NOTICE OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF HEMPSTEAD

Notice is hereby given that a Regular Meeting of the City Council of the City of Hempstead will be held on Tuesday, the 16th day of January, A.D., 2024 at 6:00 P.M. at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas, at which time the following subjects will be discussed, to-wit:

OPEN SESSION

- 1. Call to order and invocation.
- 2. Pledge of Allegiance.
- 3. Public Comments.
- 4. Consideration and action on minutes of November 20, 2023, November 27, 2023, December 4, 2023, and January 2, 2024, meetings.
- 5. Presentation and discussion by Otilia Gonzales with Perdue Brandon Fielder Collins & Mott LLP on various services provided by their firm.
- 6. Presentation by Shelby Yarbrough on Toxic Tort Litigation and Environmental Impact
- 7. Consideration and action from Rhonda Schwobe for Hotel/Motel funds for Vintage Market Days to be held March 15-17, 2024.
- 8. Discussion and action concerning the sale of City property located at Block 336 and Block 362.
- 9. Consideration and action on adopting utility rate recommendations by Willdan Financial Services.
- 10. Consideration and action on a recommendation from the Hempstead Economic Development Board to hire Ramiro Bautista as the Hempstead Economic Development Director. EDC (*Recommendation on 1-8-24*)
- 11. Consideration and action on payment of current bills.
- 12. Presentations.
 - A Mayor's Reports
 - a. Sales Tax
 - B. Councilmember Reports- Nora Hodges-
 - a. Update of grant process with Langford Community Management Services. The Request for Proposal was published in the paper on January 9, 2024, and the Request for Proposal for Administrative Services was emailed to 6 companies.
 - b. I am planning to attend the Olson & Olson Seminar on January 25, 2024.

CLOSED SESSION

The City Council of the City of Hempstead reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below authorized by <u>Texas Government Code</u>, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), and 551.086 (Certain Public Power Utilities: Competitive Matters).

Specifically, City Council will meet in executive session pursuant to Texas Government Code Section 551.071 Consultation with Attorney regarding the following:

13. Legendary Oaks Letter

OPEN SESSION

Council may act in Open Session on any item listed for Executive Session.

14. Adjourn City Council Meeting.

Dated this the 10th day of January, A.D., 2024.

Bv:

Sabrina Alvarez, City Secretary

I, the undersigned authority, do hereby certify that the above Notice of a Regular Meeting of the governing body of the City of Hempstead is a true and correct copy of said Notice, and that a true and correct copy of said Notice was posted on the City Hall bulletin board and entrances to City Hall, in the City Hall of said City of Hempstead, Texas, a place convenient and readily accessible to the general public at all times, and that said Notice was posted on January 10, 2024 at 11:00 A.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 10th day of January, A.D., 2024.

Bv:

Sabrina Alvarez, City Secretary

PUBLIC PARTICIPATION BY TELEPHONE

The City of Hempstead City Council may conduct the meeting scheduled at 6:00 P.M. on Tuesday the 16th day of January 2024 at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas. The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting will be made and will be available to the public upon written request.

The toll-free dial-in number to participate in the meeting telephonically is:

1-346-248-7799; Access Code 989-478-2100

IF CITY COUNCIL MEMBERS ARE GOING TO APPEAR BY VIDEOCONFERENCE A QUORUM OF COUNCILMEMBERS MUST BE PRESENT AT THE LOCATION.

NOTICE OF MEETING BY VIDEO CONFERENCE

The City of Hempstead City Council may conduct the meeting scheduled at 6:00 P.M. on Tuesday the 16th day of January 2024 at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas by videoconference in addition to allowing in person attendance. A quorum of

the City Council will be physically present at the Hempstead City Hall, 1125 Austin Street, Hempstead. The public may participate in the City Council Meeting by using the following information:

1-346-248-7799, Access Code 989-478-2100

STATE OF TEXAS COUNTY OF WALLER CITY OF HEMPSTEAD

BE IT REMEMBERED that on the 20th day of November A.D., 2023 at 6:00 P.M. the City Council met in a Special Meeting at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas, there being present, to-wit:

Erica Gillum, Mayor Lonnie Garfield, Mayor Pro-Tem Cindy Pearce, Councilmember Karon Neal, Councilmember Nora Hodges, Councilmember Mildred Jefferson, Councilmember Bridgette Begle, City Attorney Sabrina Alvarez, City Secretary

1. Call to order and invocation.

Mayor Erica Gillum called the meeting to order at 6:03 P.M. and Pastor Charles Tompkins gave the invocation.

2. Pledge of Allegiance.

The Pledge of Allegiance was given.

3. Public Comments.

Kim Hargrave stated she wanted to know why the city needed an Amazon and why can't the city buy locally. She also stated that the city is only two months into the budget and monies are being moved from one fund to another. She also stated she is Pro-Police and that their department should get what is needed.

4. Consideration and action on minutes from October 23, 2023, and November 6, 2023.

Councilmember Nora Hodges made a motion to approve the minutes. Councilmember Mildred Jefferson second the motion and carried.

- 5. Zoning Map Amendment request to rezone 11.037 Acre East Tract situated in the Justo Liendo Survey, A-41 Waller County, Texas from AR-Agricultural Residential to HC-Highway Commercial.
 - a. Public Hearing

Public Hearing opened at 6:07 P.M. Public Hearing closed at 6:07 P.M.

b. Consideration and action on an Ordinance of the City Council of the City of Hempstead amending the Zoning Map to rezone 11.037 Acre East Tract situated in the Justo Liendo Survey, A-41 Waller County, Texas from AR-Agricultural Residential to HC-Highway Commercial.

Councilmember Mildred Jefferson made a motion to approve the Ordinance. Councilmember Karon Neal seconded the motion and carried unanimously.

6. Presentation from Jerri Conrado from Langford Community Management Services, Inc. on GLO- Resilient Communities Program plus additional grant opportunities.

Jerri Conrado with Langford Community Management Services Inc made a presentation to the city council. She has been with the company for a little over a year. They serve over 150 communities; their goal is to reach out to smaller rural communities. They have a gnat opportunity to administer a Comprehensive Plan, its \$300,000.00 with no matching funds. If there is an existing Comprehensive Plan, then their company will digitize it. They also offer GIS mapping, water resources, and green infrastructure. They also have a dashboard that citizens can log into to report problems to the city. They have a long list of references, and all cities are different. Councilmember Nora Hodges asked what the city can do for them to be hired. Ms. Conrado stated that the city would have to go out for RFQ's, meet requirements. Councilmember Nora Hodges also asked if the GLO grant is no matching funds from the city. Ms. Conrado stated that was correct. Mayor Erica Gillum asked how many are on her team. Ms. Conrado stated 30 employees.

7. Discussion and action to authorize the mayor to submit a Request for Qualifications for City Attorney.

Councilmember Cindy Pearce stated that Olson and Olson have served us well for over two decades and could not find a bad review from any of the other 12 cities that they serve in our area. Attorney Bridgette Belge stated her role as an attorney for the city. She stated she serves as the attorney for the city, and at the city council's pleasure. Mayor Erica Gillum asked the question, all surrounding cities are growing so why isn't Hempstead? She had one developer state that the attorney turned down a deal and another developer worked with a previous administration and didn't want to work with the developer. Attorney Bridgette Begle states that Art Pertile was the city's attorney and served the city for twenty years. All the conversation with the developers was about a MUD District and Art never wanted a MUD for the city. She also stated the developer wanted 50% sales tax which wasn't Olson and Olson's offer. Attorney Bridgette Begle also stated that another attorney at the firm, Justin Pruitt can represent the city in special projects. Councilmember Cindy Pearce reminded Mayor Erica Gillum about the Rules of Decorum and doesn't appreciate how the mayor speaks to her. Mayor Erica Gillum stated that she would like Mayor Pro-Tem Lonnie Garfield to attend the meetings with the developers. Mayor Pro-Tem Lonnie Garfield wants the council more involved and asked Attorney Bridgette Begle to keep council informed on any projects. Councilmember Mildred Jefferson stated that the city needs different attorneys to represent the city in different projects. Councilmember Mildred Jefferson made a motion to authorize the mayor to submit a Request for Qualifications for City Attorney. Councilmember Karon Neal seconded the motion.

AYES-Councilmember Mildred Jefferson, Councilmember Karon Neal NO'S-Mayor Pro-Tem Lonnie Garfield, Councilmember Nora Hodges, and Councilmember Cindy Pearce. Motion did not carry. Motion denied.

8. Consideration and action granting the City Secretary to apply for an Amazon Business Account for the City of Hempstead.

City Secretary Sabrina Alvarez stated that the reason she wanted this on the agenda was because the city orders a lot of office supplies. A lot of cases of paper, file folders, mailing folders, etc. We order from Quill, but the supplies do not get here until three or four days later. On Amazon the city can get supplies at a much cheaper rate and shipping is next day. Also, our tax exemption will be submitted so the city will not pay sales tax on supplies. City Secretary Sabrina Alvarez stated we cannot buy office supplies in bulk locally because the demand is not there. Councilmember Cindy Pearce asked will the supplies be accounted for. City Secretary Sabrina Alvarez stated that she would make a spreadsheet and put it in the city council packet so they can be aware of purchase. Councilmember Mildred Jefferson made a motion to approve the application for the Amazon Business Account. Mayor Pro-Tem Lonnie Garfield seconded the motion and carried.

9. Consideration and action on approving a resolution to formally rescind engineering services from Strand Associates for the Hazard Mitigation Assistance (HMA) Program funded and administered through the Texas Division of Emergency Management.

City Secretary Sabrina Alvarez stated that in 2021 when the city went out for RFQ's for an engineering firm, there was no proof any were sent to HUB which are Historically Underutilized Business. She stated that she reached out to Grantworks to see if they had any emails dating back to that time and if they were sent to them and reached out to Strand Engineering. Unfortunately, she did not find any emails and TDEM has requested we reprocure for the Drainage Grant. TDEM also stated that Strand could not qualify for the drainage grant because of them having prior knowledge of the project. Councilmember Mildred Jefferson made a motion to approve the resolution. Councilmember Nora Hodges seconded the motion and carried unanimously.

10. Consideration and action authorization to re-issue requests for qualifications (RFQs) for engineering services related to the Hazard Mitigation Assistance (HMA) Program funded and administered through the Texas Division of Emergency Management.

Councilmember Mildred Jefferson made a motion to authorize to re-issue requests for qualifications for engineering services related to the Hazard Mitigation Assistance Program. Councilmember Nora Hodges seconded the motion and carried unanimously.

11. Consideration and action on a Walk Permit for the St. Katherine Drexel Church for the Our Lady of Guadalupe Procession be held December 12, 2023.

Chief of Police David Hartley stated that they would have to provide their own security and once they enter the city, they would help them. He stated it creates traffic problems. The City Secretary

will reach out to the parade director and let him know about the security. If the item needs to be put back on the agenda because of lack of security then it will be added on the December 4, 2023 agenda. Councilmember Mildred Jefferson made a motion to approve the parade permit, pending the security question. Councilmember Nora Hodges seconded the motion and carried unanimously.

12. Consideration and action on payment of current bills.

Councilmember Mildred Jefferson made a motion to approve the bills. Mayor Pro-Tem Lonnie Garfield seconded the motion. AYES-Councilmember Mildred Jefferson, Councilmember Nora Hodges, Mayor Pro-Tem Lonnie Garfield, Councilmember Karon Neal. NO'S-Councilmember Cindy Pearce. Motion carried.

13. Presentations-

A. Department Head Reports-

- a. <u>City Secretary</u>-We were awarded the LCRA Grant for upgrading our restrooms to ADA. Worked during the Fall Festival, working with Grantworks on re procurement.
- b. <u>Utility Department</u>-working on billing, cutoffs, upgrading equipment to fold bills, training two new hires, working on old files.
- c. Public Works Director (Street, Electrical, Gas, Water, Wastewater Depts.)-Driveway slab poured in 13th street, fire hydrants survey will be until November 28. They will be testing 300 hydrants for operation. McCoy is performing the power line vegetation. Looking at putting a lift station on 290 west and Urban Road, property doesn't qualify for septic. The lift station will support three homes and if needed a total of six homes. Looking into a delivery truck to transport chlorine chemicals safely to the water plant in a safe manner. Street Dept-Street assessment was emailed to council, the city is at 33% failed conditions, a very poor rating. Master drainage plan is in place. The city is out of room at the landfill for tree limbs. The city was quoted \$68,000 to mulch. The cost is costly. Electrical Dept- the department is down one bucket truck, hard to keep up with line extension poles for new homes, put up Christmas decorations. 2-mile east feeder for commercial businesses. A year to complete the project. Gas Dept- fixing repairs from Nextlink damage. Utility locates, Comcast will start Monday, November 27, 2023. Laying gas pipe on 24th city property. Wastewater/Water Dept- started with 34 service orders and as of today down to 2. Fixing water leaks and damage from Nextlink. 25th street new services to 20 homes.
 - d. Police Department-Report is in City Council Packets.
- e. <u>Permit & Building Department</u>-160 inspections, presented a yearly report of all code enforcement has done. All fence cases are closed.
- f. Park & Recreation Department- has been vandalized and looking into getting cameras installed.
- g. <u>Municipal Court-58</u> court docket, set up payment plans, and also deferred. Entering tickets, issue more warrants, pre-trials start December 20, 2023. 95 total citations and total of 130 violations.

B. Mayor's Reports-

- a. Sales Tax-Sales tax up 4% for the month of November 2023.
- b. City of Hempstead Employee Dinner-feeding city employees on December 21, 2023.
- c. Toys for Community Kids- December 22, 2023
- d. Turkey Giveaway for Christmas-December 22, 2023, hoping to have 300 turkeys for the giveaway.
- e. 2nd Annual Christmas dinner for Seniors at Recreation Center. -Mayor stated anyone that can volunteer their time, or food to serve the senior citizens is greatly appreciated.

C. <u>Councilmember's Report- Nora Hodges-</u> Unity in the Community...Neighbors Assisting Neighbors", December 17, 2023, from 1:00 P.M. to 4:00 P.M. at the Gazebo. Asking everyone to participate in this event to provide resources to House of Help to help struggling and needy families in the City of Hempstead.

CLOSED SESSION

Executive Session 7:51 P.M.

No action in Executive Session

- 14. Council will convene in Executive Session pursuant to Section 551.071 to conduct a private consultation with its attorney on a settlement offer.
- 15. Council will convene in Executive Session pursuant to Section 551.074 of the Government Code to deliberate the evaluation and duties of a public officer or employee. (Director of Technology)
- 16. Council will convene in closed session pursuant to Section 551.072 to deliberate the purchase, exchange, lease, or value of real property.

OPEN SESSION

Open Session 8:19 P.M.

17. Consideration and action authorizing the Mayor to sign an Agreement for Settlement with the Legal Enforcement Section of the Railroad Commission of Texas concerning Gas Utilities Docket No. 00008222.

Councilmember Mildred Jefferson made a motion to authorize the mayor to sign an agreement for settlement with Legal Enforcement Section of the Railroad Commission of Texas. Mayor Pro-Tem seconded the motion and carried unanimously.

18. Consideration and action on a Budget Amendment to increase the pay for the Director of Technology to account for overtime payment.

Mayor Pro-Tem made a motion to approve the Budget Amendment for the overtime payment. Approve to pay overtime payment according to our employee guide. Councilmember Nora Hodges seconded the motion and carried unanimously.

19. Adjourn City Council Meeting.

Mayor Pro-Tem Lonnie Garfield made a motion to adjourn the meeting at 7:03 P.M. Councilmember Nora Hodges seconded the motion and carried unanimously.

PASSED AND APPROVED this the 16th day of January, A.D., 2024.

APPROVED:

/s/: Erica Gillum, Mayor

ATTEST:

/s/: Sabrina Alvarez, City Secretary

STATE OF TEXAS COUNTY OF WALLER CITY OF HEMPSTEAD

BE IT REMEMBERED that on the 27th day of November A.D., 2023 at 6:00 P.M. the City Council met in a Special Meeting at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas, there being present, to-wit:

Erica Gillum, Mayor Lonnie Garfield, Mayor Pro-Tem Cindy Pearce, Councilmember Karon Neal, Councilmember Nora Hodges, Councilmember Mildred Jefferson, Councilmember Bridgette Begle, City Attorney Sabrina Alvarez, City Secretary

1. Call to order and invocation.

Mayor Erica Gillum called the meeting to order at 6:03 P.M. and Mayor Pro-Tem Lonnie Garfield gave the invocation.

2. Pledge of Allegiance.

The Pledge of Allegiance was given.

3. Public Comments.

None

4. Presentation by City Attorney regarding Rules of Order, decorum, and procedure in City Council meetings.

Attorney Bridgette Begle presented a slide presentation to the council on the Robert's Rules. These rules teach us to be efficient and effective. Do not waste time and all voices need to be heard. She stated two council members will direct the city secretary to put items on the agenda. The mayor can request to put anything he or she wishes on the agenda. The public is not allowed to put items on the agenda, but their request may be put on the next agenda by two councilmembers. The Mayor and Council will have until Wednesday by 5:00 P.M. to direct the city secretary what items to list on the agenda. Packets are public information and are a tool for the council. The council is not allowed to discuss amongst themselves agenda items within that 72-hour window.

Mayor Erica Gillum will call the meeting to order, and he or she runs the meeting. Attorney Bridgette Begle stated that public comments are required and are in statue. The public will be given three minutes to speak. On items on the agenda the council will make a motion to approve the item, motion a second and then council will discuss, and take vote to approve. The council member that made the initial motion cannot speak against the item. The councilmember who seconded the motion can vote in favor or against the item. When a vote has been rescinded, the council must

take action to amend the vote, take a first and second vote and discuss amending the vote. When action is not taken the council must take action to postpone not table. Point of order redirects the council to get back on track on agenda items. City Secretary will say point of order.

Consistency is key.

5. Adjourn

Mayor Pro-Tem Lonnie Garfield made a motion to adjourn the meeting at 6:45 P.M. Councilmember Karon Neal seconded the motion and carried unanimously.

PASSED AND APPROVED this the 16th day of January, A.D., 2024.

APPROVED:

/s/: Erica Gillum, Mayor

ATTEST:

/s/: Sabrina Alvarez, City Secretary

STATE OF TEXAS COUNTY OF WALLER CITY OF HEMPSTEAD

BE IT REMEMBERED that on the 4th day of December A.D., 2023 at 6:00 P.M. the City Council met in a Regular Meeting at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas, there being present, to-wit:

Erica Gillum, Mayor Lonnie Garfield, Mayor Pro-Tem Cindy Pearce, Councilmember Mildred Jefferson, Councilmember Nora Hodges, Councilmember Karon E. Neal, Councilmember Bridgette Begle, City Attorney Sabrina Alvarez, City Secretary

1. Call to order and invocation.

Mayor Erica Gillum called the meeting to order at 6:02 P.M. and Pastor Charles Tompkins gave the invocation.

2. Pledge of Allegiance.

The Pledge of Allegiance was given.

3. Public Comments.

Anthony Kennedy spoke to the council about his presentation to council, he had some setbacks with family deaths and doesn't want the city to be done with him. His development will benefit the community and the elderly. Jackie Hilman stated to council that she spoke to council on September 18, 2023, during public comments and stated one of her concerns she spoke about were not in the minutes. She also stated she is frustrated with the fact that she has spoken during public comments, written formal letters to the council and the mayor, and still no response to her request for items to be placed on the agenda, despite support from council.

4. Consideration and action regarding the appointment of Frank Rodriguez as Fire Marshal.

Mayor Pro-Tem Lonnie Garfield made a motion to approve the appointment of Frank Rodriguez as Fire Marshall. Councilmember Mildred Jefferson seconded the motion.

Attorney Bridgette Begle stated to council there was an Ordinance created in 1936, that states a Fire Marshall must be appointed. Mr. Frank Rodriguez does all the required tasks, and with the council's consent they could appoint him if they wished to comply with Ordinance. Councilmember Cindy Pearce asked if Frank Rodriguez has the proper certification. Frank Rodriguez stated he has been certified since 2003 and passed out to council his certificates.

AYES-Mayor Pro-Tem Lonnie Garfield, Councilmember Karon Neal, Councilmember Nora Hodges, Councilmember Mildred Jefferson, Councilmember Cindy Pearce. Motion carried.

5. Consideration and action on a Resolution of the City Council of the City of Hempstead approving the 2024 City of Hempstead's City Holidays.

Mayor Pro-Tem Lonnie Garfield made a motion to approve the Resolution. Councilmember Mildred Jefferson seconded the motion. Attorney Bridgette Begle stated that as amended by HB 3033, the PIA now allows governmental bodies to designate up to 10 non-business days during a calendar year. Gov't Code § 552.0031, a city may designate a day on which the city's administrative offices are closed or operating with minimum staffing (skeleton crew) as a non-business day. Employees will be working but the days will not be used for Public Information Requests.

AYES-Mayor Pro-Tem Lonnie Garfield, Councilmember Karon Neal, Councilmember Nora Hodges, Councilmember Mildred Jefferson, Councilmember Cindy Pearce. Motion carried.

6. Consideration and action on awarding the bid for the Hempstead Economic Development Corporation Type A & Type B Master Plan Project.

Councilmember Cindy Pearce stated one director from the Hempstead Economic Board didn't know anything about the Master Plan Project. Mayor Erica Gillum stated that binders were passed out to the board in a prior Hempstead Economic Board meeting. Several meetings were held with EDC and EDC is funding the project. Public hearings were held, and the bidding process was held. STOA is very highly qualified, located in Houston, they have built airports, city halls, and town centers. A committee must be created, approved by the council, and be diverse and fair across the board.

Mayor Pro-Tem Lonnie Garfield made a motion to approve the bid from STOA based on reputation and quality of work. Councilmember Mildred Jefferson seconded the motion and it was carried unanimously.

7. Consideration and action on approving the Hempstead Economic Development Corporation Job Description and direction on posting the job notice.

Mayor Pro-Tem Lonnie Garfield made a motion to approve the job description and direction on posting the job notice. Councilmember Mildred Jefferson seconded the motion.

Councilmember Nora Hodges asked the question if the contracting with GSLI was in lieu of hiring the director? Mayor stated that GSLI is a wonderful tool, but EDC needs a full time EDC Director to work leads and work with the board actively. Councilmember Cindy Pearce asked the question, where will the EDC Director be housed, and when will the GSLI contract end? Mayor Erica Gillum stated at city hall or the recreation center and the contract will end in June 2024. Councilmember Cindy Pearce asked if this position will be posted. Mayor Erica Gillum stated the city will put it on all platforms TML, HGAC, local paper, and surrounding area papers.

AYES-Mayor Pro-Tem Lonnie Garfield, Councilmember Karon Neal, Councilmember Nora Hodges, Councilmember Mildred Jefferson, Councilmember Cindy Pearce. Motion carried.

8. Consideration and action to approve the Hempstead Economic Development Corporation Type A & Type B Bylaw amendments removing the requirement for the Vice President of each Board to be bonded and adding the requirement that only a bonded President or bonded Treasurer be authorized to write and/or sign checks.

Councilmember Mildred Jefferson made a motion to approve the requirement that only a bonded President and bonded Treasurer will be authorized to write and/or sign checks. Attorney Bridgette Begle stated because of the huge turnover on the board, the city pays for that cost to be bonded and no matter if they are on the board or not that bond stays active for year. The President and Treasurer will be bonded as writing and signing checks.

AYES-Mayor Pro-Tem Lonnie Garfield, Councilmember Karon Neal, Councilmember Nora Hodges, Councilmember Mildred Jefferson, Councilmember Cindy Pearce. Motion carried.

9. Consideration and action authorizing Langford Community Management to submit for the Resilient Communities Program Grant on behalf of the city.

Councilmember Mildred Jefferson made a motion to approve the authorization of Langford Community Management to submit for the Resilient Communities Program Grant on behalf of the city. Councilmember Nora Hodges seconded the motion.

Councilmember Nora Hodges stated that a presentation was done By Jerri Conrado about the grant, in a previous meeting. The grant is for \$300,000 with no match. Councilmember Cindy Pearce asked if this would affect our relationship with Grantworks. The city is not bound by a contract, we can use whomever the city chooses for the grant.

AYES-Mayor Pro-Tem Lonnie Garfield, Councilmember Karon Neal, Councilmember Nora Hodges, Councilmember Mildred Jefferson, Councilmember Cindy Pearce. Motion carried.

12. Consideration and action on a preliminary replat of Block 121 the south ½ lot of 9 and all of 10, Faudel Estrada and Yasmin Adame.

Councilmember Cindy Pearce asked if the request meets all easement and building requirements. Building Official Frank Rodriguez stated it does meet all requirements. The homeowners are replating into one.

Councilmember Nora Hodges made a motion to amend the original motion and approve the plat with conditions. Councilmember Mildred Jefferson seconded the motion and carried unanimously.

13. Consideration and action on a preliminary replat of Block 50, Lots 1-5, Javier & Melissa Padilla.

Building Official Frank Rodriguez stated these are five lots replated into one, detached garage, meets all requirements, approve with conditions remove R1 replace with Zoning Ordinance.

Mayor Pro-Tem Lonnie Garfield made a motion to amend the original motion and approve the plat with conditions. Councilmember Mildred Jefferson seconded the motion and carried unanimously.

14. Consideration and action on payment of current bills (December).

Mayor Pro-Tem Lonnie Garfield made a motion to approve the bills. Councilmember Mildred Jefferson seconded the motion.

AYES-Mayor Pro-Tem Lonnie Garfield, Councilmember Karon Neal, Councilmember Nora Hodges, Councilmember Mildred Jefferson.

NO's- Councilmember Cindy Pearce.

Motion carried.

CLOSED SESSION-

Closed session closed at 6:57 P.M.

OPEN SESSION-

Open session opened at 7:07 P.M.

10. Consideration and action on opting out of the PFAS litigation (In Re: Aqueous Film-Forming Foams Products Liability Litigation, MDL 2:18-mn-2873 (D.S.C.) and City of Camden, et al., v. DuPont de Nemours and company, et al., No. 2:23-cv-03230-RMG.)

Attorney Bridgette Begle stated that this a litigation that affects the east coast, the fire fighters are putting out fires with foam and it damages their water sources. Evaluating our water facilities, there are no regulations in Texas yet. City of Houston opted out, her legal advice would be to opt out.

Councilmember Mildred Jefferson made a motion to opt out of the litigation. Mayor Pro-Tem Lonnie Garfield seconded the motion, and it was carried unanimously.

11. Consideration and action to approving release of Waller County MUD 39 area from extraterritorial jurisdiction (558.54 acre tract of land situated in the Peter Harper Survey, Abstract No. 137 and the Lancelot Abbott Survey, Abstract No. 1, Waller County, Texas; said 558.54 acre tract of land being the same tract of land as conveyed to M-Four Devco, Ltd. And recorded at Waller County Clerk's File No. (W.C.C.F.) 1810051 of the Official Public Records of Real Property (O.P.R.O.R.P.).

Mayor Pro-Tem Lonnie Garfield made a motion to approve the release of Waller County MUD 39 area from extraterritorial jurisdiction. Councilmember Mildred Jefferson seconded the motion. Attorney Bridgette Begle stated to council and the citizens that effective September 1, 2023,

legislative passed a bill that anyone that is in a city's extraterritorial jurisdiction can file a petition to be removed from the city's ETJ. The developer stated he was willing to work with the city in the future.

AYES-Mayor Pro-Tem Lonnie Garfield, Councilmember Karon Neal, Councilmember Nora Hodges, Councilmember Mildred Jefferson, Councilmember Cindy Pearce. Motion carried.

15. Adjourn City Council Meeting.

Councilmember Mildred Jefferson made a motion to adjourn the meeting at 7:20 P.M. Mayor Pro-Tem Lonnie Garfield seconded the motion and it carried unanimously.

PASSED AND APPROVED this the 16th day of January, A.D., 2024.

APPROVED:

/s/: Erica Gillum, Mayor

ATTEST:

/s/: Sabrina Alvarez, City Secretary

STATE OF TEXAS COUNTY OF WALLER CITY OF HEMPSTEAD

BE IT REMEMBERED that on the 2nd day of January A.D., 2024 at 6:00 P.M. the City Council met in a Regular Meeting at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas, there being present, to-wit:

Erica Gillum, Mayor Lonnie Garfield, Mayor Pro-Tem Cindy Pearce, Councilmember Mildred Jefferson, Councilmember Nora Hodges, Councilmember Karon E. Neal, Councilmember Mary Ann Powell, City Attorney Sabrina Alvarez, City Secretary

1. Call to order and invocation.

Mayor Erica Gillum called the meeting to order at 6:02 P.M. and Public Works Director Fredrick Alexander gave the invocation.

2. Pledge of Allegiance.

The Pledge of Allegiance was given.

3. Public Comments.

None.

4. Consideration and action on a Parade Permit for the St. Peter's Missionary Baptist Church for Martin Luther King Parade to be held on January 15, 2024.

Councilmember Mildred Jefferson made a motion to approve the parade permit. Councilmember Karon Neal Seconded the motion and carried unanimously.

5. Consideration and action on Resolution of the City Council of the City of Hempstead adopting the 2023-2024 Investment Policy for the City of Hempstead.

Councilmember Mildred Jefferson made a motion to approve the parade permit. Councilmember Karon Neal Seconded the motion and carried unanimously.

6. Consideration and action of extending the Depository Contract for one more year with Prosperity Bank for the City of Hempstead.

Councilmember Mildred Jefferson made a motion to approve the parade permit. Councilmember Karon Neal Seconded the motion and carried unanimously.

7. Discussion from Cynthia Powers on Positive Pay, ACH, and Online Bill Pay for the City of Hempstead.

Cynthia Powers with Prosperity Bank stated that fraudulent items and counterfeit items are happening all over and affecting all businesses. One of the methods she recommends that Prosperity Bank offers is Positive Pay. The person who is designated to pay the bills inputs all the invoices and then issues the checks; this is an everyday method. Every morning you review the items and check them off making sure you have the correct payee, amount, and check number. This method is a safeguard against counterfeit and fraudulent items. ACH is another method that is electronic way to pay the city invoices, and online bill pay as well. Positive Pay protects the city funds and disbursements.

8. Discussion from Jared Engelke with Strand Engineering on Drainage Grant.

Jared Engelke with Strand and Associates spoke to the citizens and council about the drainage grant that the city was awarded. Bid openings were October 10, 2023, and the city received three bids, the contract was awarded to Environmental Allies. On November 28, 2023, there was meeting with contractor to begin work December 4, 2023. There has been a huge number of citizens complaining about yards being torn up in the process. There are four areas of the city where the drainage grant will provide drainage relief. Driveways will be constructed back to what material was used to construct the driveway originally. Any questions and concerns can be emailed to Jared and the contractor. Councilmember Cindy Pearce asked if the contractors are on schedule. Jared Engelke stated yes, they are on track and have a year to finish the project. Councilmember Mildred Jefferson asked Jared to point on the map what streets would be worked. The contractors were moved from Shepherd Street to First street and citizens asked when the contractors would go back to Shepherd Street. Contractors would go back to Shepherd Street as quickly as they can. Jared Engelke asked the citizens to be patient as construction is messy. All deficiencies will be fixed, and the work has a one-year warranty.

9. Presentations

A Mayor's Report-

- 1. Toy/Turkey Drive Update-Mayor Erica Gillum stated that over two hundred turkeys were giveaway, and more than 200 toys were given to the children of the community. Double from last year.
- 2. Senior Citizen Christmas Dinner Update-Councilmember Mildred Jefferson prepared all the sides and turkeys and they delivered to senior citizens, fed over 120 senior citizens throughout the city.

B. Councilmember Reports-

<u>Mildred Jefferson-</u> We are sending our deepest condolences to Charles Tompkins' family for the loss of his nephew. Also keep the family of Sue Smith in their prayers

<u>Nora Hodges-</u> Update on Unity in Community Neighbors Helping Neighbors- Unity in Community was held December 17, 2023, wanted to express her thanks

to businesses and the donors. They received all kinds of goodies. They received \$2,258.00 in donations and are still receiving donations. House of Help has new volunteers and still asking for new volunteers and has t-shirts for sale.

10. Adjourn City Council Meeting.

Councilmember Mildred Jefferson made a motion to adjourn the meeting at 6:49 P.M. Councilmember Karon Neal seconded the motion and it carried unanimously.

PASSED AND APPROVED this the 16th day of January, A.D., 2024.

APPROVED:

/s/: Erica Gillum, Mayor

ATTEST:

/s/: Sabrina Alvarez, City Secretary



1235 North Loop West, Suite 600, Houston, TX 77008

DELINQUENT TAX COLLECTION SERVICES CITY OF HEMPSTEAD



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EXECUTIVE SUMMARY

Perdue Brandon Fielder Collins & Mott, LLP (Perdue Brandon or Firm) is the best choice for the City of Hempstead (City) Delinquent Tax Collection needs. Perdue Brandon offers the City all the strengths, expertise and services of a superior delinquent tax collection firm with all the advantages of having a local, active and engaged business/community partner. Our reputation for honesty, fairness and hard work is an invaluable asset to the City, consistently delivering exceptional results. You can rely on us for excellence in every endeavor.

When experience, reputation and performance matter, Perdue Brandon is the right choice.

Experience: 54 years exclusively collecting government debt.

Reputation: History of exceptional ethical conduct. **Performance:** Proven record of superior collections.

Perdue Brandon has a proven delinquent property tax collection track record. Our strategies and techniques maximize collections. Our specialized collection program benefits the City two ways:

- Working with property owners to get accounts paid prior to litigation saves the taxpayer money and
- Accounts are paid sooner as no litigation is involved. We initiate litigation as a last resort but once started, work through the court system in an efficient manner.

Perdue Brandon is one of the largest tax collection firms in the state representing more than 2,300 government entities. Perdue Brandon currently has multiple offices and satellite offices in Texas, Florida, Kansas and Oklahoma serving clients nationwide. We employ more than 400 individuals, including more than 55 attorneys.

Solid History of Professional and Ethical Conduct



Perdue Brandon was founded on and maintains an impeccable reputation for professional and ethical conduct. Our success is due to our refusal to deviate from these core values. Perdue Brandon's image and reputation are of paramount importance to us and our clients. We have never had a partner charged with, indicted or convicted of a felony or any crime of moral turpitude. Additionally, we have never had a partner sanctioned or disbarred by the State Bar of Texas.

We are cognizant of the fact that we work for the governmental entity we serve and for the elected officials and department heads to which we report. We preserve our clients' reputation as much as our own. Our record of public conduct over the last five decades reflects this commitment.

Our team tailors the following resources to the City:

- Highly trained staff and in-house technology department;
- · Active community involvement and community education advocates; and
- Legal and legislative expertise with state-wide resources.





Mission and Vision

Perdue Brandon operates under the guidance of its mission and vision statement. These statements give our Firm focus, coherence and direction. We understand our purpose.

Our Mission Statement:

"Anchored in trust, our law firm pursues excellence with a relentless dedication to reliability, respect and results, creating partnerships that fuel success."

Our Vision Statement:

"To ensure every community has the resources to prosper."

Core Values

Perdue Brandon adheres to a set of core values. These values are the base on which we build our internal and external business relationships.

Our Core Values are:

- People First: Engage with people in a respectful way, showing compassion and sincerity.
- Integrity: Be honest and ethical.
- Above The Line: Exercise ownership, accountability and responsibility.
- Excellence: Commit to methods and practices that achieve success.
- Tenacity: Thrive through determination, grit and resilience.

Proven Results

Perdue Brandon's collection methodology is two-fold. The first element is to collect the most current year delinquent taxes quickly and efficiently to get dollars into the entity's accounts and off the tax roll. The second element is to work the complete tax roll in an effort to continue reducing the total amount outstanding.

Successful Business Personal Property Collections

Business personal property taxes are volatile. These accounts must be collected before the businesses cease to exist and/or the assets are no longer available for seizure. We focus on collecting delinquent personal property accounts as soon as they are turned over for collection by conducting phone contacts and site visits prior to initiating litigation or seizures.

Our Personal Approach to Collections

Perdue Brandon's personal approach maximizes collections while ensuring that your taxpayers are treated fairly. We use persuasion, not intimidation, to obtain our superior collection results. You





can be assured that, as your public representative, we conduct ourselves with the highest level of professionalism and treat your constituents with dignity and respect.

Working closely with your taxpayers one-on-one, our goal is to collect delinquent taxes quickly and without the need for costly litigation. Perdue Brandon's Contact Specialists and site visit experts work one-on-one with your taxpayers to provide a personal approach to the entire tax collection effort.

Customized Collection Program

Perdue Brandon's customized collection program is designed to meet and exceed the City's expectations. We work closely with your personnel, tax office and members of the law enforcement community who know the properties and citizens. This knowledge of the community, coupled with a specialized collection program focused on maximizing collections for the City, results in a successful specialized collection program.

Our Bankruptcy Collections

Perdue Brandon proactively protects your tax dollars that get tied up in bankruptcy. We have experience monitoring and tracking taxpayer compliance in Chapter 13 and Chapter 11 bankruptcies and we aggressively represent all clients in national multi-million dollar cases. As with tax litigation, we have developed a computerized system of bankruptcy support and tracking which monitors daily nationwide bankruptcy activity.

No Cost to the City

Perdue Brandon provides delinquent tax collection professional services at no cost to the City. The Firm is compensated entirely by the twenty percent (20%) statutory penalty recovered from the taxpayer. In addition, we provide delinquent tax bankruptcy representation, including nationwide representation, at no cost to the City. Our bankruptcy collection fees come from any collection fees paid from the bankrupt debtor.





PERDUE BRANDON EXPERIENCE

For nearly 54 years, Perdue Brandon has excelled and focused on collecting delinquent government receivables owed to Texas clients. Our clients depend upon our Firm to deliver superior results, which in turn help fund the education of our citizens. Our dedicated work has produced a high degree of ongoing customer loyalty. As a law firm with a presence in multiple states, we have provided our Texas clients with effective delinquent tax collections, appraisal district representation and comprehensive legal representation in all ad valorem tax matters.

Perdue Brandon has a presence in 193 counties in Texas. Overall, we represent more than 2,300 taxing units, including counties, cities, school districts, special districts, hospital districts and county appraisal districts. Our premiere customer service, dedicated team and commitment to results have lead to a stable, growing client base.

550

More than 550 entities have been Perdue Brandon clients for over 20 years

200

More than 200 entities have been Perdue Brandon clients for over 35 years

Perdue Brandon began operation in Amarillo in 1970. The Firm is dedicated to providing the highest quality of service to each client, regardless of size or financial portfolio. Our attorneys have years of combined experience in the collection of delinquent taxes. They are leaders in the field and are unmatched in their ability to successfully collect delinquent taxes.

With 15 primary offices in Texas and multiple satellite locations, Perdue Brandon has more than 400 support personnel, including more than 55 attorneys. The Firm is a Limited Liability Partnership with 43 partners having ownership in the Firm.

Team Members

Perdue Brandon's Houston office is ready to serve the City. Led by Partners Otilia Gonzales, Yolanda Humphrey and Jason Bailey, assigned team members will be available to respond to delinquent tax questions and issues from City staff. We are available by phone and email and can be at the City at any time. Resumes for your lead attorneys are provided on the following pages.

We also work with the City by providing:

- Analysis and processing of tax resale bids for the City's consideration;
- Coordination of tax sales, along with preparation/filing of tax sale deeds with county clerk;
- Performance reports to the City;
- Assistance in ad valorem legal matters, application of the Tax Code and truth-in-taxation requirements;
- Legislative updates; and
- Certification classes and continuing education courses.







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Otilia Gonzales

Partner

Otilia Gonzales joined Perdue Brandon Fielder Collins & Mott, LLP in 2011 and became a Partner in 2016. Her practice is focused on delinquent property tax and fines and fees collections. Otilia often speaks to client groups and industry professionals on the collection of delinquent government receivables. She is a mentor and trainer for new attorneys within the Firm. She is bilingual (Spanish) and serves on the Firm's Human Resources, National Marketing and Ethics/Disclosure Committees. Otilia's past experience includes civil and maritime litigation and title examination.

Otilia is an Ironman triathlete, marathon runner and ultra-distance runner.

Education

- · University of Kansas, J.D.
- · University of Houston, B.S., magna cum laude

Bar Admissions

- · State Bar of Texas, 1999
- State Bar of Kansas, 2018
- U.S. District Court, Southern District of Texas

Professional Affiliations

- Texas Association of Assessing Officers
- · Fort Bend County Bar Association







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Yolanda Humphrey

Partner

Yolanda Humphrey joined Perdue Brandon Fielder Collins & Mott, LLP in 2001 and became a Partner in 2006. Yolanda primarily focuses her practice on delinquent property tax collection. Her strengths include litigation, collections and eminent domain matters. She is a Continuing Education Instructor for the Advanced Assessment & Collection Course. Yolanda serves on the Firm's Executive, Online Auction and Technology Committees.

Prior to joining Perdue Brandon, Yolanda was in private practice.

Education

- · University of Wisconsin School of Law, J.D.
- Advanced Opportunity Fellow, University of Wisconsin Law School
- · University of Michigan, B.A.

Bar Admissions

- · State Bar of Texas, 1999
- U.S. District Court, Southern District of Texas
- · U.S. Court of Appeals, Fifth Circuit

Professional Affiliations

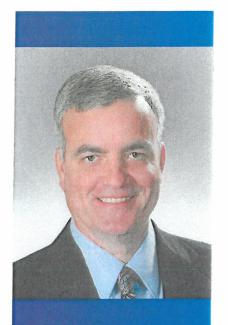
- · Fort Bend County Bar Association
- Houston Lawyers Association
- · Association of Women Attorneys
- State Bar of Texas Computer and Technology Section
- · Association of Water Board Directors
- · Texas Caucus of Black School Board Members
- Texas Association of School Boards

Community Involvement

- Fort Bend ISD Education Foundation Golf Tournament Volunteer
- · Fort Bend Chamber of Commerce Education Division Member
- Spring ISD Education Foundation Member of Board of Directors
- Child Advocates of Fort Bend Former Member of Board of Directors







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Jason Bailey

Partner

Jason Bailey joined Perdue Brandon Fielder Collins & Mott, LLP in 1996 and became a Partner in 2000. His practice primarily is focused on delinquent property tax collection and litigation. In addition, he represents clients in delinquent fines and fees collection, bankruptcy representation, appraisal litigation, Property Value Study appeals and audits and truth-in-taxation. He often assists the Firm in providing clients legislative updates and presentations related to delinquent tax issues. Jason is a member of the Firm's Executive Committee and Technology Committee.

Education

- · University of Houston, J.D.
- Southwest Texas State University (Texas State University), B.A.

Bar Admissions

- · State Bar of Texas, 1994
- U.S. District Court, Southern District of Texas

Professional Affiliations

- Texas Association of Assessing Officers
- · Texas School Assessor Association
- · Association of Water Board Directors

Community Involvement

- Klein ISD Education Foundation -Vice President of Governance, 2015-present
- Channelview ISD Education Foundation -President, 2018-present Member, 2015-present

Awards/Honors

- Texas Association of Assessing Officers
- Finalist TAAO Marilyn Albert Achievement Award, 2008







A: 1235 North Loop West Suite 600 Houston, TX 77008 P: 713-802-6987

P: 713-802-6987 **F:** 713-862-1429

E: jbarlow@pbfcm.com

Justin BarlowAssociate Attorney

Justin Barlow joined Perdue Brandon Fielder Collins & Mott, LLP in 2020. He works in delinquent property tax collections as well as fines and fees collections. He previously worked in the Harris County District Attorney's office, where he assisted in bankruptcy proceedings and presented bond forfeiture dockets.

Education

- Texas Southern University Thurgood Marshall School of Law, J.D.
- · University of Texas San Antonio, B.A.

Bar Admissions

- State Bar of Texas, 2020
- · U.S. District Court, Southern District of Texas

Community Involvement

United Services Organization, 2013-2020







A: 1235 North Loop West Suite 600 Houston, TX 77008 P: 713-862-1860 F: 713-862-1429 E: arandermann@pbfcm.com

Angela Randermann

Associate Attorney

Angela Randermann joined Perdue Brandon in September of 2023 as an Associate Attorney. Her practice is focused on bankruptcy representation. She has over twenty years of experience in bankruptcy, including representing secured creditors and mass tort settlement trustees.

Education

- St. Mary's University School of Law J.D.
- The University of Texas at Austin B.A. Economics

Bar Admissions

- State Bar of Texas, 2001
- US District & Bankruptcy Courts, Northern District of Texas
- US District & Bankruptcy Courts, Southern District of Texas
- US District & Bankruptcy Courts, Eastern District of Texas
- US District & Bankruptcy Courts, Western District of Texas

Professional Organizations

- American Bar Association Member, 2001-present
- Houston Bar Association Member, 2001-present
- Bankrputcy Section
 Treasurer, 2011-2012
 Vice Chair, 2012-13
- The Honorable Moller/Foltz American Inn of Court Member, 2008-11 Secretary, 2009-11





SCOPE OF SERVICES

Perdue Brandon commits to providing excellent delinquent tax collections and legal services to the City. Our delinquent tax services, at no cost to the City, include:

- Complete, computer-assisted delinquent tax collections customized for the City;
- Aggressive delinquent tax collection litigation;
- Interventions on all tax suits filed by other jurisdictions, when applicable;
- Bankruptcy collections throughout the United States;
- · Condemnation representation for taxes;
- Tax Warrants Seizures;
- · Opinions & Memoranda;
- Counsel in all ad valorem tax matters;
- Appellate representation;
- Title research information;
- · Taxpayer assistance;
- Assistance with negotiating and drafting abatement agreements;
- Public information and education on the property tax system and new legislation;
- Truth-in-Taxation requirements in adopting tax rates and
- Best practices and special issues in property tax office administration

Parameters

Perdue Brandon will meet with the City to establish policies and procedures that ensure the City's parameters in various areas are in place. We work to handle situations based on those parameters. The City may change these at any time. We work for you.

With our extensive experience, we are familiar with all types of circumstances that others find "out of the norm." We address those in establishing the City's guidelines, including hardship and special cases. Should an issue arise that either the City or our team believes we should discuss, we contact the City.

Specific situations where we would consult the City include:

- Taxpayers with hardships which might alter the method used to collect accounts
- Settlement of bankruptcy matters;
- Review of the 10/20 statute of limitations accounts;
- Tax warrants: and
- Tax Sales/Resales

Prioritization Procedures

Our collection philosophy is to "collect it now" as opposed to "collect it later." A "collect it later" philosophy may benefit a vendor, due to years of penalties and interest added to a taxpayer's bill,





but it does not benefit the taxing entities with current revenue needs nor the taxpayer paying an inflated bill. We implement our philosophy with a collection strategy to aggressively, but fairly, pursue delinquent taxes as soon as they are turned over for collection. Our success at collecting most government receivables without litigation is by making personal contact to resolve issues and obtain voluntary payment. We remain compassionate and fair but are fast and efficient in taking legal action when litigation becomes necessary.

Data Analysis

Before we contact your taxpayers, we convert your delinquent tax roll data to our specialized data management system. We electronically load the delinquent accounts to our system and conduct a preliminary analysis of your data. We receive regular updates from the City.

We analyze your data for accuracy, identifying and correcting missing data, account code duplications and incomplete or inaccurate addresses. We process the addresses from your data through the National Change of Address system and LexisNexis to capture current contact information for your property owners. Our research staff locates the contact information for each account and records all data in our system for easy access by our collectors.

We prepare our Descending Tax Roll Report for the City that shows the delinquent property owners who owe the most in base tax.

Strategic Analysis & Planning

Our multi-level team analyzes these reports to define a plan of attack that allows us to best collect the delinquent taxes in the most efficient and expeditious manner. We concentrate initial efforts on:

- Accounts with the largest amount of taxes owed, real or business personal;
- Accounts with the most volatility generally business personal property and mobile home accounts; and
- Assess accounts and case files to determine if eligible for Tax Sales.

Our attorneys personally contact the property owners who owe the largest amounts, working closely with our Collection Center team members. We analyze the tax roll to identify geographic areas with a higher percentage of delinquent properties. These areas get special attention through neighborhood visits, specialized phone campaigns and demand letters. Your team members meet regularly to ensure that assigned accounts are being collected effectively and efficiently.

Calendar of Activities

Our tax collection year begins on or about July 1 when the accounts for the most recent delinquent tax year are turned over to our Firm for collection. Your delinquent tax roll that includes all delinquent tax years is transferred to our computer system from your system.





An initial demand letter is promptly sent to taxpayers to notify them that their taxes are due. Our attorneys and skilled callers then prioritize and distribute the delinquent accounts so that personal contact can be made with the taxpayer and/or lienholder. We also conduct title research to confirm ownership and determine if there is a lienholder on the property. The taxpayer and lienholder are then personally contacted to discuss the problem. The goal of performing title research and obtaining personal contact with the property owner and lienholders is to obtain payment of the taxes without the necessity of litigation.

This "hands-on approach" to collecting delinquent taxes is effective and superior to relying on a series of form letters or filing mass litigation. There is absolutely no need to mass file litigation against your taxpayers. We like to think of ourselves as "problem solvers" rather than collectors.

Our second demand letter informs the taxpayer of the possibility of litigation if the delinquency is not addressed. Additional mailings are made throughout the year as needed. Specialized mailings occur for personal property accounts, mobile home accounts, and other types of accounts. Of course, the personal contact, our mainstay, continues every workday of the year.

Our collection staff utilizes Perdue Brandon's customized software, *Tax Trakker*, to run reports on a regular basis to manage the collection of the City's delinquent tax accounts. The reports are generated using several different parameters, such as dollar amount, property type, and/or tax year, to assist our collection staff in monitoring the collection effort. The reports allow our office to ensure that all of the City's accounts are worked to maximize collections.

Personal Property

Delinquent personal property accounts often pose the greatest problems facing a taxing authority. Out-of-business companies, soon to be going-out-of-business companies and asset sales require special handling. We use a Fast Action Collection Teams (FACT) approach in which a special team of collection staff concentrate on all the personal property accounts of our client. The keys to this approach are:

- Identify if the business is operating or not;
- If not in business, are the former owners still around Do they have assets to satisfy a judgment Are they operating new businesses under different names;
- If the business is still operating, the basic collection steps are;
- Demand letter;
- Telephone calls for personal contact with the business owner;
- Personal visits to the business location (if needed);
- Tax warrant or lawsuit and/or
- Judgment and execution.

Tax Trakker assists our staff in organizing and targeting personal property delinquent tax accounts throughout this process.





Superior Collection Results

Perdue Brandon will produce a superior collection rate each year we work your contract. Our approach prevents accounts from remaining delinquent and becoming virtually uncollectible. We collect the current year's delinquent taxes at a higher rate than competitors.

Personal Approach to Collections

Perdue Brandon brings a fresh personal approach that produces collection results the City deserves. We emphasize working with your property owners in paying their delinquencies before filing litigation, which reduces the cost on the property owners. Our goal is to collect taxes without filing mass lawsuits, which lead to far too many foreclosures.

Most people desire to pay their property taxes. There are reasons why some do not. Sending collection letters from a lawyer does not necessarily assist delinquent taxpayers to focus on their tax problems. In utilizing our personal approach, we contact property owners to resolve issue and obtain payment.

Perdue Brandon's experienced team of attorneys and collection staff ensures that we are accurate, aggressive and persistent yet empathetic and sensitive. This approach results in excellent collection services which surpass industry standards.

Delinquent taxpayers are afforded an opportunity to speak with dedicated, trained staff interested in helping them solve their problem, rather than receiving continual threats of dire consequences if they do not pay. We are ever cognizant that the delinquent taxpayers are also your constituents.

Our Taxpayer Communications

Taxpayer Notices

Skilled, Multilingual Communications Center

Toll-Free Number

Flexible Collection Center Hours

Extensive Research

Taxpayer Assistance

Taxpayer Visits

We follow the Texas Property Tax Code provisions throughout our collection procedures, including notices and special provisions, such as over-65 and disabled tax deferrals. The Tax Code sets out the parameters for the collection process but not the steps.

Our success in collecting governmental receivables without litigation is accomplished by making personal contact to resolve issues and obtain voluntary payment. Our method is compassionate and fair throughout the entire collection process. When litigation is necessary, our systems make it fast and efficient.





Taxpayer Notices

Our taxpayer notices are more than just summaries with a total due. They are complete and detailed tax statements, accompanied by a letter from an attorney. Samples of our various demand letters are available upon request, along with letters to new owners, lienholders, litigation, judgments and tax sales.

We modify our standard letters to suit the City's needs, including tax deferral requirements for over-65 or disabled homeowners as required by the Tax Code.

Our letters include payment instructions and any other messages or forms requested by the City. Our computerized tax statements indicate the total amount due for the current month and up to three additional months.

Our contact with the taxpayer normally begins with a polite letter reminding the property owner of the delinquency and giving the opportunity to contact us. We send the letter and tax statement to each delinquent taxpayer, except if the account is in bankruptcy, in litigation or has a tax deferral designation.

We coordinate our mass mailings with the tax office, and we notify them to ensure everyone is prepared for the increase in activity due to the mailing. Subsequent mailings use updated data from the tax office. These mailings inform the taxpayer that we have previously sent notification about the taxes and that legal action may result from failing to address the matter.

Toll-Free Number

We provide a toll-free telephone number for property owners who reside out of the area, state or country. Perdue Brandon's Collection Center has a flexible phone system that allows for us to focus on calling the property owners and lienholders, rather than relying on incoming calls from delinquent taxpayers as a result of direct mailings. We generate twice as many outbound calls as inbound calls, which results in taxes getting paid quickly into the entity's coffers.

Perdue Brandon's Collection Center

The goal of our Contact Specialists is to work with the property owner to collect delinquent taxes quickly and without litigation.

Specific Contact Specialists are dedicated to each client. These professionals are fully aware of any requirements outlined by the City. They work the delinquent tax roll, from the highest to the lowest dollar amount. We pride ourselves on our ability to respond to incoming delinquent taxpayer calls regardless of the amount due.





Mass bulk mailings, regardless of creativity, do not always generate payments and tend to lose impact quickly. A letter, especially a mass mail letter, does not convey the urgency that a phone call does. The "personal approach" of actually speaking with the taxpayer is more successful.

Contact Specialists attempt to contact the taxpayer by phone at least three times over a period of two weeks. Phone calls are made at different times of the day and on different days of the week to increase the likelihood of contact.

Our Contact Specialists locate property owners, lienholders and interested parties through the use of:

- Manual research routines, including a library of specific phone books and specialized directories;
- Online research, utilizing an assortment of public websites, such as whitepages.com, infobel.com and Google;
- Subscription based online research, such as Accurint;
- Research specialists, which includes in-house skip tracing specialists to track down parties in difficult or complicated cases;
- Title work, done in-house utilizing the same database used by title companies; and
- Regular processing of open accounts through National Change of Address software. This
 ensures that all accounts are updated with the most recent address changes, as tracked by
 the Post Office.

Our Contact Specialists use these resources and others to locate and contact the taxpayer. Every communication that occurs on an account is permanently noted in the Perdue Brandon system. This information is readily available on request.

Flexible Collection Center Hours

The Collection Center is typically open Monday through Friday 8 a.m. to 5 p.m., with additional hours during certain months as noted below. We will add additional hours upon consultation with and approval from the City.

For most of the year, phone calls are made Monday through Friday, from 8 a.m. to 5 p.m. For months of July through September, hours are extended Monday through Friday, from 8 a.m. to 6 p.m. Additional hours will be added as necessary.

After hours, our interactive telephone system allows callers to leave a message. Perdue Brandon requires staff to respond within 24 hours to voice mail messages and emails.

Title Research

It is crucial to have good title information. Perdue Brandon performs all title research necessary to locate the owners, lienholders, abstract of judgment holders, federal and state tax liens and other interested parties who must be part of a tax suit in order to identify the parties to whom contact





needs to be made and in order for the City to foreclose on the property free and clear of all liens, if necessary.

Our trained and experienced title search staff has experience in title research and work in conjunction with attorneys to ensure that all proper parties are notified. If necessary, we will visit the property to determine its locations and any parties that may have an interest in the property. When there is an interested party who cannot be located our office will visit the property, speak with any neighbors and post a notice on the property.

Both methods allow us to update title information, when required, while a lawsuit is pending or before a tax sale. Title research provides us the means for quality assurance in the work performed and allows for the inclusion of a complete legal description of the property in the petition filed in district court. If suit is filed, all title research charges are collected from the delinquent taxpayer and are not the responsibility of the City.

Our office subscribes to the same database utilized by title companies to determine ownership and other interests in the real property located in the community and at times coordinates with Title Companies. We abstract each piece of property going to suit and keep a permanent record of the title work. We do a summary title search on accounts that are not yet in suit to confirm ownership and lien information. This data provides our collectors with information necessary to the collection process and is one of the major reasons we do not have to mass file litigation to collect your taxes.

Our method is much less invasive and certainly less expensive for the property owner, if the taxes can be collected by personal contact rather than foreclosure litigation. Our goal is to collect as much of the City's taxes as quickly as possible, and with the least amount of conflict for the taxpayer.

Address Research - "Skip Tracing"

Perdue Brandon gives extensive and detailed attention to finding good information on accounts with bad names/addresses. Skip Tracing analyzes the City's data to identify the accounts with bad addresses and diverts these accounts to our research staff for correction. We also identify bad address accounts through returned mail and through accounts in litigation where efforts to serve taxpayers personally return an invalid address. It is imperative to our success to deliver the notice of the delinquent taxes due to each property owner. We work hard to obtain correct addresses on all accounts.

When we find accounts with bad names/addresses we prioritize these accounts. Our research staff then enters a status code on the computer record that indicates a bad name/address on file. We also note the results of our research in the computer record designed for this purpose.

We can provide a list of incorrect name/ invalid address accounts and the status of the research procedures. After correcting the records in our system, we forward changes and resource information to the City.





While we use various internet sources extensively and social media in our address research process, we also use subscription services that we purchase.

For example:

- idiCORE and Accurint, primary legal search tools, allow us to check public records, such as motor vehicle registration, deed records, tax records, etc. It also provides an address history and other tracking information.
- PublicData gives us access to Texas driver's license information, criminal history records, voter's registration, FAA information and Social Security data.

We regularly use public records such as online tax rolls, appraisal information and voter's registration sites as well as telephone directories.

Effective Communication

Perdue Brandon employs a multi-level team approach that is extremely successful in collecting delinquent accounts efficiently and professionally. We use a personal, stern but compassionate approach to gain payment. We employ a diverse group of collection professionals, which includes qualified bilingual staff members.

Your citizens talk to our well-trained professional staff, including attorneys, Contact Specialists and collection support personnel trained in delinquent tax collections. We do not use "robo-calls." Talking to the taxpayer is the best way to determine how to resolve the problem.

Our Collection Center originates outbound collection calls rather than wait for a taxpayer to dial a phone number on a notice. Other firms are primarily set up to accept inbound phone calls. Sending nine letters to a recent widower, for example, does not get the taxes collected. Calling the taxpayer to find out that she recently lost her husband or lost her job gives us a clear idea on how best to collect the delinquency. Sending multiple letters threatening foreclosure does not. As allowed by law and with approval from the City, we also can utilize email and text messaging as part of our collection program.

We have online, immediate access to your records since we maintain a duplicate tax roll on our system. We perform property inspections and title research for accuracy in our efforts.

Monitored Installment Payment Agreements

Perdue Brandon provides support services to our clients for installment payment plans for delinquent property owners. The decision to offer installment payment plans and the parameters of the payment plans belongs to you.

We assist in establishing if the property owner qualifies for the payment plan using the parameters set by the City. If the property owner qualifies for the payment plan, we email or mail the payment





plan agreement to the taxpayer. Once the payment plan has been completed our office monitors the payments to ensure compliance and will inform the City if the payment plan has been breached.

Our recommended payment plan parameters are one-third down, with balance to be paid within six months. This policy is noted in a chart form for both the tax office staff and our personnel to reference when speaking with a taxpayer. The City may establish additional parameters, such as no payment plans lasting over one year, etc.

We initiate payment plans: Our personnel will generate a payment plan agreement form from our computer while speaking to a property owner. The property owner receives this agreement, accompanied by an individualized letter with instructions.

City-initiated payment plans: Once the tax office enters and records the payment plan agreement electronically, our Firm tracks the taxpayer's compliance with the payment plan.

Monitoring payment plans: After receiving payment information from the tax office electronic update, we run the partial payment report each month. This report indicates which property owners are current with their payments and which are not. For those taxpayers who are not in compliance, the system notes the last payment date and the amount in arrears.

We then issue a partial payment "warning letter" reminding the property owner of the missed payment and the requirement to contact us to pay the difference.

Enforcement of payment plans: Our usual procedure for enforcing compliance with payment plans is to initiate legal action if the property owner does not favorably respond to our warning letter or phone calls, indicating they are one month behind in payment. We customize this procedure based on the City's request (for example, two months instead of one month). We handle each taxpayer individually and consult with the tax collector regarding the appropriate action to take on a case-by- case basis.

All our mailings and notices contain the tax office's address with instructions directing payments to the tax office. Our staff also provides same instructions when speaking or corresponding with taxpayers. This procedure ensures that all payments are applied properly for the City.

In the event we receive a check by mail, we scan an image of the check and attach it to the taxpayer's account on our system. We log all payments for the tax office and forward them with the log to the tax office. All correspondence received with an account is scanned and attached electronically to that account in *Tax Trakker*.

To collect outstanding delinquent taxes effectively, Perdue Brandon is responsive to taxpayers with special circumstances. We establish and monitor taxpayer installment payment agreements, according to your parameters. We send the taxpayer a monthly reminder notice and monitor all installment payment arrangements.





Taxpayer Visits

Perdue Brandon's attorneys and assigned staff can schedule to meet with a taxpayer. Taxpayers may meet with an attorney and/or professional staff to answer any questions and to resolve delinquent tax issues, either by paying or by establishing a payment agreement.

We provide taxpayers with information from the tax office about exemptions, tax deferrals and details about their property as well as the information from Texas Comptroller's Office. We can print, fax or email any property tax form promulgated by the tax office or the Texas Comptroller to the property owner.

Lawsuit Filing and Monitoring

Although Perdue Brandon makes every effort to collect the outstanding delinquent taxes through taxpayer notification and personal contact with the property owner, litigation remains the last effort of collection. The Firm utilizes every level of the court system to represent you in our collection efforts.

The District Court is the primary court used for litigation because it is the only court in which real property foreclosures can be filed. We can utilize the County Courts at Law and the Justice of the Peace Courts for personal property suits not meeting the jurisdictional requirements of the District Courts.

Our attorneys are experienced successful litigators with well-established track records. Our Firm represents the City in all of its ad valorem tax lawsuits at all levels of the court system. We are proud of the number of cases we have successfully litigated at the appellate level.

Perdue Brandon provides representation in all ad valorem tax lawsuits at no cost to the City. When you hire us, we are providing complete representation in all ad valorem tax matters.

In the usual cycle, the filing of litigation begins early August as accounts are identified for suit, title search is completed and after the taxpayer has failed to respond to our phone calls, letters or other forms of communication.

Unless you, the client, directs otherwise, suits will be filed against those taxpayers who do not pay after being given ample opportunity to do so. Every effort is made to personally contact a taxpayer prior to litigation being instituted. We recognize that it is best for all parties if the problem can be solved outside of the courthouse; however, when necessary, we file litigation promptly.

Our litigation practice includes these key points:

• Enforce by suit or otherwise the collection of all delinquent taxes, penalties and interest. Perdue Brandon will pursue all accounts placed in suit to judgment and sale as expediently as possible;





- Ensure that all potential litigation is passed through a review process;
- Provide professional legal counsel to the City in all matters pertaining to issues of property taxation and public law;
- Intervene on behalf of the City in all suits for taxes filed by any other taxing unit on property located within the territorial boundaries of the City and having delinquent taxes due;
- Correctly calculate all necessary interest, penalties and fees based upon various dates of delinquency; pre- and post-petition bankruptcies; date of judgment; 33.07, 33.08 and 33.11 notices or lack thereof; delinquent quarterly installments; deferrals and abatements; delinquencies having certain exemptions; and all other various calculations necessary to arrive at the correct amount of taxes subject to foreclosure;
- Handle all matters related to tax sales and resales and claims for excess proceeds;
- File all bankruptcy claims, amended claims, administrative claims and represent the City in all hearings, appeal adverse decisions that are contrary to prevalent law and pursue taxes, penalties, interest and fees not discharged;
- File, serve and administer tax warrant seizures; make all proper arrangements for the storage of all seized property and oversee the full payment of taxes due on seized property or the execution and sale of all seized property to satisfy the tax lien;
- Represent the City and prepare all documents necessary to process lawsuits through judgment and sale on all delinquent tax accounts referred for collection and
- Meet regularly or as requested with the City.

The following description of our litigation process is our normal approach. We will incorporate any changes that the City desires. Litigation is only filed after the collection process previously detailed has failed to result in payment of the amounts due.

Using specially designed computer programs, our attorneys sort the tax roll by characteristics such as account size, tax year, property type (real or personal), status of address and title research efforts to identify accounts suitable for litigation.

Once the accounts have been selected for suit and the title work is complete, Secretary of State's corporate records and the County Clerk's assumed name records are utilized to identify any additional parties.

Combine multiple accounts prior to litigation: We make every effort to include all delinquent tax accounts owed by a taxpayer in one lawsuit. Our computer software combines multiple accounts for the same taxpayer. We review the delinquent accounts for name variation. This reduces the amount of court costs a taxpayer must pay and allows more money to be directed to the payment of taxes. Other firms file a separate lawsuit on each account even if the same taxpayer owns multiple accounts with delinquent taxes.

Create litigation documents: Our computer system combines data from your tax roll with our research of taxpayers and lienholders' location. It then generates litigation documents. This reduces the amount of time needed to initiate a lawsuit.





Citation of lawsuit: Personal service of the citation on the taxpayer and the other necessary parties is our goal. Personal service assures us that the proper party has been served and has knowledge of the lawsuit. Other means of service of citation (Service by Registered Mail, Return Receipt Requested, Restricted Delivery, Citation by Publication) are used only when we have exhausted all efforts at personal service of citation.

Payment after lawsuit is filed: When a taxpayer wants to pay after being served with a citation, we communicate with the defendant taxpayers about the amount of taxes and court costs due, coordinate the payment of the account and costs and handle the dismissal of the lawsuit providing copies to defendants.

Some taxpayers ask to enter into a payment plan after being sued. When this is possible, we track the property owner's compliance with the payment plan agreement closely in order to move the suit forward in the case of noncompliance with the agreement. Some court systems require that suits be pursued to judgment even though a payment plan agreement has been executed. In those circumstances, we attempt to obtain an agreed judgment whereby we agree to not sell the property if the taxpayer complies with the payments in the payment plan agreement.

Answer is filed in the lawsuit: When an attorney files an answer to a lawsuit on behalf of a property owner, the attorney is contacted to arrange for payment. If the attorney appears to be stalling for time, we may initiate discovery or summary judgment proceedings to move the suit to a "paid" status.

Monitor litigation: Our litigation tracking system permits us to monitor each individual lawsuit and to track all litigation. We use an "Aging reports" to see the suits in which defendants have been served for more than 30 days. Those suits may be ready for a default judgment. We actively monitor our litigation and move to judgment as quickly as possible.

Litigation Support System

At the heart of Perdue Brandon's effort is its unique computerized litigation system. The litigation support system is comprised of two elements: personnel and computerized system.

Personnel: Through the years the Firm has assembled a staff of highly qualified and experienced ad valorem tax law and litigation attorneys. They are supported by paralegals, legal assistants and the administrative staff.

Computerized system: The computerized litigation support system is the nucleus of activity in litigation. It generates petitions, judgments and related documents, citations, releases, orders of sale, abstract files, requests for admissions, interrogatories in aid of judgment and bankruptcy forms to name a few.

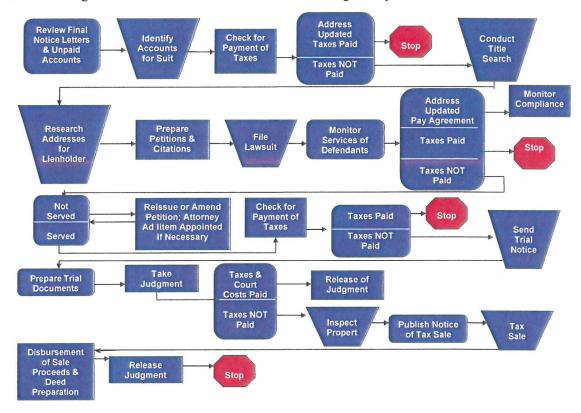
Our litigation tracking system enables our attorneys and administrative staff to monitor the progress of large volume litigation effectively and timely. It displays a summary of the status of





an individual lawsuit. It can produce written summary status reports for an individual lawsuit or all current litigation for a particular client. This allows both the Firm and the City to monitor the status of active litigation.

The following flowchart illustrates Perdue Brandon's litigation process.



Federal Agencies

Many Texas taxing authorities experience problems related to the collection of taxes when a federal agency is involved. We advise our clients to take payments proposed by the federal agency (normally the FDIC) and provide a partial payment receipt, crediting the tax and showing the penalty and interest due and owing. The best strategy, in our opinion, is to collect as much money from these agencies as possible and then litigate, if necessary, the remaining balance. We believe all penalties and interest are not waived for the past and future years once a bank or savings and loan fails and falls into the hands of the FDIC. Once the FDIC sells the property, we notify the new owner of the remaining taxes, penalties and interests due and litigate if necessary.

We have successfully obtained payment from other federal and state agencies when our title research shows that they hold liens on the delinquent property. Examples of these agencies are the Small Business Administration and the Veterans' Land Board. Once notified by our specialized mailings, these agencies usually pay all of the delinquent taxes, penalties and interest.





Judgments

Accounts on which we are unable to obtain payment during the litigation process are scheduled for judgment and sale as soon as possible. Our computerized litigation system generates the forms for Judgments, Orders of Sale, Sheriff's Deeds and other necessary steps to collect on the judgment. We seek judgment as quickly as possible while maintaining strict standards to ensure the final judgment will withstand all questions or contests. We attempt to work with the taxpayer during every phase of our litigation in an effort to get the taxes paid.

Using custom litigation reports, our attorneys will make sure every suit filed on behalf of the City for delinquent taxes is pursued until the taxes are paid, a judgment is taken or the property is sold. We also obtain the list of active litigation and judgments obtained, review the cases and assess the next step for the account.

Sale And Resale of Tax Properties

Accounts on which we are unable to obtain payment during the litigation process are scheduled for judgment and sale as soon as practical. After the judgment is final (30 days after the judge signs the judgment), our office sends a notice to the taxpayer informing them of our intent to sell the property to collect the delinquent taxes.

If the taxpayer does not pay the taxes within the allotted time period given in the notice, we request an Order of Sale from the District Court and then notify the tax office that the property is being posted for sale. For all real property we seek permission of the City prior to the sale of the property. On rare occasions, the tax office will request we delay a sale.

More than 32,000 people subscribe to our tax sale webpage on pbfcm.com to find out about our tax sales and resales for our clients. We also handle tax seizures on business personal property and will work quickly before such property leaves the County.

Tax Sales

We conduct our tax sales in accordance with Chapter 34, Texas Tax Code, after notice to all interested parties and legal publication in a newspaper of general circulation in the county. We work closely with the tax office, the taxpayer and the constable's office to ensure compliance with all applicable state laws.

The basics of the sale process are as follows:

- We draft the Request for Order of Sale and submit it to the district clerk for processing. This procedure can take up to 30 days.
- The processed Order is then returned to the Firm.
- We review the document for accuracy and forward it to the constable to be executed. The sheriff places the property on the list for the next available sale, posts the sale as required by law, sends notice via mail to the defendants named in the judgment and calculates the minimum bid.

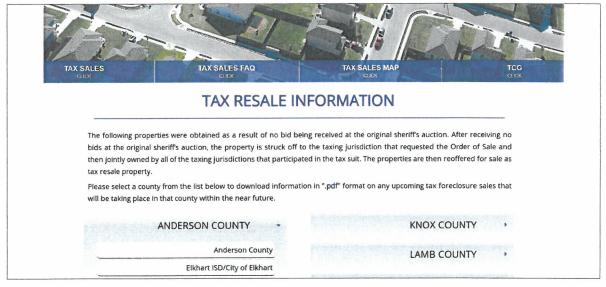




- The property is auctioned off to the highest bidder.
- The minimum bid price established is the lower of the value of the property or the amount of taxes, penalties and interest, court costs and fees.
- Our attorney and/or qualified staff member attend tax sales to address any issues that may arise and to represent the City's interests.
- Our attorney and/or qualified and experienced staff member attends the tax sales to ensure that no property is struck off to the taxing entities. Pursuant to City policy, properties that do not receive the minimum bid are struck off to the appropriate entity or the sale is canceled.

We then place the property on our website, www.pbfcm.com, and offer it for resale. Costs that were not paid at the initial sale will be paid out of the proceeds of the resale (whether public or private) as provided for in the Tax Code.









Tax Seizures and Sales

Perdue Brandon visits business personal property owners throughout the year in an effort to get the taxes paid or obtain compliance with payment agreements. We always inform the tax collector of our activity and always make sure our client's interest is protected.

Texas law permits local governments to seize personal property to satisfy property taxes on real or personal property. Seizure proceedings are among the most effective collection techniques. Using publicity from successful seizures can also be very effective in prompting other property owners to pay. The use of publicity is left totally to the City's discretion.

Our Firm is the most experienced in utilizing seizures to collect taxes. We have conducted tax seizures for as long as they have been authorized under Texas law. From the seizure of cattle in the Panhandle in the 1970s to the recent seizure of high tech equipment, our firm's length and breadth of experience with summary seizures is unmatched.

Other seizures have included convenience stores, local businesses, airplanes, oilfield and agricultural equipment, copper forming plants, textile mills and car dealerships. Over 90% of the accounts we target for seizure are paid before an actual seizure takes place since we notify the personal property owner of the impending seizure. We do not collect taxes by ambush. We have collected millions of dollars in delinquent taxes, penalties and interest utilizing this technique.

We recognize that using seizures is the harshest technique for collecting delinquent taxes. We have developed seizure procedures to assure our clients that the tax seizures we conduct are professionally and carefully executed.

We base seizure identification on two criteria while working closely with the City. First, we consider larger accounts and those with several years of taxes due. Second, we consider accounts in danger of being lost in the near future, due to a move from the area, impending bankruptcy or threatened foreclosure by a third party. Based upon information we receive from the tax office or other sources, we act soon as the paper work is prepared, usually within hours.

In cases where speed is not essential, we notify the property owner that, without additional notice, their property is subject to seizure and sale at any time for nonpayment of taxes. Most property owners respond with payment after receiving a Notice of Intent to Seize.

We inspect the site to verify existence of property that can be seized. If a pending bankruptcy is possible, we check with the bankruptcy court or online docket system to ensure no automatic stay is violated.

Our computer software quickly prints the necessary forms for seizure. These forms, designed by the Firm and approved by Judges over the years include the application (with the necessary affidavit from the tax collector), the order issued by the Judge for the issuance of the Tax Warrant and the Warrant itself. Once the required affidavits have been sworn to by the Chief Appraiser, we take the paperwork to a judge for review and issuance of the Warrant. Under the Tax Code, any judge in





the county where the seizure is to take place may be used. Perdue Brandon attorneys accompany the tax collector and peace officer to seize the property. This is done to protect the client from any liability that could result from wrongful seizure (i.e. violation of an automatic stay, seizure of the wrong person's property, etc.).

Sale Procedures

Should the property owner still refuse to pay the tax after seizure, a Notice of Sale is prepared and mailed to all person all persons with an interest in or lien on the property seized. This notice sets forth the time and place of sale. A Perdue Brandon attorney is present at the sale of the property. Finally, we prepare the Bill of Sale conveying title to the property to the purchaser.

Perdue Brandon also has extensive and successful experience seizing money from bank accounts owned or held by taxpayers. These "bank warrants" are a valuable collection tool, but should only be utilized with caution so as not to violate federal and state banking and privacy laws. Bank warrant pleadings and procedures are similar in nature to normal tax warrants.

Our primary goal has been to build trusting relationships with banking institutions to facilitate the payment of taxes by the banks from accounts of delinquent taxpayers. Once the delinquent amount is paid in full, we "release" the bank account from any further debits.

Status Reports to the City

We provide status reports about payment agreements, accounts in litigation and tax sales. Such periodic reports are also useful in formulating and assessing any performance measures the City wishes to establish.

Some clients request that we update them on a monthly, biannual or annual basis about our collection activities. For this reason, we developed several specialized reports that are produced by our computer system for our clients. Some of the reports that we can generate are:

- Litigation Status Reports
- Monthly Collection Activity Reports
- Annual Collection Activity Reports
- Bad Address Report

- Payment Agreement Report
- Payment Agreements in Default Report
- Bankruptcy Reports
- Descending and Alpha Order Printouts





ADDITIONAL INFORMATION

Perdue Brandon continually updates its technology advancements. Coupled with our specialized software, we created a network link between all our offices across the state. We have invested millions of dollars to remain a leader in computerized tax collections to achieve superior results for our clients.

Bankruptcy Collection Program

When a taxpayer files for bankruptcy any amounts the City is owed for taxes has to be presented to the court by filing a claim for the amounts due with the court. Perdue Brandon promptly files all claims in bankruptcy proceedings and pursues them through the completion of the bankruptcy. Our attorneys represent you in every bankruptcy court in every district in the United States—all at no cost to the City.

Perdue Brandon takes a proactive position in bankruptcy cases. Our bankruptcy staff continually monitors bankruptcy cases to ensure that your delinquent taxes are collected.

If payments made under the bankruptcy plan are not being paid, our office requests that the bankruptcy be dismissed and allow the City to collect the taxes due under Texas law.

Bankruptcy issues are generally well-settled law. It is unusual when differences cannot be worked out by an exchange of information. Where agreement is not possible, the Firm diligently and effectively prosecutes the issues at trial and on appeal, if necessary.

Our relationships with standing trustees who are appointed by the bankruptcy court to monitor the Chapter 13 and Chapter 7 cases are also extremely important to us and our clients. Trustees can be powerful allies in helping us to make sure that our clients' claims are properly treated.

We track significant events, such as:

- Any objections to the claim;
- Cash collateral orders which are typically entered early in the case and can affect the priority of tax liens;
- Motions to lift the bankruptcy stay, permitting us to proceed in state court. (Action requesting relief from the stay is requested when appropriate);
- Plan proposals which are closely scrutinize to ensure our clients' claims are properly treated under federal and Texas law;
- Failure of debtors to comply with confirmed plans; and
- Sales of property.

Our system tracks information regarding the court-appointed bankruptcy trustee, attorneys for the debtor and other creditors, information about the business itself and identity of any co-debtors. All





this information is available to our bankruptcy staff at the push of a button to make the process of handling your claim easier.

We computerize other commonly filed documents, such as Notice of Appearance, which directs all further correspondence and pleadings to our Firm; Proof of Claim, which details the amount of taxes owed; and Request for Payment of Post-Petition Taxes, which seeks payment of current taxes due while the bankruptcy is pending.

Technology

Data Transfer

Our specialized computer software, *Tax Trakker*, reflects new developments in the field of software programming as well as in delinquent tax collection. This helps us meet our clients' needs and allows us to provide the best possible service to our clients.

The Firm's computer system can accept data from any other computer system, helping us reduce turnaround time from initial receipt of tax information to distribution of the first delinquent notification letters and subsequent tax collection efforts.

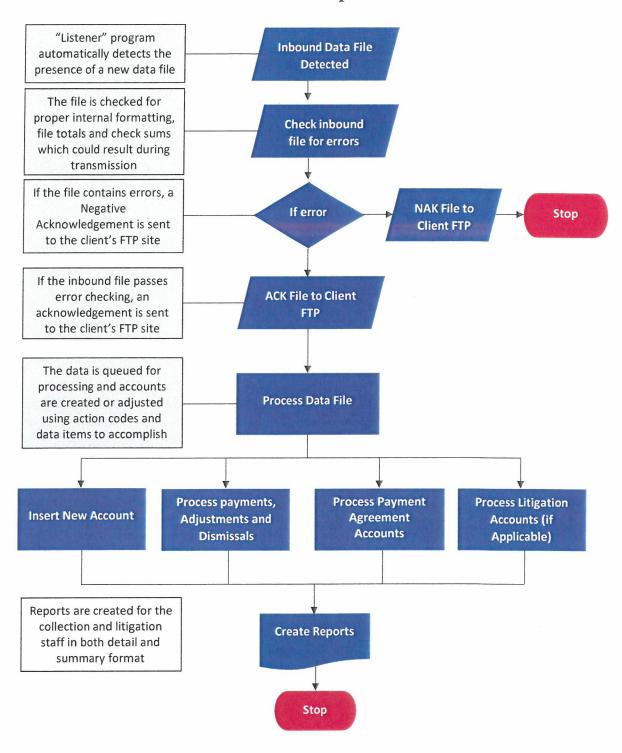
Tax Trakker accepts data in any format, including but not limited to Comma Delimited File, Microsoft Access databases, dBASE, Microsoft Excel, fixed-width text, HTML, SQL tables and XML. Our programmers understand our collection software. Our Firm's User Group Committee is comprised of Super Users from each Perdue Brandon office. This group reviews systems, processes and procedures. Based on the Committee's recommendations, the Firm identifies and implements best practices in tax collection.

On the following is a graph of the Data Transfer process.





Data Transfer process.







Software

Perdue Brandon developed its own specialized computer software system. *Tax Trakker* accepts data from practically any other computer system, helping us reduce turnaround time from initial receipt of information to distribution of the first delinquent notification letters and subsequent collection efforts.

Tax Trakker includes:

Customized Collection Module

- Prepare and customize notices for mailing
- Calculate penalties and interest
- Maintain progress on tax collections, including number of mailings, calls, etc.
- Monitor taxpayer account status, including payment agreements
- Mark accounts as requiring extra review and/or attention

Customized Reporting Module

- Summarize collection efforts with detailed findings and charts
- Tailor reports to include data that the client needs and requests

Litigation and Tracking System Module

- · Generate litigation petition filings and citations
- Track cases, including all the steps in the litigation process
- · Monitor status of cases
- Summarize litigation for reports

Bankruptcy and Tracking System Module

- Generate petition filings
- Track cases
- Monitor cases for reports

Tax Trakker automates systems for:

Account Processing - Several of our account processing functions are automated to maximize efficiency, such as confirmation of vehicle ownership, skip-tracing debtor contact information, returned mail, updating bad address through Electronic Address Correction Service and account association.

Communication Campaigns - Our system automatically generates letters for your customers based upon criteria such as address changes. Follow-up letters may be sent based upon the amount owed and the interval since the last letter. With approval of the City and as allowed by law, we use LiveVox, a fully blended inbound and outbound call handling system. This dialer system increases outbound calling numbers and helps reduce inbound calls through proactive outbound notifications. We also utilize email and text messaging as allowed by law and approved by the City. We can increase or decrease our campaigns.

Collection Work-flow - Our system determines workflow by searching for and detecting accounts that have not been researched or called in a specific amount of time. Cases needing action are identified and automatically sent to a Contact Specialist, efficiently maximizing the number of accounts that can be worked at one time.





Predictive Dialer - Perdue Brandon's *Court Trakker* system initiates daily dialing campaigns. The system is imbedded with various methods used to identify accounts with phone numbers which are eligible for calls. We use the dialing system as allowed by law. Account data is exchanged with a third-party outbound dialing platform, LiveVox. Phone numbers in dialing campaigns are analyzed to distinguish between land line and cell phone numbers. Phone numbers identified as cell phone numbers are dialed utilizing a process that is compliant with the TCPA to ensure all guidelines are followed.

Efficiency and compliance are a central focus for Collection Center operations. Using LiveVox, Perdue Brandon initiates thousands of phone calls daily, as allowed by law. Our dialing methods allow Perdue Brandon to create and maintain a variety of client-specific campaigns. Campaigns are designed to target accounts by multiple conditions such as age, amount due and type of debt.

Campaigns have been designed to automatically detect calls answered by answering services and leave an automated greeting requesting a call back to address the collection efforts. If a live person is detected, the call is immediately presented to the first available Contact Specialist.

All Contact Specialist phone calls are recorded and analyzed to provide the best level of service utilizing LiveVox's Speech IQ component. Analysis of calls allows supervisors the ability to be notified of all difficult collection attempts. Supervisors can assist with difficult defaulters by utilizing silent or forced barge to remediate during a collection effort.

Outbound dialing platform features include:

- The Automatic Call Distributor (ACD) routes calls to available team members to increase efficiency.
- Efficient person-to-person communication dynamics which connect Contact Specialists to real-party answers immediately upon connection.
- Message-only campaigns designated to run unattended after normal business hours to appropriate phone numbers as allowed by law.
- Intuitive and highly customizable reporting to identify all productivity aspects of operation for management purposes.
- Real-time call monitoring allows supervisors to audit or intervene as necessary, resulting in better customer service.
- Speech analytics deployed to ensure Contact Specialists are emphasizing dialog that has the highest collection success rate, while also providing premier customer service.

Account Associations – We communicate with customers about all their delinquent accounts at the same time. In addition, we create settlements and payment agreements for all associated accounts. Our system analyzes delinquent accounts through various measures to create associations between accounts having the same owners.

Debt Prioritization - We use data analytics and performance analysis tools to prioritize accounts. We analyze delinquencies to determine collection strategies that work best for delinquent accounts.

Retention - All inbound letters, emails and faxes are digitally scanned and stored as an attachment





to the account. Our phone system provides voice message retention for after-hours calls. All ingoing and outgoing emails (and attachments, if applicable) are stored with customers' accounts. Perdue Brandon maintains placement records by clients, collections, recovery, producing reports and billing for an unlimited number of clients and defendants. Perdue Brandon, through the normal course of business operations, does not delete data. Within seconds, our staff can access closed or active accounts, regardless of age, and view all activity on an account from the first placement.

Perdue Brandon also maintains records of all collection activities whether performed by collection staff or through an automated process, such as NCOA, USPS address correction and skip tracing. This software uses Microsoft SQL Server RDMS for data storage because it has strong authentication and access protection features as well as data compression and data encryption.

Perdue Brandon utilizes Microsoft Analysis Server to produce Business Intelligence Solutions. Key performance indicators monitor defined business objectives through multidimensional cubes and MDX queries.

Computer Hardware

Our Hyperconverged server clusters are hosted in a secure Tier 4 Data Center utilizing a robust array of failover solutions for maximum uptime. Our enterprise partnership with Dell, VMware, and Microsoft keep our Server solutions with the latest and most secure solutions. The Data Center is built for maximum uptime and provides a number of redundant features, including incoming power lines, climate control systems and multiple internet circuits, all of which are failover enabled. The Data Center is constructed to resist flooding and both straight line and tornadic winds.

Our virtual server cluster utilizes VMware Enterprise Hypervisor solutions running on Dell Hyperconverged infrastructure. The storage infrastructure is comprised of an all-flash drive array with over 100 Terabytes of storage in a highly redundant VSAN Cluster. Utilizing the two mentioned architectures allows our Firm the ability to migrate a virtual server from one server node to another without powering off the server and to create new servers in a matter of minutes as the need arises. A virtual server is a server that utilizes a pool of resources within a cluster of physical servers.

Individual offices connect to the Data Center using variable bandwidth fiber circuits provided by AT&T. The robust, secure, dynamic bandwidth circuits have security products and layers around them to prevent unauthorized access. The Firm also "pushes" multiple system-wide anti-virus solutions to all connected systems along with Intrusion prevention systems at the firewall level. A Sandbox Scanning engine works in tandem to protect inbound and outbound email as well as all file level access network wide.

Additional highlights of our computer capabilities include:

- Network appliances are Fortinet next generation routers, switches and endpoints. We also use FortiGate enterprise firewalls for advanced security services like Threat Protection and SSL Inspection. We also use FortiClient and the FortiTelemetry options.
- Augmentation of our security infrastructure with FortiEDR on all connected systems. FortiEDR is an A1 based next generation threat protection/anti-virus solution. FortiEDR,





in conjunction with a FortiClient real-time Threat Prevention Assessment scans, ensure our systems are safe.

- Zerto for our high-end disaster recovery replication. This software enables automated data recover, failover and failback including orchestration of all replication functions.
- Trustwave as a third-party penetration testing. Trustwave advises Perdue Brandon and helps eliminate the ever-changing attack vectors used.

Disaster Recovery

Perdue Brandon's Disaster Recovery plan is extensive. Our Data Center utilizes a large failover capable load balancing server cluster. The Center provides several redundant features including incoming power lines, climate control systems and multiple internet circuits, all of which are failover enabled. The Center itself is constructed to resist flooding and straight-line tornadic winds.

Data is replicated to our Disaster Recovery Site using Zerto. The site is a large server cluster that closely mirrors the Data Center. As users add or change data in Data Center, the data at the Disaster Recovery Site also is updated. This VMware product allows for non-disruptive testing of failover plans to ensure recovery success. In the event of a disaster in the primary Data Center, the Disaster Recovery Site immediately assumes operation.

The Data Center and Disaster Recovery Site use storage arrays with "hot swappable" disk drives. If a disk goes down, it is replaced without any loss of time or data. This "hot swappable" feature also is found in server power supplies, network interface cards and other components identified as needing failover.

As the COVID-19 Pandemic situation evolved in early February 2020, our network team identified the possible need to transition into a telecommuting environment. A plan was created and extensively tested to ensure firm employees maintained secure access to all firm software and voice services from a remote workspace. As stay at home mandates were enforced, the network team quickly implemented the necessary configuration changes allowing a smooth transition to a telecommuting workplace.

Confidentiality and Security

All client data is confidential and held in a secure environment. Our Firm's employee policies require strict confidentiality. Our network is secure and outside entrance is not allowed except with approved credentials and special software. Additionally, outside devices connecting to our network are checked by a discovery agent that ensures anti-virus software is installed and running before allowing initial network access. If the device is found to be compliant, the device is allowed on the network for user sign on.

Connection to the Data Center uses dedicated fiber variable bandwidth circuits provided by AT&T. These robust, secure, dynamic bandwidth circuits have security products and layers around them to prevent unauthorized access. Network appliances are Fortinet next generation routers, switches and endpoints.





Perdue Brandon utilizes FortiGate enterprise network solutions. Advance security services. Intrusions prevention, Sandboxing, AV Scanning and SSL deep packet inspection services are active on all network firewalls. Advance system monitoring is performed through client-based analysis using telemetry data from all connected endpoints.

Perdue Brandon augments our security infrastructure with FortiEDR and Penetration Testing done by Trustwave, both of which are industry leaders in their area. The Firm also "pushes" system-wide anti-virus to all connected systems and keeps the anti-virus signatures up to date on connected machines. Perdue Brandon only works with companies with the same high level of standards regarding security.

Perdue Brandon has encrypted millions of records containing social security numbers, driver's license numbers and dates of birth. These data items are encrypted at rest, meaning that only a program with the proper security certificate installed can view the data. This is another step in reducing risk of comprising personal information.

Internally, users have restricted access to data and functions and are allowed access only to those areas that are required to fulfill their duties. Using Microsoft Active Directory, users are allowed access to our network via username and password. Having access to the network, however, does not mean the user has access to applications or client data. Application security, a second level of security, also requires username and password authentication to allow user access to the Firm's applications. Having access to the application still does not, by itself, grant access to client data.

For client data access, users also need require table level rights granted using Microsoft SQL Server Security. These table level rights allow or disallow the viewing or updating of client data and are set for each user.

Record Retention

Perdue Brandon maintains placement records by clients, collections, recovery, producing reports and billing for an unlimited number of clients and debtors. Perdue Brandon, through the normal course of business operations, does not delete data. Within seconds, our staff can access closed or active accounts, regardless of age, and view all activity on an account from the first placement.

From the day we add an account to our system, our collection software, *Tax Trakker*, tracks and captures every letter, phone call, email, payment and address change. Our IT staff use this information to create customized reports using Microsoft's Reporting Services. Once you have approved the report prototype, we generate the "published" report. We provide reports in your preferred format - mail, email or place a report on a SFTP site for pick up.

Perdue Brandon also maintains records of all collection activities whether performed by collection staff or through an automated process, such as NCOA, USPS address correction services and skip tracing.





DocuWare Imaging System

For more than 10 years, the Firm has employed the DocuWare document management and workflow automation program that has been custom integrated to work seamlessly alongside our specialized collection programming. DocuWare is a recognized industry leader in this technology and is utilized by many Fortune 500 companies.

The use of DocuWare has enabled Perdue Brandon to image every existing paper file and all its contents so that if needed any historical document may quickly be retrieved. Although the Firm does have a robust Retention Policy that more than complies with law, it has largely been rendered moot as a result of the capacity to store all documents produced or received indefinitely.

Parallel Tax Roll

Perdue Brandon maintains a parallel copy of the delinquent tax roll on our computer system; it includes all pertinent information, such as name and address information, legal description, individual taxes for each property, and for each year that is delinquent. Our system automatically calculates penalties and interest in conformity with the Texas Tax Code. Our system is updated with payment information on a regular basis from the City. Thus, at any time we have an up to date copy of the delinquent tax roll that parallels the City's delinquent tax system. This allows our staff to work closely with your taxpayers, utilizing the most up to date information related to their account. We believe a great part of our collection success is our ability to work with taxpayers. The parallel tax roll is a primary tool toward that end.

Taxpayer Questions And Information

Perdue Brandon makes every effort to assist the taxpayer with any property tax issues. The Firm also timely handles taxpayers' questions, whether they are written or oral communications.

We provide property owners with assistance and direction in resolving inaccuracies in their address, property description and/or valuations. The Firm notes this information in its computer system, and directs the taxpayer to the appropriate individual or office with the City when necessary.

If a person informs our office that they no longer own the property, we research public records and abstract the property's title to confirm owner- ship. If we confirm that the inquiring person does not own the property, we update the information in our computer system and send a letter to the correct owner.

A taxpayer a may have an issue with a mortgage company or title company not paying the taxes. In this situation, the Firm attempts to isolate the particular problem with the taxpayer. If all efforts by the taxpayer to resolve the problem fail, the Firm communicates with the mortgage and/or title company in an attempt to resolve payment of the taxes without litigation.





Community Education And Information

Perdue Brandon is very involved in educating the public and taxpayers about the delinquent tax collection process. We can send press releases to print and electronic media calling attention to significant dates in the tax collection calendar.

We can place advertisements and public service announcements in electronic media. We also can hold seminars throughout the year to discuss tax issues and significant dates with the public. We can notify print and electronic media of large scale mailings of demand letters and notices of intent to seize and actual seizures with the approval of the City.

Community Involvement

Perdue Brandon believes in giving back to the communities in which we work. We provide scholarships, sponsor project graduations, support junior livestock auctions and assist with children's charities. We have a long history of supporting the communities in which we do business.

Professional Guidance Through Legal Memorandums

As part of our service to the City, we provide opinions regarding any ad valorem tax issue. Additionally, we will advise the City of key judicial decisions or topics of concern. In these instances, the Firm will prepare informational letters or memorandums.

Legislative Updates

Perdue Brandon also has at its disposal a legislative committee that monitors developments in the legislature and provides a newsletter that is regularly published containing the pertinent information on the statuses of the bills. Our attorneys and staff are always available to answer any questions you may have regarding the proposed legislation.

Truth-In-Taxation Seminars

Perdue Brandon provides our clients with assistance on the state required Truth-in-Taxation process in adopting tax rates each year at no cost to the City. We will assist the City with its questions on the process. Perdue Brandon also offers training classes and legislative updates that address Truth-in-Taxation.





CONCLUSION

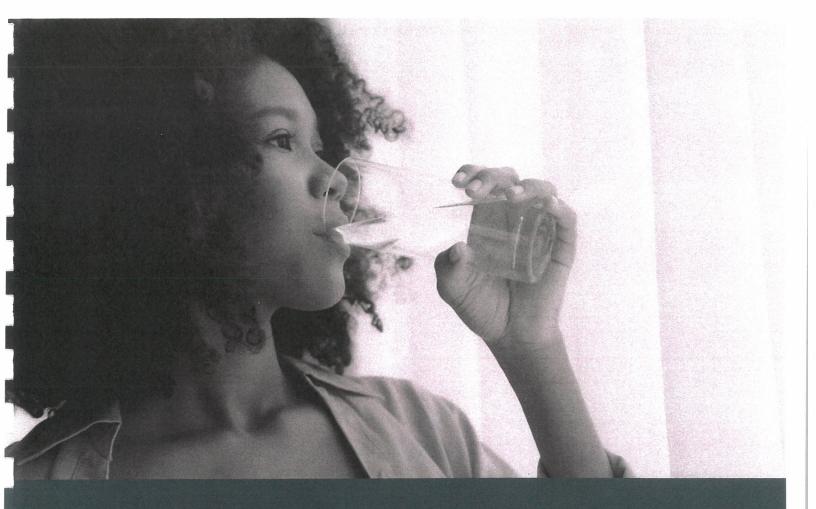
Perdue Brandon remains committed to a personal approach in working with your delinquent taxpayers. Our collection efforts focus on fashioning payment arrangements that allow taxpayers to resolve their property tax delinquency in a timely manner, while giving due consideration to the taxpayer's financial ability.

We are committed to collecting your delinquent tax dollars without delay or confusion to your taxpayers. We pledge to meet and exceed your delinquent tax collection expectations

When experience, reputation and performance matter, Perdue Brandon is the right choice for your delinquent tax attorney services.







PFAS Contamination: Overview of Toxic Tort Litigation and Environmental Impact







An Urgent "Toxic Tort"

Per- and Polyfluoroalkyl substances ("PFAS") are a group of synthetic chemicals used to make common household coatings that resist water, grease, oil, heat, and stains. As the Centers for Disease Control notes, PFAS are significantly concerning because they don't break down in the environment and they can contaminate soil and drinking water.

PFAS are widely used on products like nonstick cookware, cosmetics, stainand weather-resistant clothing, and firefighting foams. And due to their contamination of the environment, they've even worked their way into our food supply through fish caught in toxic waters and dairy from livestock exposed to PFAS.

The consequence?

A strong body of toxicological and epidemiological data has linked exposure to PFAS to **diseases**, **cancers**, **and dangerous community health outcomes**. As the evidence mounts, manufacturers of these chemicals are facing a huge number of lawsuits in jurisdictions throughout the United States and around the world.

This type of litigation is commonly referred to as "toxic torts." While litigators have a long track record of seeking justice against corporate polluters – including PCBs, MTBE, dioxin and asbestos – PFAS chemicals stand out in the legal sector due to three frequently extraordinarily dangerous features:

- Extreme toxicity
- Persistence in the environment
- Long half-lives in humans









PFAS Toxicity

As the Environmental Protection Agency cites, peer-reviewed scientific studies have determined that human exposure to PFAS can lead to:

- Reproductive effects such as decreased fertility or increased high blood pressure in pregnant women.
- Developmental effects or delays in children, including low birth weight, accelerated puberty, bone variations, or behavioral changes.
- Increased risk of some cancers, including prostate, kidney, and testicular cancers.
- Reduced ability of the body's immune system to fight infections, including reduced vaccine response.
- Interference with the body's natural hormones.
- Increased cholesterol levels and/or risk of obesity.

Unfortunately, avoiding PFAS is now exceedingly difficult. There are literally thousands of PFAS that have made their way into the environment, where they exist in ever-increasing numbers due to their resistance to environmental breakdowns.

Source: Environmental Protection Agency









PFAS in the Environment

PFAS have an extraordinary ability to survive in nature. That's why they've earned the nickname "forever chemicals."

Over time, most common chemical compounds break down in the environment due to weather conditions, sun exposure, microorganisms, moisture, and heat.

PFAS, on the other hand, are able to resist these conditions and **last for** centuries.

Their endurance is due to powerful hydrogenfluroine bonds. And that strength is exactly why they are so valuable to chemical industry inventors.

It's also why virtually every single molecule of this class of chemicals is still in existence somewhere on Earth—dangerously making its way through our shared environment.









PFAS Remain in the Human Body

A chemical in the human body is measured by its half-life, which is the length of time it takes for 50% of that chemical to leave the body. PFAS have an alarmingly long half-life.

For comparison, consider the half-life of lead. Lead is known to cause damage to the brain and nervous system. Its danger to humans is now common knowledge, and its half-life is 60 days.

PFAS, which can cause even more dire health consequences, have half-lives of up to 2,900 days. That's eight years. PFAS enter the digestive system and then the liver. The liver can transmit the chemicals into the bloodstream, where they bind to proteins in blood. Blood, of course, flows all throughout our body.

How widespread is PFA contamination in humans?

According to the Agency for Toxic Substances and Disease Registry, **most Americans** have detectable levels of PFAS in their blood.









Impact on Communities of Color

PFAS are a danger to every American–and to global citizens everywhere. But, in the United States, Black and Hispanic/Latino communities are disproportionately harmed by these chemicals.

A landmark study published in 2023 in *Environmental Science & Technology* found that people who live in communities with higher proportions of Black and Hispanic/Latino residents are more likely to have PFAS in their water supply.

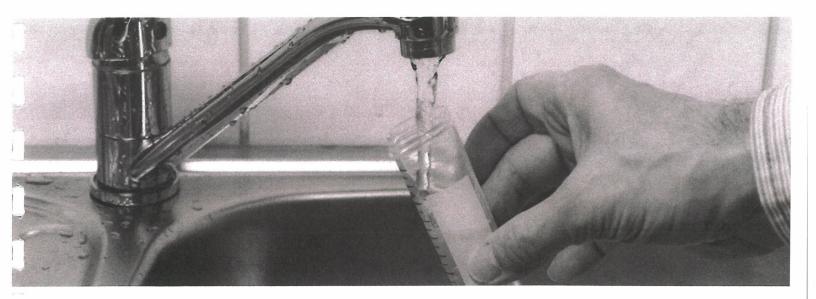
That finding begs a question: why?

These same communities are also home to a significantly higher number of polluters—including manufacturing facilities, airports, military bases, wastewater treatment facilities, and landfills.

As Harvard researcher Jahred Liddie put it, "Our work suggests that the sociodemographic groups that are often stressed by other factors, including marginalization, racism, and poverty, are also more highly exposed to PFAS in drinking water."

Source: Harvard TH Chan School of Public Health





Regulatory Response

Research around the dangerous effects of PFAS is growing at a rapid rate. The volume and clarity of data are enough to have spurred regulators into action aimed at reducing and preventing new exposures to the chemicals.

In 2002, the Environmental Protection Agency (EPA) formally banned the manufacturing and importation of certain PFAS into the United States. Then, in 2016, the Food and Drug Administration revoked authorization for the use of some PFAS in food-packing material.

In the same year, the EPA established a drinking water health advisory for the combined concentrations of two PFAS with especially long half-lives—PFOA and PFOS—of 70 parts per trillion. If these levels are exceeded, the EPA "recommends that drinking water systems take steps to assess contamination, inform consumers and limit exposure." In 2022, the EPA revised the Health Advisory Level to less than 1 part per trillion.

In 2023, the EPA took a serious next step by proposing the **first-ever national drinking water regulation for PFAS**. The Fifth Unregulated Contaminant Monitoring Rule (UCMR 5) regulation applies to any system serving more than 3,300 people, and the new regulation would establish maximum contaminant levels PFOA and PFOS at 4 parts per trillion.

Litigation Brought on Behalf of Water Providers

Water providers have recently started required testing. Unsurprisingly, many are discovering measurable levels of PFAS in their water supply.

Since regulatory standards are still in flux, these water providers don't have a clear plan of action for how to address the presence of PFAS in their supplies. As they are waiting for clear instructions, they have to manage the reasonable concerns of their clients, many of whom simply wouldn't want to consume toxic water, even if there is an "acceptable" volume of consumption eventually determined by regulators.

As such, public and private water providers have brought lawsuits against the manufacturers and others responsible for failing to instruct and warn the end-users of their products of both the use of PFAS and the danger they pose to individuals, communities, and the environment.

These lawsuits seek costs associated with removing PFAS from the water supply. This cost varies based on the size of the water system, the kind of treatment technology deployed, and the relevant drinking water standards determined by regulators.

Due to the persistence of PFAS, water providers should expect to incur these costs for decades—or even centuries—to come.

To put the scale of the challenge in perspective, the American Water Works Association estimates that a treatment technique standard could cost more than \$370 billion in capital investments and more than \$12 billion in annual operation and maintenance costs.









Current Litigation

Water provider cases are pending in various state and federal courts in the United States. Cases where the alleged source of PFAS contamination is from firefighting foam (Aqueous Film-Forming Foams ("AFFF")), have been centralized in Re: Aqueous Film-Forming Foams Products Liability Litigation, MDL No. 2873 ("AFFF MDL") before the Honorable Judge Gergel in Charleston, South Carolina.

Remedies for Water Providers

Through litigation, water providers have the opportunity to recover costs for:

- Capital Expenditures
- Soil and Water Testing
- Feasibility Study and Engineering
- Pilot Study Expenses
- Construction Expenses
- Operations and Maintenance

Additionally, water providers can seek punitive damages.





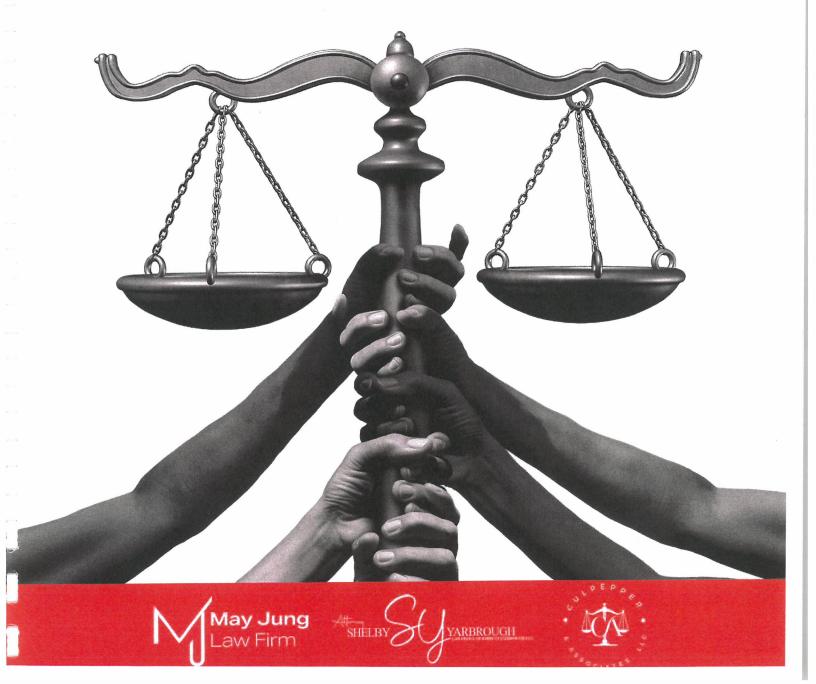


Representation Matters

In the pursuit of justice, our team's commitment extends far beyond legal expertise. It resonates with the heartbeat of communities affected by perand polyfluoroalkyl substances (PFAS).

In the fight against the environmental injustices disproportionately impacting Black and Brown communities, our legal team is not just a representation.

It's a reflection.



About Our Team



LaRuby May is a lawyer, entrepreneur, and strategist who is committed to serving underserved communities. She is a founding partner of May Jung LLP, where she represents clients in a variety of legal matters, including Mass Torts, Personal Injury, Worker's Compensation and Civil Rights. Before practicing law, LaRuby served as the Councilmember representing Ward 8 in the District of Columbia. LaRuby currently serves on leadership for the Paraquat and Hair Relaxer federal MDLs.



Je Yon Jung has over 25 years of experience as a civil rights attorney. As a founding partner of May Jung LLP, she uses her extensive litigation experience on behalf of individuals and communities who want and need a fierce advocate and experienced attorney. In addition to representing families of victims of police brutality and misconduct, she volunteers her time to lead a team dedicated to police reform in Los Angeles.



Jessica Meeder has been litigating complex class action, multi-district, and multi-plaintiff cases in state and federal courts for nearly 20 years. She has developed a unique breadth of substantive experience that includes mass torts, civil rights, products liability, catastrophic personal injury, toxics and environmental litigation, medical monitoring, and medical malpractice. Her clients have included people injured by egregious civil rights violations; defective, cancer-causing drugs and medical devices; contaminated water; toxic vapors; hazardous chemicals; and severe birth injuries.







Shelby Yarbrough is a lawyer and advocate committed to providing quality representation to members of her community regardless of race or economic status. As the founding attorney of the Law Office of Barrett Yarbrough, LLC, she has gained an excess of litigation experience in various legal matters including family law, criminal defense, and personal injury. More recently, she has entered into mass torts where she remains a zealous advocate for underserved communities.



Starr Culpepper is the founder and lead attorney of Culpepper & Associates, LLC, and is renowned for her expertise in complex litigation, including mass torts, family law, criminal defense, and civil rights. Her firm is deeply committed to advocating for those in need of strong representation, with Starr's personal and professional experiences fueling her dedication to justice. Raised in Jefferson County, AL, she has always been driven to be a voice for those who may not have one. Starr is an integral member of the Leadership Development Committee for the Hair Relaxer Federal MDL, underscoring her commitment to legal excellence and client advocacy. At Culpepper & Associates, the focus is on championing the rights of all clients, aiming for significant legal victories that make a difference.







Contact

May Jung, LLC

www.mayjung.com 833-629-5868

Culpepper and Associates, LLC

www.culpepper.law 205-617-3261

Law Office of Barret Yarbrough, LLC

www.bylegalservices.com 205-470-3136







GRANT APPLICATION

CITY OF HEMPSTEAD, TEXAS

SECTION A: GENERAL INFORMATION

Please type or print neatly	
TODAY'S DATE: 1-7-24	EVENT DATE: 3-15-16-17-2024
OFFICIAL NAME OF ORGANIZATION/BUSINESS:	DATE ORGANIZATION/BUSINESS FOUNDED':
Texas Events	7-2013
Private Entity Non-Profit Entity Public Entity	Tax ID Number: 3 - 206 78 - N29 - 8
MAILING ADDRESS (Including City/State/Zip Code):	1 2 1 - 02-1
16 Scented Path LANC CHIEF ADMINISTRATIVE OFFICER:	The Woodlynds Tx 1738/
	Phone(s): 936-900-5151
Address: Rhonde Schwobe	E-Mail:
FINANCIAL OFFICER:	Phone(s):
	E-Mail:
Address:	Phone(s): 830-498-8842
CONTACT NAME(s) Terry Kolenous Ky	
Address:	E-Mail: +KD/02 oat. nel
PURPOSE AND/OR MISSION STATEMENT OF YOUR ORGANIZATION/	solved to sublice
So problem grand grand grand	2 + 2001.
SECTION B: PROJECT INFORMATION	
Please answer all items that apply to your request	AMOUNT REQUESTED.
NAME OF EVENT OR EXPENDITURE: Vin Lage Market DAYS	AMOUNT REQUESTED:
Vintage Mariet Mills	\$_5000
	*** Attach Line Item Budget *** (Must Equal Amount Requested)
PRIMARY LOCATION OF EVENT OR EXPENDITURE:	DATE OF EVENT(S) OR EXPENDITURE:
Waller County Fair stounds LIST ALL COMMUNITIES DIRECTLY SERVED BY THIS EVENT OR EX WAlter County - HARUS- Montson-eng	3/15-16-17/24
LIST ALL COMMUNITIES DIRECTLY SERVED BY THIS EVENT OR EX	~ W95 h (n) +0 W -
1309705 -	
IN THE SPACE BELOW, PROVIDE A CLEAR DESCRIPTION OF THE EV	ENT OR EXPENDITURE. EXPLAIN HOW THE
FUNDS WILL BE USED AND HOW THIS EVENT OR EXPENDITURE WI AND PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDU	ILL IMPACT YOUR ORGANIZATION, ENHANCE
ADDITIONAL PAGES FOR THE DESCRIPTION	WILL NOT BE ACCEPTED
Social media Expedid to	
Coastal Sim (Bul Board)	1030.30
(003+a)	1239.00
	413.00
Radio - KTN	500-
Co. C.	600-
Print Ad	900-

HOTEL OCCUPANCY TAX GRANT APPLICANT:

The City of Hempstead, Texas ("Hempstead") collects a Hotel Occupancy Tax (HOT) from hotels and motels in the city and is able to offer grants to qualifying applicants utilizing these funds. As these funds are regulated by Chapter 351 of the Texas Tax Code, their distribution is limited to expenditures established by statute and limited for promoting tourism and the convention and hotel industry.

All expenditures must **directly** enhance and promote tourism **and** the hotel industry in Hempstead. In other words, the expenditures must be likely to attract visitors from outside the city or its vicinity who will likely spend the night in a venue located in Hempstead. If the expenditure is not reasonably likely to accomplish this result, it cannot be funded with Hempstead HOT revenues. Additionally, expenditures must clearly fit into one of the following six statutory categories:

- 1. Funding the establishment, improvement, enlarging, equipping, repairing, operation or maintenance of a convention center or visitor information center;
- 2. Paying the administrative cost of facilitating convention registration;
- 3. Paying for tourism-related advertising and promotion to attract tourists and convention delegates or registrants to Hempstead and or its vicinity;
- 4. Funding programs that enhance the arts; or
- 5. Funding historical restoration or preservation programs; or
- 6. Funding directly related to a sporting event in which the majority of the participants are tourists who substantially increase economic activity at hotels and motels within Hempstead or it vicinity.

Your organization is eligible only if the funds are to be utilized to benefit Hempstead. High emphasis will be placed on the marketing of your operations and/or events to individuals outside a 50-mile radius from Hempstead, and the hotel rooms generated by such operations/events.

Please ensure that your organization fully completes the Grant Application and submits all required information for consideration by the City of Hempstead. The application and accompanying information must be delivered to the City Secretary's office at least 90 days prior to the date of the event or expenditure deadline. A representative for the requested funds will have the opportunity to present the application at a scheduled City of Hempstead Council meeting at least 30 days prior to disbursement of any funds.

Please note that funding for all events and/or marketing plans are considered on a case-by-case basis. Grant awards will be based on the tourism impact on Hempstead and the amount of funds available in the grant period.

Thank you for your interest in promoting tourism in the City of Hempstead, Texas.

PRE-EVENT REPORT FORM

HOTEL OCCUPANCY TAX FUNDING

1.	How many years have ye	ou held this Event or Project?	10	
		6000-10000		
	How many people atter 200 - Number of nights they w		vill use City of Hempstead hotels?	
4. Do you plan on reserving a room block for this event at an area hotel and, if so, for I many rooms and at which hotels?				
5.			have hosted your Event or Project, pancy Tax fund and the number of Number of Hotel Rooms Used	
	2022	5000	40	
	2020	5000	38	
6.	How will you measure the usage information, surve	he impact of your event on a ey of hoteliers, etc.)? $\underline{\mathcal{W}}$	rea hotel activity (e.g., room block 2 ask Vendous	
,	1 . 0	Drow plus	s me survey	
	// \6 \ / / V			

7.	Please list other organizations, government entities, and grants that have offered financial support to your project:
8.	Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?
	yes, we sponson Camp Hope and focus on Jamely
9.	Please list all promotion efforts your organization is coordinating and the amount
	Financially committed to each media outlet: Newspaper: Radio: TV: Other Paid Advertising: Bull Boan d Number of Press Releases to Media
	Number Direct Mailings of Out-of-Town Recipients 5000
	Other Promotions Social Media - Bell boon de
10.	Will you negotiate a special rate or hotel/event package to attract overnight stays?
	ys

11.	What new marketing initiatives will you utilize to promote hotel and convention activit for this event?			
	, asset of the second of the s			
12.	What geographic areas does your advertising and promotion reach?			
	miles around Waller County			
L3.	How many individuals who are located in another city or county will your proposed marketing reach? $\frac{250,000}{2}$ - $\frac{300,000}{2}$			
4.	If the funding being requested is related to a permanent facility (e.g. museum, visitor center):			
	Expected Attendance Monthly/Annually:			
	Percentage of those in attendance that are staying at area hotels/lodging facilities:%			

Presentation by Anthony Kennedy of Caring Hands Foundation of Greater Houston

"Good evening esteemed members of the City Council. My name is Anthony Kennedy from the Caring Hands Foundation of Greater Houston. Today, I'm here to share an exciting vision that could redefine the way we support our senior citizens right here in Hempstead.

Picture, if you will, two tracts of land, both nestled within our beloved Town of Hempstead. These parcels, situated in Blocks 336 and 362, have remained undeveloped for many years. Each tract spans approximately 1.549 acres, lying in the heart of Waller County.

In a gesture of goodwill and belief in this project's potential to benefit the community, we respectfully request the council to consider selling these parcels to Caring Hands Foundation for the symbolic price of one dollar.

Now, imagine transforming this idle land into a haven for our elderly: 'The Isle of Baptist Hill,' a nod to our community's storied past. We envision a Master Planned Senior Independent Living Community (Subdivision), designed with utmost care and thought for those who've paved the way for the rest of us.

In total, our proposal sees the construction of 29 duplex homes, culminating in 58 independent living units. Each unit, designed meticulously to ADA standards, would offer approximately 946 square feet of living space, striking a balance between cozy comfort and ample space for our seniors to thrive. (797 sq ft & 1017 sq ft)

But it's not just about building homes. Our mission with 'The Isle of Baptist Hill' is to foster a sense of community, belonging, and independence. Central to this vision is a state-of-the-art Community Center. This hub would house an office, a welcoming dining hall, a meeting center for various activities, and other essential amenities. Envision seniors rekindling old hobbies in our Social Center or maybe pampering themselves in our Salon. For those keen on staying active, a Fitness Center awaits. And importantly, a Patient Care Center would ensure that health and wellness are never compromised.

Residential Structure:

- Single Unit Size: 797 sq. ft. and 1017sq. ft.
- Duplex Structure Total Area: 2074 sq. ft. and 2515 sq. ft.
- Combined Living Area (Per Duplex): 1594 sq. ft. and 2034 sq. ft.
- Total Number of Homes: 58.
- Total Living Units: 29.

Community Center Options:

- 1. Office: Administrative functions and resident services.
- 2. **Dining Hall:** A spacious area for community meals.
- 3. Meeting Center: Space for events, workshops, and community gatherings.
- 4. Social Center: Dedicated area for recreational activities and hobbies.
- 5. **Salon:** Beauty and grooming services for residents.
- 6. Fitness Center: Equipped gym for health and wellness activities.
- 7. Patient Care Center: Medical care and wellness facilities.
- 8. Chef Kitchen: Gourmet kitchen facility for special dining events and occasions.

Expansion Project (Future Options):

- 1. **Guest Housing:** Accommodations for visiting family and friends.
- 2. Media Center: Multimedia facilities for movies, reading, and digital entertainment.
- 3. **SPA:** Relaxation and therapeutic treatments for residents.

This Amenities Sheet provides a comprehensive overview of what residents and their families can expect when considering the Isle of Baptist Hill as their choice for senior living. Our commitment is to provide an environment that emphasizes both independence and community bonding, nestled within a setting rich with historical significance.





Tax Allocations

City Sales and Use Tax Comparison SummaryDecember 2023

Download and further analyze current and historic data using the Texas Open Data Center.

NOTE: Some jurisdictions may have changed tax rates, thus affecting the comparison. See Local Sales Tax Rate Information Report [comptroller.texas.gov/taxes/sales/rate-report.php] for a list of jurisdictions who have changed rates in the preceding 14 months.

U/C = Unable To Compute Percentage Change

Total Net Payments This Period: \$681,590,369.16; Comparable Payment Prior Year: \$665,424,496.14; Percent Change: 2.43%

Total Payments YTD: \$8,512,005,745.91; Total Prior Year Payment YTD: \$8,127,295,071.41; Percent Change: 4.73%

Search Table Search

City	Net Payment This Per iod	Comparable Payment Prior Year	% Cha nge	Payment YTD	Prior Year Payment Y TD	% Cha nge
Hart	\$5,007.17	\$5,011.85	-0.09%	\$68,212.37	\$63,438.53	7.52%
Haskell	\$61,057.73	\$66,446.26	-8.10%	\$827,270.55	\$808,092.22	2.37%
Haslet	\$488,786.27	\$581,041.30	-15.87%	\$6,052,198.73	\$6,748,131.63	-10.31%
Hawk Cove	\$2,136.61	\$2,176.56	-1.83%	\$25,883.50	\$27,271.04	-5.08%
Hawkins	\$41,105.19	\$40,108.36	2.48%	\$509,163.84	\$448,527.50	13.51%
Hawley	\$40,676.52	\$43,120.79	-5.66%	\$419,319.93	\$371,669.15	12.82%
Hays	\$3,059.25	\$1,366.79	123.82%	\$25,214.47	\$22,595.59	11.59%
Hearne	\$199,964.49	\$152,084.86	31.48%	\$2,558,752.24	\$1,652,814.62	54.81%
Heath	\$226,377.54	\$229,597.17	-1.40%	\$3,141,694.61	\$2,709,600.04	15.94%
Hebron	\$15,202.50	\$13,771.69	10.38%	\$168,285.37	\$137,651.83	22.25%
Hedley	\$440.20	\$857.51	-48.66%	\$12,563.52	\$12,458.17	0.84%
Hedwig Village	\$242,576.68	\$170,312.28	42.43%	\$3,196,260.78	\$2,156,058.35	48.24%
Helotes	\$835,117.37	\$1,008,073.16	-17.15%	\$10,551,625.25	\$14,686,181.37	-28.15%
Hemphill	\$36,861.10	\$40,915.45	-9.90%	\$609,817.81	\$593,706.35	2.71%
Hempstead	\$193,515.54	\$202,972.91	-4.65%	\$2,410,802.46	\$2,334,880.62	3.25%
Henderson	\$756,001.71	\$657,964.44	14.90%	\$9,226,849.78	\$8,133,500.80	13.44%
Henrietta	\$79,660.23	\$74,243.95	7.29%	\$939,397.95	\$858,155.95	9.46%
Hereford	\$265,495.76	\$261,424.22	1.55%	\$3,592,260.76	\$3,469,288.85	3.54%
Hewitt	\$372,693.10	\$326,041.34	14.30%	\$4,524,378.46	\$4,135,342.97	9.40%
Hickory Creek	\$200,747.04	\$185,018.34	8.50%	\$2,545,001.10	\$2,265,283.89	12.34%



Rows 441 to 460 of 1171 Total (n) (n)

