



Regular Meeting of the Breckenridge City Commission

Tuesday, February 02, 2021 at 5:30 PM

Breckenridge City Offices Commission Chambers
105 North Rose Avenue
Breckenridge, Texas 76424

AGENDA

CALL TO ORDER

INVOCATION

Invocation led by Don Sackett

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Don Sackett

APPROVAL OF MINUTES

1. Request to approve Minutes of the January 5, 2021 City Commission Meeting

PUBLIC TESTIMONY

CONSENT AGENDA

All items listed below are considered to be routine by the City Commission and will be enacted with one motion. There will be no separate discussion of items unless a Commission Member or Citizen so request, in which event, the item will be removed from the General Order of Business and considered in its normal sequence.

2. Request to approve City Funds Quarterly Investment Report – 1st Quarter 2020-21
3. Request to approve the 4th Quarter 2020 Financial Statement for Hotel/Motel Funds
4. Request to approve the 2021 Hotel/Motel Budget
5. Request to approve the 2019-20 Worker's Compensation Payroll Audit
6. Request to approve the Racial Profiling Statistical Report

INDIVIDUAL CONSIDERATION

7. Request to Approve second reading of Ordinance 21-01 the Electric Franchise Agreement with Oncor

8. Request to approve Ordinance 21-02 Revising Chapter 15, Parks and Recreation, clarifying nuisance animal abatement by designated city employees and providing a penalty clause
9. Request to approve Ordinance 21-03 of Order & Notice to set the General Election for May 1, 2021, as well as appoint Election Judge
10. Request to approve the City's Audit for Fiscal Year 2020-21

(Audit will be provided by GMS at the meeting)
11. Discuss and possibly take action with regard to Strategic Government Resources services to fill the City Manager position

CITY MANAGER REPORT

12. Personnel

ITEMS NOT REQUIRING FORMAL ACTION

ADJOURN

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

I certify that this notice was posted at the City Offices, 105 North Rose Avenue, Breckenridge, Texas at 4:00 P.M., Friday, January 29, 2021.

Heather Robertson-Caraway, CCCII, TRMC
Interim City Manager / City Secretary

This facility is wheelchair accessible, and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (254)559-8287 or FAX (254)559-7322 for further information.

Removed from the City Offices bulletin board at _____ on _____ by _____.



Regular Meeting of the Breckenridge City Commission

Tuesday, January 05, 2021 at 5:30 PM

Breckenridge City Offices Commission Chambers
105 North Rose Avenue
Breckenridge, Texas 76424

MINUTES

CALL TO ORDER

Mayor Pro Tem Durham called meeting to order at 5:33 PM.

INVOCATION

Invocation led by Rev. Melinda Lane

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Stacy Harrison

APPROVAL OF MINUTES

1. Request to approve Minutes of the December 1st, 2020 City Commission Meeting.

Motion made by Commissioner Cyprian, Seconded by Commissioner Blue to approve Minutes of the December 1st, 2020 City Commission Meeting.

Voting Yea: Commissioner Blue, Commissioner Cyprian, Mayor Pro Tem Durham

PUBLIC TESTIMONY

None

Interim City Manager Dixon explains new legislation now allows the public to address each item at the time the Commission is on that agenda item. The Commission can have rules to maintain control of the meeting.

REPORTS

Interim City Manager Dixon mentions that the weather has created trees, limbs, and debris all over town, requiring city crews working to clean and haul off the debris.

CONSENT AGENDA

All items listed below are considered to be routine by the City Commission and will be enacted with one

motion. There will be no separate discussion of items unless a Commission Member or Citizen so request, in which event, the item will be removed from the General Order of Business and considered in its normal sequence.

2. Request to approve Departmental Reports
3. Request to approve Resolution 21-01 authorizing exemption of certain vehicles from requirements of Chapter 721 of the Texas Transportation Code, Identification of City and County vehicles and heavy equipment
4. Request to approve Cemetery Clean Up News Release

Motion made by Commissioner Blue, Seconded by Commissioner Cyprian.

Voting Yea: Commissioner Blue, Commissioner Cyprian, Mayor Pro Tem Durham

INDIVIDUAL CONSIDERATION

5. Request to approve Ordinance 21-01 the Electric Franchise Agreement with Oncor

Interim City Manager Dixon explains that the City is a member of the Steering Committee. The steering Committee has a Law Firm (name) that reviews and all cities are well represented.

Motion made by Commissioner Blue, Seconded by Commissioner Cyprian.

Voting Yea: Commissioner Blue, Commissioner Cyprian, Mayor Pro Tem Durham

6. Request to approve Ordinance 21-02 for Amending the City Code Section 15 Parks and Recreation, Article II - Lake Daniels

Interim City Manager Dixon explains what issues need to be further addressed (hunting, hogs, dam).

Mayor Pro Tem Durham moves to table Ordinance 21-02 for Amending the City Code Section 15 Parks and Recreation, Article II - Lake Daniels.

Motion made by Mayor Pro Tem Durham, Seconded by Commissioner Cyprian.

Voting Yea: Commissioner Blue, Commissioner Cyprian, Mayor Pro Tem Durham

7. Discuss and consider acting on an Interlocal Agreement with County to combine Administration Services of the JP and Municipal Courts

Interim City Manager Dixon we will not take action tonight. Commissioner's Rob Durham and Russell Blue were elected to sit on the committee. We have attended meetings discussing issues of an elected official as Justice of the Peace and the Municipal Court Judge future compatibility and the County having jurisdiction over City Ordinances. We are ultimately looking at combining the administrative services only. Where we would no longer have a clerk and would use their clerk and split those costs and our Municipal Court

office being in the County Courthouse. Savings to County or City is undetermined until we have decided upon all issues to be addressed in the agreement.

No Motion Needed.

8. Discuss and take appropriate action to ratify the 1996 Interlocal Agreement with County on the provision for Cooperative Street Maintenance

Interim City Manager Dixon an agreement from 1996 was located between County and City for the purpose of street maintenance. This agreement is still in effect today. Dixon read the main points of the agreement.

Motion made by Commissioner Cyprian, Seconded by Commissioner Blue.

Voting Yea: Commissioner Blue, Commissioner Cyprian, Mayor Pro Tem Durham

9. Request to Appoint Interim City Manager

Interim City Manager Dixon explains that his position was temporary and that he has accepted a position in Castorville, TX. The committee that brought me in, met and is recommending the City Secretary, Heather Robertson-Caraway to be Interim City Manager.

Motion made by Commissioner Blue, Seconded by Commissioner Cyprian.

Voting Yea: Commissioner Blue, Commissioner Cyprian, Mayor Pro Tem Durham

10. Discuss and consider appropriate action on Interlocal Agreement with County on Public Safety

Interim City Manager Dixon as discussed before if the Sheriff and the Police Chief are not on board this should not be forced on them - would cause problems within the community.

No motion needed.

11. Discuss and consider appropriate action for contracting a firm to locate and employ a City Manager

Interim City Manager Dixon we have received two quotes for the Commission to review and choose one to assist them with locating a City Manager. This process can take 3 to 6 months or longer. Strategic Government Resources not to exceed \$24,900 and CHC at not to exceed \$23,000.

Breckenridge Industrial Foundation has funded SGR for the purpose of bringing me in as Interim and may have strings attached.

Virgil Moore stated if you may want assistance you can inquire with the Industrial Foundation.

Motion made by Commissioner Cyprian, Seconded by Commissioner Blue to hire SGR as the firm to locate and employ a permanent City Manager.

Voting Yea: Commissioner Blue, Commissioner Cyprian, Mayor Pro Tem Durham

CITY MANAGER REPORT

It has been a true pleasure serving you and the citizens of Breckenridge. I felt welcomed from the first day and can easily see why so many folks come back home to Breckenridge. Thank you for allowing me the opportunity to work alongside your hardworking and dedicated staff. I hope that I will have left the City “better than I found it” and that you feel my services were worth the time and effort you have invested. I believe great things are in store and hope to be able to continue to help whoever is chosen to be the City’s permanent City Manager. This has truly been an honor and a privilege.

12. TDEM – CRF

The City of Breckenridge has been allocated \$319,385 to be used on COVID-related expenditures that were not previously budgeted. To-date, the City has expended \$319,365! Huge Kudos to Heather and the rest of the staff for finding ways to make good use of these funds. Heather has also been informed that because of her efforts, the City of Breckenridge has been the first City to comply with each deadline set by the State for administration of these funds. Heather’s actions mean that the City will be first in line once the reimbursement checks get cut.

13. Combined Services Committee

The City/County Combined Services Committee met in November to discuss the various county and city services and ways that these may be provided to improve efficiency and lower cost. There were three areas discussed: public safety (police and sheriff), the street departments, and JP and Municipal courts services. All three of these items were discussed earlier on this agenda as individual consideration items.

14. Cost of Services Analysis

The cost-of-Service study that the City Commission authorized at its December meeting is now underway through the consulting company, New Gen Strategies. The first step in the process is to compile an enormous amount of data related to the operations and maintenance of the City’s existing water and wastewater distribution and collection systems. The initial data request accompanies this report. The City’s staff has already gathered and submitted almost all this information. I anticipate that this process will take 3 to 4 months. The second step will be to work with the City’s financial advisors and bond counsel to establish appropriate rates for the various customer classes (residential and commercial etc.)

15. Possible Election Propositions

Depending on what actions the City Commission would like to take, there may be several propositions that would be needed to be established for the May election. Each item will

have its own section in State law and may have different requirements regarding when and how the elections are held. The propositions that I have discussed include the potential repeal of the ¼ cent property tax reduction sales tax and the implementation of a crime control and prevention sales tax. In addition, depending on which city services are combined with the county, there may be charter amendments that will need to occur. Finally, although it does not require action on the City's part, there may be an election to establish an emergency services district in the county. The discussion on whether a district is warranted and what shape it might take should begin as early as possible in January. The City, county and representatives from the volunteer fire departments, city fire department, hospital and AMR ambulance service should meet to discuss how this new tax revenue could be utilized to further support emergency response in Stephens County.

ITEMS NOT REQUIRING FORMAL ACTION

None

ADJOURN

Motion made to adjourn at 7:11 PM by Commissioner Cyprian, Seconded by Commissioner Blue.
Voting Yea: Commissioner Blue, Commissioner Cyprian, Mayor Pro Tem Durham

CITY OF BRECKENRIDGE
 COMBINED STATEMENT OF CASH POSITION - ALL FUNDS
 ON DEPOSIT AT FIRST NATIONAL BANK AS OF SEPTEMBER 30, 2020

	TOTAL ON DEPOSIT	INTEREST ACCRUED THIS PERIOD	
1001 GENERAL FUND	\$ 1,476,821.10	\$ 7.37	1009
1013 ARSON FUND	\$ 508.01	\$ 0.32	1013
1014 FEDERAL TAX & LOAN	\$ 39,423.58	\$ 3.55	1014
2000 PAYING	\$ 540,046.72	\$ 3.84	1015
1001 WATER FUND	\$ 875,225.23	\$ 26.83	1041
1047 METER DEPOSIT FUND	\$ 230,894.51	\$ 49.51	1047
1001 WASTEWATER FUND	\$ 331,256.83	\$ 3.68	1043
1001 SANITATION	\$ 283,697.42	\$ 8.23	1046
1001 FIRE DEPT. SPECIAL	\$ 9,795.57	\$ 6.32	1063
1001 FORFEITED PROPERTY	\$ 1,245.76	\$ 0.91	1083
1091 PAYROLL FUND	\$ -	\$ -	1091
1001 EQUIP. REPLACEMENT FUND	\$ 137,290.78	\$ 99.72	1101
1001 STREET MAINTENANCE	\$ 503,161.18	\$ 347.43	1026
1001 BRECKENRIDGE PARK FUND	\$ 8,613.35	\$ 6.26	1107
1001 POLICE DEPT. SPECIAL	\$ 17,196.26	\$ 5.79	1020
1001 Excess Sales Tax Revenue	\$ 17,512.62	\$ 12.72	1027
1001 Breck Trade Days	\$ 39,387.79	\$ 28.61	1030
1051 CO 2017 A&B Sinking /Rd	\$ 391,622.41	\$ 214.57	1051
1053 Park St. Proj/RD	\$ -	\$ -	1053
1001 Capital Improvement Project	\$ 382,662.07	\$ 103.95	1054
1057 CAPITAL IMPROVEMENT DWSRF	\$ -	\$ -	1057
1058 GENERAL DEBT SERVICE FUND	\$ 133,721.38	\$ 675.35	1058
TOTAL - ALL FUNDS	\$ 5,420,082.57	\$ 1,604.96	

In addition, these funds have Petty cash Funds in the following amounts:

GENERAL FUND	\$ 150.00	
SYSTEMS FUND	\$ 150.00	
MUNICIPAL COURT	\$ 150.00	
POLICE DEPARTMENT	\$ 50.00	
LANDFILL	\$ 100.00	
TOTAL	\$ 600.00	

	October	November	December	
GENERAL FUND	\$ 0.41	\$ 0.32	\$ 6.64	
ARSON FUND	\$ 0.11	\$ 0.10	\$ 0.11	
FEDERAL TAX & LOAN	\$ 1.02	\$ 1.07	\$ 1.46	
PAYING	\$ 2.77	\$ 0.52	\$ 0.55	
WATER FUND	\$ 6.98	\$ 9.12	\$ 10.73	
METER DEPOSIT FUND	\$ 47.93	\$ 1.58	\$ -	
WASTEWATER FUND	\$ 0.51	\$ 1.00	\$ 2.17	
SANITATION	\$ 0.76	\$ 3.53	\$ 3.94	
FIRE DEPT. SPECIAL	\$ 2.36	\$ 2.50	\$ 1.46	
FORFEITED PROPERTY	\$ 0.33	\$ 0.36	\$ 0.22	
PAYROLL FUND	\$ -	\$ -	\$ -	
EQUIP. REPLACEMENT FUND	\$ 36.43	\$ 39.30	\$ 23.99	
STREET MAINTENANCE	\$ 122.42	\$ 138.28	\$ 86.73	
BRECKENRIDGE PARK FUND	\$ 2.29	\$ 2.47	\$ 1.50	
POLICE DEPT. SPECIAL	\$ 1.90	\$ 2.34	\$ 1.55	
Excess Sales Tax Revenue	\$ 4.65	\$ 5.01	\$ 3.06	
Breck Trade Days	\$ 10.45	\$ 11.28	\$ 6.88	
CO 2017 A&B Sinking /Rd	\$ 71.32	\$ 67.39	\$ 75.86	
Park St. Proj/RD	\$ -	\$ -	\$ -	
Capital Improvement Project	\$ 1.92	\$ 101.83	\$ 0.20	
CAPITAL IMPROVEMENT DWSRF	\$ -	\$ -	\$ -	
GENERAL DEBT SERVICE FUND	\$ 230.76	\$ 212.58	\$ 232.01	
	<u>\$ 545.32</u>	<u>\$ 600.58</u>	<u>\$ 459.06</u>	<u>\$ -</u>
				\$ 1,604.96

10:18 AM

Breckenridge Chamber of Commerce
Profit & Loss Budget vs. Actual

01/27/21

October through December 2020

	City Hotel/Motel			TOTAL		
	Oct - Dec 20	Budget	\$ Over Budget	Oct - Dec 20	Budget	\$ Over Budget
Ordinary Income/Expense						
Income						
47000 - Quarterly Sales Tax						
47010 - City Quarterly Sales Tax	12,288.09	12,000.00	288.09	12,288.09	12,000.00	288.09
Total 47000 - Quarterly Sales Tax	12,288.09	12,000.00	288.09	12,288.09	12,000.00	288.09
Total Income	12,288.09	12,000.00	288.09	12,288.09	12,000.00	288.09
Gross Profit	12,288.09	12,000.00	288.09	12,288.09	12,000.00	288.09
Expense						
82100 - Outside Fees/Services						
82110 - Accounting Fees	600.00			600.00	0.00	600.00
Total 82100 - Outside Fees/Services	600.00	0.00	600.00	600.00	0.00	600.00
82800 - Facilities and Equipment						
82860 - Copier Lease	674.68	360.00	314.68	674.68	360.00	314.68
Total 82800 - Facilities and Equipment	674.68	360.00	314.68	674.68	360.00	314.68
83000 - Events/Development Expense						
83005.1 - Community Events	64.23	250.00	-185.77	64.23	250.00	-185.77
83010 - Breckenridge Fine Arts Center	0.00	500.00	-500.00	0.00	500.00	-500.00
83020 - Christmas						
83021 - Mingle Jingle	70.00			70.00	0.00	70.00
83023 - Advertising	0.00	200.00	-200.00	0.00	200.00	-200.00
83026 - Christmas Decoration/Supplies	0.00	500.00	-500.00	0.00	500.00	-500.00
Total 83020 - Christmas	70.00	700.00	-630.00	70.00	700.00	-630.00
83140 - Additional Events						
83143 - Livestock Show	500.00	500.00	0.00	500.00	500.00	0.00
Total 83140 - Additional Events	500.00	500.00	0.00	500.00	500.00	0.00
83180 - Airshow						
83182 - Airshow Reserve	0.00	15,000.00	-15,000.00	0.00	15,000.00	-15,000.00
Total 83180 - Airshow	0.00	15,000.00	-15,000.00	0.00	15,000.00	-15,000.00
83200 - Sloan Memorial Bike Ride						
83220 - Supplies	168.04	0.00	168.04	168.04	0.00	168.04
Total 83200 - Sloan Memorial Bike Ride	168.04	0.00	168.04	168.04	0.00	168.04
Total 83000 - Events/Development Expense	602.27	16,950.00	-16,147.73	602.27	16,950.00	-16,147.73
85000 - Operations						
85030 - Advertising						
85030.2 - TMCN Advertisement	1,077.75	875.00	202.75	1,077.75	875.00	202.75
85030.3 - Promo Advertising (News/Radio)	300.00	0.00	300.00	300.00	0.00	300.00
Total 85030 - Advertising	1,377.75	875.00	502.75	1,377.75	875.00	502.75
85040 - Supplies	152.53	0.00	152.53	152.53	0.00	152.53
85050 - Telephone/Fax	0.00	360.00	-360.00	0.00	360.00	-360.00
85081 - Membership (TMCN)	0.00	250.00	-250.00	0.00	250.00	-250.00
85080 - Utilities Expense						
85080.1 - Electric	78.28	90.00	-11.72	78.28	90.00	-11.72
Total 85080 - Utilities Expense	78.28	90.00	-11.72	78.28	90.00	-11.72
Total 85000 - Operations	1,608.56	1,575.00	33.56	1,608.56	1,575.00	33.56
86100 - Miscellaneous Expense						
86100.2 - PLAYOFFS ADS/PROGRAMS	572.50	0.00	572.50	572.50	0.00	572.50
Total 86100 - Miscellaneous Expense	572.50	0.00	572.50	572.50	0.00	572.50
Total Expense	4,258.01	18,885.00	-14,826.99	4,258.01	18,885.00	-14,826.99
Net Ordinary Income	8,030.08	-6,885.00	14,915.08	8,030.08	-6,885.00	14,915.08
Net Income	8,030.08	-6,885.00	14,915.08	8,030.08	-6,885.00	14,915.08

10:33 AM
 01/27/21
 Cash Basis

**Breckenridge Chamber of Commerce
 Profit & Loss Budget vs. Actual
 January through December 2021**

	City Hotel/Motel	TOTAL
	Jan - Dec 21	Jan - Dec 21
Ordinary Income/Expense		
Income		
46400 · Other Types of Income		
46430 · Miscellaneous Revenue		
46430.2 · PLAYOFFS ADS/PROGRAMS	0.00	0.00
Total 46430 · Miscellaneous Revenue	0.00	0.00
Total 46400 · Other Types of Income	0.00	0.00
47000 · Quarterly Sales Tax		
47010 · City Quarterly Sales Tax	43,500.00	43,500.00
Total 47000 · Quarterly Sales Tax	43,500.00	43,500.00
Total Income	43,500.00	43,500.00
Gross Profit	43,500.00	43,500.00
Expense		
62100 · Outside Fees/Services		
62110 · Accounting Fees	0.00	0.00
62120 · Audit Fees	1,500.00	1,500.00
Total 62100 · Outside Fees/Services	1,500.00	1,500.00
62800 · Facilities and Equipment		
62860 · Copier Lease	1,440.00	1,440.00
Total 62800 · Facilities and Equipment	1,440.00	1,440.00
63000 · Events/Development Expense		
63000.1 · Community Events	500.00	500.00
63010 · Breckenridge Fine Arts Center	500.00	500.00
63020 · Christmas		
63021 · Mingle Jingle	0.00	0.00
63022 · Christmas Parade Floats	0.00	0.00
63023 · Advertising	200.00	200.00
63025 · Christmas Decoration/Supplies	500.00	500.00
Total 63020 · Christmas	700.00	700.00
63030 · Frontier Days		
63031 · Chuckwagon Expenses	8,000.00	8,000.00
63031.1 · Ice	100.00	100.00
63032 · Entertainment Expenses	500.00	500.00
63033 · Contest Expenses	100.00	100.00
63034 · Breckenridge Idol	1,500.00	1,500.00
63036 · Materials/Supplies Expense	600.00	600.00

10:33 AM
01/27/21
Cash Basis

Breckenridge Chamber of Commerce Profit & Loss Budget vs. Actual January through December 2021

	City Hotel/Motel	TOTAL
	Jan - Dec 21	Jan - Dec 21
63037 · Rental Expense	3,000.00	3,000.00
63039.1 · Advertising	0.00	0.00
Total 63030 · Frontier Days	13,800.00	13,800.00
63040 · Car Show		
63045 · Judges/Maintenance	300.00	300.00
63049 · Cash Prizes	600.00	600.00
63040 · Car Show - Other	200.00	200.00
Total 63040 · Car Show	1,100.00	1,100.00
63070 · Lake Development	0.00	0.00
63100 · Membership Development	0.00	0.00
63110 · Golf Tournament		
63110.1 · Advertising	400.00	400.00
63110.2 · Prizes/Raffle Items	400.00	400.00
63110.3 · Catering	500.00	500.00
63110.4 · Supplies	400.00	400.00
63110 · Golf Tournament - Other	2,500.00	2,500.00
Total 63110 · Golf Tournament	4,200.00	4,200.00
63140 · Additional Events		
63143 · Livestock Show	500.00	500.00
Total 63140 · Additional Events	500.00	500.00
63150 · Airshow		
63192 · Airshow Reserve	15,000.00	15,000.00
Total 63150 · Airshow	15,000.00	15,000.00
63200 · Sloan Memorial Bike Ride		
63220 · Supplies	300.00	300.00
Total 63200 · Sloan Memorial Bike Ride	300.00	300.00
Total 63000 · Events/Development Expense	36,600.00	36,600.00
65000 · Operations		
65020 · Postage	0.00	0.00
65030 · Advertising		
65030.2 · TMCN Advertisement	875.00	875.00
65030.3 · Promo Advertising (News/Radio)	0.00	0.00
65030.4 · Promo Materials (Advertising)	0.00	0.00
65030 · Advertising - Other	0.00	0.00
Total 65030 · Advertising	875.00	875.00

10:33 AM
01/27/21
Cash Basis

**Breckenridge Chamber of Commerce
Profit & Loss Budget vs. Actual
January through December 2021**

	City Hotel/Motel	TOTAL
	Jan - Dec 21	Jan - Dec 21
65040 · Supplies	1,000.00	1,000.00
65050 · Telephone/Fax	1,440.00	1,440.00
65061 · Membership (TMCN)	250.00	250.00
65080 · Utilities Expense		
65080.1 · Electric	395.00	395.00
Total 65080 · Utilities Expense	395.00	395.00
Total 65000 · Operations	3,960.00	3,960.00
65100 · Miscellaneous Expense		
65100.2 · PLAYOFFS ADS/PROGRAMS	0.00	0.00
65160 · Other Expenses (Miscellaneous)	0.00	0.00
65100 · Miscellaneous Expense - Other	0.00	0.00
Total 65100 · Miscellaneous Expense	0.00	0.00
Total Expense	43,500.00	43,500.00
Net Ordinary Income	0.00	0.00
Net Income	0.00	0.00



Workers' Compensation • Property • Liability

December 23, 2020

To: TML Intergovernmental Risk Pool Workers' Compensation Members
 From: Underwriting Department
 RE: 2019/2020 Workers' Compensation Payroll Audit

Enclosed is your completed 2019/2020 Workers' Compensation Audit.

Should you have a credit amount or an additional amount due, it will be reflected on your next billing statement.

The information contained in your audit has been carefully checked; however, we ask that you review it. You may want to refer to the enclosed copy of the auditor's worksheet to assist you in your review. If you have any questions regarding the audit information, please contact the Underwriting Department at (512) 491-2300 or (800) 537-6655. Please review the audit promptly. The audit figures become final in 30 days unless the Pool is notified of a discrepancy.

Based on this audit, it appears that your 2020/2021 Workers' Compensation payroll estimate(s) may need to be amended. Should you elect to update your current contract, please complete the Payroll Adjustment Form included with this audit and return it to the Pool.

The Pool is proud to continue serving Texas public entities. Thank you for your participation in the Workers' Compensation Fund during the 2019/2020 Fund Year.

TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL

1821 Rutherford Lane, First Floor • Austin, Texas 78754 • (512) 491-2300 • (800) 537-6655 Texas Only
 P.O. Box 149194 • Austin, Texas 78714-9194

LA106
10/09/18



Workers' Compensation Audit

Member Name: Breckenridge
Member ID: 1477
Effective Date: 10/01/2019
Anniversary Date: 10/01/2020
Date Generated: 12/22/2020

Previously Billed:	\$83,156
Current Contribution:	\$63,504
Additional/Return Contribution:	\$170



Workers' Compensation Payroll Schedule

Member Name: Breckenridge
 Member ID: 1477
 Effective Date: 10/01/2019
 Anniversary Date: 10/01/2020
 Date Generated: 12/22/2020

Location: 105 N Rose Ave, Breckenridge, Texas 76424-0000

Classification	Description	Audited Payroll	Rate	# of Emp.	Audited Contribution
5506	Street & Road Repair	117,914	8.96	13	10,565
7380	Drivers, Chauffeurs and their Helpers, NOC	8,750	6.72	1	588
7520	Waterworks Operation, Flood Control System Maintenance, Irrigation Control	370,912	5.12	16	18,991
7580	Sewage Treatment & Collection	59,310	3.56	2	2,111
7704	Firefighters – Paid	405,610	4.69	16	19,023
7720	Police Officers – Paid (excluding Motorcycle Officers)	449,490	4.35	13	19,553
8810	Clerical – Office	579,569	0.45	21	2,608
8831	Animal Shelters	56,673	6.25	6	3,542
9015	Building Operations	5,801	5.52	1	320
9019	Toll Gates	15,656	2.60	1	407
9079	Restaurants, Not Otherwise Classified	30,456	5.06	2	1,541
9101C	School Crossing Guards	11,775	3.27	5	385
9102	Parks & Recreation	89,071	4.00	4	3,563
9220	Cemetery Operations	52,446	6.92	2	3,629
Subtotals		2,253,433		103	86,826

Volunteers and Elected Officials:

3724O	Outside Volunteers	0	0.00		0
7704V	Volunteer Firefighters	341	10.07	2	34
7720E	Volunteer Ambulance/EMS	No Exposure			Not Covered
7720V	Police Reserves	No Exposure			Not Covered
8742E	Elected/Apptd Officials-Governing Board	3,000	0.39	5	12
8742F	Elected/Apptd Officials-All Boards/Commissions	No Exposure			Not Covered
8742I	Inside Volunteers	0	0.00	0	0
8888V	Police Reserves-Motorcycle	No Exposure			Not Covered
Subtotals		3,341		7	46
Totals		2,256,774		110	86,872

Texas Municipal League Intergovernmental Risk Pool
 1821 Rutherford Lane, First Floor, Austin, Texas 78754
 (512) 491-2300 | (800) 537-6655



Workers' Compensation Payroll Schedule

Member Name: Breckenridge
 Member ID: 1477
 Effective Date: 10/01/2019
 Anniversary Date: 10/01/2020
 Date Generated: 12/22/2020

Total Manual Contribution	86,872
Experience Modifier	1.03
Total Standard Contribution	89,478
Fund Discount (20.00%)	0.80
Discounted Standard Contribution	71,582
Deductible Credit	0
Net Contribution	71,582
Waiver of Subrogation	0
Total Audit Contribution	71,582

Texas Municipal League Intergovernmental Risk Pool
 1821 Rutherford Lane, First Floor, Austin, Texas 78754
 (512) 491-2300 | (800) 537-6655

W129
 09/24/2010

Page 2 of 2

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PREMIUM AUDIT SERVICES

Insured: Breckenridge
105 N Rose Ave
Breckenridge, TX 76424

Date: 12/4/2020
Carrier: Texas Municipal League-IRP
Control #: 24851 Virtual Audit
Auditor: Evelyn Fisher

Policy Number
1477-000356

Policy Type
WC

Policy Period
10/1/2019 - 10/1/2020

Audit Period
10/1/2019 - 10/1/2020

Workers' Compensation Summary – Policy # 1477-000356

Entity	Location	State	Class Code	Classification Description	Exposure Type	# of Emp	Estimated Exposure	Final Exposure	Diff. %
1	1	TX	7380	Drivers, Chauffeurs and their Helpers, NOC	Payroll	1	10,725	8,750	-18%
1	1	TX	5506	Street & Road Repair	Payroll	13	191,376	117,914	-38%
1	1	TX	7704V	Volunteer Firefighters	Hours	2	232	31	-87%
1	1	TX	7704	Firefighters - Paid	Payroll	16	410,424	405,610	-1%
1	1	TX	7580	Sewage Treatment & Collection	Payroll	2	28,691	59,310	107%
1	1	TX	7520	Waterworks Operation, Flood Control System Maintenance, Irrigation Control	Payroll	16	415,131	370,912	-11%
1	1	TX	8831	Animal Shelters	Payroll	6	79,521	56,673	-29%
1	1	TX	8810	Clerical - Office	Payroll	21	531,457	579,569	9%
1	1	TX	8742E	Elected/Apptd Officials-Governing Board	Payroll	5	3,000	3,000	0%
1	1	TX	7720	Police Officers - Paid (excluding Motorcycle Officers)	Payroll	13	494,649	449,490	-9%
1	1	TX	9102	Parks & Recreation	Payroll	4	118,617	89,071	-25%
1	1	TX	9101C	School Crossing Guards	Payroll	5	14,178	11,775	-17%
1	1	TX	9079	Restaurants, Not Otherwise Classified	Payroll	2	50,400	30,456	-40%
1	1	TX	9019	Toll Gates <i>Convenience Station?</i>	Payroll	1	25,213	15,656	-38%
1	1	TX	8742I	Inside Volunteers	Hours	0	0	0	0%
1	1	TX	3724O	Outside Volunteers	Hours	0	0	0	0%
1	1	TX	9220	Cemetery Operations	Payroll	2	57,104	52,446	-8%
1	1	TX	9015	Buildings - Operation By Owner, Lessee Or Real Estate Management Firm: All Other Employees	PAYROLL	1	0	5,801	100%
Final Exposure						110	2,430,718	2,256,464	-7.17%

Entity & Locations

Entity #	Entity Type	Entity Description	Location Number	Location State	Location Description
1	Other	Member	1	TX	105 N Rose Ave Breckenridge Texas 76424-0000



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PREMIUM AUDIT SERVICES

Key Questions

	Yes	No	N/A
1 Was premium overtime properly deducted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 Were tips and severance pay excluded?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 Were pretax wages for 401k or 125 plans included?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Were bonuses, commissions and shift differential included?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 Was the value of board or lodging included?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6 Was casual or contract labor addressed on the audit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7 Were lease employees addressed on the audit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 Did the insured request a division of employees payroll?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9 If so, did the records reflect proper division?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10 Did the insured use subcontractors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11 If so, were certificates on file for subcontractors used?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12 Was aircraft operation addressed on the audit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13 Was OCIP/CCIP exposure addressed on the audit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14 Does the Davis-Bacon Act apply to this audit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15 Were all classifications on the policy accounted for?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16 Was an owner or officer interviewed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17 Were all issues from prior year's audit addressed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18 Does insured give permission to release worksheet to agent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Payroll Worksheet - Exposure Summary

First Name	Last Name	Officer	Entity	Location	State	WC Code	WC Exposure	Payroll Total
			1	1	TX	37240	0	0
<i>Sub Total:</i>							0	0
			1	1	TX	5506	117,914	117,914
<i>Sub Total:</i>							117,914	117,914
			1	1	TX	7380	8,750	8,750
<i>Sub Total:</i>							8,750	8,750
			1	1	TX	7520	370,912	370,912
<i>Sub Total:</i>							370,912	370,912
			1	1	TX	7580	59,310	59,310
<i>Sub Total:</i>							59,310	59,310
			1	1	TX	7704	405,610	405,610
<i>Sub Total:</i>							405,610	405,610
			1	1	TX	7704V	31	31
<i>Sub Total:</i>							31	31
			1	1	TX	7720	449,490	449,490
<i>Sub Total:</i>							449,490	449,490



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PREMIUM AUDIT SERVICES

Payroll Worksheet - Exposure Summary

First Name	Last Name	Officer	Entity	Location	State	WC Code	WC Exposure	Payroll Total
			1	1	TX	8742E	3,000	3,000
<i>Sub Total:</i>							3,000	3,000
			1	1	TX	8742J	0	0
<i>Sub Total:</i>							0	0
			1	1	TX	8810	579,569	579,569
<i>Sub Total:</i>							579,569	579,569
			1	1	TX	8831	56,673	56,673
<i>Sub Total:</i>							56,673	56,673
			1	1	TX	9015	5,801	5,801
<i>Sub Total:</i>							5,801	5,801
			1	1	TX	9019	15,656	15,656
<i>Sub Total:</i>							15,656	15,656
			1	1	TX	9079	30,456	30,456
<i>Sub Total:</i>							30,456	30,456
			1	1	TX	9101C	11,775	11,775
<i>Sub Total:</i>							11,775	11,775
			1	1	TX	9102	89,071	89,071
<i>Sub Total:</i>							89,071	89,071
			1	1	TX	9220	52,446	52,446
<i>Sub Total:</i>							52,446	52,446
<i>Grand Total:</i>							2,256,464	2,256,464

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PREMIUM AUDIT SERVICES

Payroll Worksheet Detail: Payroll

# of Emp	Payroll Total	WC Exposure	Audit Period (Payroll)
0	0	0	0
13	117,914	117,914	117,914
1	8,750	8,750	8,750
16	370,912	370,912	370,912
2	59,310	59,310	59,310
16	405,610	405,610	405,610
2	31	31	31
13	449,490	449,490	449,490
5	3,000	3,000	3,000
0	0	0	0
21	579,569	579,569	579,569
6	56,673	56,673	56,673
1	5,801	5,801	5,801
1	15,656	15,656	15,656
2	30,456	30,456	30,456
5	11,775	11,775	11,775
4	89,071	89,071	89,071
2	52,446	52,446	52,446
110	2,256,464	2,256,464	2,256,464

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PREMIUM AUDIT SERVICES

Workers' Compensation Reconciliation – Policy # 1477-000356

Entity	Location	State	Class Code	Final Exposures on Summary	Miscellaneous Exposure	Subcontract Exposure	Officer & Employee Cap Adjustments	Premium Overtime	Other Payroll Adjustments	Excluded Payroll	Total Payroll by WC Class Code
1	1	TX	7380	8,750	0	0	0	0	0	0	8,750
1	1	TX	5506	117,914	0	0	0	0	0	0	117,914
1	1	TX	7704V	31	0	0	0	0	0	0	31
1	1	TX	7704	405,610	0	0	0	0	0	0	405,610
1	1	TX	7580	59,310	0	0	0	0	0	0	59,310
1	1	TX	7520	370,912	0	0	0	0	0	0	370,912
1	1	TX	8831	56,673	0	0	0	0	0	0	56,673
1	1	TX	8810	579,569	0	0	0	0	0	0	579,569
1	1	TX	8742E	3,000	0	0	0	0	0	0	3,000
1	1	TX	7720	449,490	0	0	0	0	0	0	449,490
1	1	TX	9102	89,071	0	0	0	0	0	0	89,071
1	1	TX	9101C	11,775	0	0	0	0	0	0	11,775
1	1	TX	9079	30,456	0	0	0	0	0	0	30,456
1	1	TX	9019	15,656	0	0	0	0	0	0	15,656
1	1	TX	8742I	0	0	0	0	0	0	0	0
1	1	TX	3724O	0	0	0	0	0	0	0	0
1	1	TX	9220	52,446	0	0	0	0	0	0	52,446
1	1	TX	9015	5,801	0	0	0	0	0	0	5,801
				2,256,464	0	0	0	0	0	0	2,256,464

Total payroll from the Payroll area : **2,256,464**

Insured Information

Location of Records Information

DBA Name: Breckenridge
Contact: Heather Robertson-Caraway
Address 1: 105 N Rose Ave
Address 2:
City, State, Zip: Breckenridge, TX 76424
Phone: (254) 559-8287
Fax: (254) 559-7322
Cell:
Other:
Email: hrobertson@breckenridgetx.gov
Website:

LOR Name: Breckenridge
Contact: Heather Robertson-Caraway
Address 1: 105 N Rose Ave
Address 2:
City, State Zip: Breckenridge, TX 76424
Phone: (254) 559-8287
Fax:
Cell:
Other:
Email: hrobertson@breckenridgetx.gov



AUDIT WORKSHEET

Company: Texas Municipal League Intergovernmental Risk Pool Control Number 24851
 Member: Breckenridge Policy Period 10/01/2019-10/01/2020
 Policy Number 1477-000356 Audit Period 10/01/2019-10/01/2020

Volunteers - Covered Only By Specific Code On Assignment				
Volunteers	Code	Number of Volunteers	Number of Hours	Comments:
1 Volunteer Firefighters	7704V	2	31	
2 Police Reserves	7720V			
3 Police Reserves-Motorcycle	8888V			
4 Volunteer Ambulance/EMS	7720E			
5 Inside Volunteers	8742I			
6 Outside Volunteers	3724O			
7				
8				
9				
10				
11				
12				
Total:		2	31	

Volunteers Questionnaire

Does Member use volunteers for whom coverage is not elected?

Yes No

If yes, identify type and approximate number in comments by respective code.

Elected/Appointed Officials - Covered Only By Specific Code On Assignment						
Elected/Appointed Officials	Code	Number of Officials	Actual Payroll	Equivalent Payroll Adj*	Total Payroll	Comments:
1 Elected/Appntd. Officials-Governing Board	8742E	5	406	2,594	3,000	
2 Elected/Appntd. Officials-All Boards/Comms	8742F					
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
Total:		5	406	2,594	3,000	

*Note: Equivalent payroll is the flat and /or minimum amount per official of \$600 per year.

Questionnaire

	Yes	No	Comments:
Temp or Leased Employees Is there separate coverage?		X	
Contract Labor Is there a written contract? (obtain copy, if available)		X	
Records Reflect Overtime	X		
Was only the premium portion deducted	X		

Records Audited

X	Payroll Reports/Journals
	Social Security Fed 941's
X	State Unemployment
	Cash Disbursements
	General Ledger
	P & L Statements
	Vendor Expense Reports
	Volunteer Activity Logs
X	Encode WC Report

UNDERWRITING NOTICE

Item 5.

Company	Texas Municipal League Intergovernmental Risk Pool	Control Number	24851
Member	Breckenridge	Policy Period	10/01/2019-10/01/2020
Policy Number	1477-000356	Audit Period	10/01/2019-10/01/2020

Notice to Underwriting/Supplemental Notes

<input type="checkbox"/>	Address Change	<input checked="" type="checkbox"/>	Codes Added	<input type="checkbox"/>	Operations Discontinued
<input type="checkbox"/>	Change in Entity	<input type="checkbox"/>	Codes Omitted	<input type="checkbox"/>	Leased Employees
<input type="checkbox"/>	New Location	<input type="checkbox"/>	Aircraft Operation	<input type="checkbox"/>	USL&H/Maritime
<input type="checkbox"/>	Location Deleted	<input type="checkbox"/>	Operations Started	<input type="checkbox"/>	Other:

Code 9015 added to include 1 janitorial employee.

Racial Profiling Report | Full

Agency Name: BRECKENRIDGE POLICE DEPARTMENT
Reporting Date: January 2020 - December 2020
TCOLE Agency Number: 429201

Chief Administrator: BACEL CANTRELL

Agency Contact

Phone: (254)559-2211
Email: BCANTRELL@BRECKENRIDGETX.GOV

Mailing Address:

210 EAST DYER BRECKENRIDGE, TX 76424

This Agency filed a full report

BRECKENRIDGE POLICE DEPARTMENT has adopted a detailed written policy on racial profiling. Our policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibits peace officers employed by the BRECKENRIDGE POLICE DEPARTMENT from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the BRECKENRIDGE POLICE DEPARTMENT if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's complaint process;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the BRECKENRIDGE POLICE DEPARTMENT who, after an investigation, is shown to have engaged in racial profiling in violation of the BRECKENRIDGE POLICE DEPARTMENT policy;
- (6) requires collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search;
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - (D) whether the peace officer used physical force that resulted in bodily injury during the stop;
 - (E) the location of the stop;
 - (F) the reason for the stop;

(7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The BRECKENRIDGE POLICE DEPARTMENT has satisfied the statutory data audit requirements as prescribed in Article 2.133(c), Code of Criminal Procedure during the reporting period.

Executed by: BACEL CANTRELL

CHIEF OF POLICE



Date: 01/21/2021 09:28

Motor Vehicle Racial Profiling Information

Total stops: 754

Street address or approximate location of the stop

City street: 743

US highway: 3

County road: 0

State Highway: 4

Private property or other: 4

Was race or ethnicity known prior to stop?

Yes: 65

No: 689

Race / Ethnicity

Alaska Native/American Indian: 0

Asian / Pacific Islander: 3

Black: 27

White: 578

Hispanic/Latino: 146

1. Gender

Female:

Total 268

Alaska Native/American Indian 0

Asian / Pacific Islander 2

Black 5

White 216 Hispanic/Latino 45

Male:

Total 486

Alaska Native/American Indian 0

Asian / Pacific Islander 1

Black 22

White 362 Hispanic/Latino 101

Reason for stop?

Violation of law:

Total 46Alaska Native/American Indian 0White 29 Hispanic/Latino 12Asian / Pacific Islander 0Black 5

Pre existing knowledge:

Total 24Alaska Native/American Indian 0White 20 Hispanic/Latino 4Asian / Pacific Islander 0Black 0

Moving traffic violation:

Total 441Alaska Native/American Indian 0White 353 Hispanic/Latino 71Asian / Pacific Islander 3Black 14

Vehicle traffic violation:

Total 243Alaska Native/American Indian 0White 176 Hispanic/Latino 59Asian / Pacific Islander 0Black 8

Was a search conducted?

Yes:

Total 106Alaska Native/American Indian 0White 85 Hispanic/Latino 17Asian / Pacific Islander 0Black 4

No:

Total 648Alaska Native/American Indian 0White 493 Hispanic/Latino 129Asian / Pacific Islander 3Black 23

Reason for Search?

Consent:

Total 30Alaska Native/American Indian 0White 25 Hispanic/Latino 4Asian / Pacific Islander 0Black 1

Contraband:

Total 8Alaska Native/American Indian 0White 6 Hispanic/Latino 2Asian / Pacific Islander 0Black 0

Probable cause:

Total 49
 Alaska Native/American Indian 0
 White 35 Hispanic/Latino 11

Asian / Pacific Islander 0 Black 3

Inventory:

Total 14
 Alaska Native/American Indian 0
 White 14 Hispanic/Latino 0

Asian / Pacific Islander 0 Black 0

Incident to arrest:

Total 5
 Alaska Native/American Indian 0
 White 5 Hispanic/Latino 0

Asian / Pacific Islander 0 Black 0

Was Contraband discovered?

Yes:

Total 51
 Alaska Native/American Indian 0
 Asian / Pacific Islander 0
 Black 2
 White 38
 Hispanic/Latino 11

Did the finding result in arrest?
(total should equal previous column)

Yes	<u>0</u>	No	<u>0</u>
Yes	<u>0</u>	No	<u>0</u>
Yes	<u>0</u>	No	<u>2</u>
Yes	<u>13</u>	No	<u>25</u>
Yes	<u>4</u>	No	<u>7</u>

No:

Total 55
 Alaska Native/American Indian 0
 White 47 Hispanic/Latino 6

Asian / Pacific Islander 0 Black 2

Description of contraband

Drugs:

Total 47
 Alaska Native/American Indian 0
 White 36 Hispanic/Latino 9

Asian / Pacific Islander 0 Black 2

Currency:

Total	<u>0</u>	Asian / Pacific Islander	<u>0</u>	Black	<u>0</u>
Alaska Native/American Indian	<u>0</u>				
White	<u>0</u>	Hispanic/Latino	<u>0</u>		

Weapons:

Total	<u>0</u>	Asian / Pacific Islander	<u>0</u>	Black	<u>0</u>
Alaska Native/American Indian	<u>0</u>				
White	<u>0</u>	Hispanic/Latino	<u>0</u>		

Alcohol:

Total	<u>4</u>	Asian / Pacific Islander	<u>0</u>	Black	<u>0</u>
Alaska Native/American Indian	<u>0</u>				
White	<u>2</u>	Hispanic/Latino	<u>2</u>		

Stolen property:

Total	<u>0</u>	Asian / Pacific Islander	<u>0</u>	Black	<u>0</u>
Alaska Native/American Indian	<u>0</u>				
White	<u>0</u>	Hispanic/Latino	<u>0</u>		

Other:

Total	<u>0</u>	Asian / Pacific Islander	<u>0</u>	Black	<u>0</u>
Alaska Native/American Indian	<u>0</u>				
White	<u>0</u>	Hispanic/Latino	<u>0</u>		

Result of the stop**Verbal warning:**

Total	<u>71</u>	Asian / Pacific Islander	<u>0</u>	Black	<u>3</u>
Alaska Native/American Indian	<u>0</u>				
White	<u>58</u>	Hispanic/Latino	<u>10</u>		

Written warning:

Total	<u>455</u>	Asian / Pacific Islander	<u>2</u>	Black	<u>15</u>
Alaska Native/American Indian	<u>0</u>				
White	<u>353</u>	Hispanic/Latino	<u>85</u>		

Citation:

Total	<u>168</u>	Asian / Pacific Islander	<u>1</u>	Black	<u>9</u>
Alaska Native/American Indian	<u>0</u>				
White	<u>118</u>	Hispanic/Latino	<u>40</u>		

Written warning and arrest:Total 0Alaska Native/American Indian 0White 0 Hispanic/Latino 0Asian / Pacific Islander 0Black 0**Citation and arrest:**Total 16Alaska Native/American Indian 0White 11 Hispanic/Latino 5Asian / Pacific Islander 0Black 0**Arrest:**Total 44Alaska Native/American Indian 0White 38 Hispanic/Latino 6Asian / Pacific Islander 0Black 0**Arrest based on****Violation of Penal Code:**Total 21Alaska Native/American Indian 0White 20 Hispanic/Latino 1Asian / Pacific Islander 0Black 0**Violation of Traffic Law:**Total 3Alaska Native/American Indian 0White 3 Hispanic/Latino 0Asian / Pacific Islander 0Black 0**Violation of City Ordinance:**Total 0Alaska Native/American Indian 0White 0 Hispanic/Latino 0Asian / Pacific Islander 0Black 0**Outstanding Warrant:**Total 36Alaska Native/American Indian 0White 26 Hispanic/Latino 10Asian / Pacific Islander 0Black 0

Was physical force resulting in bodily injury used during stop

Yes:

Total 3
Alaska Native/American Indian 0 Asian / Pacific Islander 0 Black 0
White 3 Hispanic/Latino 0

No:

Total 751
Alaska Native/American Indian 0 Asian / Pacific Islander 3 Black 27
White 575 Hispanic/Latino 146

Number of complaints of racial profiling

Total 0
Resulted in disciplinary action 0
Did not result in disciplinary action 0

Submitted electronically to the



The Texas Commission on Law Enforcement

ORDINANCE NO. 21-01

AN ORDINANCE GRANTING TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC POWER FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, PUBLIC UTILITY EASEMENTS, PUBLIC WAYS AND PUBLIC PROPERTY OF THE CITY OF BRECKENRIDGE, TEXAS, PROVIDING FOR COMPENSATION THEREFOR, PROVIDING FOR AN EFFECTIVE DATE AND A TERM OF SAID FRANCHISE, PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE, PROVIDING FOR THE REPEAL OF ALL EXISTING FRANCHISE ORDINANCES TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS PREDECESSORS AND ASSIGNS, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS:

SECTION 1. GRANT OF AUTHORITY: That there is hereby granted to Oncor Electric Delivery Company LLC, its successors and assigns (herein called "Company"), the right, privilege and franchise to construct, extend, maintain and operate in, along, under and across the present and future streets, alleys, highways, public utility easements, public ways and other public property ("Public Rights-of-Way" or "Rights-of-Way") of the City of Breckenridge, Texas (herein called "City") electric power lines, with all necessary or desirable appurtenances (including underground conduits, poles, towers, wires, transmission lines, telephone and communication lines, and other structures for Company's own use), (herein called "Facilities") for the purpose of delivering electricity to the City, the inhabitants thereof, and persons, firms and corporations beyond the corporate limits thereof, for the term set out in Section 7.

Company shall not install, construct or extend any Facilities in parks or other City-owned property other than public utility easements, streets, alleys or highways without first obtaining written approval from City.

SECTION 2. Poles, towers and other structures shall be so erected as not to unreasonably interfere with traffic over streets, alleys and highways.

Company shall cooperate with the City by providing reasonable information regarding the location

of current and future overhead and underground wires and poles within the Public Rights-of-Way. Reproducible copies of available maps showing the location of all overhead and underground wires and poles within the Public Rights-of-Way shall be furnished to the City Engineer upon

reasonable request. The maps shall be provided in electronic digital format, if available.

SECTION 3. The City reserves the right to lay, and permit to be laid, storm, sewer, gas, water, wastewater and other pipe lines, cables, and conduits, or other improvements and to do and permit to be done any underground or overhead work that may be necessary or proper in, across, along, over, or under Public Rights-of-Way occupied by Company. The City also reserves the right to change in any manner any curb, sidewalk, highway, alley, public way, street, utility lines not owed by Company, storm sewers, drainage basins, drainage ditches, and the like. City shall provide Company with at least thirty (30) days' notice when requesting Company to relocate facilities and shall specify a new location for such facilities along the Public Rights-of-Way. Company shall, except in cases of emergency conditions or work incidental in nature, obtain a permit, if required by City ordinance, prior to performing work in the Public Rights-of-Way, except in no instance shall Company be required to pay fees or bonds related to its use of the Public Rights-of-Way, despite the City's enactment of any ordinance providing the contrary. Company shall construct its facilities in conformance with the applicable provisions of the National Electrical Safety Code. City-requested relocations of Company facilities in the Public Rights-of-Way shall be at the Company's expense; provided however, if the City is the end use Retail Customer (customer who purchases electric power or energy and ultimately consumes it) requesting the removal or relocation of Company Facilities for its own benefit, or the project requiring the relocation is solely aesthetic/beautification in nature, it will be at the total expense of the City. Provided further, if the relocation request includes, or is for, the Company to relocate above-ground facilities to an underground location, City shall be fully responsible for the additional cost of placing the facilities underground.

If any other corporation or person (other than City) requests Company to relocate Company facilities located in City Rights-of-Ways, the Company shall not be bound to make such changes until such other corporation or person shall have undertaken, with good and sufficient bond, to reimburse the Company for any costs, loss, or expense which will be caused by, or arises out of such change, alteration, or relocation of Company's Facilities. City may not request the Company to pay for any relocation which has already been requested, and paid for, by any entity other than City.

If City abandons any Public Rights-of-Way in which Company has facilities, such abandonment shall be conditioned on Company's right to maintain its use of the former Public Rights-of-Way

and on the obligation of the party to whom the Public Rights-of-Way is abandoned to reimburse Company for all removal or relocation expenses if Company agrees to the removal or relocation of its facilities following abandonment of the Public Rights-of-Way. If the party to whom the Public Rights-of-Way is abandoned requests the Company to remove or relocate its facilities and Company agrees to such removal or relocation, such removal or relocation shall be done within a reasonable time at the expense of the party requesting the removal or relocation. If relocation cannot practically be made to another Public Rights-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the party requesting the relocation.

SECTION 4.

A. In consideration of the granting of this Franchise, Company shall, at its sole cost and expense, indemnify and hold the City, and its past and present officers, agents and employees harmless against any and all liability arising from suits, actions or claims regarding injury or death to any person or persons, or damages to any property arising out of or occasioned by the intentional and/or negligent acts or omissions of Company or any of its officers, agents, or employees in connection with Company's construction, maintenance and operation of Company's system in the City Public Rights-of-Way, including any court costs, reasonable expenses and reasonable defenses thereof.

B. This indemnity shall only apply to the extent that the loss, damage or injury is attributable to the negligence or wrongful act or omission of the Company or its officers, agents or employees, and does not apply to the extent such loss, damage or injury is attributable to the negligence or wrongful act or omission of the City or the City's officers, agents, or employees or any other person or entity. This provision is not intended to create a cause of action or liability for the benefit of third parties but is solely for the benefit of Company and the City.

C. In the event of joint and concurrent negligence or fault of both Company and the City, responsibility and indemnity, if any, shall be apportioned comparatively between the City and Company in accordance with the laws of the state of Texas without, however, waiving any governmental immunity available to the City under Texas law and without waiving any of the defenses of the parties under Texas law. Further, in the event of joint and concurrent negligence or fault of both Company and the City, responsibility for all costs of defense shall be apportioned

between the City and Company based upon the comparative fault of each.

D. In fulfilling its obligation to defend and indemnify City, Company shall have the right to select defense counsel, subject to City's approval, which will not be unreasonably withheld. Company shall retain defense counsel within seven (7) business days of City's written notice that City is invoking its right to indemnification under this franchise. If Company fails to retain counsel within such time period, City shall have the right to retain defense counsel on its own behalf, and Company shall be liable for all reasonable defense costs incurred by City, except as otherwise provided in section 4.B and 4.C.

SECTION 5. This franchise is not exclusive, and nothing herein contained shall be construed so as to prevent the City from granting other like or similar rights, privileges and franchises to any other person, firm, or corporation. Any Franchise granted by the City to any other person, firm, or corporation shall not unreasonably interfere with this Franchise.

SECTION 6. In consideration of the grant of said right, privilege and franchise by the City and as full payment for the right, privilege and franchise of using and occupying the said Public Rights-of-Way, and in lieu of any and all occupation taxes, assessments, municipal charges, fees, easement taxes, franchise taxes, license, permit and inspection fees or charges, street taxes, bonds, street or alley rentals, and all other taxes, charges, levies, fees and rentals of whatsoever kind and character which the City may impose or hereafter be authorized or empowered to levy and collect, excepting only the usual general or special ad valorem taxes which the City is authorized to levy and impose upon real and personal property, sales and use taxes, and special assessments for public improvements, Company shall pay to the City the following:

- A. A final quarterly payment was made on or before September 15, 2020 for the basis period of April 1, 2020 through June 30, 2020 and the privilege period of April 1, 2021 through June 30, 2021 in accordance with the provisions in the previous franchise.
- B. As authorized by Section 33.008(b) of PURA, the original franchise fee factor calculated for the City in 2002 was 0.002251 (the "Base Factor"), multiplied by each kilowatt hour of electricity delivered by Company to each retail customer whose consuming facility's point of delivery is located within the City's municipal boundaries for determining franchise payments going forward.

Due to a 2006 agreement between Company and City the franchise fee factor was increased to a franchise fee factor of 0.002364 (the “Current Factor”), multiplied by each kilowatt hour of electricity delivered by Company to each retail customer whose consuming facility’s point of delivery is located within the City’s municipal boundaries on an quarterly basis.

However, consistent with the 2006 agreement, should the Public Utility Commission of Texas at any time disallow Company’s recovery through rates of the higher franchise payments made under the Current Factor as compared to the Base Factor, then the franchise fee factor shall immediately revert to the Base Factor of 0.002251 and all future payments, irrespective of the time period that is covered by the payment, will be made using the Base Factor.

Company shall make quarterly payments as follows:

<u>Payment Due Date</u>	<u>Basis Period</u>	<u>Privilege Period (Following Pmt)</u>
December 15	Jul. 1 - Sept. 30	Jul. 1 - Sept. 30
March 15	Oct.1 - Dec. 31	Oct.1 - Dec. 31
June 15	Jan. 1 - Mar. 31	Jan. 1 – Mar. 31
September 15	Apr. 1 - Jun. 30	Apr. 1 - Jun. 30

1. The first quarterly payment hereunder shall be due and payable on or before December 15, 2020 and will cover the basis period of July 1, 2020 through September 30, 2020 and the privilege period of July 1, 2021 through September 30, 2021. If this franchise is not effective prior to the first quarterly payment date, Company will pay any payments due within 30 days of the effective date of this agreement. The final payment under this franchise is due on or before September 15, 2040 and covers the basis period of April 1, 2040 through June 30, 2040 and the privilege period of April 1, 2041 through June 30, 2041; and
2. After the final payment date of September 15, 2040, Company may continue to make additional quarterly payments in accordance with the above schedule. City acknowledges that such continued payments will correspond to privilege periods that

extend beyond the term of this Franchise and that such continued payments will be recognized in any subsequent franchise as full payment for the relevant quarterly periods.

- C. A sum equal to four percent (4%) of gross revenues received by Company from services identified as DD1 through DD24 in Section 6.1.2 “Discretionary Service Charges,” in Oncor’s Tariff for Retail Delivery Service (Tariff), effective 1/1/2002, that are for the account and benefit of an end-use retail electric consumer. Company will, upon request by City, provide a cross reference to Discretionary Service Charge numbering changes that are contained in Company’s current approved Tariff.
1. The franchise fee amounts based on “Discretionary Service Charges” shall be calculated on an annual calendar year basis, i.e. from January 1 through December 31 of each calendar year.
 2. The franchise fee amounts that are due based on “Discretionary Service Charges” shall be paid at least once annually on or before April 30 each year based on the total “Discretionary Service Charges”, as set out in Section 6C, received during the preceding calendar year. The initial Discretionary Service Charge franchise fee amount will be paid on or before April 30, 2021 and will be based on the calendar year January 1, 2020 through December 31, 2020. The final Discretionary Service Charge franchise fee amount will be paid on or before April 30, 2042 and will be based on the calendar year of January 1, 2041 through June 30, 2041.
 3. Company may file a tariff or tariff amendment(s) to provide for the recovery of the franchise fee on Discretionary Service Charges.
 4. City agrees (i) to the extent the City acts as regulatory authority, to adopt and approve that portion of any tariff which provides for 100% recovery of the franchise fee on Discretionary Service Charges; (ii) in the event the City intervenes in any regulatory proceeding before a federal or state agency in which the recovery of the franchise fees on such Discretionary Service Charges is an issue, the City will take an affirmative position supporting the 100% recovery of such franchise fees by Company and; (iii) in the event of an appeal of any such regulatory proceeding in which the City has intervened, the City will take an affirmative position in any such appeals in support of the 100% recovery of such franchise fees by Company.
 5. City agrees that it will take no action, nor cause any other person or entity to take any

action, to prohibit the recovery of such franchise fees by Company.

- 6. In the event of a regulatory disallowance of the recovery of the franchise fees on the Discretionary Service Charges, Company will not be required to continue payment of such franchise fees.

SECTION 7. This Ordinance shall become effective upon Company's written acceptance hereof, said written acceptance to be filed by Company with the City within sixty (60) days after final passage and approval hereof by City. The right, privilege and franchise granted hereby shall expire on June 30, 2041; provided that, unless written notice of cancelation is given by either party hereto to the other not less than sixty (60) days before the expiration of this franchise agreement, it shall be automatically renewed for an additional period of six (6) months from such expiration date and shall be automatically renewed thereafter for like periods until canceled by written notice given not less than sixty (60) days before the expiration of any such renewal period.

SECTION 8. This Ordinance shall supersede any and all other franchises granted by the City to Company, its predecessors and assigns.

SECTION 9. The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any portion of this Ordinance is declared illegal or unconstitutional by the valid final non-appealable judgment or decree of any court of competent jurisdiction, such illegality or unconstitutionality shall not affect the legality and enforceability of any of the remaining portions of this Ordinance.

SECTION 10. In order to accept this franchise, Company must file with the City Secretary its written acceptance of this franchise ordinance within sixty (60) days after its final passage and approval by City.

SECTION 11. It is hereby officially found that the meeting at which this Ordinance is passed is open to the public and that due notice of this meeting was posted by City, all as required by law.

PASSED AND APPROVED at a regular meeting of the City Commission of Breckenridge, Texas, on this the ____ day of _____, 2021.

Bob Sims
Mayor
The City of Breckenridge

ATTEST:

Heather Robertson-Caraway, CCCII, TRMC
Interim City Manager / City Secretary

STATE OF TEXAS §
COUNTY OF STEPHENS §
CITY OF BRECKENRIDGE §

ORDINANCE NO. 21-02

AN ORDINANCE OF THE CITY OF BRECKENRIDGE, TEXAS REPEALING ORDINANCE NOS. 69A, 93, AND 93-11 AND AMENDING ORDINANCE NOS. 7, 93, 87-8, 97-9, 89-5, 10-01, 14-08, AND 16-13; REVISING CHAPTER 15, PARKS AND RECREATION, OF THE BRECKENRIDGE CODE OF ORDINANCES; UPDATING AND REORGANIZING SAME; CLARIFYING NUISANCE ANIMAL ABATEMENT BY DESIGNATED CITY EMPLOYEES; PROVIDING A PENALTY CLAUSE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Breckenridge (the "City") is a home-rule municipality which has exclusive control over City parks, inside and outside of the City limits, pursuant to Section 3.20 of the City Charter, and the power to enact and enforce ordinances necessary to protect health, life, and property, pursuant to Section 3.2 of the City Charter;

WHEREAS, the City also has the authority police parks and lakes owned by it which are outside of its city limits pursuant to Section 341.903 of the Texas Local Government Code;

WHEREAS, the City owns parks both inside and outside the city limits and a lake which is outside of the city limits and has adopted ordinances in the past to attempt to protect that property and citizens using said property;

WHEREAS, the City Commission of the City of Breckenridge (the "City Commission") finds that these ordinances are outdated and should reorganized and updated; and

WHEREAS, the City Commission finds it necessary to clarify and reaffirm the rights the City, through its employees, has to take action to protect these properties in terms of abatement of nuisance animals.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS THAT:

- I. **Repeal.** The following ordinances are hereby repealed:
 - Ordinance No. 69A, adopted on August 9, 1960
 - Ordinance No. 93, adopted on May 21, 1963
 - Ordinance No. 93-11, adopted on June 7, 1993

All other ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed to the extent of such conflict.

- II. **Enactment.** This Ordinance shall be known as the "Parks and Recreation Ordinance of the City of Breckenridge" and shall be codified as Chapter 15 of the Breckenridge Code of Ordinances.

CHAPTER 15 – PARKS AND RECREATION

Article I. In General

Sec. 15-1. Scope.

The rules and regulations in this Chapter shall apply to any designated City park or lake.

Sec. 15-2. Enforcement.

Compliance with the rules and regulations of this Chapter is a condition of the use of any City park or lake. The Breckenridge Police Department is hereby authorized and directed to enforce the provisions of this Chapter.

Sec. 15-3. Penalties.

Any person, firm, or corporation violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not exceeding five hundred dollars (\$500.00). Each day such a violation is committed shall constitute a separate offense and shall be punishable as such hereunder.

Sec. 15-4. Littering.

It shall be unlawful for any person to deposit organic matter, animal carcasses, paper, glass, metal, litter or trash of any description on any driveway, path, lane, water, or other place in a City park or lake, except in receptacles provided therefor.

Sec. 15-5. Advertising Material.

It shall be unlawful for any person to display any advertising material by signs or distribute advertising material of any character using any parkways, medians, parks, swimming pools, or other recreation areas of the City, without the written permission of the City Manager.

Sec. 15-6. Selling goods or services.

It shall be unlawful for any person to sell, or offer for sale, any goods, wares, services, or merchandise within any parkways, medians, parks, playgrounds, swimming pools, or other recreation areas of the City, without the written permission of the City Manager.

Sec. 15-7. Entering closed areas; hours of operation.

(a) It shall be unlawful for any person except a city employee to enter any area of a City park or lake which is designated as restricted, or to enter any area in a City park or lake during the hours of the day when such area is not open to the public, or to enter at any time a City park or lake when it is closed for the season.

(b) Hours during which the area is open to the public shall be posted by the City Manager. Unless otherwise posted by the City Manager, the hours during which City parks, including Lake Daniels, are open to the public are from 7:00 a.m. to 11:00 p.m.

Sec. 15-8. Pets to be on restraint.

It shall be unlawful for any owner or person in control of any pet to keep or permit the same in or about a City park or lake, unless such pet is kept under restraint at all times.

Sec. 15-9. Washing vehicles.

It shall be unlawful for any person to wash a vehicle in any City park or lake area not designated for the purpose.

Sec. 15-10. Kites; model airplanes.

It shall be unlawful for any person to fly a kite or propel or guide a model airplane in areas traversed by high voltage transmission lines in any City park or lake.

Sec. 15-11. Carrying, discharging firearms; exception.

(a) Unless as otherwise provided by subsection (b), below, it shall be unlawful for any person to carry on or about his person or to discharge firearms, as defined in subsection 14-2 of this Code, within or about a City park or lake.

(b) The City Manager may designate employees of the City who are authorized to discharge firearms at a City park or lake to abate nuisance animals when necessary to protect the health and safety of users of the park or lake or when necessary to protect or preserve the City’s property.

Sec. 15-12. Traffic regulations.

(a) It shall be unlawful for any person to drive or propel any vehicle in, over, or through any park or recreation area except along and upon park drives, streets, or boulevards or other areas designated for driving purposes.

(b) It shall be unlawful for any person to stop, stand, or park any motor vehicle, or to permit any such motor vehicle to stop, stand, or park, within the confines of any park or recreation area, except such as may be necessary or incidental to park visits, or such as may be due to the accidental or temporary mechanical failure of such vehicle, or such as may be occasioned by the order of any police officer.

(c) If any motor vehicle is found within the confines of any park or recreation area in violation of any prior provisions of this section, and the identity of the operator of such vehicle cannot be determined, then the owner or person in whose name such vehicle is registered shall be held prima facie responsible for such violation.

(d) It shall be unlawful for any person to operate a motor vehicle at a City park or lake at a speed greater than what is reasonable and prudent given the conditions or at a speed greater than a speed limit duly posted.

Sec. 15-13. Possession or use of glass containers of any kind.

It shall be unlawful for any person to possess or use any glass containers of any kind at a City park or lake.

Sec. 15-14. Reserved.

Sec. 15-15. Reserved.

Sec. 15-16. Intoxicating substances prohibited; intoxication prohibited.

It shall be unlawful for any person to possess or be under the influence of alcoholic beverages or other intoxicating substances in or on a City park or lake. Signs may be conspicuously posted at each entrance to said properties, prohibiting the possession of alcoholic beverages or other intoxicating substances, as follows:

“POSSESSION OF ALCOHOL OR OTHER INTOXICATING SUBSTANCES AND/OR CONSUMPTION OR USE OF ALCOHOLIC BEVERAGES OR INTOXICATING SUBSTANCES WITHIN THESE PREMISES IS PROHIBITED UNDER SECTION 15-16 OF THE CODE OF THE CITY OF BRECKENRIDGE, TEXAS. PERSONS IN VIOLATION MAY BE FINED UP TO \$500.00.”

Secs. 15-17—15-19. Reserved.

Article II. Lake Daniel

Sec. 15-20. Definitions.

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

Grounds: All of the land adjacent to Lake Daniel, whether island or shore line, and belonging to the City.

Lake: The surface waters and basin of Lake Daniel located in this county.

Set pole: A pole, stick, rod, or shaft or any similar shaft with a line attached and having no more than two (2) hooks attached to the line.

Sec. 15-21. Camping and fire area restricted.

It shall be unlawful for any person to camp on the grounds of Lake Daniel or to have a fire of any kind on any grounds surrounding said lake except in designated areas.

Sec. 15-22. Erecting cabins; maximum time for tent, etc.

It shall be unlawful for any person to erect or maintain any dwelling house or cabin on Lake Daniel grounds, or to keep camp of any nature, such as a tent, trailer, or uncovered camp thereon continuously for over fourteen (14) days.

Sec. 15-23. Illegal fish-taking equipment.

It shall be unlawful for any person to use or have in his possession in or on Lake Daniel or the lake grounds any seine, net, trap, poison, explosive, or electrical device for the purpose of taking fish from said lake.

Sec. 15-24. Use of set poles limited.

It shall be unlawful for any person or entity to set out or to use for fishing purposes more than six (6) set poles, or to set or use said poles other than from above the water level, or to set or use said poles stuck in or placed in the waters of Lake Daniel, or to set or use any set poles stuck in the ground under the water's edge of Lake Daniel.

Sec. 15-25. Sale of fish.

It shall be unlawful for any person to take, catch, retain, or have in his possession any fish of whatsoever kind from Lake Daniel for the purpose of sale, barter, or exchange.

Sec. 15-26. Activity near water supply tower.

It shall be unlawful for any person to fish, or hunt, or drive, operate or propel a boat, in or on the waters of Lake Daniel within two hundred (200) feet of the concrete water supply outlet tower located at the western end of the dam of said lake or in any area where there are clearly posted signs indicating an area is restricted.

Sec. 15-27. Docks, ramps, etc.

It shall be unlawful to place upon the waters or on the shore of Lake Daniel any structure used or to be used for landing, docking, or storing of boats other than those facilities such as boat trailers which are not of a permanent nature and can be and are removed when the fisherman or boater leaves the lake.

Sec. 15-28. Maintenance of personal property.

It shall be unlawful for any Lake Daniel user to allow his, her, or its property, such as a boat, to become a nuisance by being abandoned or by being in a rundown, unsightly, or rotting condition. Said owner shall remove such property from the waters or grounds of said lake when requested to do so by the City Police Department.

Sec. 15-29. Reserved.

Article III. Breckenridge Park

Sec. 15-30. Description and designation.

The following described land situated in the corporate limits of the City and belonging to the City is hereby made a public park to be known as Breckenridge Park:

East Breckenridge Addition

Block A, Lots 1 – 10, 21, 22;

Block B, Lots 1 – 4, 7;

Block 93, all;

Block 94, all;

Block 95, Lots 1 – 6, 8, S 100 feet of Lot 7;

Block 102, all;

Block 111, all;

And that portion of Albany Avenue lying between blocks A and B, East Breckenridge Addition, and blocks 93 and 94, East Breckenridge Addition, and Blocks A and 93, East Breckenridge Addition; and that portion of Butte Avenue lying between blocks 94 and 95, East Breckenridge Addition.

Secs. 15-31—15-34. Reserved.

Article IV. Baseball Fields

Sec. 15-35. Public park designated; description.

The following described land situated adjacent to the corporate limits of the City and belonging to the City is hereby made a public park:

Beginning at a point 1,320 feet west of the southwest corner of the northeast quarter of Section 4, Lunatic Asylum Lands, said point being also the northwest corner of the Breckenridge Independent School tract.

Thence north 850 feet to the northwest corner of this tract.

Thence east 550 feet to the northeast corner of this tract.

Thence south 799.3 feet to point in north line of said Breckenridge School District tract.

Thence west 400 feet.

Thence south 50.7 feet.

Thence west 150 feet to the place of beginning and containing 10.27 acres of land.

III. Severability. The provisions of this Ordinance are declared to be severable. If any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the

remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect notwithstanding the validity of any part.

IV. *Effective Date.* This Ordinance shall take effect upon its adoption by the City Commission and publication as may be required by the City Charter or the Local Government Code.

The above and foregoing ordinance was duly proposed, read in full, and adopted on the 2nd day of February 2021 at a regular meeting of the City Commission.

Bob Sims,
Mayor

ATTEST:

Heather Robertson-Caraway, CCCII, TRMC
Interim City Manager / City Secretary

S E A L

ORDINANCE NO. 21-03

AN ORDINANCE PROVIDING FOR A GENERAL ELECTION TO BE HELD FOR CITY COMMISSIONERS, PLACE NOS. 3 AND 4, ON THE FIRST SATURDAY IN MAY 2021 (MAY 1, 2021) IN THE CITY OF BRECKENRIDGE, TEXAS.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS:

Section 1. An election is hereby called to be held in the City of Breckenridge, Texas, on May 1, 2021, (being the first Saturday in May), for the purpose of electing the City Commissioners, Place Nos. 3 and 4.

Section 2. Said election shall be called and held as provided by the Charter of the City of Breckenridge and applicable laws pertaining thereto.

Section 3. Candidates for Commissioner(s), in order to get their names on the official ballot, must proceed as follows: File a sworn application between the following dates: January 13 through February 12, 2021, with the City Secretary (as prescribed by Section 141.031 of the Texas Election Laws).

Section 4. Said election shall be conducted and results canvassed and announced by the election authorities as prescribed by the general election laws of the State of Texas.

Section 5. The City Commission of the City of Breckenridge hereby adopts the use of the ES&S Express Vote Voter Assist Terminal V1.0.121 (to comply with the requirements of Section 301 (a)(3)(B) (of the Help America Vote Act) for regular election day and early voting by personal appearance. The Express Vote is an optical scan ballot marking system. The City Commission of the City of Breckenridge also adopts the use of optical scan ballots for regular and early voting by personal appearance and by mail.

Section 6. The City Commission of the City of Breckenridge, Texas, is hereby authorized and directed to issue the formal order for said election providing for the polling place, the judges and clerks of the election, Early Voting Ballot Board and Notice of Election and returns of the election.

PASSED AND APPROVED this 2nd day of February 2021.

BOB SIMS, MAYOR

ATTEST:

HEATHER ROBERTSON-CARAWAY, CCCII, TRMC
INTERIM CITY MANAGER/CITY SECRETARY

S E A L

ORDER AND NOTICE OF CITY ELECTION

THE STATE OF TEXAS }
COUNTY OF STEPHENS }
CITY OF BRECKENRIDGE }

ELECTION ORDER

The City Commission of the City of Breckenridge, Texas, by virtue of the power vested in it by law, does hereby order that an election be held in the City of Breckenridge on May 1, 2021, being the first Saturday thereof, for the purpose of electing the following offices of said City:

City Commissioner Place No. 3

City Commissioner Place No. 4

The City has entered into a Joint Election Agreement with Breckenridge Independent School District (School District) and Stephens Memorial Hospital District dba Stephens Memorial Hospital (Hospital District) to hold their May elections at the same polling place as the City - Breckenridge ISD Athletics and Fine Arts Facility, 607 West Second Street, Breckenridge, Texas 76424. If the City cancels its election, the School District will use its Administrative Offices located at 208 North Miller Street, Breckenridge, Texas 76424 and the Hospital District will use Stephens Memorial Hospital located at 200 South Geneva, Breckenridge, Texas 76424 as their election polling places. If the School District cancels its election, the City and the Hospital District will use the Breckenridge ISD Athletics and Fine Arts Facility as their election day polling place. If the Hospital District cancels its election, the City and the School District will use the Breckenridge ISD Athletics and Fine Arts Facility as their election day polling place. The Poll at the above-designated polling place shall on said Election Day be open from 7:00 A.M. to 7:00 P.M. The following named persons are hereby appointed Managers thereof, to-wit:

Anita Lockhart	JUDGE
(To Be Named)	ALTERNATE JUDGE
(To Be Named)	CLERK
(To Be Named)	CLERK
(To Be Named)	CLERK
(To Be Named)	BILINGUAL CLERK

The City Secretary is hereby given the authority to change or replace the Election Judge or Alternate Judge as needed or if required prior to Election Day. The hourly rate of pay for the election Judge shall be \$12.00 per hour and each Election Clerk shall be \$10.00 per hour. The amount to be paid to the presiding Judge for delivering the election returns shall be \$25.00. The above shall also serve as the Early Voting Ballot Board, and the presiding judge shall serve as the Boards presiding officer. The Early Voting Ballot Board is hereby designated to canvass the early votes cast by mail and by personal appearance.

The City Secretary is hereby appointed Clerk for early voting, and Ms. Diane Latham, Ms. Heather Neely, Ms. Angela Crowder, Ms. Christi Tidrow, and Ms. Pam Wright are hereby appointed Deputy Clerks for early voting. The early voting for the above-designated election shall be held at the City Offices, 105 North Rose Avenue, as follows:

April 19 - 20, 2021	6:00 A.M. to 6:00 P.M. (First two days of early voting)
April 21 - 23, 2021	8:00 A.M. to 5:00 P.M.
April 26 - 27, 2021	8:00 A.M. to 5:00 P.M.

ORDER AND NOTICE OF CITY ELECTION (Cont)

Applications for ballot by mail shall be mailed to: Heather Robertson-Caraway, Early Voting Clerk, 105 North Rose Avenue, Breckenridge, Texas 76424, (254) 559-8287. Applications for ballot by mail must be received no later than the close of business on April 26, 2021.

The City Commission will meet in special session on May 11, 2021, to canvass the returns of said Election to be held on May 1, 2021, and to declare the results of said election.

The City Secretary is hereby directed and instructed to post a properly executed copy of this order and notice of election at the City Offices. Said notice shall be posted no later than twenty-one (21) days before the date of said election. Notice of the time and place of holding said election shall be given by publication of such notice in a newspaper of general circulation published in the City of Breckenridge at least ten (10) days and not more than thirty (30) days prior to the date of said election.

PASSED AND APPROVED this the 2nd day of February 2021.

BOB SIMS, MAYOR

ATTEST:

HEATHER ROBERTSON-CARAWAY, CITY SECRETARY

S E A L

ORDENANZA NÚMERO 21-03

UNA ORDENANZA PARA UNA ELECCIÓN GENERAL PARA LOS COMISIONADOS DE LA CIUDAD, NOS. 3 Y 4, EL PRIMER SÁBADO EN MAYO 2021 (1 DE MAYO DE 2021) EN LA CIUDAD DE BRECKENRIDGE, TEXAS.

LO ESTÁ ORDENADO POR LA COMISIÓN DE CIUDAD DE CIUDAD DE BRECKENRIDGE, TEJAS.

Sección 1. Una elección está llamada para tener lugar en la ciudad de Breckenridge, Tejas, en el 1 de Mayo de 2021 (es el primer sábado en Mayo), para el propósito de eligiendo el alcalde y los comisionados, lugares números 3 y 4.

Sección 2. Dicho elección estará llamada y detenido como proveió por la carta constitucional de la ciudad de Breckenridge y las leyes aplicables perteneciendo a eso.

Sección 3. Los candidatos para el comisionado(s), para obtener sus nombres en balota oficial debe dirigirse como siguiente: Archiva una aplicación jurado entre las fechas siguientes: el 13 de enero por el 12 de Febrero de 2021 con la secretaria de la ciudad (como ordenado por Sección 141.031 de las leyes de elección de Tejas).

Sección 4. Dicho elección estará conducido y los resultados examinaron y anunciaron por las autoridades de elección como ordenado por las leyes general de elección del estatdo de Tejas.

Sección 5. La comisionado de ciudad de la ciudad de Breckenridge, Tejas adopta el uso del ES&S Express Vote la Terminal de Máquina de Electoral Asiste V1.0.121 (cumplir con los requerimientos de Sección 301(a)(3)(B) de la Ayuda América del Acto Votante) para el día regular de ellección y votando temprano por presentación personal. El Express Vote es una balota óptica que examina cuidadosamente en el sistema marcando. La comisión de ciudad de la ciudad de Breckenridge adopta también el uso de balota óptica que examina cuidadosamente para regular y votando temprano por presentación y por correo.

Sección 6. La comisión de ciudad de la ciudad de Breckenridge, Tejas por esto está autorizada y dirigida proceder el orden formal para dicho elección proveciendo para el lugar de votación, los jueces y los secretarios de tribunales de la elección, Tribunal de Balota Votando Temprano y Noticia de Elección, y regresos de la elección.

PASADO Y APROBADO este 2nd día de Febrero de 2021

BOB SIMS, ALCALDE

ATESTADO:

HEATHER ROBERTSON-CARAWAY, CCCII, TRMC
GERENTE INTERINO DE LA CIUDAD / SECRETARIA DE CIUDAD

SEÑAL

ORDEN Y NOTICIA DE ELECCIÓN DE CUIDAD

EL ESTADO DE TEXAS }
CONDADO DE STEPHENS }
CUIDAD DE BRECKENRIDGE }

ORDEN DE ELECCIÓN

La comisión de la ciudad de Breckenridge, Tejas, en virtud de la autoridad dadalo por la ley, por esto mando que proveció una elección en la ciudad de Breckenridge el 1 de Mayo de 2021 siendo el primer sábado de ese, para el propósito de eligiendo los siguientes oficiales de dicha ciudad:

Comisionado de ciudad, Lugar No. 3

Comisionado de ciudad, Lugar No. 4

La ciudad ha entrado en un acuerdo electoral con Breckenridge Independent School District (distrito escolar) y Stephens Memorial Hospital District dba Stephens Memorial Hospital (Hospital District) a celebrar sus elecciones de mayo en el mismo lugar de votación como la ciudad – Breckenridge ISD Athletics and Fine Arts Facility, 607 West Second Street, Breckenridge, Texas 76424. Si la ciudad cancela su elección, el distrito escolar utilizará sus oficinas administrativas ubicadas en 208 North Miller Street, Breckenridge, Texas 76424 y el Hospital distrito usará Stephens Memorial Hospital ubicado en 200 South Geneva, Breckenridge, Texas 76424 como sus centros de votación electoral. Si el distrito escolar cancela su elección, la ciudad y el Hospital de distrito usará el Breckenridge ISD Athletics and Fine Arts Facility como su lugar de votación del día de las elecciones. Si el distrito Hospital cancela su elección, la ciudad y el distrito escolar utilizará el Breckenridge ISD Athletics and Fine Arts Facility como su lugar de votación del día de las elecciones. En dicha jornada electoral, la encuesta en el lugar de votación designado anteriormente será abierto desde las 7:00 A.M. to 7:00 P.M. Las siguientes personas nombradas son gerentes designados, serán:

- | | |
|----------------|------------------|
| Anita Lockhart | JUEZ |
| a ser nombres | JUEZ ALTERNO |
| a ser nombres | CLÉRIGO |
| a ser nombres | CLÉRIGO |
| a ser nombres | CLÉRIGO |
| a ser nombres | CLÉRIGO BILINGÜE |

El Secretario de la ciudad se le da la autoridad para cambiar o reemplazar al juez de elección o Juez suplente según sea necesario o si es requerido antes del día de la elección. La tasa de pago por hora para el juez de elección será de \$12.00 por hora y cada secretario electoral será \$10.00 por hora. El importe que debe abonarse al juez presidente para la entrega de las devoluciones de las elecciones será de \$25.00. Lo anterior también servirá como la junta electoral de votación anticipada, y el juez presidente servirá como presidente de las juntas. La Junta de votación anticipada es designada para sondear los votos tempranos emitidos por mtodo y por apariencia personal.

La secretaria municipal es por esto designado clérigo para la votación temprano y las señoras Diane Latham, Heather Neely, Angela Crowder, Christi Tidrow y Pam Wright son por esto designadas Clérigas Diputadas para la votación temprano. La votación temprano para la elección designada arriba tendrá lugar a la oficina de impuestos de la ciudad en las Casa del Ayuntamiento, 105 N. Rose Ave., como siguientes:

ORDEN Y NOTICIA DE ELECCIÓN DE CIUDAD (CONTINUO)

El 19 - 20 de Abril de 2021	6:00 A.M. a 6:00 P.M. (votando temprano)
El 21 - 23 de Abril de 2021	8:00 A.M. a 5:00 P.M.
El 26 - 27 de Abril de 2021	8:00 A.M. a 5:00 P.M.

Aplicaciones para boleta por correo echará al correo a: Heather Robertson-Caraway, clérigo votando temprano, 105 N. Rose Ave., Breckenridge, Tejas 76424, (254) 559-8287. Aplicaciones para bolota por correo tiene que recibir no más tarde que el cerrado del negocio en el 26 de Abril de 2021.

La comisión de ciudad se reunirá en sesión especial el 11 de Mayo de 2021 para contar las votas de la elección de la ciudad que tendrá lugar el 1 de Mayo de 2021 y para declarar las resultas de dicha elección.

La secretaria de ciudad por esto la presente ha dirigido y instruído fijar una copia ejecutado propiamente de este orden y anuncio de la elección a las Oficinas de la Ciudad. Dicha noticia anunciará no más que veintiun (21) días antes de la fecha de dicha elección. Noticia del tiempo y lugar de proveciendo dicha elección habrá dado por publicación de tal anuncio en un periódico de circulación general publicado en la Ciudad de Breckenridge por lo menos diez (10) días y no más que treinta (30) días antes de la fecha de tal elección.

PASADO Y APROBADO este 2nd dia de Febrero de 2021

BOB SIMS, ALCALDE

ATESTADO:

HEATHER ROBERTSON-CARAWAY, CCCII, TRMC
GERENTE INTERINO DE LA CIUDAD / SECRETARIA MUNICIPAL

SEÑAL