA PKWY
E04131	SMITH, ROBERT A	0003800 NASA PKWY
E04133	BEATON, TANGIE	0000418 LAKESHORE DR
E04134	SMITH, ROBERT A	0004200 NASA PKWY
E04142	RODRIGUEZ, FRANK	0003900 NASA PKWY

Aug 2020
El Lago
Hot Spot
TRAFFIC

LAKEVIEW POLICE DEPARTMENT **GENERAL ORDER #600-23**
SUBJECT: USE OF FORCE AND LESS LETHAL DEVICES **EFFECTIVE DATE: 01-14-13**
REVISED: 08-10-20

USE OF FORCE

This Department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interest is required. Therefore, it is the policy of this Department that police officers shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer or another.

Use of Force Options Diagram

Under normal circumstances, only the methods listed below may be used to apply force. These methods are listed below in ascending order from the least severe to most drastic. This is not intended to be interpreted that the officer must proceed from one level of force to the next, but rather that the officer must choose the appropriate level of force in a given situation. The appropriate level of force is determined by what is the reasonable level of force needed to resolve the situation, with due consideration to officer, citizen, and suspect safety. Officers should use force in this order unless reasonable, articulable justification is present to warrant a different level of force. In all cases, personnel will use reasonable force when force is used to accomplish lawful objectives.

- Physical presence
- Verbal
- Soft Empty Hand Techniques (pressure points, escort takedowns etc.)

- O.C. Spray
- Taser (not currently approved) and Stun Guns
- Hard Empty Hand Techniques (stuns, strikes, kicks etc.)
- Impact Weapons / Less Lethal Projectiles
- Approved Firearm.

Civilian Employees are not equipped with less lethal weapons and are authorized to use only physical presence, verbal commands, and physical force to achieve prisoner control.

USE OF DEADLY FORCE PROCEDURES

Definitions

Deadly Force - Any use of force that is likely to cause death or serious bodily injury.

Reasonable Belief - Means a belief that would be held by an ordinary and prudent person in the same circumstances as the actor.

Serious Bodily Injury - Means bodily injury that creates a substantial risk of death or causes death, serious permanent disfigurement, or protracted loss or impairment of the functions of any bodily member or organ.

Parameters for Use of Deadly Force

Police officers are authorized to use deadly force in order to protect the police officer or others from what is reasonably believed to be an immediate threat of death or serious bodily injury.

Before using a firearm, police officers shall identify themselves and state their intent to shoot, where feasible.

Police Officer May Also Discharge a Weapon Under the Following Circumstances

During firearms practice and recreational shooting where firing a weapon would be safe and lawful.

To destroy an animal that represents a threat to public safety or as a humanitarian measure. Officers must receive permission from a supervisor when practical.

Restrictions on the Display of Weapons

Except for formal inspection, maintenance, training, and upon entering firearm restricted areas, officer shall not un-holster, draw or exhibit their firearm unless circumstances create reasonable cause to believe that it may be necessary to use the weapon in conformance with this policy. Inspection of weapons does not include the displaying of a weapon for other officer's examination.

Officers shall not fire their weapons at or from a moving vehicle unless deadly force is justified, and it is necessary to prevent imminent death or serious bodily injury to any person.

- The vehicle alone shall not constitute a deadly weapon, if reasonable measures can be taken to avoid the vehicle's path.
- If time and situation permit, other force options should be utilized in lieu of discharging a weapon at or from a moving vehicle.
- Someone firing from a moving vehicle shall be responded to as if the person was in any other location away from a vehicle. The response to a suspect firing from a moving vehicle shall be handled as if the person was in any other location away from a vehicle.

Firearms shall not be discharged when it appears likely that an innocent person by be injured. Warning shots are prohibited.

USE OF LESS LETHAL FORCE PROCEDURES

Parameters for the Use of Less Lethal Force

Where deadly force is not authorized, officers should assess the incident in order to determine which less lethal techniques equipment will best de-escalate the incident and bring it under control in a safe manner. Police officers are authorized to use department approved less lethal force techniques and equipment for resolution of incidents, as follows:

- To protect himself/herself or another from physical harm
- To restrain or subdue a resistant individual
- To bring an unlawful situation safely and effectively under control

There are two common types of neck restraints: the respiratory restraint and the vascular restraint.

- The Respiratory Restraint is a method that applies forearm pressure to the trachea. This method restricts the air flow thus could result in death and is commonly referred to as a chokehold. All respiratory restraints (chokeholds) are considered deadly force. This method is strictly prohibited by the Lakeview Police Department.
- The Vascular Restraint method that applies forearm/wrist and bicep/deltoid pressure to the side of the neck is called the Shoulder Pin Restraint under PPCT Defensive Tactics. This method restricts blood flow to the brain and causes the individual to pass out if resistance does not stop. This is considered hard empty hand techniques. The Shoulder Pin Restraint is not a chokehold and is an approved neck restraint for the Lakeview Police Department as taught according to PPCT Defensive Tactics guidelines.

The use of the four-point restraint (hog-tying) is prohibited.

LESS THAN LETHAL DEVICES

This general order establishes the use of less-lethal devices: police batons, chemical spray, stun guns and extended range less lethal shotguns. The Lakeview Police Department recognizes that combative, non-compliant, armed and/or violent subject(s) can create handling and control problems that require an additional use of force option above hands on physical control but short of lethal or deadly force.

The use of a less lethal devices may be authorized for use as an alternative to resolve incidents in a less-lethal manner, to protect officers and other persons from harm, to protect a suspect/subject from self-inflicted injury, or to end incidents involving combative, non-compliant, armed, or violent individuals. Officers shall not interpret this policy to mean that a less lethal weapon replaces the use of lethal force when deadly force is authorized.

Police Baton

Only officer who have successfully completed an approved police baton course will be authorized to carry and use a police baton. Types of police batons that may be carried are a straight baton, expandable baton or PR-24 style baton.

The use of the police baton will be authorized only in circumstances whereby force is authorized by General Order and within the provisions of state statutes. The use of the police baton will be restricted for:

- Self Defense
- Defense of a third part

- Prevention of the escape of an arrested person from custody
- Affecting an arrest in lieu of the use or threatened use of deadly force

Chemical Spray

Only officers who have completed an approved chemical spray course will be authorized to carry and use a chemical spray. The use of a chemical spray will be authorized only in circumstances whereby force is authorized by General Order and within the provisions of state statutes. The use of the chemical spray will be restricted for:

- When verbal dialog has failed to bring compliance and the subject is actively resisting
- When the subject has signaled his intention, verbally or by his actions, that they will actively resist an officer's efforts to detain or make an arrest

Stun Guns

The stun gun is a hand held electronic defense device capable of emitting an electrical discharge that, when properly used, can effectively repel, stun, disorient or momentarily incapacitate an individual without permanent injury.

Stun guns may be utilized under the following conditions:

- Against animals that are violent and threatening. Officers are reminded that in order to utilize the stun gun against violent and threatening animals; the officers must be legally present.
- To gain compliance with verbal commands. This method of use is only authorized in situations where the verbal command or order is lawful and where failure to comply would establish probable cause to justify an arrest.
- To overcome physical resistance to a legal search.
- To prevent injury to an officer.
- To prevent injury to a civilian.
- To overcome resistance to a lawful arrest.
- To control violent crowd situations. This method of use is justified in those situations where the officer must gain control to prevent injury to him or others.
- To control a violent suspect. Officers may use the stun gun in those situations where the suspect is in custody but still causing injury to himself, the officer, other civilian parties or damage to property.

The stun gun will not be utilized for the following situations:

- The stun gun will not be used to threaten, harass, coerce, taunt, belittle or abuse anyone.
- The stun gun will not be used in areas where there are heavy concentrations of combustible materials.
- The stun gun will not be used above the shoulders (i.e., neck, head, eyes, etc.) unless the officer feels that his or the life of another is in imminent danger.
- The stun gun will never be used in an unlawful manner.

Less-Lethal Shotgun

Departmental Less-Lethal shotguns may be authorized in circumstances including but not limited to the following:

- Suicidal subject (where a weapon has been displayed)
- Subject armed with a knife or other non-firearm weapon
- Subject violently resisted or is resisting arrest

- Subject displaying a high level of intoxication due to alcohol or drugs where making an arrest leads the supervisor to believe an extremely violent confrontation will result

The on-duty supervisor or officer in charge of an incident scene may utilize the less-lethal option should there be a less-lethal trained officer available.

Only police officers properly trained and qualified on the department's less-lethal devices and authorized by the Chief of Police, shall be authorized to carry and deploy a less-lethal device. Officer will be required to recertify with a less-lethal device in accordance with state training requirements.

CARRYING A LESS-LETHAL DEVICE

Police Baton

A police baton shall only be carried by a police baton certified officer and be an approved police baton (ASP, Monadnock, etc.). The police baton will be carried in a manner designated by the state certified training course. Officer are responsible for providing and maintaining their own police baton.

Chemical Spray

A chemical spray shall only be carried by a chemical spray certified officer and shall be a non-flammable OC spray (EG, FOX, MK4, etc.). The chemical spray should be carried on the duty belt in an appropriate holder. Officers are responsible for providing and maintaining their own chemical spray.

Stun Guns

Only properly trained and certified officers will be allowed to carry a stun gun. This stun gun will be carried on the duty belt in an appropriate manner. Officers are responsible for providing and maintaining their own stun gun.

Less-Lethal Shotgun

A less-lethal shotgun shall be a department shotgun and be so designated for less-lethal use, by a bright orange foregrip and bright orange stock with the words "Less Lethal" printed on it. The department armorer will be responsible for the issue and maintenance of a less-lethal shotgun.

All less-lethal shotguns of the department shall be unloaded of ammunition and stored at end of shift if not passed on to a department authorized less-lethal shotgun qualified officer of the relief shift. If the weapon is passed to a department authorized less-lethal shotgun qualified officer of the relief shift, both officers are responsible for ensuring that the less-lethal shotgun is unloaded when exchanged.

It is the responsibility of the properly qualified and authorized officers to ensure that their less-lethal shotgun is only loaded with department issued and approved less-lethal projectile ammunition. At NO time shall a less-lethal shotgun be loaded with anything other than department approved and authorized less-lethal ammunition. The chamber should remain empty until such a time that the weapon is being readied to fire, upon authorization of the on-duty supervisor.

Treat a less-lethal ammunition loaded shotgun the same was you would one loaded with lethal ammunition.

The Less-Lethal Shotgun shall not be carried in the shotgun rack inside the patrol car and no regular shotgun ammunition (slug, buck shot, etc.) shall be carried at any time in a less-lethal shotgun carrying case.

DEPLOYMENT

Before transitioning to less-lethal options, officers should consider the level of force being confronted, the proximity and access of subjects to officers and civilians, and other departmental policies.

Police Baton

Baton blows will be directed only towards vulnerable areas below the shoulder line with only the degree of force that is necessary. The intention of the baton strike is not to inflict serious bodily injury or death, except in those circumstances where the use of deadly force may be authorized by state law and the department's general order governing the use of deadly force.

Chemical Spray

Use of a chemical spray should be done at a safe distance from the suspect, between two to ten feet. A single spray of one to three seconds should be directed at the subject's eyes and nose. Additional burst(s) may be used if the initial or subsequent burst are ineffective. Wind direct and the proximity of innocent bystanders should be taken into consideration before the use of a chemical spray. A Chemical Spray should not be used in a patrol unit or jail facility unless absolutely necessary.

Stun Guns

To fully realize the power of the stun gun, it must be in direct contact with suspect. Officers utilizing the stun gun in this manner must also realize that the safety zone has been eliminated.

Less-Lethal Shotgun

The less-lethal shotguns shall be deployed by authorization and control of the on-duty supervisor or officer in charge of an incident scene.

Upon determination to deploy the less-lethal option, the on-duty supervisor or officer in charge will announce over the radio that the less-lethal shotgun is being deployed so that it is time stamped and recorded on the radio log.

At no time will the less-lethal shotgun be deployed without at least one officer at the ready with a lethal weapon to back-up the officer. The on-duty supervisor or officer in charge will designate who is to be the lethal back-up officer. Any officer not designated by the on-duty supervisor or officer in charge as a lethal back-up officer SHALL NOT discharge their weapon unless the primary less-lethal team is unable to perform their duty.

Before deployment the on-duty supervisor, officer in charge or the officer deploying the less-lethal shotgun shall inform the suspect of the intent to use the less-lethal shotgun on them if they fail to comply with further officer instructions. This is if the situation allows the time and ability to do so. This warning is not required when the situation makes it impossible to do so for the safety and protection of the officer(s) and/or citizens.

Upon the authorization to fire the less-lethal shotgun officer will announce his intent to fire by stating "firing bean-bag" or "firing less-lethal". The officer will then fire until either the subject is down, or the on-duty supervisor or officer in charge commands him to cease fire. Once the operator has stopped firing the weapon he should announce, "bean-bag clear" or "less-lethal clear" so that officers are aware they may move in to affect an arrest.

The officer deploying the less-lethal shotgun will deploy it in accordance with training. At no time should a less-lethal shotgun be fired at the head or neck area.

At no time will the less-lethal shotgun be fired should there be any amount of risk of striking an innocent bystander.

The lethal force authorized back-up officer is only authorized to fire should the situation change to warrant the use of lethal force as per department General Order #600-10.

Other officers should not return fire, unless either authorized to by the on-duty supervisor or officer in charge or should the situation change that the less-lethal team (less-lethal shotgunner and lethal back-up officer) are unable to perform their duties.

HANDLING OF SUSPECT AFTER USE OF LESS-LETHAL OPTIONS

Police Baton

Officers will ensure that persons injured as a result of the use of the police baton receive prompt medical attention at a local hospital or medical facility at the earliest opportunity. In the event that custody is relinquished to another law enforcement agency, the officer shall request the receiving agency to provide for such medical treatment.

Chemical Spray

Officers should dispatch EMS to the scene or jail for prisoner decontamination and medical assessment. Offices should be to alert to any indications of further medical care needed; difficulty breathing, gagging, profuse sweating and loss of consciousness. Subject sprayed should be monitored for indications for medical care.

Officers should also offer assistance to anyone accidentally exposed to the chemical spray.

Stun Guns

Suspects should be checked out by EMS personnel after the incident. If further medical treatment is recommended, the suspect should be transported to the nearest available medical facility or hospital.

Less-Lethal Shotgun

Suspects who are struck by a less-lethal round(s) shall be transported for examination at a medical facility. Examination by field EMS personnel does not satisfy this requirement. If possible, an ambulance with EMS personnel should be staged before the less-lethal shotgun is deployed.

Patrol units will only be used to transport subjects struck by less-lethal round(s) should EMS personnel be unavailable for transport, have declined transport, or the subject continues to be combative.

At no time should a subject struck with a less-lethal round(s) be left unattended.

The on-duty supervisor or officer in charge will assign an officer to remain with the suspect struck with a less-lethal round(s) until they have been seen at a medical facility.

POST DEPLOYMENT

Police Baton

No post deployment requirements other than the standard submission of the Use of Force Report in RMS.

Chemical Spray

Decontamination of the patrol unit and surrounding area should be conducted as soon as is practical after a subject has been removed from the patrol car. Officers should ensure that their gear is decontaminated to avoid future accidental contamination of themselves or another person.

Stun Guns

No post deployment requirements other than the standard submission of the Use of Force Report in RMS.

Less-Lethal Shotgun

The officer that deployed the less-lethal weapon will be responsible for either cleaning the weapon themselves or notifying the department armorer so that he may clean the weapon. A less-lethal shotgun that has been fired shall be cleaned and inspected for serviceability before being redeployed.

Less-Lethal rounds deployed shall be collected as evidence and properly labeled and submitted with the report.

Only a supervisor or the department armorer shall replace the rounds expended from the department authorized supply of less-lethal ammunition.

USE OF FORCE REPORT

A department Use of Force Report will be completed and submitted as soon as practical by the officer involved in the following situations unless a delay is approved by a supervisor:

- When a firearm is discharged other than during training or for lawful recreational purposes.
- When a use of force results in death or any injury.
- When a subject complains that an injury has been inflicted.
- When the officer applies force with a less lethal weapon.
- When the officer applies weaponless physical force in the form of a strike, punch, or kick.
- When the officer files or attempts to file a charge for resisting arrest, search or transport.
- When a subject uses force against an officer.

When more than one officer is involved in the same Use of Force incident, each officer will complete a Use of Force Report and supplement the original case report.

A Use of Force Report will not be required for actions of an officer using weaponless, hand-to-hand control techniques that have little or no chance of producing injuries when gaining control over, or subduing non-compliant or resisting persons. Examples of such techniques are physical touching, gripping or holding, frisking, pain compliance measures, pressure point applications, come-alongs, handcuffing, or other similar procedures.

All Use of Force Reports will be reviewed by the Chief of Police to ensure compliance with departmental policy. The extent of this investigation will be based on the nature of the call for service, the officer's report, extent of injuries received to the suspect, and the totality of the circumstances surrounding the deployment of the less-lethal device(s).

CHANGE OF DUTY STATUS

Any employee whose actions or use of force in an official capacity causes death, or serious bodily injury, shall be placed on administrative leave upon completion of the necessary reporting requirement until such time it is recommended by a mental health professional that the employee is cleared to return to duty and approved by the Chief of Police.

An administrative leave of absence with pay may be authorized for any employee involved in any other traumatic or overly stressful experience. At the option of the Chief of Police, a temporary reassignment may be authorized in lieu of an administrative leave of absence. Such leave of absence shall be for a time period to be determined on an individual basis.

Tom Savage
Chief of Police

MEMORANDUM

TO: Rachel Lewis and Stacey Fields

FROM: Tom Savage TS

DATE: August 11, 2020

SUBJECT: Police Budget for FY 20-21

NUMBER: 20-0811-01

The attached budget was passed unanimously at last night's meeting. We will hire the extra officer this month but shortly after the new fiscal year begins in October, Officer Sullivan is going to retire at the age of 80 and we will be back to our normal staffing level. The department will once again attempt to hire an extra officer so that our staffing level will be ready for the next vacancy that occurs. The expense of this additional officer will not be included in the monthly expense until after they are hired.

Officer Sullivan will stay on as a reserve officer and will be in charge of our new Citizen Police Academy.

If approved in its current form, the following will be each city's portion for the year until we employ the additional officer:

City of Taylor Lake Village:	$787,309/11 = $71,573.55/month
City of El Lago	$787,309/11 = $71,573.55/month

LAKEVIEW POLICE DEPARTMENT
BUDGET NARRATIVE
FY 20-21 OPTION #2

Salaries and Staffing Levels

At the present time, the Lakeview Police Department is full staff. This was not realized until recently. Before that we were several officers short and consequently, we will end this fiscal year with a surplus again. We have an extra officer that was approved by the mayors of each city that is waiting for completion of a business venture before she takes a full-time position at the Lakeview Police Department. This will give us an extra officer for special assignments (traffic enforcement), relief for vacations/training requirements. Unfortunately, Officer Sullivan has turned in his resignation to be effective in October which will leave us at our normal staffing level again. We will attempt to hire another individual to give us an additional officer should another vacancy occur.

This year like all the others we conducted an extensive salary survey which has been attached for everyone to review. It is understood that we cannot compete with the larger agencies but our main competitors, Nassau Bay and Kemah who are very similar to this department, have widened the gap of their base pay when compared to our department. The Commission formed a budget committee to examine different strategies on how this department could possibly close the gap and yet be sensitive to the financial climate of each city. The results of this committee were to prepare two different options for the cities to examine and then make a choice as to which one would fit them better. The first option proposed was to leave the pay grid as is and not make any adjustments. It also would defer 5K from the Chief's salary to distribute it among the Sergeants. The second option was to take the grid and increase the starting salary of each position by 1%, excluding the position of Chief. It was the opinion of the committee that something needed to be done to avoid a very large increase in the future to remain competitive.

Fringe Benefits

There was a very slight increase in the employee cost of medical coverage. The dynamics of the department have changed where some employees are being covered by other insurance companies from their former employer and some individuals have had their dependents age out of coverage. This has resulted in a reduction of a little over 4%.

Pension Contributions

The Lakeview Police Department currently utilizes the International City Management Association to manage their 457 Plan which is a payroll deferment program similar in nature to a 401K. Employees are allowed to defer their pay into this plan within the limits imposed by the Internal Revenue Service. At the employee's fifth year anniversary, the Lakeview Police Department doubles the employee contribution up to 7% (7%-14% plan). An increase of 17.1% was realized in this category due to another officer finally taking advantage of this retirement provided by the department.

FICA

There is a 2.5% increase in this line item due to the increase in salaries.

Audit

This year there will be a 6% increase in this line item due to the agreement reached several years ago on the progression of costs.

Jail

Although we saw a reduction in this line item this year, the courts will have a warrant officer to attempt to clear out the backlog of warrants that exist.

Outside Services

Although doing our payroll in-house has reduced expenses in this line item, there were other items that consumed most of our savings. There is a 50% increase in this line item due to the fact that we were overly optimistic. Instead, we exceeded our projections by nearly $4,000. Approximately $1,000 was due to medical and psychological examinations on the new employees that were hired this year. We are going to replace our existing website with a more functional website to make it easier for citizens to request service and easier for the department to change information. We have several quotes around 2K.

Dispatching

The City of Webster bills us based on the activity per month. This includes both calls for service and traffic stops. Also, per contract, the cost for the City of Webster to continue dispatching for the department is an increase of 2.5% each year. The activity level this year has dropped off but we anticipate it will go up again once this COVID situation clears up. For several months, the enforcement of expired registration has been placed on hold by the State but we expect to be able to write these citations in the near future which will increase the activity level.

OSSI Maintenance

The League City Consortium has delayed passing through the expense of the additional IT individual to assist with the activity level required to run the Consortium. It is unknown as to when they may ask for our share of the expense. We have been informed that the records management system used by the Consortium will be replaced by another system in the near future because the current package was purchased by another software company that possesses four additional varieties. The Consortium will decide which records management system is the best fit or will have the new owners create a version that contains the best components of all the different programs.

Aircards

Aircards are utilized by the department to connect the in-unit laptops to the server to communicate with dispatch, the Consortium and the other governmental data bases. This will be increased by 16% due to price increase for the service. The department has experienced exceptional quality with this vendor and they automatically upgrade the equipment each year. Other departments utilizing other services are experiencing more problems with their connectivity.

Vehicle Fuel

The department continues to use around 1,000 gallons of fuel each month. Gas prices have trended down and the department has been able to greatly reduce the line item. Not wanting to end of up short in this line item, we have anticipated an increase from this incredibly low price point.

Vehicle Maintenance

We will still have one Dodge Charger in the fleet which have not held up well to the rigors of police work. We are keeping the line item at 20K even though this year we will finish slightly above 20K.

Equipment Maintenance

The department had good experience with existing equipment not breaking down so we are going to hold this line item at its current level.

Property/Liability Insurance

The rates are based on our experience factor and the general costs awarded in the industry.

Capital Expense – Equipment

The Lakeview Police Department will replace the first generation digital in-car video recorder system in P916. A new digital in-car video recorder for $6,100.00 will be placed in the new patrol vehicle. The Flashback 3 System from L-3 is high definition with a smaller lapel microphone.

The department will purchase dual antenna moving radar for the new vehicle for approximately $2,500.

The balance of this line item will be utilized to replace equipment that ceases to work properly and the additional equipment needed to outfit the new patrol car.

Capital Expense - Vehicle

We plan on replacing unit P916 around August. By the time we replace it, it will have well over 100,000 miles. This budget year the department purchased a Chevy Tahoe due to the increase in price of the Ford Explorer to over $37,000. We were able to purchase the Chevy Tahoe at $32,600. The Lakeview Police Department could not purchase another Chevy Tahoe and had to purchase another version of the Ford Explorer at a cost of $33,400. We anticipate we will purchase another Ford Explorer as they seem better suited for police work and the officers stated they are pleased with them.

Summary

This Option will result in an increase of .058% over the last budget approved by the cities or $9,410 ($4,705 for each city). If successful in hiring an additional officer, we will approach the two cities for the needed additional funds.

Aug-20

LAKEVIEW POLICE DEPARTMENT
BUDGET FY 20-21

OPTION #2

	FY 18-19	FY 19-20	FY 19-20 PROJECTED	FY 20-21 PROPOSED	% CHANGE
FIELD OPERATIONS EXPENSE					
14011 SALARIES - REGULAR	734,000	739,000	695,000	755,000	0.022
14012 SALARIES - VACATION	45,000	45,750	35,000	46,000	0.005
14013 SALARIES - SICK	4,000	4,000	9,500	4,000	0.000
14021 SALARIES - OVERTIME	1,000	1,000	1,000	1,000	0.000
14022 SALARIES - COURT APPEARANCES	-	-	-	-	0.000
14023 SALARIES - HOLIDAY	45,000	45,300	42,000	46,000	0.015
SUBTOTAL - SALARIES	829,000	835,050	782,500	852,000	0.020
14030 FRINGE BENEFITS	324,000	336,000	290,000	322,000	-0.042
14031 PENSION	48,600	41,150	41,150	48,200	0.171
14040 FICA	60,800	63,880	58,000	65,500	0.025
14060 AUDIT	9,000	9,000	9,265	9,540	0.060
14070 TRAINING	3,400	3,400	2,000	3,400	0.000
14080 EMPLOYEE RELATIONS	2,000	2,000	400	2,000	0.000
14210 SUPPLIES	6,000	5,500	5,500	5,500	0.000
14240 JAIL	2,500	2,100	1,200	2,000	-0.048
14310 OUTSIDE SERVICES	14,000	10,000	15,000	15,000	0.500
14311 RADIO AIRTIME LEASE	14,000	14,100	14,100	14,100	0.000
14312 DISPATCHING	62,300	64,000	50,000	55,000	-0.141
14313 OSSI MAINTENANCE	6,500	6,500	800	1,000	-0.846
14314 PHONOSCOPE	5,600	5,500	5,500	5,500	0.000
14315 AIRCARDS	3,300	3,100	3,600	3,600	0.161
14320 LEGAL SERVICES	250	250	200	250	0.000
14390 UNIFORMS	4,000	4,000	13,000	4,000	0.000
14420 VEHICLE FUEL	25,000	25,000	18,000	22,000	-0.120
14430 VEHICLE MAINTENANCE	20,000	20,000	21,000	20,000	0.000
14470 EQUIPMENT MAINTENANCE	6,000	6,000	6,500	6,000	0.000
14700 PROPERTY/LIABILITY INSURANCE	14,000	14,000	15,200	15,200	0.086
14710 WORKMEN'S COMPENSATION	24,000	24,000	20,000	24,000	0.000
14800 TELEPHONE	3,600	2,800	2,700	2,800	0.000
15010 CAPITAL EXPENSE - EQUIPMENT	25,000	25,000	22,000	25,000	0.000
15020 CAPITAL EXPENSE - VEHICLE	26,900	32,800	33,400	33,400	0.018
EXTRA OFFICER (SALARY/FICA/FRINGE/U	-	50,000	-	50,000	0.000
FIELD OPERATIONS TOTAL	1,539,750	1,605,130	1,431,015	1,606,990	0.001
LEASE - EL LAGO	24,987	24,987	24,987	24,987	
LEASE - TAYLOR LAKE VILLAGE	1,991	1,991	1,991	1,991	
TOTAL EXPENSES	1,566,728	1,632,108	1,457,993	1,633,968	0.001
USE OF SURPLUS		(6,000)	(1,315)	-	
SALE OF ASSETS	(3,000)	(3,000)	(5,100)	(3,000)	0.000
STATE OF TEXAS - TRAINING	(1,400)	(1,400)	(1,350)	(1,350)	-0.036
ARREST FEES	(9,000)	(6,500)	(5,000)	(5,000)	-0.231
	1,553,328	1,615,208	1,446,543	1,624,618	0.0058

OPTION #2

LAKEVIEW POLICE DEPARTMENT
SALARY STRUCTURE FY 20-21

GRADE	ENTRY	1 YEAR	2 YEARS	3 YEARS	4 YEARS	5 YEARS	6 YEARS	7 YEARS	8 YEARS	9 YEARS	10 YEARS	15 YEARS
12	$68,000	$70,040	$72,141	$74,305	$76,535	$78,831	$81,196	$83,631	$86,140	$88,725	$91,386	$94,128
	$68,000	$70,040	$72,141	$74,305	$76,535	$78,831	$81,196	$83,631	$86,140	$88,725	$91,386	$94,128
11	$49,920	$51,418	$52,960	$54,549	$56,185	$57,871	$59,607	$61,395	$63,237	$65,134	$67,088	$69,101
1%	$50,419	$51,932	$53,490	$55,094	$56,747	$58,449	$60,203	$62,009	$63,869	$65,785	$67,759	$69,792
10	$44,199	$45,525	$46,891	$48,297	$49,746	$51,239	$52,776	$54,359	$55,990	$57,670	$59,400	$61,182
1%	$44,640	$45,979	$47,359	$48,779	$50,243	$51,750	$53,302	$54,902	$56,549	$58,245	$59,992	$61,792
9	$41,340	$42,580	$43,858									
1%	$41,753	$43,006	$44,296									
8	$40,000	$41,200	$42,436									
1%	$40,400	$41,612	$42,860									

			INTERMEDIATE	ADVANCED	MASTERS
GRADE 12	CHIEF OF POLICE	ANNUAL CERTIFICATE PAY	$900	$1,800	$2,400
GRADE 11	SERGEANT OF POLICE		ASSOCIATES	BACHELORS	MASTERS
GRADE 10	POLICE OFFICER, LEVEL II	ANNUAL EDUCATION PAY	$1,200	$2,400	$3,600
GRADE 9	POLICE OFFICER, LEVEL I	LESS THAN THREE (3) YEARS EXPERIENCE			
GRADE 8	ADMINISTRATIVE ASSISTANT				

JULY 2020 - OPTION #2

PENSION - ICMA 1:2 MATCH UP TO 7% **BUDGET FY 20-21 (1% ADJUSTMENT TO GRID POSITIONS, EXCLUDES CHIEF)**

	D.O.E.	YEARS	BASE SALARY	CERTIFICATE PAY	EDUCATION PAY	ANNUAL WAGES	PROPOSED BASE	CERTIFICATE PAY	EDUCATION PAY	ANNUAL WAGES	RATE OF ADJUSTMENT	PENSION FY 17-18
FIELD OPERATIONS												
TOM SAVAGE, CHIEF	May-89	31	94128.00	2400.00	3600.00	100128.00	94128.00	2400.00	3600.00	100128.00	0.0000	14017.92
CHRIS HENDRICKS, SERGEANT	Mar-99	21	69101.00	2400.00	0.00	71501.00	69792.00	2400.00	0.00	72192.00	0.0097	10106.88
TANGIE PANKEY, SERGEANT	Nov-06	13	67088.00	2400.00	0.00	69488.00	67759.00	2400.00	0.00	70159.00	0.0097	9822.26
KYLE STILWELL, SERGEANT	Jul-13	7	54483.00	0.00	0.00	54483.00	62009.00	0.00	0.00	62009.00	0.1381	
ROBERT NELSON, DETECTIVE	Sep-13	7	55990.00	2400.00	1200.00	59590.00	58245.00	2400.00	1200.00	61845.00	0.0378	
DEBORAH BUTLER, OFFICER	Nov-08	11	59400.00	0.00	0.00	59400.00	59992.00	0.00	0.00	59992.00	0.0100	
ROBERT SMITH, OFFICER	Oct-12	8	54359.00	2400.00	0.00	56759.00	56549.00	2400.00	0.00	58949.00	0.0386	8252.86
CORRIE MOODY, OFFICER	Aug-16	4	54359.00	2400.00	2400.00	59159.00	44640.00	0.00	0.00	44640.00	-0.2454	
GREG COUNTIE, OFFICER	Sep-20	0	52776.00	2400.00	1200.00	56376.00	54902.00	2400.00	1200.00	58502.00	0.0377	
FRANK RODRIGUEZ, OFFICER	Nov-18	1	44199.00	2400.00	0.00	46599.00	45979.00	2400.00	0.00	48379.00	0.0382	
SAM BIANCHINO, OFFICER	Aug-19	1	51239.00	2400.00	0.00	53639.00	53302.00	2400.00	0.00	55702.00	0.0385	
DAVID BRINSON, OFFICER	Mar-20	0	42580.00	0.00	0.00	42580.00	43006.00	0.00	0.00	43006.00	0.0100	
DODEUS MANOLESCCU, OFFICEI	Apr-20	0	51239.00	2400.00	0.00	53639.00	51750.00	2400.00	0.00	54150.00	0.0095	
WENDY PEREZ, ADMIN. ASST.	Jun-87	33	41200.00	0.00	0.00	41200.00	42860.00	0.00	0.00	42860.00	0.0403	6000.40
						824541.00				832513.00	0.0097	48200.32

Annual Base Salary Ranges for Police Officer

	Starting Salary	Top Salary
Pasadena	70,990	92,040
Baytown	66,918	87,464
League City	65,083	83,574
La Porte	57,928	82,388
Pearland	58,510	81,463
Friendswood	61525	80,350
Texas City	50,752	77,854
Webster	52,143	77,409
Seabrook	54,538	75,182
H C Precinct 8	51,831	73,174
Nassau Bay	43,000	70,200
Kemah	48,307	66,281
Morgan's Point	54,000	62,693
Lakeview	44,199	61,182
Shoreacres	No Range	59,696
Clear Lake Shores	45,973	53,529
Hitchcock	No Range	46,672

Annual Base Salary Ranges for Sergeant of Police

	Starting Salary	Top Salary
Pasadena	94,473	103,937
Webster	69,255	102,808
Baytown	95,678	101,533
League City	85,446	96,928
Pearland	83,241	96,913
Seabrook	81,312	96,655
Friendswood	80,340	95,804
La Porte	81,640	94,432
Nassau Bay	47,154	86,486
Texas City	84,073	85,862
H C Precinct 8	76,378	81,806
Kemah	63,176	74,409
Morgan's Point	63,720	73,977
Lakeview	49,920	69,101
Shoreacres	No Range	66,872
Clear Lake Shores	59,623	65,563
Hitchcock	No Range	52,241

THE HARRIS CENTER FOR MENTAL HEALTH AND IDD
FISCAL YEAR 2021 STANDARD CONTRACT RENEWAL AMENDMENT #1

Contract ID No. 7085	
Contractor's Name: City of El Lago	**Service: Room Rental for Coffeehouse**
Contract Amount Not to Exceed: $9,600.00	**Pooled: No**
Contract Period: 09/01/2020 to 08/31/2021	**Exhibit A (Attached)**

THIS CONTRACT RENEWAL is entered into and made effective on the first day of September 2020, by and between **The HARRIS CENTER for Mental Health and IDD (formerly known as MHMRA of Harris County) (the "Agency" or "The HARRIS CENTER"), located at 9401 Southwest Freeway, Houston, Texas 77074**, a Community Center and an Agency of the State of Texas, under the provisions of Chapter 534 of the Texas Health and Safety Code Ann., as amended, and **City of El Lago** ("Contractor"), with offices at **411 Tallowood Drive, El Lago, Texas 77586** for the purpose of providing specialized services currently not available to the Agency through its present staff of employees.

We, the undersigned, acknowledge that the current Agreement is hereby renewed for (FY) 2021 with the following additions and modifications unless such has been added by previous amendment.

1. Effective as of date of Execution the following Force Majeure provision is hereby added to Article 6 as stated below:

6. MISCELLANEOUS PROVISIONS

(6.14). Force Majeure. Neither Party shall be liable nor deemed to be in default for any delay or failure in performance under the Agreement or other interruption of service deemed resulting, directly or indirectly, from acts of God, epidemic, pandemic, Governmental authority, order, requisition or necessity of the government, or any specific cause beyond the reasonable control and not attributable to the Party's neglect or nonfeasance, acts of public enemy, war, accidents, fires, explosions, hurricanes, floods, failure of transportation, strikes, or other work interruptions by either Party's employees, or any similar cause beyond the reasonable control of either Party.

2. Exhibit "A" for FY 2021

Exhibit "A" is attached hereto and incorporated herein as if fully set out.

3. Both Business Associate Agreement and Subcontractor Agreement Forms are attached and incorporated herein, as if fully set out, as Exhibits "B" and "C" respectively, for services contemplated herein, if applicable.

Board Approval Contingency Statement

This Contract Renewal is contingent upon approval by The HARRIS CENTER Board of Trustees. Except as provided herein, all other terms, conditions and pricing included in the above referenced contract previously established and any amendments or renewals pertaining thereto, remain unchanged and in full force and effect.

THE CONTRACTOR WARRANTS AND ASSURES THE HARRIS CENTER THAT IT POSSESSES ADEQUATE LEGAL AUTHORITY TO ENTER INTO THIS AGREEMENT. THE CONTRACTOR'S GOVERNING BODY, WHERE APPLICABLE HAS AUTHORIZED THE SIGNATORY OFFICIAL(S) TO ENTER INTO THIS AGREEMENT AND BIND THE CONTRACTOR AND REPRESENTATIVE ENTITY TO THE TERMS OF THIS AGREEMENT AND ANY SUBSEQUENT AMENDMENTS HERETO.

CITY OF EL LAGO

_____
John Skelton
Mayor

THE HARRIS CENTER FOR MENTAL HEALTH AND IDD

_____
Wayne Young, MBA, LPC, FACHE
Chief Executive Officer

Reviewer _____ and _____

APPROVED AS TO FORM

_____
Kendra Thomas, General Counsel

City of El Lago Event Room Rules

- Event participation size limited to **348 persons** – as specified by Fire Marshall to allow for safe exit of room in the event of emergency.

- Facilities must be left in good, working condition and which a general cleaning (vacuum, mop, wipe) will return the facility to its former condition as found. If kitchen is rented, all city-owned facility inventory must be in place except for normal use of consumables. All A/V equipment will be tested for proper operation. All trash must either be placed in the dumpster or in the supplied trash receptacles. There must not be permanent marks/holes on/in walls, carpets, floor, tables/chairs, or building fixtures.

- Rental includes use of stag, existing tables, and chairs within room (the following needs to be specified on rental form: amount of tables & chairs, existence of stage, need for corded microphone, and pre-configuration of audio/visual (A/V) rack by city staff). Final configuration of table/chair layout and whether permitted city-owned A/V equipment is required at least 72 hours prior to event. No changes to configuration will be permitted within 24 hours of event unless renter performs configuration.

- Use of city-owned audio/visual (A/V) equipment and speaker system may be allowed only through external interface (wall jacks) and with prior set-up by city staff as required. No access to A/V rack via storage area shall be permitted (ensures A/V equipment and storage room security). Use of city-owned corded microphone may be permitted upon request (cordless equipment will NOT to be made available due to value).

- Grill/fryer/oven use would require training and operator must be AT LEAST 18 years of age.

- Decorations will be limited to chair, table or free standing. No decorations may be attached to ceiling, walls, windows, floor UNLESS an approved method of application is used (i.e. 3M removable hooks, etc.). Nails, screws, or any items which will leave a mark or hole in the wall are not allowed.

- Use of outside patio area immediately behind event room may be reserved. External breezeway and patio area between community room and fitness center may NOT be reserved.

- Event guests must follow all parking restrictions per signage and/or ordinance. Parking areas may not be restricted/reserved.

City of El Lago
2021 Budget Worksheet

	PROJECTED FY2020 EOY	FY2020 APPROVED BUDGET		COVID LOSSSES & EXPENSES	PROPOSED FY2021 BUDGET
Ordinary Income/Expense					
Income					
41000 · Ad Valorem Tax					
41110 · Current Ad Valorem Taxes	1,240,711.37	1,252,231.90	99%		1,220,043.64
41120 · Delinquent Ad Valorem Taxes	8,071.27	8,276.28	98%		8,000.00
41130 · Penalty / Interest Income	9,630.99	8,723.27	110%		9,500.00
Total 41000 · Ad Valorem Tax	1,258,413.63	1,269,231.45	99%		1,237,543.64
41200 · Other Taxes					
41210 · Franchise Taxes					
41211 · PEG Fees (1%)	8,917.38	9,400.00	95%		9,000.00
41210 · Franchise Taxes - Other	150,748.96	164,907.77	91%		164,000.00
Total 41210 · Franchise Taxes	159,666.34	174,307.77	92%		173,000.00
41220 · Sales Taxes	175,018.34	162,215.68	108%		175,000.00
41230 · Mixed Drink Taxes	23,289.48	22,654.11	103%		23,000.00
41240 · Child Safety Tax from HCTA-C	3,178.16	3,338.48	95%		3,100.00
Total 41200 · Other Taxes	361,152.32	362,516.04	100%		374,100.00
42000 · Permits & Licenses					
42100 · Building Permits	30,371.20	32,000.00	95%		20,000.00
42200 · Miscellaneous Permits	625.00	1,465.00	43%		625.00
42300 · Animal Control & Licensing	285.00	400.00	71%		300.00
Total 42000 · Permits & Licenses	31,281.20	33,865.00	92%		20,925.00
42500 · COMMUNITY CENTER INCOME					
42501 · Full Membership Revenues	30,496.26	32,000.00	95%	(9,703.00)	30,000.00
42510 · Pool Income					
42513 · Pool Party Rental Income	(125.00)	1,400.00	-9%	(400.00)	1,000.00
42514 · Swim Team Income	0.00	1,900.00	0%	(1,900.00)	1,900.00
42515 · Guest Fee Income	1,952.00	1,300.00	150%		1,500.00
42516 · Pool Membership Income	5,151.50	5,200.00	99%		5,200.00
42510 · Pool Income - Other	0.00	0.00			
Total 42510 · Pool Income	6,978.50	9,800.00	71%		9,600.00
42520 · Tennis Court Income	1,674.56	7,500.32	22%		2,400.00
42530 · Event Room Income	4,770.00	11,802.00	40%	(7,193.00)	
42540 · Fitness Center Income	32,360.25	37,900.00	85%		32,300.00
42550 · Miscellaneous Comm. Ctr. Inc.	40.00				
Total 42500 · COMMUNITY CENTER INCOME	76,319.57	99,002.32	77%		74,300.00

City of El Lago
2021 Budget Worksheet

	PROJECTED FY2020	FY2020 APPROVED		COVID LOSSSES &	PROPOSED FY2021
43000 · COURT INCOME					
43100 · Court Fees and Fines					
43101 · Miscellaneous Court Fees/Fines	55,225.07	68,000.00	81%		55,000.00
43102 · Warrant Fees	1,700.00	600.00	283%		3,000.00
43103 · Court Education Fund	69.72	110.00	63%		70.00
43104 · FTA Fund	25.00	20.00	125%		25.00
43105 · Time Payment Reimbursement Fee	326.98	430.00	76%		300.00
43106 · Civil Justice Fee-City	7.63	30.00	25%		-
43107 · Omnibase Reimbursement Fee	0.00				-
Total 43200 · Court Fines for Designated Fund	8,578.30	7,450.00	115%		8,250.00
Total 43300 · Court State & City Shared Fines	35,578.57	37,700.00	94%		35,500.00
Total 43000 · COURT INCOME	101,511.26	114,340.00	89%		102,145.00
45000 · Earned Interest					
45100 · Bank Account Interest	1,683.20				
45000 · Earned Interest - Other		2,275.00			
Total 45000 · Earned Interest	1,683.20	2,275.00	74%		1,500.00
46000 · Intergovernmental Revenue	0.00				
46100 · General Mobility Revenue	132,000.00	132,000.00	100%		132,000.00
Total 46000 · Intergovernmental Revenue	132,000.00	132,000.00	100%		132,000.00
47000 · Miscellaneous Income					
47100 · Other Miscellaneous Income	5,305.08	6,500.00	82%		5,300.00
47200 · Credit Card Convenience Fees	4,498.37	5,000.00	90%		4,500.00
47300 · Park & Pavilion Rental Income	1,260.00	180.00	700%	(240.00)	1,000.00
47400 · Special Expense Income	2,294.17	3,500.00	66%		2,000.00
47500 · LVPD Rental Income	24,987.04	24,987.05	100%		24,987.05
47600 · Sale of Excess Equipment	8,397.00				-
Total 47000 · Miscellaneous Income	46,741.66	40,167.05	116%		37,787.05
Total Income	1,980,893.10	2,053,396.86	96%	(19,436.00)	1,980,300.69

City of El Lago
2021 Budget Worksheet

	PROJECTED FY2020	FY2020 APPROVED		COVID LOSSSES &	PROPOSED FY2021
Gross Profit	1,980,893.10	2,053,396.86	96%		
Expense					
70000 · GENERAL GOVERNMENT					
70100 · Administrative Salaries	93,247.99	111,178.00	84%		112,207.04
70120 · Maintenance Salaries	83,129.80	84,924.00	98%		85,267.80
70130 · Bookkeeping Services	569.45	715.00	80%		-
70140 · Payroll Bonus/Expenses	2,354.00	2,500.00	94%		2,750.00
70200 · Employee Benefits	18,448.23	21,500.00	86%		18,725.00
70210 · Pension	3,030.90	2,890.00	105%		2,974.91
70220 · Social Security & Medicare	19,194.99	20,310.00	95%		20,506.33
70230 · Workers' Compensation Insurance	4,421.22	6,500.00	68%		4,500.00
70300 · Building Maintenance Expense	26,374.67	24,200.00	109%	590.00	24,200.00
Total 70310 · Vehicle & Equipment Maintenance	2,217.64	4,700.00	47%		4,000.00
70320 · Maintenance Empl. Clothing	999.17	1,000.00	100%		1,000.00
70330 · New/Replacement Equipment	8,887.00	7,500.00	118%		10,000.00
70350 · Grounds Maintenance	33,312.00	36,500.00	91%		36,500.00
70360 · Fire Protection Equipment	5,506.99	3,100.00	178%		5,500.00
70400 · Contingencies	0.00	220.68	0%		
70500 · Insurance and Bonds	13,937.12	14,000.00	100%		14,000.00
Total 70550 · Bank Service/Credit Card Fees	4,935.77	4,680.00	105%		4,800.00
70600 · Honoraria	5,700.00	5,700.00	100%		5,700.00
70700 · Advertising	3,715.10	6,000.00	62%		6,000.00
70800 · Appraisal	10,256.00	10,000.00	103%		10,500.00
70900 · Audit & Professional Services	33,930.00	23,429.00	145%		18,000.00
71000 · Dues and Subscriptions	5,220.10	4,800.00	109%		5,225.00
71100 · Legal	40,512.99	35,000.00	116%	4,200.00	40,000.00
71200 · Special Expenses	11,205.75	13,000.00	86%		6,500.00
Total 71300 · Telephone	9,811.87	6,800.00	144%		9,000.00
71500 · Meetings	135.00	500.00	27%		500.00
71600 · Office Supplies	5,515.75	4,500.00	123%		4,000.00
71700 · Tax Collection	1,775.29	1,900.00	93%		2,000.00
71800 · Elections	(65.00)	4,500.00	-1%		4,500.00
Total 71900 · Computer Expense	20,919.91	14,500.00	144%		20,840.00
72000 · Building Inspections	14,400.00	14,400.00	100%		21,600.00
72100 · Utilities	56,985.20	65,000.00	88%		60,000.00
72400 · PEG Expenses	1,971.14	5,777.43	34%		6,500.00
Total 70000 · GENERAL GOVERNMENT	542,556.04	562,224.11	97%		567,796.08
73000 · PUBLIC HEALTH EXPENSES					
73100 · Mosquito control	112.50	1,800.00	6%		1,800.00
73200 · Solid Waste Disposal	167,607.12	167,650.00	100%		167,650.00
73210 · Recycling	21,371.52	21,400.00	100%		-
73300 · Emergency Medical Services	30,000.00	30,000.00	100%		30,000.00
73500 · Animal Control	109.96	1,750.00	6%		1,500.00
Total 73000 · PUBLIC HEALTH EXPENSES	219,201.10	222,600.00	98%		200,950.00

City of El Lago
2021 Budget Worksheet

	PROJECTED FY2020	FY2020 APPROVED		COVID LOSSSES &	PROPOSED FY2021
74000 · COURT EXPENSES					
74001 · Court Forms & Postage	1,287.47	2,000.00	64%	283.00	2,000.00
74010 · Court Clerk Salary	48,691.60	49,301.00	99%		49,581.82
74100 · Court Prosecutor	1,350.00	2,000.00	68%		2,000.00
74200 · Municipal Judges	3,600.00	5,000.00	72%		4,600.00
74300 · Court Training	369.49	836.58	44%		600.00
74400 · Witness Fees	32.84				100.00
74410 · Bailiff Services	2,175.00	2,400.00	91%		2,400.00
74414 · Arrest Fees	2,263.36	2,659.27	85%		2,650.00
74500 · Court Miscellaneous	322.00	1,000.00	32%		1,000.00
74600 · Warrant Payments	180.00				
Total 74700 · Court Tax - General	32,496.93	37,155.00	87%		35,000.00
74800 · Court Technology	3,690.66	3,700.00	100%		3,500.00
74000 · COURT EXPENSES - Other	22.48				
Total 74000 · COURT EXPENSES	96,481.83	106,051.85	91%		103,431.82
75000 · PUBLIC SAFETY EXPENSES					
75100 · Police Department	782,603.91	807,604.03	97%		807,604.03
75300 · Fire Department	156,624.84	156,624.65	100%		158,974.02
75310 · Fire Marshal	1,072.50	2,000.00	54%		2,000.00
75400 · Child Safety Expense	0.00	1,200.00	0%		1,200.00
75600 · Emergency Management	2,206.30	7,500.00	29%		1,000.00
75700 · Public Awareness & Education	3,525.00	3,525.00	100%		3,525.00
Total 75000 · PUBLIC SAFETY EXPENSES	946,032.55	978,453.68	97%		974,303.05
76000 · BOARD & COMMISSION EXPENSE	0.00	500.00	0%		500.00
77000 · COMMUNITY CENTER					
77100 · Community CenterCapital Expense	32,170.00	7,500.00	429%		-
77125 · Community Center Payroll	24,853.99	20,000.00	124%	4,000.00	21,000.00
77200 · Pool General Maint & Supplies					
77201 · Pool Chemicals	5,831.44	5,000.00	117%		6,000.00
77202 · Equipment & Repairs	1,431.46	6,900.00	21%		3,500.00
77203 · General Maint. & Consumables	3,329.99	2,000.00	166%		3,500.00
77204 · Training	1,175.00	1,000.00	118%		1,500.00
77210 · Utilities-Pool	4,786.94	6,000.00	80%		6,000.00
Total 77200 · Pool General Maint & Supplies	16,554.83	20,900.00	79%		20,500.00
77300 · Tennis Expense	82.87	3,500.00	2%		2,000.00
77400 · Event Room Expense	477.75	3,000.00	16%		2,000.00
77500 · Fitness Center Expense	2,939.73	3,500.00	84%		4,000.00
77600 · Fitness Class Expense	4,235.00	9,360.00	45%	(1,950.00)	-
Total 77000 · COMMUNITY CENTER	81,314.17	67,760.00	120%		49,500.00
78101 · MOBILITY					
78110 · Streets & Sidewalks	131,971.13	132,000.00	100%		132,000.00
78300 · Street Signs	380.22	1,500.00	25%		1,500.00
Total 78101 · MOBILITY	132,351.35	133,500.00	99%		133,500.00

City of El Lago
2021 Budget Worksheet

		PROJECTED FY2020	FY2020 APPROVED		COVID LOSSSES &	PROPOSED FY2021
79000 · PARKS EXPENSE						
79001 · Parks - Capital Expense		0.00	4,000.00	0%		-
79600 · Beautification-Parks & Entries		924.88	2,500.00	37%		2,500.00
79700 · Park & Entrance Maintenance		4,433.64	2,000.00	222%		4,500.00
Total 79000 · PARKS EXPENSE		5,358.52	8,500.00	63%		7,000.00
Total Expense		2,023,295.56	2,079,589.64	97%	7,123.00	2,036,980.95
Net Ordinary Income		(42,402.46)	(26,192.78)		(26,559.00)	(56,680.26)
Other Income/Expense						
Other Income						
49000 · OTHER INCOME						
49110 · Current Debt Service Tax Income		144,485.23	149,218.47	97%	-	150,933.00
49112 · Delinquent Debt Service Tax		1,001.34			-	1,000.00
49200 · Grant / Disaster Recovery Funds		78,608.48	74,000.00	106%	-	
Total 49000 · OTHER INCOME		224,095.05	223,218.47	100%	-	151,933.00
Total Other Income		224,095.05	223,218.47	100%	-	
Other Expense						
70001 · OTHER EXPENSE						
70020 · DEBT SERVICE						
70121 · Community Center Debt-Principal		125,000.00	125,000.00	100%	-	130,000.00
70122 · Community Center Debt-Interest		23,958.00	23,958.00	100%	-	20,933.00
Total 70020 · DEBT SERVICE		148,958.00	148,958.00	100%		150,933.00
Total 70001 · OTHER EXPENSE		148,958.00	148,958.00	100%		150,933.00
Total Other Expense		148,958.00	148,958.00	100%	-	150,933.00
Net Other Income		75,137.05	74,260.47		-	1,000.00
Net Ordinary and Other Income		**32,734.59**	**48,067.69**		**(26,559.00)**	**(55,680.26)**
FUNDS FROM OTHER BANK ACCOUNTS IN SUPPORT OF THE BUDGET						
GENERAL OPERATING ACCOUNT	**CURRENT BALANCE**					
MISCELLANEOUS GENERAL FUND	**227,424.57**					
EMERGENCY OPERATING FUND	**350,000.00**					
PROJECTS	**120,000.00**					45,580.26
METRO	**47,562.49**					
FUNDS FROM PEG ACCOUNT	**22,372.93**	1,877.00	1,877.00			6,500.00
FUNDS FROM CHILD SAFETY EXPENSE	**23,202.64**	5,700.00	5,700.00			1,200.00
FUNDS FROM BUILDING SECURITY	**10,392.21**	3,000.00	3,000.00			2,400.00
TOTAL FUNDS FROM OTHER ACCOUNTS		**10,577.00**	**10,577.00**		-	**55,680.26**
FUNDS TO THE EMERGENCY OPERATING FUND		**(43,311.59)**	**(58,644.69)**			
TOTAL NET BUDGET INCOME		(0.00)	-		(26,559.00)	0.00
(Net Income + Funds from Other Bank Accounts - Funds to Emergency Operating Acct)						