



**THE CITY COUNCIL OF THE CITY OF HENDERSON, TEXAS, WILL MEET ON TUESDAY, THE 20TH DAY OF FEBRUARY 2024, AT 6:00 P.M. FOR A REGULAR COUNCIL MEETING, AT MUNICIPAL SERVICES COMPLEX, 300 W. MAIN STREET, FOR THE FOLLOWING PURPOSES:**

Mayor:

J.W. (Buzz) Fullen

Mayor Pro Tem

Henry Pace

Council Members:

Stephen Strong  
Reginald Weatherton  
Melissa Morton  
Gina Juarez

City Manager:

Jay Abercrombie

City Secretary

Cheryl Jimerson

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

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

**CITIZENS COMMENTS**

**PRESENTATIONS/ANNOUNCEMENTS**

**CONSENT AGENDA**

1. Consideration of possible action upon the Minutes of the City Council Meeting from December 19th Council Meeting, the meeting that was to be held January 16th was canceled due to bad weather and was not rescheduled.
2. Consideration and Possible Action upon HEDCO financials for the month of November 2023
3. Consideration and Possible Action upon HEDCO financials for the month of December 2023

**COUNCIL BUSINESS – REGULAR SESSION**

4. Consideration and possible action on confirmation of the appointment of a Fire Chief for the City of Henderson. (Abercrombie)
5. Consideration and possible action authorizing the City Attorney and City Manager to enter into an agreement with MD Health Pathways (MDHP) presentation by the founder of MDHP Dr. Dirk Perritt. This will be allowing citizens to have access to low-cost healthcare for a small fee and allowing this fee to be billed through the Henderson Utility Billing system.
6. Consideration and possible action upon Resolution 2024-02-01 setting two public hearing dates for the application for the annexation of Bradshaw State Jail Facility located on the corner of Loop 571 and Industrial Park Drive, also known as County Road 203 and/ or Morris Street. (Jimerson)
7. Consideration and possible action upon scheduling a Special Council Meeting on April 2nd, 2024. (Jimerson)
8. Consider and possible action upon Resolution 2024-02-02 for 2023-2024 Budget Amendment #1. (Arnall)
9. Consideration and possible action upon the second reading of Ordinance 2023-12-01, regarding a request to re-zone a property from R1 to I1. (Hughes/McElfresh)
10. Consideration and possible action upon the second reading of Ordinance 2023-12-02, regarding a request to re-zone a property from R3 to M2. (Hughes/McElfresh)

11. Consideration of a recommendation from the Planning and Zoning Commission upon the first reading of ordinance 2024-01-01 regarding a request to create a new zoning district for Town Homes. (Hughes/McElfresh)
12. Consideration and possible action upon a recommendation from the Planning and Zoning Commission to rezone a property from R2 to TH upon the first reading of Ordinance #2024-02-02.
13. Consideration and possible action upon a recommendation from the Planning and Zoning Commission to rezone a property from R1 to TH upon the first reading of Ordinance # 2024-02-02.

#### **DEPARTMENTAL REPORTS:**

14. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports.
  - A. City Manager
  - B. Fire Department
  - C. Police Department including the 2023 Annual Racial Profiling Report.
  - D. Animal Center
  - E. Community Development
  - F. Public Services/Parks and Recreation Department
  - G. Public Utilities
  - H. Finance Department
  - I. City Secretary
  - J. Communications and Marketing
  - K. HEDCO Sales Tax Revenue November and December 2023
  - L. Director of Operations Departmental Reports below.

Civic Center

Main Street/Tourism

Municipal Court

#### **BOARDS AND COMMISSIONS**

Board of Adjustments Minutes

Planning and Zoning Minutes from January Meeting

Cemetery Board Meeting Minutes

Main Street Meeting Minutes

Preservation Minutes

#### **EXECUTIVE SESSION:**

#### **REGULAR SESSION:**

#### **ADJOURNMENT**

15. Adjourn

|  |
|--|
| <p>The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).</p> |
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#### **ACCESSIBILITY STATEMENT**

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (903) 657-6551.



**CERTIFICATE**

I certify the foregoing notice was posted on the notice board in front of the Municipal Services Complex, Henderson, Texas, on this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Jay Abercrombie, City Manager

MINUTES OF THE  
HENDERSON CITY COUNCIL  
Regular Scheduled Meeting

December 19, 2023

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

Mayor Fullen called the meeting to order at 6 p.m.

Council members present were Stephen Strong, Reggie Weatherton, Henry Pace, Melissa Morton, and Gina Juarez.

Staff members present were City Manager Jay Abercrombie, City Secretary Cheryl Jimerson, City Attorney Russell Brown, Chief of Police Chad Taylor, Fire Chief Rusty Chote, Director of Operations Davis Brown, Director of Public Services Kirk Kimbrell, Director of Utilities Randy Boyd, Finance Director Karen Arnall, Animal Center Director Charissa Pool, Planning and Zoning Administrator/Building Official Dennis Williams, Zoning Coordinator Billy Hughes, Health Officer Wes Breitenberg, Civic Center Manager Stephanie Kimbrell, Communications and Marketing Coordinator Phedra Johnson, and HEDCO Director John Clary.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Council Member Reggie Weatherton gave the invocation, Mayor Buzz Fullen led the Pledges.

**CITIZENS COMMENTS**

Don Crites brought to the city's attention a property known as 103 W. Lakeview Dr. having code violations. The property has been abandoned and a hazard for quite some time. He started a petition to bring it before the Council hoping something could be done about it. Mr. Crites had not contacted the Code Enforcement Department with a complaint nor submitted the petition to anyone in the city.

Mayor Fullen asked the Community Development Department to check on this property.

**PRESENTATIONS/ANNOUNCEMENTS**

There were no presentations.

**CONSENT AGENDA**

1. Consideration of possible action upon the minutes of November 21, 2023.

2. Consideration and Possible Action upon HEDCO financials for the month of October 2023.

Council Member Melissa Morton made a motion to approve the consent agenda, duly seconded by Council Member Gina Juarez. The vote was unanimous.

**COUNCIL BUSINESS – REGULAR SESSION**

3. Consideration and possible action upon a retainer agreement for Russell Brown as the City Attorney and Prosecutor for legal services to the City of Henderson. (Abercrombie)

City Manager Jay Abercrombie stated at the November meeting that the Council appointed Russell Brown as the City Attorney effective December 1, 2023. Russell Brown has submitted a contract for the City of Henderson to pay six thousand dollars a month as the City Attorney and the prosecutor for legal services. This is one thousand dollars more than we were paying the previous City Attorney from the last raise agreed upon in 2018.

Council Member Stephen Strong made a motion to approve the contract presented by Russell Brown, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

4. Consideration and possible action regarding approving a contract with Wildfire Truck & Equipment Sales for Brush Truck bed and accessories for a supplied chassis. (Chote)

Fire Chief Rusty Chote asked the Council to consider authorizing Wildfire Truck & Equipment Sales to proceed with the building of a brush truck bed and fitting out a supplied chassis for a new brush truck for the Henderson Fire Department. The Rusk County Emergency Services District (RCESD) donated a new 5500 Ram chassis to the Henderson Fire Department in August 2023. The new brush truck will be used for wildfire and other emergency calls for both the City of Henderson and Rusk County.

Council Member Melissa Morton made a motion to approve the contract for a new brush truck bed and accessories for the Fire Department, duly seconded by Council Member Gina Juarez. The vote was unanimous.

5. Consideration and possible action upon a Memorandum of Understanding (MOU) Agreement with Carlisle ISD and the Henderson Civic Center. (S.Kimbrell)

This agreement is made to establish Henderson Civic Center as a shelter site location and terms of use in the event of an evacuation of Carlisle students and staff.

Carlisle Superintendent Josh Johnson reached out to look at area Rusk County facilities their district might utilize if they needed a reunification site for various emergencies for Carlisle ISD. Rusk County Expo Center is their Option 1. Henderson Civic Center will be their Option 2.

Council Member Reggie Weatherton made a motion to approve the agreement with Carlisle ISD, duly seconded by Council Member Gina Juarez. The vote was unanimous.

6. Consideration and possible action on the second reading of the ordinance regarding the 2050 Comprehensive Plan. (Hughes/McElfresh)

Planning and Zoning Coordinator Billy Hughes gave a synopsis of the 2050 Comprehensive Plan to council. The city contracted with Kimley Horn on March 22, 2022 to lead the city in discussions and development of a comprehensive plan for the city's future growth and development. A committee of citizens, stakeholders and business owners was formed to advise the city council and residents the direction they believed the city should be going in for the next 20 to 30 years. Public hearings, workshops, an open house at city hall as well as setting up a booth at the Syrup Festival. All to get input, opinions and information from citizens and area residents on their vision of Henderson 20 years from now.

Kimley Horn used the information and data to guide them as they developed the new 2050 Comprehensive Plan for the City of Henderson.

Council Member Henry Pace made a motion approving Ordinance 2023-11-01 as listed in this item, duly seconded by Council Member Reggie Weatherton. The vote was unanimous.

7. Consideration and possible action upon a Minor Plat Application submitted for a property located at 111 S. Mill St. (Hughes/McElfresh)

Planning and Zoning Coordinator Billy Hughes asked council to consider a Minor Plat application submitted by Collin Miley on behalf of Derrell Tucker and Lizbeth Garcia-Tucker. The subject property is located at 111 S. Mill St. The Tuckers already own one of the lots and recently purchased the vacant lot next to it. The vacant lot is too small for the owners to make any improvements to it under the current zoning requirements, so they are requesting to combine the two lots. Mr. Collin Miley, a registered surveyor, has surveyed and prepared a new plat combining Lots 8 and 9 of Block 109A located on S. Mill St. The new property will meet all current requirements.

Council Member Melissa Morton made a motion to approve said minor plat, duly seconded by Council Member Gina Juarez. The vote was unanimous.

8. Consideration of a recommendation from the Planning and Zoning Commission upon the first reading of Ordinance 2023-12-01, regarding a request to re-zone a property from R1 to I1. (Hughes/McElfresh)

Planning and Zoning Coordinator Billy Hughes explained to council, the Planning and Zoning Commission and our staff recommend that council approve an amendment to the Official Zoning Map that will give the owners the opportunity to include this adjoining property in their existing commercial property. The subject property is described as:

All Lot 14 Blk 658, of the TT Gammage Survey, Parcel #66

LSG Partners recently purchased this property that adjoins their property located at 502 Kilgore Drive. The property had an old substandard structure on it that was torn down and the lot cleared. Mr. Sam Jones, owner of LSG Partners, is requesting that this property be re-zoned to I1 so that he may fence it in and include this property as a part of his existing lay down yard for his business.

Council had no questions or comments on the first reading of Ordinance 2023-12-01.

9. Consideration and possible action on a Minor Plat application submitted by Bane Investment Holdings LLC. (Hughes/McElfresh)

Planning and Zoning Coordinator Billy Hughes and staff recommended approval of a Minor Plat application in order to re-plat approximately 209 undeveloped lots contained in 17-18 Blocks of land in the Crimcrest Addition into two (2) lots consisting of 46.13 acres combined.

Council Member Henry Pace made a motion to approve a Minor Plat of the Crimcrest Addition, duly seconded by Council Member Reggie Weatherston. The vote was unanimous.

10. Consideration of a recommendation from the Planning and Zoning Commission upon the first reading of Ordinance 2023-12-2, regarding a request to re-zone a property from R3 to M2. (Hughes/McElfresh)

Planning and Zoning Coordinator Billy Hughes and the Planning and Zoning Commission recommended the City Council consider the first reading of Ordinance 2023-12-2, to amend the Zoning Map for the City of Henderson, changing the zone designation of a property that is currently zoned High Density Single Family Residential (R3) to a Multi-Family (M2) zoned district. This property is located on North Evenside and North Whippoorwill Ave. The property is described as: Lot 1 9.611 Acres, BIH Addition of the F N Brooks Survey in Henderson, Texas. City Sec Cheryl Jimerson asked the ordinance number be corrected from 2023-12-2 to 2023-12-02 for the 2nd reading.

Council had no questions or comments on the first reading of Ordinance 2023-12-02.

11. Consideration and possible action upon a recommendation to the Interview Committee from the Main Street Board on the appointment of Brooke Dover of Campfire Coffee Shop as a Main Street and Preservation Board Member. (Jimerson)

The interview Committee consisted of Mayor Fullen, Mayor Pro tem Henry Pace and City Secretary Cheryl Jimerson. There were three applications submitted and recommended by the Main Street Board; Cyndi Walker, Ryan Ellis, and Brooke Dover.

There was a unanimous vote to recommend Brooke Dover to the City Council as the new board member for the Main Street and preservation Boards.

Council Member Melissa Morton made a motion to approve Brooke Dover as the new board member, duly seconded by Council Member Gina Juarez. The vote was unanimous.

## **DEPARTMENTAL REPORTS:**

12. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports.

A. City Manager

B. Fire Department

Fire Chief Rusty Chote mentioned earlier in the meeting that the firefighters would move from Old City Hall back into the living quarters of Central Fire Station right after Christmas.

C. Police Department

D. Animal Center

E. Community Development

F. Public Services/Parks and Recreation Department

- G. Public Utilities
- H. Finance Department
- I. City Secretary
- J. Communications and Marketing
- K. HEDCO Sales Tax Revenue October 2023
- L. Director of Operations Departmental Reports below.

Civic Center

Main Street/Tourism

Municipal Court

Council Member Reggie Weatherton made a point to tell the Public Services Director Randy Boyd, thank you.

The council had no questions or comments on the monthly reports.

#### **BOARDS AND COMMISSIONS**

Board of Adjustments Minutes

Planning and Zoning Minutes from the November 14 Meeting.

Cemetery Board Meeting Minutes

Main Street Meeting Minutes

Preservation Minutes

The council had no questions or comments on the Board meeting minutes.

#### **EXECUTIVE SESSION:**

There was a no executive session.

#### **REGULAR SESSION:**

#### **ADJOURNMENT**

- 13. Adjourn

Council Member Gina Juarez made a motion to adjourn at 6:28 p.m., duly seconded by Council Member Melissa Morton. The vote was unanimous.

ATTEST:

APPROVED:

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Cheryl Jimerson, City Secretary

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John Fullen, Mayor



# City Council

## Agenda Item # 2.

**SUBJECT:** Consideration and Possible Action upon HEDCO financials for the month of November 2023

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** HEDCO

**CONTACT:** John Clary, HEDCO Director

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**RECOMMENDED CITY COUNCIL ACTION:** To approve HEDCO financials for the month of October 2023

**ITEM SUMMARY:**

**BACKGROUND INFORMATION:**

**SPECIAL CONSIDERATIONS:**

**SUPPORTING MATERIALS:**

1. HEDCO FINANCIALS 2023-2024 (Updated Thru 2023-11-30)

HEDCO - APPROVED BUDGET 2022-2023

|    | A                | B                              | C  | D            | E   | F            | G             | H          | I      | J                         | K  |
|----|------------------|--------------------------------|--|--------------|---|--------------|---------------|------------|--------|---------------------------|--|
| 1  | Last Edit Date:  | December 14, 2023              | TYPE A and B EDC   |              | All expenditures expected to come from Type A bank account. |              |               |            |        |                           |  |
| 2  | Budget approved: | HEDCO - August 22, 2023        | 11/30/2023 Checking Acct. # 4911857 Balance  |              | \$ 693,841.48   |              |               |            |        |                           |  |
| 3  | Budget approved: | City Council - August 22, 2023 | 11/30/2023 Money Market Acct. # 4011759 Balance                                      |              | \$ 2,187,480.32   |              |               |            |        |                           |  |
| 4  | Budget amended:  |                                | 11/30/2023 Type B Checking Acct. # 4271963 Balance                                   |              | \$ 3,210,749.55   |              |               |            |        |                           |  |
| 5  |                  |                                | Total Account Balances   |              | \$ 6,092,071.35   |              |               |            |        |                           |  |
| 6  |                  |                                |  | Approved     | Final   | APPROVED     |               |            | Y-T-D  |                           |  |
| 7  |                  |                                |  | Budget       | Budget  | BUDGET       | 1-Month Ended | 2023-2024  | % Of   |                           |  |
| 8  | Acct.#           |                                | Description  | 2022-2023    | 2022-2023   | 2023-2024    | 11/30/2023    | 9/30/2024  | Budget | Notes                     |  |
| 9  |                  |                                |  |              |   | 12           | 2             |            | 17%    | Percent of year completed |  |
| 10 | REVENUE          |                                |  |              |   |              |               |            |        |                           |  |
| 11 | 3010             |                                | Sales Tax Revenues Type B  | 1,750,000.00 | 1,860,457.77  | 1,910,000.00 | 210,169.27    | 382,279.61 | 20%    |                           |  |
| 12 | 3025             |                                | Interest Income - Type A   | 165,500.00   | 158,463.05  | 130,000.00   | 6,978.62      | 15,139.00  | 12%    |                           |  |
| 13 | 3025             |                                | Interest Income - Type B   |              |   | 69,000.00    | 7,126.93      | 14,033.48  | 20%    |                           |  |
| 14 | 3030             |                                | Land Sales   | 123,246.60   | 203,346.60  |              |               |            |        |                           | Previous Year - 7.6 acres to Tyler Pipe  |
| 15 | 3059             |                                | Lease Income - Texas Materials Group - 29.16 Ac.                                     | 12,800.00    | 12,800.00   |              |               |            |        |                           | Previous Year - Mo.Lease - Industrial Dr. (CR 203) was Texas Bit/Oldcastle - Complete 9/2023 (to receive \$1600.00 per month 2/2022 thru 9/2023) <u>Lease Agreement ENDED JUNE, 2023</u> |
| 16 | 3090             |                                | Other (Misc) Revenue   | 115,463.13   | 115,463.13  | -            | 5,000.00      | 5,000.00   |        |                           | SWEPCO Planning Grant Received (Not budgeted)  |
| 17 |                  |                                | TOTAL REVENUE  | 2,167,009.73 | 2,350,530.55  | 2,109,000.00 | 229,274.82    | 416,452.09 | 20%    |                           |  |
| 18 |                  |                                |  |              |   |              |               |            |        |                           |  |
| 19 | * Footnote       |                                | Note Reciveable from Rusk County Rural Rail District - Not Included in Budget Totals |              |   |              |               |            |        |                           | Notes receivable accrue on the balance sheet vs.the budget at. \$6,666.67 per month. <b>Pmt. Deferred for 15 years until 2037.</b>   |
| 20 |                  |                                |  |              |   |              |               |            |        |                           |  |



HEDCO - APPROVED BUDGET 2022-2023

|    | A   | B | C  | D          | E         | F | G            | H             | I         | J      | K  |
|----|---|---|--|------------|-----------|---|--------------|---------------|-----------|--------|--|
| 6  |   |   |  | Approved   | Final     |   | APPROVED     |               | Y-T-D     |        |  |
| 7  |   |   |  | Budget     | Budget    |   | BUDGET       | 1-Month Ended | 2023-2024 | % Of   |  |
| 8  | Acct.#  |   | Description  | 2022-2023  | 2022-2023 |   | 2023-2024    | 11/30/2023    | 9/30/2024 | Budget | Notes  |
| 21 | EXPENDITURES  |   |  |            |           |   |              |               |           |        |  |
| 22 | Economic Development Expenses                       |   |  |            |           |   |              |               |           |        |  |
| 23 | 6116  |   | Henderson Canvas Products, Inc.                          |            |           |   |              |               |           |        | Job creation incentive, 6-jobs @ \$5,000 /job. Forgiveable loan executed March 2021. <b>\$30,000 forgiveable Loan in A/R</b> |
| 24 | 6119  |   | High Demand Job Training Grant #5                        | 50,000.00  |           |   | 50,000.00    |               |           |        | \$50,000 is HEDCO match. Application was submitted Nov-Dec 2023  |
| 25 | 6120  |   | Proj Provalus - Remodel Old City Hall Complex            |            | 68,378.16 |   | 270,000.00   |               |           |        | Project Provalus - Renovation of old city hall complex. Max exposure is \$325,000. Expended 68,378 to date                   |
| 26 | 6122  |   | US 259 Infrastructure (Christus)                         |            |           |   | 750,000.00   |               |           |        | Infrastrutture for new Christus Clinic. Total exposure for the project is \$750,000  |
| 27 | 6123  |   | Project K&L Recycling                                    |            |           |   | 190,000.00   |               |           |        | Was for incentives for K&L Recycling. Project is on hold.  |
| 28 | 6124  |   | Project SWEPCO   |            |           |   | (173,559.00) |               |           | 0%     | Revenue for sale of 10 acres to SWEPCO. Anticipated in January 2024  |
| 29 | 6190  |   | Matching Grants for Buisness Retention - Industrial Park | 150,000.00 |           |   | 150,000.00   |               |           |        | New matching grant program for Henderson Industrial Park.  |
| 30 | 6200  |   | Business Incentives for new or existing businesses       | 350,000.00 | 4,000.00  |   | 350,000.00   |               |           |        | Place Holder - Reserve for Incentive for New Businesses. \$5,000 per job x 100 jobs.   |
| 31 |   |   |  |            |           |   |              |               |           |        |  |
| 32 |   |   | Total Economic Development Expenses                      | 550,000.00 | 72,378.16 |   | 1,586,441.00 | -             | -         | 0%     |  |
| 33 |   |   |  |            |           |   |              |               |           |        |  |
| 34 | Supplies, Office Expenses and Professional Services |   |  |            |           |   |              |               |           |        |  |
| 35 | 6501  |   | Accounting (Monthly Bookkeeping + Annual Audit)          | 12,000.00  | 10,590.00 |   | 14,000.00    | 375.00        | 750.00    | 5%     | PB&J Accounting, Auditor Morgan LaGrone CPA  |
| 36 | 6502  |   | Insurance - General Liability                            | 1,500.00   | 1,500.00  |   | 1,500.00     | 1,500.00      | 1,500.00  | 100%   | City of Henderson Liability premium to HEDCO. Lump sum annual payment.   |
| 37 | 6503  |   | Legal (Attorney)   | 30,000.00  | 39,459.60 |   | 35,000.00    | 112.50        | 112.50    | 0%     | Legal fees   |
| 38 | 6504  |   | Office Expenses  | 1,500.00   | 2,995.71  |   | 2,500.00     | 352.05        | 710.92    | 28%    | Office supplies, copy paper, printer cartridges, computers, printer, furniture, bookshelves, storage, etc.                   |
| 39 | 6505  |   | Postage & Shipping                                       | 100.00     | 261.75    |   | 250.00       |               |           | 0%     | Stamps, Fed-Ex, UPS  |

HEDCO - APPROVED BUDGET 2022-2023

|    | A      | B | C  | D          | E          | F | G          | H             | I         | J       | K   |
|----|--------|---|--|------------|------------|---|------------|---------------|-----------|---------|---|
| 6  |        |   |  | Approved   | Final      |   | APPROVED   |               | Y-T-D     |         |   |
| 7  |        |   |  | Budget     | Budget     |   | BUDGET     | 1-Month Ended | 2023-2024 | % Of    |   |
| 8  | Acct.# |   | Description  | 2022-2023  | 2022-2023  |   | 2023-2024  | 11/30/2023    | 9/30/2024 | Budget  | Notes   |
| 40 | 6506   |   | Property Tax   |            | 70.53      |   | 75.00      |               |           | 0%      | Copy machine tax  |
| 41 | 6507   |   | Telephone, Cell (Admin)  | 600.00     | 550.00     |   | 600.00     | 50.00         | 100.00    | 17%     | Office Phone, Cell for Adm. Asst.   |
| 42 | 6508   |   | Utilities - Provalus   |            |            |   |            | 1,725.89      | 2,228.19  | #DIV/0! | These are Provalus utility expenses. Was not budgeted here.   |
| 43 | 6509   |   | Professional Services - Consulting Fees, Engineering, Design, Architectural (Part of Capital Expenses) | 225,000.00 | 202,791.96 |   | 225,000.00 | 9,350.00      | 17,500.00 | 8%      | New Business Park, Professional Services, Property Surveys, Engineering, Phase 1 Environmentals, Streets, Drainage, Sidewalks, Water, Sewer, Fiber, Natural Gas |
| 44 |        |   | Subtotal - Supplies, Office Expenses and Professional  | 270,700.00 | 258,219.55 |   | 278,925.00 | 13,465.44     | 22,901.61 | 8%      |   |
| 45 |        |   |  |            |            |   |            |               |           |         |   |
| 46 |        |   | Personnel Expenses   |            |            |   |            |               |           |         |   |
| 47 | 7001   |   | Contract Labor - Executive Director (with City)  | 161,539.00 | 138,553.08 |   | 161,539.00 |               | 21,553.26 | 13%     | Salary, Insurance, Retirement, Cell Phone, Car Allowance, W/H invoiced by City of Henderson,  |
| 48 | 7002   |   | Insurance Life - Adm. Asst.  | 1,200.00   |            |   |            |               |           |         | Life Insurance - Office Manager Karen Smith   |
| 49 | 7003   |   | Insurance Health - Adm. Asst.  | 5,044.00   | 4,176.14   |   |            |               |           | #DIV/0! | Medical Insurance - Office Manager Karen Smith  |
| 50 | 7004   |   | Insurance Worker's Comp - Adm. Asst.   | 396.00     | 381.52     |   |            |               | (45.00)   | #DIV/0! | Hartford Ins. - Office Manager Karen Smith  |
| 51 | 7007   |   | Retirement -Adm. Asst.   | 4,000.00   | 3,957.98   |   |            |               |           | #DIV/0! | Kansas City Life - Office Manager Karen Smith   |
| 52 | 7008   |   | Salary - Adm. Asst.  | 49,850.00  | 45,549.63  |   |            |               |           | #DIV/0! | Salary - Office Manager Karen Smith   |
| 53 | 7009   |   | Payroll Taxes - Adm Asst.  | 4,950.00   | 4,200.63   |   |            |               |           | #DIV/0! | Payroll Taxes - Office Manager Karen Smith  |
| 54 | 7010   |   | Contract Labor - Dir. of Marketing/Business Dev.   | 108,280.00 | 67,510.14  |   | 89,500.00  |               | 15,774.39 | 18%     | Salary, Insurance, Retirement, Cell Phone, Car Allowance, W/H invoiced by City of Henderson. Director of Marketing  |
| 55 | 7011   |   | Insurance Health - Dir. of Marketing   | 3,940.00   | 3,937.14   |   | 5,250.00   | 404.00        | 808.00    | 15%     | Health Insurance - Director of Marketing  |
| 56 |        |   | Contract Labor - Administrative Assistant  |            | 722.77     |   | 70,500.00  |               | 9,148.95  |         | Shelby  |
| 57 | 7020   |   | Contract Labor - Admin Asst Part Time  |            |            |   | 30,000.00  |               |           |         | Contract labor - Projected  |
| 58 |        |   |  |            |            |   |            |               |           |         |   |
| 59 |        |   | Subtotal - Personnel Expenses  | 339,199.00 | 268,989.03 |   | 356,789.00 | 404.00        | 47,239.60 | 13%     |   |
| 60 |        |   |  |            |            |   |            |               |           |         |   |

HEDCO - APPROVED BUDGET 2022-2023

|    | A                | B | C   | D          | E         | F | G          | H             | I         | J      | K   |
|----|------------------|---|---|------------|-----------|---|------------|---------------|-----------|--------|---|
| 6  |                  |   |   | Approved   | Final     |   | APPROVED   |               | Y-T-D     |        |   |
| 7  |                  |   |   | Budget     | Budget    |   | BUDGET     | 1-Month Ended | 2023-2024 | % Of   |   |
| 8  | Acct.#           |   | Description   | 2022-2023  | 2022-2023 |   | 2023-2024  | 11/30/2023    | 9/30/2024 | Budget | Notes   |
| 61 | Program Expenses |   |   |            |           |   |            |               |           |        |   |
| 62 | 7201             |   | Website Annual License Fees   | 9,400.00   | 3,074.00  |   | 3,074.00   | 4,050.00      | 4,050.00  | 132%   | Annual License Fee to ED Suite. Invoiced Nov 31 annually.   |
| 63 | 7202             |   | Website Development, Maintenance, Upgrades, etc.  | 12,094.00  | 13,095.00 |   | 5,000.00   |               | 5,000.00  | 100%   | Website CMS technology update (back end), new photo gallery, better mapping, new business park pages, updated property search tool, incentives tool - Website design updates by EDSuite           |
| 64 | 7203             |   | Advertising and Marketing   | 70,100.00  | 43,705.23 |   | 70,000.00  | 1,159.27      | 4,936.45  | 7%     | Print ads, Direct mail or email, Marketing travel, Trade shows, Sponsorships, Printed flyers & brochures, Marketing signage, Videos, Billboard, Public Notices, + Business Park Coming Soon Signs |
| 65 | 7204             |   | Meetings and Entertainment  | 14,500.00  | 10,650.26 |   | 12,000.00  |               | 164.88    | 1%     | Meeting refreshments, BREP meals, Prospect Hosting, Industry Appreciation Luncheon  |
| 66 | 7205             |   | Dues, Memberships & Subscriptions   | 17,250.00  | 6,648.32  |   | 10,000.00  | 199.00        | 199.00    | 2%     | Chamber of Commerce, TEDC, Rotary, Team Texas, ICSC, NETEDR, Adobe AcrobatDC (2), Place Marketing, also Computer Programs & Subscriptions   |
| 67 | 7206             |   | Training & Travel - Non-Marketing Conferences, Webinars, Seminars and Training (Including Travel), Admin. Asst. Mileage, Misc Consulting Fees | 25,000.00  | 8,684.17  |   | 12,000.00  |               | 11.88     | 0%     | TEDC Conferences, Training Workshops, Webinars, PFIA Training, Software Technical Assistance, Rusk County Days Austin Trip, Admin Assistant Mileage.  |
| 68 | 7207             |   | Non Engineering Studies   | 2,000.00   |           |   |            |               |           |        | Previous yrsr -ETCOG Broadband Study Match  |
| 69 | 7208             |   | Special Projects  |            |           |   |            |               |           |        |   |
| 70 | 7209             |   | BREP Matching Grant Program (Type B Program) (Placeholder)  |            |           |   |            |               |           |        | Business Retention - Matching grants for current or new businesses in current industrial parks.   |
| 71 |                  |   | Subtotal - Program Expenses   | 150,344.00 | 85,856.98 |   | 112,074.00 | 5,408.27      | 14,362.21 | 13%    |   |
| 72 |                  |   |   |            |           |   |            |               |           |        |   |

HEDCO - APPROVED BUDGET 2022-2023

|    | A  | B | C  | D            | E          | F | G            | H             | I          | J      | K   |
|----|--|---|--|--------------|------------|---|--------------|---------------|------------|--------|---|
| 6  |  |   |  | Approved     | Final      |   | APPROVED     |               | Y-T-D      |        |   |
| 7  |  |   |  | Budget       | Budget     |   | BUDGET       | 1-Month Ended | 2023-2024  | % Of   |   |
| 8  | Acct.#   |   | Description  | 2022-2023    | 2022-2023  |   | 2023-2024    | 11/30/2023    | 9/30/2024  | Budget | Notes   |
| 73 | Repairs and Maintenance (Non-Capital Expenses) |   |  |              |            |   |              |               |            |        |   |
| 74 | 7302   |   | Property Maintenance - Frisco Street Parcel (29 acres)   | 4,000.00     | 3,565.00   |   | 2,500.00     |               |            | 0%     | Maintenance (Mowing, Clearing, Trimming, water detention, etc)              |
| 75 | 7303   |   | Property Maintenance - Taylor Street/Greenbelt           | 600.00       | 500.00     |   | 500.00       |               |            | 0%     | Greenbelt Maintenance   |
| 76 | 7304   |   | Property Maintenance - Old Industrial Park               | 40,000.00    | 34,513.75  |   |              |               |            |        |   |
| 77 | 7305   |   | Property Maintenance - East Texas Regional Business Park | 35,000.00    | 51,100.00  |   | 75,000.00    |               | 10,800.00  | 14%    | Mowing, trimming, repairs & maintenance                                     |
| 78 | 7306   |   | Monument and Wayfinding Sign - Industrial Park           |              |            |   |              |               |            |        | Sign at CR 203 & Loop 571 (TXDOT Won't Allow)                               |
| 79 |  |   | Property Maintenance, Jim Allen Estate                   |              |            |   | 400,000.00   |               | -          | 0%     | Clearing & pipeline moving  |
| 80 | 7307   |   | Railroad Preventative Maintenance (Ties)                 |              |            |   |              |               |            |        | To facilitate NETRMA Grant for RR ties. \$240,000 reimbursement (Completed) |
| 81 | 7308   |   | Remodel CAC Bldg & Furnishings                           |              |            |   |              |               |            |        | Previous years  |
| 82 | 7309   |   | Property Maintenance - Old City Hall Complex             |              | 1,947.79   |   | 10,000.00    | 1,835.72      | 5,274.83   | 53%    | Maintenance items not covered by Provalus agreement                         |
| 83 |  |   | Subtotal - Repairs and Maintenance (Non-Capital)         | 79,600.00    | 91,626.54  |   | 488,000.00   | 1,835.72      | 16,074.83  | 3%     |   |
| 84 |  |   |  |              |            |   |              |               |            |        |   |
| 85 | TOTAL EXPENSES                                 |   |  | 1,389,843.00 | 777,070.26 |   | 2,822,229.00 | 21,113.43     | 100,578.25 | 4%     |   |
| 86 |  |   |  |              |            |   |              |               |            |        |   |

HEDCO - APPROVED BUDGET 2022-2023

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| 6   |  |   |   | Approved       | Final          |   | APPROVED       |               | Y-T-D        |        |  |
| 7   |  |   |   | Budget         | Budget         |   | BUDGET         | 1-Month Ended | 2023-2024    | % Of   |  |
| 8   | Acct.#   |   | Description   | 2022-2023      | 2022-2023      |   | 2023-2024      | 11/30/2023    | 9/30/2024    | Budget | Notes  |
| 87  | CAPITAL OUTLAY                                   |   |   |                |                |   |                |               |              |        |  |
| 88  | 7501   |   | Purchase of Property for New Business Park  | 400,000.00     | 345,654.03     |   | 234,000.00     |               |              |        | 2019-20 Alford Parcel \$1,044,000, 2020-21 Richardson Parcel \$327,621.95. 2020-21 9.786 Acres \$39,144. 2022-23 Jim Allen Estate \$345,444, 2023-24 Colley Property \$230,000 + \$4,000 for |
| 89  | 7502   |   | East Texas Reg. Business Park - Capital Expenditures - Utilities & Street Improvements, Land Clearing, Sidewalks, Pond improvements | 3,800,000.00   | 2,897,119.01   |   | 1,037,933.50   | 228,688.23    | 544,504.37   | 52%    | John Wright Construction, Few Land & Timber & Other Contractors  |
| 90  | 7503   |   | Grant Match for TCF Grant - Morris Street   |                |                |   |                |               |              |        | Previous Year - TCF Program was Shelved by TX Ag Commission  |
| 91  | 7504   |   | Speculative Building - Design and Construction  |                |                |   |                |               |              |        | Engineer, design and construct a 20,000 sq ft building. On HOLD  |
| 92  |  |   | CR203 Industrial Drive Improvements   |                |                |   | 2,000,000.00   |               |              |        | Project estimated at \$4 million. Need participation by City and County  |
| 93  |  | Total Capital Outlay                                  |   | 4,200,000.00   | 3,242,773.04   |   | 3,271,933.50   | 228,688.23    | 544,504.37   | 17%    |  |
| 94  |  |   |   |                |                |   |                |               |              |        |  |
| 95  | TOTAL EXPENDITURES (Expenses + Capital Outlay)   |   |   | 5,589,843.00   | 4,019,843.30   |   | 6,094,162.50   | 249,801.66    | 645,082.62   | 11%    |  |
| 96  | Totals   |   |   |                |                |   |                |               |              |        |  |
| 97  |  | Total Revenues  |   | 2,167,009.73   | 2,350,530.55   |   | 2,109,000.00   | 229,274.82    | 416,452.09   | 20%    |  |
| 98  |  | (Less) Total Expenditures                             |   | 5,589,843.00   | 4,019,843.30   |   | 6,094,162.50   | 249,801.66    | 645,082.62   | 11%    |  |
| 99  | Net Increase/Decrease In Unrestricted Net Assets |   |   | (3,422,833.27) | (1,669,312.75) |   | (3,985,162.50) | (20,526.84)   | (228,630.53) | 6%     |  |
| 100 |  | Receivable for Loan - Rusk County Rural Rail District |   |                | -              |   |                |               | -            |        | Agreement to defer for 15 years until the year 2037.   |
| 101 |  | Total Available to Contribute to Fund Balance         |   | (3,422,833.27) | (1,669,312.75) |   | (3,985,162.50) | (20,526.84)   | (228,630.53) | 6%     | Operating income less operating expenses   |
| 102 |  |   |   |                |                |   |                |               |              |        |  |
| 103 | Potential Transfer From Fund Balance             |   |   |                |                |   |                |               |              |        | Projected Expenditures In Excess of Annual Income  |
| 104 |  |   |   |                |                |   |                |               |              |        |  |
| 105 | FINAL BALANCE                                    |   |   | -3,422,833.27  | -1,669,312.75  |   | -3,985,162.50  | -20,526.84    | -228,630.53  |        |  |



# City Council

## Agenda Item # 3.

**SUBJECT:** Consideration and Possible Action upon HEDCO financials for the month of December 2023

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** HEDCO

**CONTACT:**

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**RECOMMENDED CITY COUNCIL ACTION:**  
**ITEM SUMMARY:**

**BACKGROUND INFORMATION:**

**SPECIAL CONSIDERATIONS:**

**SUPPORTING MATERIALS:**

1. HEDCO FINANCIALS 2023-2024 (Updated Thru 2023-12-31)

HEDCO - APPROVED BUDGET 2022-2023

|    | A                | B | C  | D  | E            | F | G   | H             | I            | J      | K   |
|----|------------------|---|--|--|--------------|---|---|---------------|--------------|--------|---|
| 1  | Last Edit Date:  |   | January 18, 2024   | TYPE A and B EDC                                   |              |   | All expenditures expected to come from Type A bank account. |               |              |        |   |
| 2  | Budget approved: |   | HEDCO - August 22, 2023  | 12/31/2023 Checking Acct. # 4911857 Balance        |              |   |   | \$            | 405,556.16   |        |   |
| 3  | Budget approved: |   | City Council - August 22, 2023   | 12/31/2023 Money Market Acct. # 4011759 Balance    |              |   |   | \$            | 2,192,775.22 |        |   |
| 4  | Budget amended:  |   |  | 12/31/2023 Type B Checking Acct. # 4271963 Balance |              |   |   | \$            | 3,407,684.09 |        |   |
| 5  |                  |   |  | Total Account Balances                             |              |   |   | \$            | 6,006,015.47 |        |   |
| 6  |                  |   |  | Approved   | Final        |   | APPROVED  |               | Y-T-D        |        |   |
| 7  |                  |   |  | Budget   | Budget       |   | BUDGET  | 1-Month Ended | 2023-2024    | % Of   |   |
| 8  | Acct.#           |   | Description  | 2022-2023  | 2022-2023    |   | 2023-2024   | 12/31/2023    | 9/30/2024    | Budget | Notes   |
| 9  |                  |   |  |  |              |   | 12  | 3             |              | 25%    | Percent of year completed   |
| 10 | REVENUE          |   |  |  |              |   |   |               |              |        |   |
| 11 | 3010             |   | Sales Tax Revenues Type B  | 1,750,000.00                                       | 1,860,457.77 |   | 1,910,000.00  | 189,000.43    | 571,280.04   | 30%    |   |
| 12 | 3025             |   | Interest Income - Type A   | 165,500.00   | 158,463.05   |   | 130,000.00  | 6,528.95      | 21,667.95    | 17%    |   |
| 13 | 3025             |   | Interest Income - Type B   |  |              |   | 69,000.00   | 7,934.11      | 21,967.59    | 32%    |   |
| 14 | 3030             |   | Land Sales -Old Industrial Park  | 123,246.60   | 203,346.60   |   |   |               |              |        | Previous Year - 7.6 acres to Tyler Pipe   |
| 15 | 3059             |   | Lease Income - Texas Materials Group - 29.16 Ac.                                     | 12,800.00  | 12,800.00    |   |   |               |              |        | Previous Year - Mo.Lease - Industrial Dr. (CR 203) was Texas Bit/Oldcastle - Complete 9/2023 (to receive \$1600.00 per month 2/2022 thru 9/2023) <a href="#">Lease Agreement ENDED JUNE, 2023</a> |
| 16 | 3090             |   | Other (Misc) Revenue   | 115,463.13   | 115,463.13   |   |   |               | 5,000.00     |        | Previous Year - Winly Foods reimbursement on incentive  |
| 17 |                  |   | TOTAL REVENUE  | 2,167,009.73                                       | 2,350,530.55 |   | 2,109,000.00  | 203,463.49    | 619,915.58   | 29%    |   |
| 18 |                  |   |  |  |              |   |   |               |              |        |   |
| 19 | * Footnote       |   | Note Reciveable from Rusk County Rural Rail District - Not Included in Budget Totals |  |              |   |   |               |              |        | Notes receivable accrue on the balance sheet vs.the budget at. \$6,666.67 per month. <b>Pmt. Deferred for 15 years until 2037.</b>  |
| 20 |                  |   |  |  |              |   |   |               |              |        |   |

HEDCO - APPROVED BUDGET 2022-2023

|    | A   | B | C  | D          | E         | F | G            | H             | I         | J      | K   |
|----|---|---|--|------------|-----------|---|--------------|---------------|-----------|--------|---|
| 6  |   |   |  | Approved   | Final     |   | APPROVED     |               | Y-T-D     |        |   |
| 7  |   |   |  | Budget     | Budget    |   | BUDGET       | 1-Month Ended | 2023-2024 | % Of   |   |
| 8  | Acct.#  |   | Description  | 2022-2023  | 2022-2023 |   | 2023-2024    | 12/31/2023    | 9/30/2024 | Budget | Notes   |
| 21 | EXPENDITURES  |   |  |            |           |   |              |               |           |        |   |
| 22 | Economic Development Expenses                       |   |  |            |           |   |              |               |           |        |   |
| 23 | 6116  |   | Henderson Canvas Products, Inc.                          |            |           |   |              |               |           |        | Job creation incentive, 6-jobs @ \$5,000 /job. Forgivable loan executed March 2021. \$30,000 forgivable Loan in A/R |
| 24 | 6119  |   | High Demand Job Training Grant #5                        | 50,000.00  |           |   | 50,000.00    |               |           |        | Application to be submitted Nov-Dec 2023  |
| 25 | 6120  |   | Proj Provalus - Remodel Old City Hall Complex            |            | 68,378.16 |   | 270,000.00   |               |           |        | Project Provalus - Renovation of old city hall complex. Max exposure is \$325,000. Expended 68,378 to date          |
| 26 | 6121  |   | Proj Provalus - Utilities                                |            |           |   |              | 1,391.45      | 1,391.45  |        |   |
| 27 | 6122  |   | US 259 Infrastructure (Christus)                         |            |           |   | 750,000.00   |               |           |        | Infrastruture for new Christus Clinic. Total exposure for the project is \$750,000                                  |
| 28 | 6123  |   | Project K&L Recycling                                    |            |           |   | 190,000.00   |               |           |        | Was for incentives for K&L Recycling. Project is on life support.   |
| 29 | 6124  |   | Project SWEPCO   |            |           |   | (173,559.00) |               |           |        | Revenue for sale of 10 acres to SWEPCO.   |
| 30 | 6190  |   | Matching Grants for Buisness Retention - Industrial Park | 150,000.00 |           |   | 150,000.00   |               |           |        | New matching grant program for Henderson Industrial Park.   |
| 31 | 6200  |   | Business Incentives for new or existing businesses       | 350,000.00 | 4,000.00  |   | 350,000.00   |               |           |        | Place Holder - Reserve for Incentive for New Businesses. \$5,000 per job x 100 jobs.                                |
| 32 |   |   |  |            |           |   |              |               |           |        |   |
| 33 |   |   | Total Economic Development Expenses                      | 550,000.00 | 72,378.16 |   | 1,586,441.00 | 1,391.45      | 1,391.45  | 0%     |   |
| 34 |   |   |  |            |           |   |              |               |           |        |   |
| 35 | Supplies, Office Expenses and Professional Services |   |  |            |           |   |              |               |           |        |   |
| 36 | 6501  |   | Accounting (Monthly Bookkeeping + Annual Audit)          | 12,000.00  | 10,590.00 |   | 14,000.00    | 825.00        | 1,575.00  | 11%    | PB&J Accounting, Auditor Morgan LaGrone CPA   |
| 37 | 6502  |   | Insurance - General Liability                            | 1,500.00   | 1,500.00  |   | 1,500.00     |               | 1,500.00  | 100%   | City of Henderson Liability premium to HEDCO. Lump sum annual payment.  |
| 38 | 6503  |   | Legal (Attorney)   | 30,000.00  | 39,459.60 |   | 35,000.00    | 113.00        | 225.50    | 1%     | Legal fees  |
| 39 | 6504  |   | Office Expenses  | 1,500.00   | 2,995.71  |   | 2,500.00     | 472.83        | 1,183.75  | 47%    | Office supplies, copy paper, printer cartridges, computers, printer, furniture, bookshelves, storage, etc.          |
| 40 | 6505  |   | Postage & Shipping                                       | 100.00     | 261.75    |   | 250.00       |               |           | 0%     | Stamps, Fed-Ex, UPS   |



HEDCO - APPROVED BUDGET 2022-2023

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|----|--------|---|--|------------|------------|---|------------|---------------|-----------|---------|---|
| 6  |        |   |  | Approved   | Final      |   | APPROVED   |               | Y-T-D     |         |   |
| 7  |        |   |  | Budget     | Budget     |   | BUDGET     | 1-Month Ended | 2023-2024 | % Of    |   |
| 8  | Acct.# |   | Description  | 2022-2023  | 2022-2023  |   | 2023-2024  | 12/31/2023    | 9/30/2024 | Budget  | Notes   |
| 41 | 6506   |   | Property Tax   |            | 70.53      |   | 75.00      |               |           | 0%      | Copy machine tax  |
| 42 | 6507   |   | Telephone, Cell (Admin)  | 600.00     | 550.00     |   | 600.00     | 50.00         | 150.00    | 25%     | Office Phone, Cell for Adm. Asst.   |
| 43 | 6508   |   | Utilities - HEDCO Offices  |            |            |   |            |               | 2,228.19  |         | Potential utilities in new building.  |
| 44 | 6509   |   | Professional Services - Consulting Fees, Engineering, Design, Architectural (Part of Capital Expenses) | 225,000.00 | 202,791.96 |   | 225,000.00 | 41,886.15     | 59,386.15 | 26%     | New Business Park, Professional Services, Property Surveys, Engineering, Phase 1 Environmentals, Streets, Drainage, Sidewalks, Water, Sewer, Fiber, Natural Gas |
| 45 |        |   | Subtotal - Supplies, Office Expenses and Professional  | 270,700.00 | 258,219.55 |   | 278,925.00 | 43,346.98     | 66,248.59 | 24%     |   |
| 46 |        |   |  |            |            |   |            |               |           |         |   |
| 47 |        |   | Personnel Expenses   |            |            |   |            |               |           |         |   |
| 48 | 7001   |   | Contract Labor - Executive Director (with City)  | 161,539.00 | 138,553.08 |   | 161,539.00 | 16,164.93     | 37,718.19 | 23%     | Salary, Insurance, Retirement, Cell Phone, Car Allowance, W/H invoiced by City of Henderson,  |
| 49 | 7002   |   | Insurance Life - Adm. Asst.  | 1,200.00   |            |   |            |               |           |         | Life Insurance - Office Manager Karen Smith   |
| 50 | 7003   |   | Insurance Health - Adm. Asst.  | 5,044.00   | 4,176.14   |   |            |               |           | #DIV/0! | Medical Insurance - Office Manager Karen Smith  |
| 51 | 7004   |   | Insurance Worker's Comp - Adm. Asst.   | 396.00     | 381.52     |   |            |               | (45.00)   | #DIV/0! | Hartford Ins. - Office Manager Karen Smith  |
| 52 | 7007   |   | Retirement -Adm. Asst.   | 4,000.00   | 3,957.98   |   |            |               |           | #DIV/0! | Kansas City Life - Office Manager Karen Smith   |
| 53 | 7008   |   | Salary - Adm. Asst.  | 49,850.00  | 45,549.63  |   |            |               |           | #DIV/0! | Salary - Office Manager Karen Smith   |
| 54 | 7009   |   | Payroll Taxes - Adm Asst.  | 4,950.00   | 4,200.63   |   |            |               |           | #DIV/0! | Payroll Taxes - Office Manager Karen Smith  |
| 55 | 7010   |   | Contract Labor - Dir. of Marketing/Business Dev.   | 108,280.00 | 67,510.14  |   | 89,500.00  | 11,830.80     | 27,605.19 | 31%     | Salary, Insurance, Retirement, Cell Phone, Car Allowance, W/H invoiced by City of Henderson. Director of Marketing  |
| 56 | 7011   |   | Insurance Health - Dir. of Marketing   | 3,940.00   | 3,937.14   |   | 5,250.00   | 404.00        | 1,212.00  | 23%     | Health Insurance - Director of Marketing  |
| 57 |        |   | Contract Labor - Administrative Assistant  |            | 722.77     |   | 70,500.00  | 7,767.58      | 16,916.53 |         |   |
| 58 | 7020   |   | Contract Labor - Admin Asst Part Time  |            |            |   | 30,000.00  |               |           |         | Contract labor - Projected  |
| 59 | 7022   |   | Contract Labor - Attorney  |            |            |   |            |               |           |         |   |
| 60 |        |   | Subtotal - Personnel Expenses  | 339,199.00 | 268,989.03 |   | 356,789.00 | 36,167.31     | 83,406.91 | 23%     |   |
| 61 |        |   |  |            |            |   |            |               |           |         |   |

HEDCO - APPROVED BUDGET 2022-2023

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| 64 | 7202             |   | Website Development, Maintenance, Upgrades, etc.  | 12,094.00  | 13,095.00 |   | 5,000.00   | -             | 5,000.00  |        | Website CMS technology update (back end), new photo gallery, better mapping, new business park pages, updated property search tool, incentives tool - Website design updates by EDSuite           |
| 65 | 7203             |   | Advertising and Marketing   | 70,100.00  | 43,705.23 |   | 70,000.00  | 7,096.06      | 12,032.51 | 17%    | Print ads, Direct mail or email, Marketing travel, Trade shows, Sponsorships, Printed flyers & brochures, Marketing signage, Videos, Billboard, Public Notices, + Business Park Coming Soon Signs |
| 66 | 7204             |   | Meetings and Entertainment  | 14,500.00  | 10,650.26 |   | 12,000.00  | 77.25         | 242.13    | 2%     | Meeting refreshments, BREP meals, Prospect Hosting, Industry Appreciation Luncheon  |
| 67 | 7205             |   | Dues, Memberships & Subscriptions   | 17,250.00  | 6,648.32  |   | 10,000.00  | 771.91        | 970.91    | 10%    | Chamber of Commerce, TEDC, Rotary, Team Texas, ICSC, NETEDR, Adobe AcrobatDC (2), Place Marketing, also Computer Programs & Subscriptions   |
| 68 | 7206             |   | Training & Travel - Non-Marketing Conferences, Webinars, Seminars and Training (Including Travel), Admin. Asst. Mileage, Misc Consulting Fees | 25,000.00  | 8,684.17  |   | 12,000.00  |               | 11.88     | 0%     | TEDC Conferences, Training Workshops, Webinars, PFIA Training, Software Technical Assistance, Rusk County Days Austin Trip, Admin Assistant Mileage.  |
| 69 | 7207             |   | Non Engineering Studies   | 2,000.00   |           |   |            |               |           |        | Previous year -ETCOG Broadband Study Match  |
| 70 | 7208             |   | Special Projects  |            |           |   |            |               |           |        |   |
| 71 | 7209             |   | BREP Matching Grant Program (Type B Program) (Placeholder)  |            |           |   |            |               |           |        | Business Retention - Matching grants for current or new businesses in current industrial parks.   |
| 72 |                  |   | Subtotal - Program Expenses   | 150,344.00 | 85,856.98 |   | 112,074.00 | 7,945.22      | 22,307.43 | 20%    |   |
| 73 |                  |   |   |            |           |   |            |               |           |        |   |

HEDCO - APPROVED BUDGET 2022-2023

|    | A  | B | C  | D            | E          | F | G            | H             | I          | J      | K   |
|----|--|---|--|--------------|------------|---|--------------|---------------|------------|--------|---|
| 6  |  |   |  | Approved     | Final      |   | APPROVED     |               | Y-T-D      |        |   |
| 7  |  |   |  | Budget       | Budget     |   | BUDGET       | 1-Month Ended | 2023-2024  | % Of   |   |
| 8  | Acct.#   |   | Description  | 2022-2023    | 2022-2023  |   | 2023-2024    | 12/31/2023    | 9/30/2024  | Budget | Notes   |
| 74 | Repairs and Maintenance (Non-Capital Expenses) |   |  |              |            |   |              |               |            |        |   |
| 75 | 7302   |   | Property Maintenance - Frisco Street Parcel (29 acres)   | 4,000.00     | 3,565.00   |   | 2,500.00     | 900.00        | 900.00     | 36%    | Maintenance (Mowing, Clearing, Trimming, water detention, etc)              |
| 76 | 7303   |   | Property Maintenance - Taylor Street/Greenbelt           | 600.00       | 500.00     |   | 500.00       |               |            | 0%     | Greenbelt Maintenance   |
| 77 | 7304   |   | Property Maintenance - Old Industrial Park               | 40,000.00    | 34,513.75  |   |              | 25,000.00     | 25,000.00  |        |   |
| 78 | 7305   |   | Property Maintenance - East Texas Regional Business Park | 35,000.00    | 51,100.00  |   | 75,000.00    |               | 10,800.00  | 14%    | Mowing, trimming, repairs & maintenance                                     |
| 79 | 7306   |   | Monument and Wayfinding Sign - Industrial Park           |              |            |   |              |               |            |        | Sign at CR 203 & Loop 571 (TXDOT Won't Allow)                               |
| 80 |  |   | Property Maintenance,Jim Allen Estate                    |              |            |   | 400,000.00   |               |            |        | Clearing & pipeline moving  |
| 81 | 7307   |   | Railroad Preventative Maintenance (Ties)                 |              |            |   |              |               |            |        | To facilitate NETRMA Grant for RR ties. \$240,000 reimbursement (Completed) |
| 82 | 7308   |   | Remodel CAC Bldg & Furnishings                           |              |            |   |              |               |            |        | Previous years  |
| 83 | 7309   |   | Property Maintenance - Old City Hall Complex             |              | 1,947.79   |   | 10,000.00    |               | 5,274.83   |        | Maintenance items not covered by Provalus agreement                         |
| 84 |  |   | Subtotal - Repairs and Maintenance (Non-Capital)         | 79,600.00    | 91,626.54  |   | 488,000.00   | 25,900.00     | 41,974.83  | 9%     |   |
| 85 |  |   |  |              |            |   |              |               |            |        |   |
| 86 | TOTAL EXPENSES                                 |   |  | 1,389,843.00 | 777,070.26 |   | 2,822,229.00 | 114,750.96    | 215,329.21 | 8%     |   |
| 87 |  |   |  |              |            |   |              |               |            |        |   |

HEDCO - APPROVED BUDGET 2022-2023

|     | A  | B   | C   | D              | E              | F | G              | H             | I            | J      | K  |
|-----|--|---|---|----------------|----------------|---|----------------|---------------|--------------|--------|--|
| 6   |  |   |   | Approved       | Final          |   | APPROVED       |               | Y-T-D        |        |  |
| 7   |  |   |   | Budget         | Budget         |   | BUDGET         | 1-Month Ended | 2023-2024    | % Of   |  |
| 8   | Acct.#   |   | Description   | 2022-2023      | 2022-2023      |   | 2023-2024      | 12/31/2023    | 9/30/2024    | Budget | Notes  |
| 88  | CAPITAL OUTLAY                                   |   |   |                |                |   |                |               |              |        |  |
| 89  | 7501   |   | Purchase of Property for New Business Park  | 400,000.00     | 345,654.03     |   | 234,000.00     |               |              |        | 2019-20 Alford Parcel \$1,044,000, 2020-21 Richardson Parcel \$327,621.95. 2020-21 9.786 Acres \$39,144. 2022-23 Jim Allen Estate \$345,444, 2023-24 Colley Property \$230,000 + \$4,000 for |
| 90  | 7502   |   | East Texas Reg. Business Park - Capital Expenditures - Utilities & Street Improvements, Land Clearing, Sidewalks, Pond improvements | 3,800,000.00   | 2,897,119.01   |   | 1,037,933.50   | 223,256.71    | 767,761.08   | 74%    | John Wright Construction, Few Land & Timber & Other Contractors  |
| 91  | 7503   |   | Grant Match for TCF Grant - Morris Street   |                |                |   |                |               |              |        | Previous Year - TCF Program was Shelved by TX Ag Commission  |
| 92  | 7504   |   | Speculative Building - Design and Construction  |                |                |   |                |               |              |        | Engineer, design and construct a 20,000 sq ft building. On HOLD  |
| 93  |  |   | CR203 Industrial Drive Improvements   |                |                |   | 2,000,000.00   |               |              |        | Project estimated at \$4 million. Need participation by City and County  |
| 94  |  | Total Capital Outlay                                  |   | 4,200,000.00   | 3,242,773.04   |   | 3,271,933.50   | 223,256.71    | 767,761.08   | 23%    |  |
| 95  |  |   |   |                |                |   |                |               |              |        |  |
| 96  | TOTAL EXPENDITURES (Expenses + Capital Outlay)   |   |   | 5,589,843.00   | 4,019,843.30   |   | 6,094,162.50   | 338,007.67    | 983,090.29   | 16%    |  |
| 97  | Totals   |   |   |                |                |   |                |               |              |        |  |
| 98  |  | Total Revenues  |   | 2,167,009.73   | 2,350,530.55   |   | 2,109,000.00   | 203,463.49    | 619,915.58   | 29%    |  |
| 99  |  | (Less) Total Expenditures                             |   | 5,589,843.00   | 4,019,843.30   |   | 6,094,162.50   | 338,007.67    | 983,090.29   | 16%    |  |
| 100 | Net Increase/Decrease In Unrestricted Net Assets |   |   | (3,422,833.27) | (1,669,312.75) |   | (3,985,162.50) | (134,544.18)  | (363,174.71) | 9%     |  |
| 101 |  | Receivable for Loan - Rusk County Rural Rail District |   |                | -              |   |                |               | -            |        | Agreement to defer for 15 years until the year 2037.   |
| 102 |  | Total Available to Contribute to Fund Balance         |   | (3,422,833.27) | (1,669,312.75) |   | (3,985,162.50) | (134,544.18)  | (363,174.71) | 9%     | Operating income less operating expenses   |
| 103 |  |   |   |                |                |   |                |               |              |        |  |
| 104 | Potential Transfer From Fund Balance             |   |   |                |                |   |                |               |              |        | Projected Expenditures In Excess of Annual Income  |
| 105 |  |   |   |                |                |   |                |               |              |        |  |
| 106 | FINAL BALANCE                                    |   |   | -3,422,833.27  | -1,669,312.75  |   | -3,985,162.50  | -134,544.18   | -363,174.71  |        |  |



# City Council

## Agenda Item # 4.

**SUBJECT:** Consideration and possible action on confirmation of the appointment of a Fire Chief for the City of Henderson. (Abercrombie)

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** City Manager

**CONTACT:** Jay Abercrombie, City Manager

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**RECOMMENDED CITY COUNCIL ACTION:** City Manager, Jay Abercrombie, recommends approval and appointment of Sonny Ybarra as the City of Henderson Fire Chief effective March, 2024.

**ITEM SUMMARY:** After over 32 years of service to the City of Henderson and the Fire Department within, Chief Rusty Chote is retiring. Chief Chote has been in his position as Chief for 15 years. Chief Chote has also served the City in the capacity of Interim City Manager twice. His service to the citizens, business owners, visitors etc. has been exemplary and always done with a gracious heart. Rusty will be missed by all the staff as he has been the solid rock for many during many changes over the years. Good luck in your retirement, Rusty Chote and don't be a stranger!

This news offered the difficult task of choosing the replacement as Fire Chief. Deputy Chief Sonny Ybarra will have served the City of Henderson's Fire Department for 20 years next month. He has served the last 4 and a half years as Deputy Chief. As we knew the retirement date for Chief Chote might be coming soon, Deputy Chief Ybarra stepped up and answered every question and challenge in front of him. I'm so encouraged that the most qualified candidate to fill the position as Fire Chief comes from within the department.

**BACKGROUND INFORMATION:**

**SPECIAL CONSIDERATIONS:**

**SUPPORTING MATERIALS:** None



# City Council

## Agenda Item # 5.

**SUBJECT:** Consideration and possible action authorizing the City Attorney and City Manager to enter into an agreement with MD Health Pathways (MDHP) presentation by the founder of MDHP Dr. Dirk Perritt. This will be allowing citizens to have access to low-cost healthcare for a small fee and allowing this fee to be billed through the Henderson Utility Billing system.

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** City Manager

**CONTACT:** Jay Abercrombie, City Manager

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**RECOMMENDED CITY COUNCIL ACTION:** Authorize the City Attorney and City Manager to enter into an agreement with MDHP.

**ITEM SUMMARY:** We all know the huge need for affordable and accessible healthcare for everyone in our community. I was first introduced to this service idea about a year ago when I attended a City Manager Luncheon and Dr. Dirk Perritt was the program speaker. He played out this new opportunity of text-based healthcare that was easy and seamless. I thought there must be some catch, so I have continued dialogue with Dr. Perritt and Parker Dahl over the last 12 months or so.

After many educational meetings and reviews from City Managers that are using the program, I believe this is something that we should consider in the City of Henderson. The role of the City is to simply allow the \$5 monthly fee to be added as a line item on our monthly utility bill. No other need or financial backing is requested of the City.

If Council agrees, this will allow myself and our City Attorney to negotiate and work out the agreement and partnership that will be brought back to Council for

approval in a future meeting.

**BACKGROUND INFORMATION:**

**SPECIAL CONSIDERATIONS:**

**SUPPORTING MATERIALS:** None





# City Council

## Agenda Item # 6.

**SUBJECT:** Consideration and possible action upon Resolution 2024-02-01 setting two public hearing dates for the application for the annexation of Bradshaw State Jail Facility located on the corner of Loop 571 and Industrial Park Drive, also known as County Road 203 and/ or Morris Street. (Jimerson)

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** City Secretary

**CONTACT:** Cheryl Jimerson

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**RECOMMENDED CITY COUNCIL ACTION:** Approve a resolution setting two public hearing dates upon the annexation application for Brashaw State Jail Facility.

**ITEM SUMMARY:** The city has been working for over a year with Bradshaw State Jail on an application submitted for annexation of the property at the corner of Loop 571 and County Road 203. They had some delays due to getting the property records in order to be able to make this happen. They have submitted all the required documents and are ready to move forward. The annexation time line process is attached.

**BACKGROUND INFORMATION:**

**SPECIAL CONSIDERATIONS:** None.

**SUPPORTING MATERIALS:**

1. 2024-02-01 Resolution-Annexation Public Hearings
2. Checklist for Petition to Annex into the City of Henderson

## RESOLUTION 2024-02-01

### RESOLUTION SETTING PUBLIC HEARINGS ON A PROPOSED ANNEXATION

WHEREAS, application has been submitted by Texas Department of Criminal Justice, (also known as Bradshaw State Jail) which is attached as **Exhibit A**, requesting voluntary annexation; and is granted by the City Council of the City of Henderson.

WHEREAS, public hearings are required by 43.028 of the Texas Local Government Code to hear arguments for and against the annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Henderson, Texas, that:

- 1) The governing body of the city must conduct two public hearings on any proposed annexation. The hearings must be held not more than 40 days nor less than 20 days prior to adoption of the ordinance annexing an area.
- 2) The Secretary of the City of Henderson, Texas is hereby authorized and directed to cause notice of such public hearing to be published once in a newspaper having general circulation in the city and in the above-described territory not more than twenty days nor less than ten days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.
- 3) Public hearings are scheduled for March day of 19th, 2024 at 6:00 p.m. and April day of 2nd, 2024 at 6:00 p.m. in the City Council Chambers at 300 West Main Street, Henderson, Texas as the time and place the City Council will hear arguments for and against the annexation.
- 4) The City Manager is directed to prepare a Service Plan to provide for extension of full municipal services of the area to be annexed, publish appropriate notices and perform other activities necessary for the initiation of annexation proceedings for the aforementioned areas.
- 5) The annexation shall become effective immediately upon adoption and publication as required by law.

PASSED AND APPROVED this the February day of 20th, 2024.

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J.W. (Buzz) Fullen, Mayor

ATTEST:

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Cheryl Jimerson, City Secretary

## Petition to Annex into the City of Henderson Checklist

- Send the petitioner the procedure and application form, Service Plan and Development Agreement.
  - Need survey and field notes.
  - Date forms were sent \_\_\_\_\_
- Received application and forms.
  - Date received \_\_\_\_\_
- Send information to the City Attorney to create an ordinance.
- Place on Council Agenda
- Council members set two public hearing dates by Resolution.
  - 1<sup>st</sup> public hearing \_\_\_\_\_
  - 2<sup>nd</sup> public hearing \_\_\_\_\_
- Send written notice to School District or other entity that provides services including ROW that may be incorporated (TXDOT, Railroad, County)
- Publish in paper 20<sup>th</sup> to 11<sup>th</sup> day before public hearing.
  - Public Notice must be on Website.
  - Date of first publication \_\_\_\_\_
  - Date of second publication \_\_\_\_\_
  - Date filed at Court House \_\_\_\_\_



# City Council

## Agenda Item # 7.

**SUBJECT:** Consideration and possible action upon scheduling a Special Council Meeting on April 2nd, 2024. (Jimerson)

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** City Secretary

**CONTACT:** Cheryl Jimerson

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**RECOMMENDED CITY COUNCIL ACTION:** Approval of a Special Council Meeting on April 2nd at 6 p.m. to have the second public hearing for the Bradshaw State Jail Facility and first reading of the annexation ordinance.

**ITEM SUMMARY:** In accordance with the timeline on the required public hearings for voluntary annexations, there must be a special meeting scheduled.

**BACKGROUND INFORMATION:**

**SPECIAL CONSIDERATIONS:**

**SUPPORTING MATERIALS:** None



# City Council

## Agenda Item # 8.

**SUBJECT:** Consider and possible action upon Resolution 2024-02-02 for 2023-2024 Budget Amendment #1. (Arnall)

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** Finance

**CONTACT:** Karen Arnall, Finance Director

---

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends Council to approve the item as presented.

**ITEM SUMMARY:** This is to amend the 2023-2024 budget for items ordered but not yet received or projects started but not yet completed in 2023. These items or projects will be received and most likely completed in 2024. An exception could be the Eastside Sewer Main Project. The budget amendment recommended to Council addresses needed changes to the 2023-2024 budget affecting the following funds: General Fund, Equipment Replacement, and 2018 Bond Series.

**BACKGROUND INFORMATION:** The total budget amendment request is \$1,608,141.55.

**SPECIAL CONSIDERATIONS:**

**SUPPORTING MATERIALS:**

1. Budget Amendment #1 2023-2024
2. 2024-02-02 Resolution-Budget Amendment 1 FY2023-2024

# 2023-2024 Budget Amendment #1

| REVENUES                          |                                    |                        | EXPENSES                  |                                   |                        |
|-----------------------------------|------------------------------------|------------------------|---------------------------|-----------------------------------|------------------------|
| Account                           | DESCRIPTION                        | Amend                  | Account                   | Description                       | Amount to Amend        |
| <b>General Fund</b>               |                                    |                        |                           |                                   |                        |
| <b>Administration Department</b>  |                                    |                        |                           |                                   |                        |
| 01-5999                           | Beginning Balance                  | \$ 14,500.00           | 01-6349-10                | Administrative Services           | \$ 14,500.00           |
|                                   | <b>TOTAL Administration</b>        | <b>\$ 14,500.00</b>    |                           |                                   | <b>\$ 14,500.00</b>    |
| <b>Fire Department</b>            |                                    |                        |                           |                                   |                        |
| 01-5999                           | Beginning Balance                  | \$ 73,890.00           | 01-6750-15                | Capital                           | \$ 73,890.00           |
|                                   | <b>TOTAL Fire Department</b>       | <b>\$ 73,890.00</b>    |                           |                                   | <b>\$ 73,890.00</b>    |
| <b>Police Department</b>          |                                    |                        |                           |                                   |                        |
| 01-5999                           | Beginning Balance                  | \$ 36,838.30           | 01-6701-16                | TX Eastern 911 Grant              | \$ 26,338.30           |
|                                   |                                    |                        | 01-6748-16                | PD Shooting Range-Donations       | \$ 10,500.00           |
|                                   | <b>TOTAL Police Department</b>     | <b>\$ 36,838.30</b>    |                           |                                   | <b>\$ 36,838.30</b>    |
| <b>Animal Center</b>              |                                    |                        |                           |                                   |                        |
| 01-5999                           | Beginning Balance                  | \$ 8,000.00            | 01-6450-20                | Buildings & Grounds               | \$ 8,000.00            |
|                                   | <b>TOTAL Animal Center</b>         | <b>\$ 8,000.00</b>     |                           |                                   | <b>\$ 8,000.00</b>     |
| <b>Miscellaneous Department</b>   |                                    |                        |                           |                                   |                        |
| 01-5999                           | Beginning Balance                  | \$ 10,000.00           | 01-6710-25                | Comprehensive Plan                | \$ 10,000.00           |
| 01-5999                           | Beginning Balance                  | \$ 608,191.25          | 01-6920-25                | American Rescue Plan              | \$ 608,191.25          |
|                                   | <b>TOTAL Miscellaneous</b>         | <b>\$ 618,191.25</b>   |                           |                                   | <b>\$ 618,191.25</b>   |
|                                   | <b>TOTAL General Fund</b>          | <b>\$ 751,419.55</b>   |                           |                                   | <b>\$ 751,419.55</b>   |
| <b>Equipment Replacement Fund</b> |                                    |                        |                           |                                   |                        |
| 09-5999                           | Beginning Balance                  | \$ 82,923.00           | 09-6849                   | Animal Center Truck               | \$ 82,923.00           |
|                                   | <b>TOTAL Equipment Replacement</b> | <b>\$ 82,923.00</b>    |                           |                                   | <b>\$ 82,923.00</b>    |
| <b>2018 Bond Series</b>           |                                    |                        |                           |                                   |                        |
| 33-5999                           | Beginning Balance                  | \$ 90,234.00           | 33-6784                   | Eastside Sewer Main Proj-Engineer | \$ 90,234.00           |
| 33-5999                           | Beginning Balance                  | \$ 683,565.00          | 33-6785                   | Eastside Sewer Main Proj-Const    | \$ 683,565.00          |
|                                   | <b>TOTAL 2018 Bond Series</b>      | <b>\$ 773,799.00</b>   |                           |                                   | <b>\$ 773,799.00</b>   |
| <b>TOTAL REVENUES</b>             |                                    | <b>\$ 1,608,141.55</b> | <b>TOTAL EXPENDITURES</b> |                                   | <b>\$ 1,608,141.55</b> |

8-Jan-24

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSON, TEXAS, AUTHORIZING THE 2023-2024 BUDGET AMENDMENTS, AMENDMENT #1.**

**WHEREAS**, the City Council of the City of Henderson, Texas, on the 12th day of September 2023, adopted the Fiscal Budget of the City of Henderson, for the period beginning October 1, 2023, and ending September 30, 2024, all such proceedings being in accordance with Local Government Code Sections 102.005-102.008; and

**WHEREAS**, Article VI, Section 7, of the Charter of the City of Henderson provides that the City Council, for good cause shown, may pass resolutions transferring appropriations made from one department to another department, but that in no event shall the total appropriations made for all the departments of the City exceed the reasonable and anticipated revenues of the City in excess of fixed charges for that year. The City Council hereby finds good cause to transfer appropriations previously made in the original budget for this Fiscal Year between departments.

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

**SECTION 1.**

That certain of the appropriations made in the Fiscal Budget for 2023-2024 are hereby transferred between departments in the following funds as more fully set out in the City of Henderson 2023-2024 Budget Amendments, **Amendment #1 (Attachment A)**, on file in the office of the City Secretary:

- (1) General Fund \*
  - Administration Department
  - Fire Department
  - Police Department
  - Animal Center Department
  - Miscellaneous Department
- (2) Equipment Replacement Fund
- (3) 2018 Bond Series

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HENDERSON, TEXAS, this 16th day of January 2024.**

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John (Buzz) Fullen, Mayor

**ATTEST:**

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Cheryl Jimerson, City Secretary



# City Council

## Agenda Item # 9.

**SUBJECT:** Consideration and possible action upon the second reading of Ordinance 2023-12-01, regarding a request to re-zone a property from R1 to I1. (Hughes/McElfresh)

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** Community Development

**CONTACT:** Billy Hughes, P & Z Coordinator

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**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends the City Council consider and approve the second reading of Ordinance # 2023-12-01 that will amend the Zoning Map for the City of Henderson changing the zone designation of a property that is currently zoned Low Density Single Family Residential (R1) to Low Intensity Industrial (I1) zoned district.

This property is located at 511 Millville Dr. in Council District 1.

**ITEM SUMMARY:** The Planning and Zoning Commission and our staff recommends that council consider an amendment to the Official Zoning Map that will change the current zoning of the property from R1 to I1. The property is described as:

**All Lot 14 Blk 658**

**TT Gammage Survey**

**Henderson, Texas**

**BACKGROUND INFORMATION:** LSG Partners recently purchased this property that adjoins their property at 502 Kilgore Drive. The property had an old sub-standard structure on it that was torn down and the lot cleared. Mr. Sam Jones, owner of LSG Partners, is requesting that this property be re-zoned to I1 so that he may fence it in and include this property as a part of his existing lay



down yard.

**SPECIAL CONSIDERATIONS:** None

**SUPPORTING MATERIALS:**

1. Ordinance for rezone R1 to I1

**ORDINANCE NO. 2023-12-01**

**AN ORDINANCE REZONING A CERTAIN PORTION OF A LOT ABOUT THE 500 BLOCK OF MILLVILLE DRIVE FROM A R1 LOW DENSITY RESIDENTIAL DISTRICT TO A I1 LOW INTENSITY INDUSTRIAL DISTRICT; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, a certain lot located in the 500 block of Millville Drive, approximately 0.604 acres is now zoned R1 Low Density Residential District; and

**WHEREAS**, certain owners of said lot have requested that 0.604 acres be rezoned from R1 Low Density Residential District to I1 Low Intensity Industrial District in order to add it to their adjoining commercial property; and

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

**SECTION 1:** The Zoning Ordinance of the City of Henderson, Texas, and the Zoning Map of the City of Henderson, Texas, are hereby amended as required by Section 7.12 of the Henderson Zoning Ordinance in order to remove the following lot, as described and shown on the abstract of the City of Henderson, Texas tax roll and The City of Henderson, Texas official zoning map, from the R1 Low Density Residential Zoning and rezoned said 0.604 acres to I1 Low Intensity Industrial District Zoning. The property is located in the 500 block of Millville Drive as also depicted on the attached Zoning Map marked Exhibit “A” and description as Exhibit “B” and described as:

**ALL LOT 14 BLK 658  
T.T. GAMMAGE SURVEY  
Parcel ID 66**

**SECTION 2: Repealer.**

All ordinance or parts of ordinances inconsistent with the terms of this Ordinance are hereby repealed, provided, however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, the subject matter covered by this Ordinance shall continue to be in full form and effect.

**SECTION 3: Severability.**

If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this Ordinance or the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of the Ordinance or their application to other persons or sets of circumstances and, to this end, all provisions of the Ordinance are declared to severable.

**SECTION 4: Open Meeting.**

It is hereby found that this Ordinance was adopted at an Open Meeting as required by law.

**SECTION 5: Effective Date.**

That this Ordinance shall take full effect and force upon the passage by the City Council of the City of Henderson, Texas and publication as required by law.

**CONSIDERATION OF** the first reading of this ordinance on the \_\_\_\_ day of \_\_\_\_\_, 2023.

**PASSED, APPROVED AND ADOPTED** upon the second reading of this ordinance on the \_\_\_\_ day of \_\_\_\_\_, 2023

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Mayor John Fullen

ATTEST:

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Cheryl Jimerson: City Secretary



# City Council

## Agenda Item # 10.

**SUBJECT:** Consideration and possible action upon the second reading of Ordinance 2023-12-02, regarding a request to re-zone a property from R3 to M2. (Hughes/McElfresh)

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** Community Development

**CONTACT:** Billy Hughes, P & Z Coordinator

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**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends the City Council consider approving the second reading of Ordinance 2023-12-02 amending the Zoning Map for the City of Henderson, changing the zoning designation of a property that is currently zoned High Density Single Family Residential (R3) to Multi-Family 2 (M2) zoned district.

This property is located on North Evenside and North Whippoorwill Ave. in Council District 3.

**ITEM SUMMARY:** The Planning and Zoning Commission and our staff recommends that council approve the second reading of an ordinance that will amend to the Official Zoning Map. Final approval of this ordinance will change the current zoning of a property from R3 to M2. The property is described as:

**Lot 1 9.611 Acres**

**BIH Addition**

**F N Brooks Survey**

**Henderson, Texas**

**BACKGROUND INFORMATION:** Bane Investment Holdings LLC purchased this property approximately a year ago and had it cleared of the timber and brush. The owner is now planning to develop this property for multi-family use,

consisting of 34 duplexes, if the request to rezone the property is approved.

**SPECIAL CONSIDERATIONS:** . If approved, this multi-family development would give the city some much needed housing options..

**SUPPORTING MATERIALS:**

1. BIH Addition Ordinance 2023-12-02

**ORDINANCE No. 2023-12-02**

**AN ORDINANCE TO AMEND THE ZONING MAP FOR THE CITY OF HENDERSON, TEXAS; TO CHANGE ZONING TO PROPERTY LOCATED ON NORTH EVENSIDE AVENUE AND NORTH WHIPPOORWILL AVENUE FROM A HIGH DENSITY SINGLE FAMILY RESIDENTIAL (R3) TO (M2) MULTI -FAMILY DESIGNATION ; TO PROVIDE A REPEALER; PROVIDE FOR SEVERABILITY; AND PROVIDE AN EFFECTIVE DATE.**

**WHEREAS**, a certain lot located on North Evenside Ave. and North Whippoorwill Ave. more fully described herein below, is now zoned High Density Single Family Residential (R3) ; and

**WHEREAS**, certain owners of said property have requested that their property be rezoned from High Density Single Family Residential (R3) to Multi-family (M2) in order to facilitate development of multi-family only facilities; and

**WHEREAS**, certain lots located in the subject area, once more fully developed and occupied for the intended purpose of multi-family utilization will enhance the neighboring area of other multi-family facilities which is critical to economic and social growth and prosperity.

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

**SECTION 1: Zoning Change.**

The Zoning Ordinance of the City of Henderson, Texas, and the Zoning Map of the City of Henderson, Texas, are amended to remove the following lot, as described and shown on the abstract of the City of Henderson, Texas, tax roll and The City of Henderson, Texas, official zoning map, from High Density Single Family Residential (R3) and to be replaced and rezoned as Multi-family (M2) . The property herein is more fully described in the legal description below:

**Lot 1 9.611 acres  
BIH Addition  
F N Brooks Survey A-101  
City of Henderson  
Rusk County, Texas**

**SECTION 2: Repealer.**

All ordinance or parts of ordinances inconsistent with the terms of the Ordinance are hereby repealed, provided, however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, the subject matter covered by this Ordinance shall continue to be in effect.

**SECTION 3: Severability.**

If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this Ordinance or the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of the Ordinance or their application to other persons or sets of circumstances and, to this end, all provisions of the Ordinance are declared to severable.

**SECTION 4: Open Meeting.**

It is hereby found that this Ordinance was adopted at an Open Meeting as required by law.

**SECTION 5: Effective Date.**

That this Ordinance shall take full effect and force upon the passage by the City Council of the City of Henderson, Texas and publication as required by law.

**CONSIDERATION OF** the first reading of this ordinance on this the \_\_\_\_ day  
of \_\_\_\_\_, 2023  
**PASSED, APPROVED AND ADOPTED** on the second and final reading on this  
the \_\_\_\_ day of \_\_\_\_\_ 2023.

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John W. Fullen, Mayor  
City of Henderson,  
Texas

ATTEST:

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Cheryl Jimerson, City Secretary  
City of Henderson, Texas



# City Council

## Agenda Item # 11.

**SUBJECT:** Consideration of a recommendation from the Planning and Zoning Commission upon the first reading of ordinance 2024-01-01 regarding a request to create a new zoning district for Town Homes. (Hughes/McElfresh)

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** Community Development

**CONTACT:** Billy Hughes, P & Z Coordinator

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**RECOMMENDED CITY COUNCIL ACTION:** : The Planning and Zoning Commission and our staff recommend council consider approving ordinance #2024-01-01 adding the Town Home Dwelling District to Article 2 of the City of Henderson's Zoning Ordinances, including the proposed appropriate developmental standards for this district.

**ITEM SUMMARY:** This proposed amendment would create a new zoning district for Town Homes that can be placed within certain residentially zoned districts and adjacent to certain appropriate zoned districts.

**BACKGROUND INFORMATION:** Presently, the City of Henderson has no residential district that permits a zero lot line for single family attached dwelling units to be built and sold as such. If approved, the "Town Home Dwelling District" would have its own Developmental Standards, Permitted Uses and Special Exception Uses.

**SPECIAL CONSIDERATIONS:** Our staff has already been approached by several builders and property owners interested in building town homes. If approved, the creation of this new Town Home Dwelling District would be the first step toward the direction of residential developments suggested by the

newly adopted 2050 Comprehensive Plan.

**SUPPORTING MATERIALS:**

1. Town Home Ordinance
2. Developmental standards for Town Homes
3. Proposed 3 unit town home



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE PROVIDING FOR A NEW SECTION OF THE ZONING ORDINANCE OF THE CITY OF HENDERSON, TEXAS, TO PROVIDE FOR THE CREATION OF A NEW ZONING DISTRICT TO BUILD TOWN HOMES IN CERTAIN RESIDENTIAL DISTRICTS; PROVIDING SETBACK REQUIREMENTS; REGULATING SIGNAGE; PROVIDING FOR COMPLIANCE WITH OTHER CODES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON FINAL ADOPTION

**WHEREAS**, On February 19, 2024, the City Council of the City of Henderson, Texas, amended the Zoning Ordinance of the City of Henderson to establish a new zoning district to allow Town Homes to be built within the certain residential zoning districts; and

**WHEREAS**, owners of property located within the City of Henderson have requested the Planning and Zoning Commission to recommend to the City Council that a new zoning district be established specifically for Town Homes; and

**WHEREAS**, the Planning and Zoning Commission has recommended that the Zoning Ordinance be amended to provide for a Town Home District be allowed by amending the zoning map for the City of Henderson in certain Residential Districts within the City of Henderson; and

**WHEREAS**, the City Council of the City of Henderson, Texas, has determined that it would be in the best interest of the citizens to approve the recommendation of the Planning and Zoning Commission, thereby allowing certain properties in districts of the City of Henderson in order to promote growth;

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

**Section 1:** That there be created a new section to be added to Article 2 of the City Zoning Ordinance, to be designated as Section 2.37 of Article 2, which such new section shall read as follows:

**"SECTION 2.37 Town Home Dwelling District"**

## **Development Regulations:**

### **District Intent**

The Townhome Districts intent is to provide for development of single family-attached units on separate lots, platted with a zero foot (0') side yard setback on the interior units and built to accommodate five (5) to twelve (12) dwelling units per acre. The maximum number of units attached shall not exceed six (6). Corresponding future land use designations generally include Medium Density Residential and High Density Residential.

### **Application for District**

New Development

### **Appropriate Adjacent Zoning Districts**

AG, PR, and IS

### **Appropriate Within Zoning Districts**

RE, R1, R2, R3, M1 and M2

#### **a. Permitted Uses**

##### **Accessory Permitted Uses**

Home business (Type 1)

##### **Residential Permitted Uses**

Dwelling single-family attached

#### **b. Special Exception Uses**

**Accessory Special Exception Uses** Home business (Type 2).

**Residential Special Exception Uses** Low Density Single Family Residential

#### **Developmental Standards**

|  |  |
|--|--|
| <b>Minimum Lot Area</b>                      | 6000sf   |
| <b>Minimum Lot Width</b>                     | 25'  |
| <b>Minimum Lot Depth</b>                     | 100'   |
| <b>Minimum separation between structures</b> | 15'  |
| <b>Maximum Lot Coverage</b>                  | 80%  |
| <b>Minimum Front Yard Setback</b>            | 30'  |
| <b>Min Front Yard Setback for Corner Lot</b> | 30' from each street<br>Front                  |
| <b>Minimum side Yard setback</b>             | 0' between attached units<br>7 ½' on end units |
| <b>Minimum rear yard setback</b>             | 10'  |
| <b>Minimum Dwelling Size</b>                 | 800 sf   |
| <b>Maximum Height</b>                        | 35'  |

All structures shall meet all other applicable requirements of the adopted zoning ordinances.

All structures shall meet all applicable Building, Fire and Health codes.

c. Signs:

No signs shall be allowed identifying the Townhome structures other than address identification on building.

d. All structures shall meet all applicable Building, Fire and Health Codes."

**Section 2:** That the provisions of this Ordinance shall be severable. If any provision of this ordinance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision of application.

**Section 3:** That all ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 4:** That this ordinance shall take full effect and force upon the passage by the City Council of the City of Henderson, Texas.

**PASSED AND APPROVED** upon the first reading on this the \_\_\_\_ day of \_\_\_\_\_, 2024.

**PASSED, APPROVED, AND ADOPTED** on the second and final reading on this the \_\_\_\_ day of \_\_\_\_\_, 2023.

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**J. W. FULLEN**  
**Mayor**

**ATTEST:**

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**Cheryl Jimerson**  
**City Secretary**

## Town Home (TH) Dwelling District

| District Intent  | Permitted Uses   | Special Exception Uses   |
|--|--|--|
| <p>The Town Home Districts intent is to provide for development of single family-attached units on separate lots, built to accommodate five (5) to twelve (12) dwelling units per acre.</p> <p>The maximum number of units attached shall not exceed six (6).</p> <p>Corresponding future land use designations generally include Medium Density Residential and High Density Residential.</p> <p><b>Application for District</b><br/>New Development</p> <p><b>Appropriate Adjacent Zoning Districts</b><br/>AG, PR, and IS</p> <p><b>Appropriate Within Zoning Districts</b><br/>RE, R1, R2, R3, M1 and M2</p> | <p>Accessory Permitted Uses<br/>Home business (Type 1)</p> <p>Residential Permitted Uses<br/>Dwelling single-family attached</p> | <p>Accessory Special Exception Uses<br/>Home business (Type 2)</p> <p>Residential Special Exception Uses<br/>Low Density Single Family Residential</p> |

|  |  |
|--|--|
| <b>Minimum Lot Area</b>                          | 6000 sf                                      |
| <b>Minimum Lot Width</b>                         | 25'  |
| <b>Minimum Lot Depth</b>                         | 100'   |
| <b>Maximum Lot Coverage</b>                      | 80%  |
| <b>Minimum Front Yard Setback</b>                | 30'  |
| <b>Minimum Front Yard Setback for Corner Lot</b> | 30' from property line on both street fronts |
| <b>Minimum Side Yard Setback</b>                 | 0' between attached units; 7 ½' on end units |
| <b>Minimum Rear Yard Setback</b>                 | 10'  |
| <b>Minimum Dwelling Size</b>                     | 800 sf                                       |
| <b>Maximum Stories</b>                           | 2.5  |
| <b>Minimum separation between structures</b>     | 15'  |

All structures shall meet all other applicable requirements of the adopted zoning ordinances.

All structures shall meet all applicable Building, Fire and Health codes.









# City Council

## Agenda Item # 12.

**SUBJECT:** Consideration and possible action upon a recommendation from the Planning and Zoning Commission to rezone a property from R2 to TH upon the first reading of Ordinance #2024-02-02.

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** Community Development

**CONTACT:** Billy Hughes, P & Z Coordinator

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**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends that the Council consider a recommendation from the Planning and Zoning Commission to amend the Zoning Map for the City of Henderson.

**ITEM SUMMARY:** The subject property is located at 501 S. Van Buren and is currently zoned Medium Density Single Family Residential (R2). Our staff recommends that this property be re-zoned to the Town Home Dwelling District (TH), pending final council approval of ordinance #2024-01-01.

**BACKGROUND INFORMATION:** At a meeting held February 16, 2024, the Planning and Zoning Commission recommended this change of zoning for a property located at 501 S. Van Buren. The owner of this property has requested that this property be rezoned to the Town Home (TH) district so that he may build a 3 unit Town Home on his lot.

**SPECIAL CONSIDERATIONS:** If approved, this will be the first town home built in the city in many years. The developer has told our staff that if successful, this will be the first of several he is considering building in Henderson.

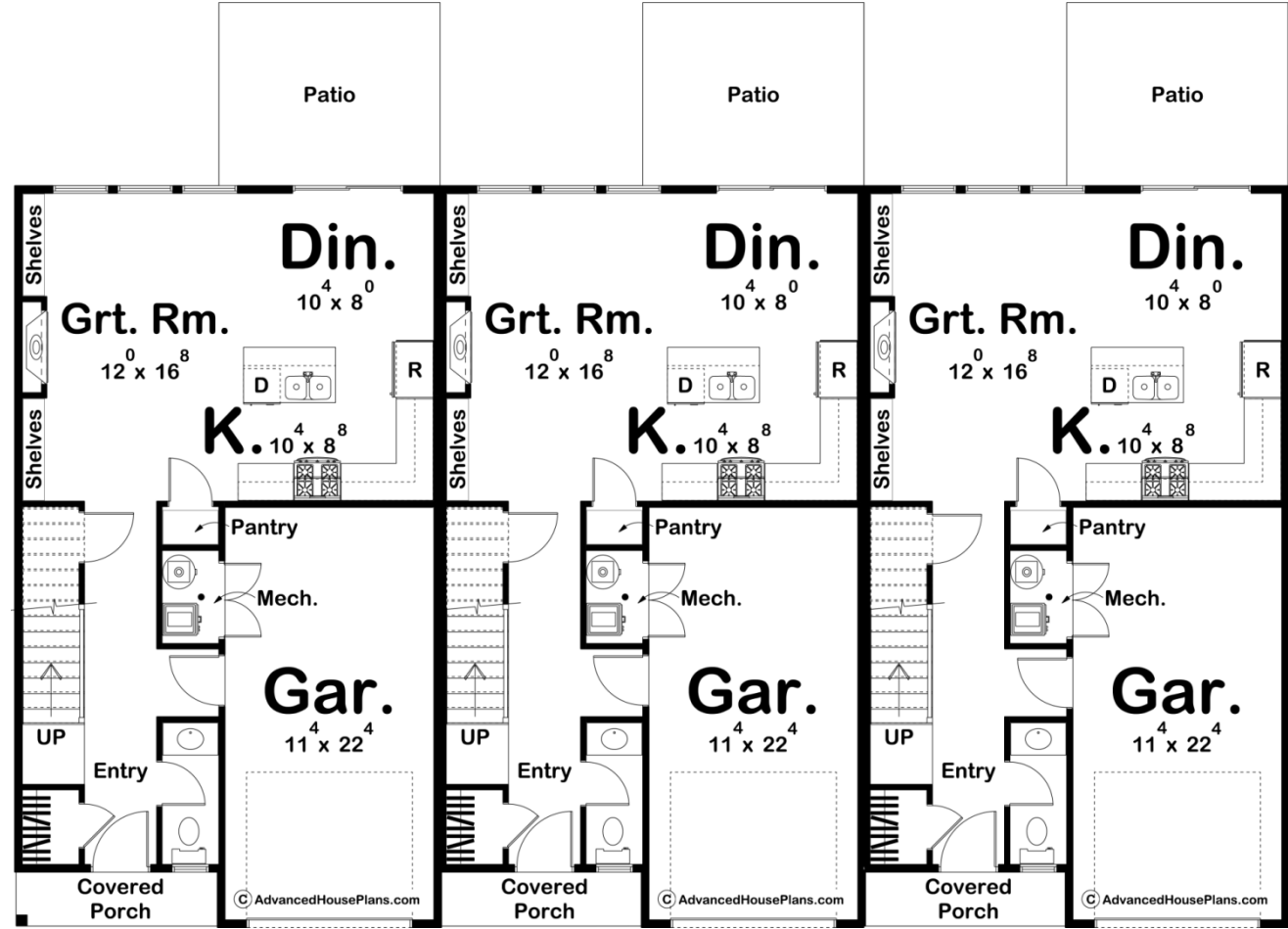
**SUPPORTING MATERIALS:**

1. watertown (1)
2. 501 S Van Buren Ordinance
3. RCAD map

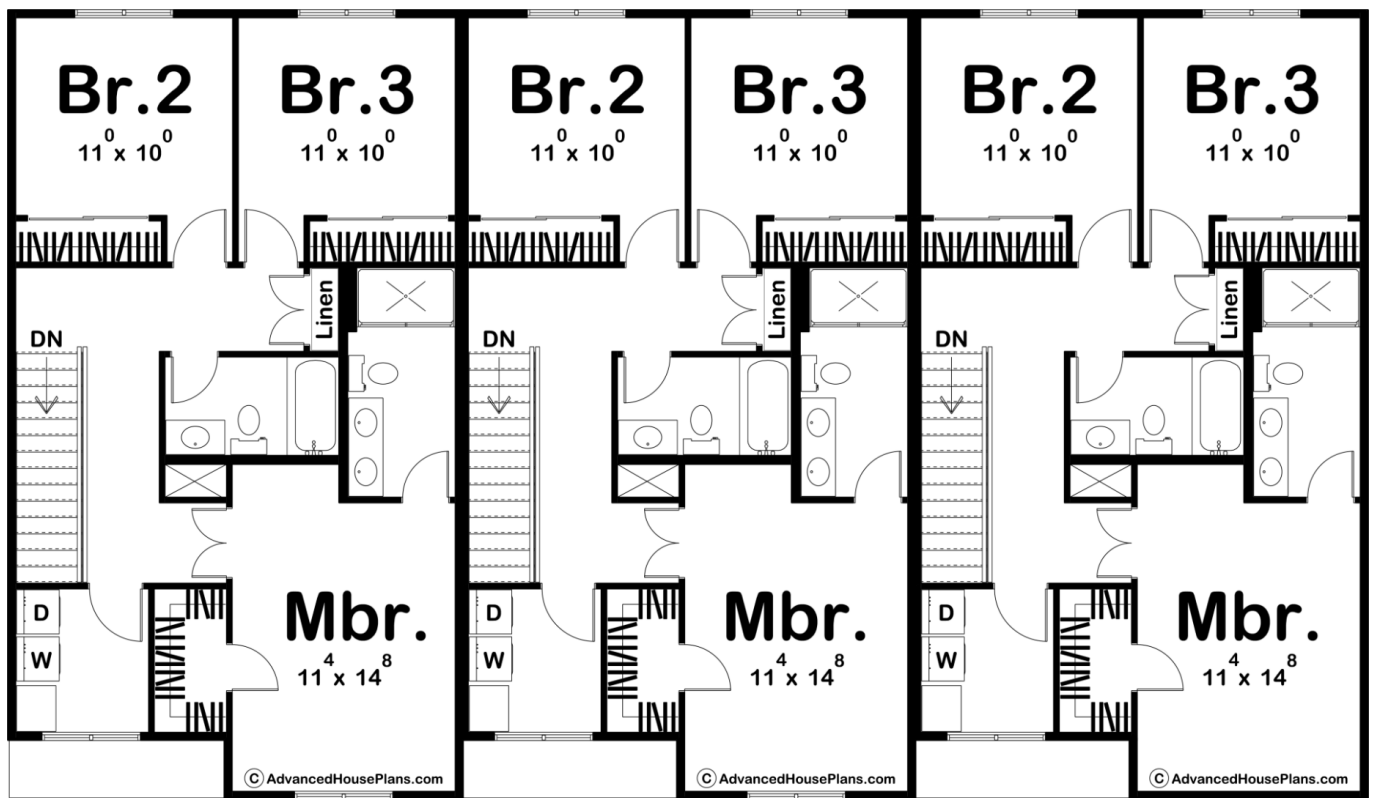


30151 - Watertown Data Sheet

|               |           |            |           |                |                |
|---------------|-----------|------------|-----------|----------------|----------------|
| 1464<br>SQ FT | 3<br>BEDS | 3<br>BATHS | 1<br>BAYS | 69' 0"<br>WIDE | 40' 0"<br>DEEP |
|---------------|-----------|------------|-----------|----------------|----------------|







## Construction Specs

### Layout

|             |   |
|-------------|---|
| Bedrooms    | 3 |
| Bathrooms   | 3 |
| Garage Bays | 1 |

### Square Footage

|                     |              |
|---------------------|--------------|
| Main Level          | 622 Sq. Ft.  |
| Second Level        | 842 Sq. Ft.  |
| Covered Area        | 33 Sq. Ft.   |
| Garage              | 264 Sq. Ft.  |
| Total Finished Area | 1464 Sq. Ft. |

### Exterior Dimensions

|  |        |
|--|--------|
| Width                                  | 69' 0" |
| Depth                                  | 40' 0" |
| Ridge Height                           | 30'    |
| <i>Calculated from main floor line</i> |        |

**Default Construction Stats**  
*Stats are unique to the individual plan.*

|                            |                               |
|----------------------------|-------------------------------|
| Foundation Type            | Slab                          |
| Exterior Wall Construction | 2x4                           |
| Roof Pitches               | 6/12 Primary, 10/12 Secondary |
| Main Wall Height           | 9'                            |
| Second Wall Height         | 8'                            |

**Plan Description**

The Watertown is the triplex version of our Tara Hills plan. It is an affordable 2-Story Modern Farmhouse style plan. The exterior features board and batten siding and a covered porch. The great room, kitchen, and dining room flow seamlessly in an open layout. The great room is warmed by a fireplace that is flanked by built-in bookshelves. The L-shaped kitchen includes an island and a reach-in pantry. A sliding glass door leads to the rear patio from the dining room. Upstairs, you'll find 3 bedrooms. The master suite includes a bathroom with dual vanities and a walk-in shower. Bedrooms 2 and 3 share a centrally located hall bathroom.

ORDINANCE NO. 2024-02-02

AN ORDINANCE PROVIDING FOR THE REZONING OF A PORTION OF THE MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT (R-2) ZONE OF THE CITY OF HENDERSON TO A TOWN HOME DWELLING DISTRICT (TH) ZONE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON FINAL ADOPTION.

WHEREAS, on JUNE 13, 2017, the City of Henderson enacted the Zoning Ordinance of the City of Henderson designating the different zoning areas for the city, and

WHEREAS, the City Council finds that it is in the best interest of the citizens of the City that said portion of the City be rezoned to Single Family Attached Town Home Dwelling District (TH).

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

SECTION 1: That the Henderson Zoning Ordinance is hereby amended to change the zoning of W PT LT 3, BLK 68, J SMITH SUR, from a Medium Density Residential District (R-2) to a Single Family Attached Town Home (TH) District.

SECTION 2: That the provisions of this Ordinance shall be severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION 4: That this Ordinance shall take full effect and force upon the passage by the City Council of the City of Henderson, Texas.

PASSED AND APPROVED upon the first reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

PASSED, APPROVED, AND ADOPTED upon the final reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
JOHN W. FULLEN, MAYOR

ATTEST:

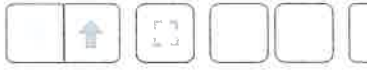
\_\_\_\_\_  
CHERYL JIMERSON, CITY SECRETARY



4928



Show search results for 4928



Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates

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# City Council

## Agenda Item # 13.

**SUBJECT:** Consideration and possible action upon a recommendation from the Planning and Zoning Commission to rezone a property from R1 to TH upon the first reading of Ordinance # 2024-02-02.

**MEETING DATE:** February 20, 2024

**DEPARTMENT:** Community Development

**CONTACT:** Billy Hughes, P & Z Coordinator

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**RECOMMENDED CITY COUNCIL ACTION:** : Staff recommends that the Council consider a recommendation from the Planning and Zoning Commission to amend the Zoning Map for the City of Henderson.

**ITEM SUMMARY:** The subject property is located at 103 S. Frisco and is currently zoned Low Density Single Family Residential (R1). Our staff recommends that this property be re-zoned to the Town Home Dwelling District (TH), pending final council approval of ordinance #2024-01-01.

**BACKGROUND INFORMATION:** : At a meeting held February 16, 2024, the Planning and Zoning Commission recommended this change of zoning for a property located at 103 S. Frisco. The owner of this property has requested that this property be rezoned to the Town Home (TH) district so that he may build a 2 unit Town Home on his lot.

**SPECIAL CONSIDERATIONS:** The developmental standards that are proposed for the Town Home district require that any application to rezone a property in the R1 district must go before the Board of Adjustments for a Special Exception Use variance before the application to rezone the property can be considered. The BOA approved the Special Exception Use application and the Planning and

Zoning Commission voted to make the recommendation to council to consider and approve the request to rezone the property to the Town Home District.

**SUPPORTING MATERIALS:**

1. zoning ordinance R1 to TH

ORDINANCE NO. 2024-02-03

AN ORDINANCE PROVIDING FOR THE REZONING OF A PORTION OF THE LOW DENSITY SINGLE FAMILY RESIDENTIAL (R1) ZONE OF THE CITY OF HENDERSON TO A TOWN HOME DWELLING (TH) ZONE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON FINAL ADOPTION.

WHEREAS, on JUNE 13, 2017, the City of Henderson enacted the Zoning Ordinance of the City of Henderson designating the different zoning areas for the City; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of the City that said portion of the City be rezoned to Single Family Attached, Town Home Dwelling District (TH).

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

SECTION 1: That the Henderson Zoning Ordinance is hereby amended to change the zoning of Lot 2, Block 908, Meadow Acres, from a Low Density Single Family Residential District (R-1) to a Single Family Attached, Town Home Dwelling District (TH).

SECTION 2: That the provisions of this Ordinance shall be severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION 4: That this Ordinance shall take full effect and force upon the passage by the City Council of the City of Henderson, Texas.

PASSED AND APPROVED upon the first reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

PASSED, APPROVED, AND ADOPTED upon the final reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
JOHN W. FULLEN, MAYOR

ATTEST:

\_\_\_\_\_  
Cheryl Jimerson, CITY SECRETARY



# HENDERSON FIRE DEPARTMENT

401 West Main St.  
Henderson, Texas 75654  
903-657-6551

Rusty Chote, Fire Chief  
Sonny Ybarra, Deputy Fire Chief

## YEARLY REPORT FOR 2023

| <u>TYPE OF CALL</u>                       | <u>CITY</u>  | <u>COUNTY</u> |
|---|--------------|---------------|
| <i>OTHER FIRES (Industrial/other)</i>     | 6            | 3             |
| <i>STRUCTURE FIRES</i>                    | 13           | 6             |
| <i>VEHICLE FIRES</i>                      | 12           | 10            |
| <i>GRASS FIRES</i>                        | 27           | 38            |
| <i>ELECTRICAL FIRES</i>                   | 12           | 0             |
| <i>COOKING FIRES (KITCHEN)</i>            | 6            | 0             |
| <i>POWER LINES</i>                        | 22           | 2             |
| <i>SMOKE CHECKS</i>                       | 11           | 3             |
| <i>ACCIDENTS (JAWS)</i>                   | 7            | 6             |
| <i>MVC'S (No Extrication)</i>             | 60           | 45            |
| <i>AIRCRAFT STAND-BY</i>                  | 4            | 4             |
| <i>FUEL SPILLS/GAS LEAKS</i>              | 40           | 9             |
| <i>RESCUE</i>                             | 3            | 0             |
| <i>MEDICAL CALLS</i>                      | 270          | 78            |
| <i>ALARM MALFUNCTIONS</i>                 | 32           | 1             |
| <i>FALSE ALARMS</i>                       | 78           | 7             |
| <i>DISPATCHED AND CANCELED ENROUTE</i>    | 60           | 33            |
| <i>UNAUTHORIZED BURNING</i>               | 31           | 8             |
| <i>tony</i>                               | 2            | 9             |
| <i>ASSIST OTHER DEPARTMENTS</i>           | 1            | 11            |
| <i>MISCELLANEOUS CALLS/PUBLIC SERVICE</i> | 44           | 25            |
| <b>TOTAL</b>                              | <b>741</b>   | <b>298</b>    |
| <b>MILEAGE</b>                            | <b>1915</b>  | <b>2649</b>   |
| <b>MANHOURS</b>                           | <b>1339</b>  | <b>727</b>    |
| <b>TOTAL CALLS</b>                        |              | <b>1039</b>   |
| <b>TOTAL MILEAGE</b>                      |              | <b>4565</b>   |
| <b>TOTAL MANHOURS</b>                     |              | <b>2254</b>   |
| <b>TRAINING</b>                           |              | <b>1222</b>   |
| <b>INSPECTIONS</b>                        |              | <b>387</b>    |
| <b>FIRE PREVENTION PROGRAMS</b>           |              | <b>1</b>      |
| <b>PUBLIC RELATIONS EVENTS</b>            | <b>30</b>    |               |
| <b>HYDRANT MAINTENANCE</b>                |              | <b>831</b>    |
| <b>WATER USAGE</b>                        | <b>44000</b> |               |



# HENDERSON FIRE DEPARTMENT



## Administration

Every January, each of the three shifts at the Henderson Fire Department rotate the area of the City of Henderson that they are responsible for regarding fire inspections and fire hydrant maintenance. The Henderson Fire Department firefighters are divided into three shifts, A-shift, B-shift and C-shift, that work a 24 hour on duty and 48 hours off duty shift. Each shift captain and lieutenant are certified fire inspectors along with Chief Chote and Chief Ybarra. The city is divided into thirds with each shift covering a predetermined area. The shifts conduct fire inspections at each business within their area. These inspections are mandated by ISO and also assist the business owners in protecting their businesses regarding fire safety. These fire inspections also assist firefighters with knowing the floorplan of the businesses and the contents of the buildings. Each shift is also responsible to make sure each fire hydrant in the assigned area operates correctly, painted and caps greased and vegetation cleared around hydrant so it can be seen during an emergency if needed. These areas are rotated every

### January 2024

#### Call Log

- Fire Calls: 77
- Medical Calls: 32
- Total Calls: 109
- Inspections: 2
- Hydrants: 0

January so firefighters get the opportunity to inspect every business and view every fire hydrant inside the City of Henderson every three years. In January, if weather permits, concentration will be on fire inspections. As spring arrives, the firefighters will be out clearing around and checking fire hydrants.



January 12<sup>th</sup>, 2024, A-shift got to show the Henderson Life Skills Class around the station and show them the firetrucks. We had a good time and was able to answer some good questions from the group.

\*\*\*\*\*

January 12<sup>th</sup> to 14<sup>th</sup>, Firefighter Kaleb Horne attended the ICS 300 class in Glimer, TX. Training is a big part of the Henderson Fire Department. We are proud of Kaleb completing this course.

\*\*\*\*\*

Firefighter Patrick Kelly, Captain Marc Marsh and Deputy Chief Ybarra attended the Chamber of Commerce banquet on January 23, 2024. Firefighter Kelly was awarded the Firefighter of the Year for going over and beyond in his duties. Firefighter Kelly has been with the Henderson Fire Department for a little over 3 years.



On January 30<sup>th</sup>, 2024, Texas Commission on Fire Protection “TCFP” Compliance Officer Jeff Aycock conducted the Henderson Fire Departments biennial inspection for 2022 & 2023. The TCFP inspects every municipal paid fire department in Texas every two years. The compliance inspection includes the HFD Standard Operating Procedure Guidelines, inspection records of PPE advanced cleaning and inspection, PPE tracking records, breathing air test records, SCBA daily inspection records, continuing education records and several more items that must be documented. The inspection also includes a hands-on inspection of PPE by Jeff Aycock. Every HFD firefighter on shift had to demonstrate the SCBA assigned to them that day passed a full function test. The Henderson Fire Department passed the Compliance Inspection with NO Violations Found acknowledgment and a follow-up close out letter from Mr. Aycock. The compliance inspection results came from everyone working at HFD from documenting daily inspection checks, to the yearly advanced cleaning and inspection of PPE, to proper filing the documents.





# HENDERSON FIRE DEPARTMENT

401 West Main St.  
Henderson, Texas 75654  
903-657-6551

Rusty Chote, Fire Chief  
Sonny Ybarra, Deputy Fire Chief

## MONTHLY REPORT FOR JANUARY 2024

| <u>TYPE OF CALL</u>                       | <u>CITY</u>           | <u>COUNTY</u> |
|---|-----------------------|---------------|
| <i>OTHER FIRES (Industrial/other)</i>     | 2                     | 0             |
| <i>STRUCTURE FIRES</i>                    | 1                     | 1             |
| <i>VEHICLE FIRES</i>                      | 0                     | 0             |
| <i>GRASS FIRES</i>                        | 0                     | 0             |
| <i>ELECTRICAL FIRES</i>                   | 0                     | 0             |
| <i>COOKING FIRES (KITCHEN)</i>            | 0                     | 0             |
| <i>POWER LINES</i>                        | 1                     | 1             |
| <i>SMOKE CHECKS</i>                       | 4                     | 0             |
| <i>ACCIDENTS (JAWS)</i>                   | 0                     | 1             |
| <i>MVC'S (No Extrication)</i>             | 7                     | 8             |
| <i>AIRCRAFT STAND-BY</i>                  | 0                     | 1             |
| <i>FUEL SPILLS/GAS LEAKS</i>              | 4                     | 0             |
| <i>RESCUE</i>                             | 0                     | 0             |
| <i>MEDICAL CALLS</i>                      | 22                    | 10            |
| <i>ALARM MALFUNCTIONS</i>                 | 3                     | 0             |
| <i>FALSE ALARMS</i>                       | 13                    | 1             |
| <i>DISPATCHED AND CANCELED ENROUTE</i>    | 10                    | 6             |
| <i>UNAUTHORIZED BURNING</i>               | 1                     | 0             |
| <i>CONTROL BURN (COUNTY ONLY)</i>         | 0                     | 0             |
| <i>ASSIST OTHER DEPARTMENTS</i>           | 0                     | 1             |
| <i>MISCELLANEOUS CALLS/PUBLIC SERVICE</i> | 8                     | 3             |
| <b>TOTAL</b>                              | <b>76</b>             | <b>33</b>     |
| <b>MILEAGE</b>                            | <b>218.32</b>         | <b>282.2</b>  |
| <b>MANHOURS</b>                           | <b>201</b>            | <b>31</b>     |
| <b>TOTAL CALLS</b>                        |                       | <b>109</b>    |
| <b>TOTAL MILEAGE</b>                      |                       | <b>500.5</b>  |
| <b>TOTAL MANHOURS</b>                     |                       | <b>232</b>    |
| <b>TRAINING</b>                           | <b>Paid 72 Vol 14</b> | <b>Total</b>  |
| <b>INSPECTIONS</b>                        |                       | <b>2</b>      |
| <b>FIRE PREVENTION PROGRAMS</b>           |                       | <b>0</b>      |
| <b>PUBLIC RELATIONS EVENTS</b>            |                       | <b>1</b>      |
| <b>HYDRANT MAINTENANCE</b>                |                       | <b>0</b>      |
| <b>WATER USAGE</b>                        |                       | <b>21,250</b> |



## TEXAS COMMISSION ON FIRE PROTECTION

JEFF AYCOCK, COMPLIANCE OFFICER

PHONE: (512) 825-9640

P.O. BOX 2286, AUSTIN, TEXAS 78768-2286

AUSTIN HQ PHONE: (512) 936-3838

January 30, 2024

R. Chote, Fire Chief  
Henderson Fire Department  
401 W. Main  
Henderson, Texas 75652

Chief Chote:

It was a pleasure meeting you and your staff. I appreciate you and your staff's assistance in the inspection process.

I will note that your department has met the biennial compliance requirements for this cycle and will close the inspection.

Once again, thank you for your kind cooperation I received during the compliance inspection process. I also extend my personal thanks to you, for your continued dedication and support toward the mission of the fire service in Texas, and the regulations that enhance the safety of Texas firefighters.

Please contact me at [jeff.aycock@tcfp.texas.gov](mailto:jeff.aycock@tcfp.texas.gov) or 512-825-9640 if you have any questions or comments regarding the Texas Commission on Fire Protection.

Sincerely,

A handwritten signature in cursive script that reads "Jeff Aycock".

Jeff Aycock, Compliance Officer  
Texas Commission on Fire Protection  
Region 4 Field Office



# UTHealth East Texas

## City of Henderson

### January 2024

#### Emergency Calls Compliance

Compliance  
95.2%

Calls  
124

Late  
5

**Run# - 2082 – Priority 1 – Seizure**

**Total Response Time – 10 minutes 38 seconds**

**Multiple calls same area**

**Run# - 2240 – Priority 1 – Breathing Problem**

**Total Response Time – 11 minutes 49 seconds**

**Delay due to long out of chute time.**

**Run# - 7421 – Priority 1 – Cardiac Arrest**

**Total Response Time – 12 minutes 0 seconds**

**Unit was enroute to post when call dropped.**

**Run# - 8843 – Priority 1 – Chest Pain**

**Total Response Time – 10 minutes 46 seconds**

**Delay due to long out of chute time.**

**Run# - 7039 – Priority 2 – Chest Pain**

**Total Response Time – 17 minutes 21 seconds**

**Unit was enroute to post when call dropped.**

|                              | Dec | Jan  | Feb | Mar | Apr | May  | June | July | Aug | Sept | Oct  | Nov  | Dec | Jan | Feb | Mar  | April |
|------------------------------|-----|------|-----|-----|-----|------|------|------|-----|------|------|------|-----|-----|-----|------|-------|
|                              |     | 2022 |     |     |     |      |      |      |     |      |      |      |     |     |     |      |       |
| <b>CALLS FOR SERVICE</b>     | 802 | 738  | 671 | 753 | 878 | 1176 | 1160 | 1139 | 988 | 1001 | 1037 | 1030 | 975 | 991 | 970 | 1092 | 1047  |
| <b>OFFICER INITIATED CFS</b> | 86  | 66   | 53  | 105 | 209 | 486  | 484  | 414  | 388 | 289  | 362  | 295  | 321 | 299 | 371 | 364  | 331   |
| <b>DISPATCHED CFS</b>        | 716 | 672  | 618 | 648 | 669 | 690  | 676  | 725  | 600 | 712  | 675  | 735  | 654 | 692 | 599 | 728  | 716   |
| <b>TRAFFIC CITATIONS</b>     | 71  | 87   | 59  | 124 | 90  | 59   | 53   | 58   | 71  | 51   | 58   | 48   | 25  | 42  | 53  | 94   | 29    |
| <b>WRITTEN WARNINGS</b>      | 327 | 338  | 275 | 490 | 425 | 286  | 274  | 182  | 234 | 168  | 240  | 152  | 185 | 187 | 231 | 241  | 134   |
| <b>ARREST</b>                | 59  | 42   | 47  | 62  | 33  | 23   | 31   | 35   | 21  | 31   | 38   | 35   | 25  | 30  | 31  | 31   | 28    |
| <b>ACCIDENTS</b>             | 22  | 23   | 14  | 24  | 17  | 21   | 28   | 29   | 21  | 37   | 19   | 44   | 35  | 50  | 35  | 39   | 41    |
| <b>DWI ARREST</b>            | 0   | 1    | 3   | 1   | 1   | 4    | 3    | 0    | 2   | 1    | 2    | 3    | 2   | 3   | 1   | 1    | 1     |
| <b>(included above)</b>      |     |      |     |     |     |      |      |      |     |      |      |      |     |     |     |      |       |
| <b>INCIDENT REPORTS</b>      |     |      |     |     |     |      |      |      |     |      |      |      |     |     |     |      |       |
| <b>SENT TO CID</b>           | 290 | 265  | 256 | 258 | 191 | 226  | 230  | 181  | 204 | 231  | 229  | 249  | 212 | 247 | 179 | 240  | 204   |
| <b>ASSIGNED</b>              | 216 | 240  | 228 | 201 | 191 | 226  | 230  | 181  | 204 | 231  | 229  | 249  | 212 | 247 | 179 | 240  | 204   |
| <b>SUSPENDED</b>             | 98  | 143  | 118 | 105 | 70  | 75   | 86   | 98   | 78  | 53   | 126  | 90   | 71  | 86  | 59  | 120  | 141   |
| <b>CLEARED</b>               | 96  | 63   | 85  | 95  | 112 | 95   | 109  | 56   | 145 | 135  | 121  | 112  | 80  | 84  | 55  | 111  | 102   |
| <b>BURGLARY</b>              | 15  | 10   | 12  | 4   | 1   | 5    | 5    | 2    | 19  | 15   | 7    | 14   | 17  | 14  | 3   | 7    | 10    |
| <b>ROBBERY</b>               | 1   | 2    | 1   | 0   | 1   | 1    | 4    | 0    | 0   | 0    | 0    | 1    | 3   | 0   | 0   | 2    | 1     |
| <b>ASSAULT</b>               | 40  | 27   | 26  | 23  | 12  | 10   | 31   | 22   | 19  | 32   | 28   | 27   | 31  | 26  | 15  | 41   | 29    |
| <b>POCS / POM*</b>           | 12  | 5    | 9   | 6   | 2   | 3    | 3    | 4    | 2   | 0    | 3    | 0    | 1   | 2   | 3   | 2    | 2     |
| <b>SEXUAL ASSAULT</b>        | 1   | 1    | 2   | 1   | 2   | 1    | 1    | 0    | 0   | 0    | 4    | 0    | 0   | 0   | 2   | 0    | 3     |

\* Includes marijuana, cocaine, etc.

| May  | June | July | Aug  |      | Oct  | Nov  | Dec  | Jan  |
|------|------|------|------|------|------|------|------|------|
|      |      |      |      |      |      |      |      | 2024 |
| 1077 | 1102 | 1133 | 1150 | 1180 | 1057 | 1019 | 1218 | 1033 |
| 304  | 362  | 424  | 432  | 514  | 460  | 454  | 591  | 393  |
| 773  | 740  | 709  | 718  | 666  | 597  | 565  | 627  | 640  |
|      |      |      |      |      |      |      |      |      |
| 74   | 64   | 73   | 117  | 96   | 133  | 152  | 104  | 80   |
| 185  | 170  | 225  | 224  | 285  | 178  | 182  | 324  | 244  |
|      |      |      |      |      |      |      |      |      |
| 27   | 38   | 23   | 37   | 38   | 31   | 22   | 42   | 19   |
| 39   | 46   | 37   | 28   | 30   | 35   | 21   | 35   | 45   |
| 0    | 1    | 2    | 1    | 2    | 0    | 2    | 5    | 2    |
|      |      |      |      |      |      |      |      |      |
|      |      |      |      |      |      |      |      |      |
| 233  | 280  | 212  | 206  | 191  | 202  | 148  | 197  | 176  |
| 233  | 280  | 212  | 206  | 191  | 202  | 148  | 197  | 176  |
| 59   | 141  | 117  | 174  | 110  | 72   | 90   | 91   | 85   |
| 89   | 70   | 127  | 107  | 105  | 95   | 77   | 103  | 102  |
|      |      |      |      |      |      |      |      |      |
| 23   | 15   | 13   | 6    | 13   | 12   | 10   | 6    | 1    |
| 1    | 0    | 1    | 2    | 1    | 2    | 2    | 0    | 0    |
| 32   | 28   | 21   | 31   | 27   | 26   | 18   | 26   | 29   |
| 1    | 2    | 1    | 6    | 8    | 4    | 5    | 2    | 2    |
| 2    | 3    | 1    | 1    | 1    | 0    | 1    | 0    | 0    |



**Compatibility Report for Copy of Jan 2022 Monthly Report -  
.xls  
Run on 02/02/2022 16:35**

If the workbook is saved in an earlier file format or opened in an earlier version of Microsoft Excel, the listed features will not be available.

**Minor loss of fidelity**

**# of  
occurrences**      **Version**

|  |    |               |
|--|----|---------------|
| Some cells or styles in this workbook contain formatting that is not supported by the selected file format. These formats will be converted to the closest format available. | 17 | Excel 97-2003 |
|--|----|---------------|

# Memo



**To:** Jay Abercrombie, City Manager

**From:** Chad Taylor, Chief of Police

**cc:** Cheryl Jimerson, City Secretary

**Date:** February 5, 2024

**Re:** Henderson Police Department Monthly Report



Attached to this memo please find the monthly activity report from the Police Department for January.

The Henderson Police Department had a routine month for January. We got to interact and visit with our citizens during Mid-Morning coffee at Gabriel Jordan. Personnel participated in a local blood drive at one of the local nursing homes and we also able to celebrate and honor some of our best employees who do an outstanding job helping our city and community at the Chamber of Commerce Banquet.

- Open records continue to increase keeping our records clerk extremely busy.
- Two positions in dispatch are in the process of being filled.
- We have one cadet in the East Texas Police Academy, and two officer positions currently unfilled.

**January 11, 2024– Chief Taylor, Lt. Bathke, Sgt. Charles Helton and several officers at the Carter Blood Drive.**





January 11, 2024 – Chief Taylor and several Officers at Mid-Morning Coffee hosted by Gabriel Jordan.



**January 24, 2024 – Chief Taylor and Sgt. Helton with the recognized Henderson Police Department employees at the Annual Chamber Event.**







January 26, 2024 –Detective Dooley at the Pre-K Rhyming Parade fun.





# *Henderson Police Department*

800 Lake Forest Parkway  
Henderson, Texas 75652  
Phone: 903-657-3512 Fax: 903-657-3345

*Integrity ° Respect ° Accountability ° Courage ° Professionalism ° Dedication ° Service*

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**02/01/2024**

To: City Council  
From: Chad Taylor, Chief  
Ref: Training Report

## *Training report for the month of January*

Total number of officers with license certification **3**

Total number of officers moved from basic to intermediate – 0

Total number of officers moved to advanced – 0

Total number of officers moved to master- 0

Total number of officers in the cadet program- **1**

Total number of Telecommunicators with a temporary license – **1**

Total number of Telecommunicators moved from temporary license to basic-0

Total number of Telecommunicators moved from basic to intermediate-**0**

Total number of Telecommunicators moved from advance to master-0

Total Proficiency level moves - 0

Approximate hours of training hours for the month of January-**431.05**

Information provided by Sgt. Charles Helton – Training/Community Outreach Coordinator



# Henderson Police Department

800 Lake Forest Parkway

Henderson, Texas 75652

Phone: 903-657-3512 Fax: 903-657-3345

*Integrity ° Respect ° Accountability ° Courage ° Professionalism ° Dedication ° Service*

## January 2024 Open Record Report

| Request            | ORR<br>Received | ORR Completed | ORR Open |
|--------------------|-----------------|---------------|----------|
| OAG Rulings        | 1               | 0             | 1        |
| ORR US Gov.        | 13              | 13            | 0        |
| ORR State Gov.     | 3               | 3             | 0        |
| ORR Local Gov.     | 4               | 4             | 0        |
| ORR Subpoena       | 0               | 0             | 0        |
| ORR Civilian       | 17              | 17            | 0        |
| ORR Attorney       | 24              | 24            | 0        |
| CR-3 Crash Reports | 57              | 57            | 0        |
| Total Requests     | 119             | 118           | 1        |

Information provided by Stacey Strong – Records Administrator



# Open Records Report

1/1/2024 to 1/31/2024

| DATE(S) | Record Requestor                                  | TIME IN  | TIME OUT | HOURS | Charges   |
|---------|---|----------|----------|-------|-----------|
| 1/2/24  | Civilian ORR H2311784                             | 9:15 AM  | 9:47 AM  | 0.53  | Complete  |
| 1/2/24  | CR-3 Crash H2311639                               | 9:15 AM  | 9:18 AM  | 0.05  | Complete  |
| 1/2/24  | CR-3 Crash H2312304                               | 11:00 AM | 11:20 AM | 0.33  | Complete  |
| 1/2/24  | OAG Request H2309779 Complete                     | 1:04 PM  | 1:18 PM  | 0.23  | Complete  |
| 1/2/24  | Lexis Nexis No. 6639 Voucher ES121681             | 1:18 PM  | 1:27 PM  | 0.15  | 15.00     |
| 1/2/24  | CR-3 Crash H2311639                               | 1:28 PM  | 1:32 PM  | 0.07  | 5.00      |
| 1/2/24  | CR-3 Crash H2311676                               | 1:32 PM  | 2:12 PM  | 0.67  | 5.00      |
| 1/2/24  | Judge McWilliams /Benn Aubriean                   | 2:00 PM  | 3:33 PM  | 1.55  | No Charge |
| 1/2/24  | Takisha Woods/Wrong Jurisdiction                  | 2:30 PM  | 2:43 PM  | 0.22  | No Charge |
| 1/2/24  | Linda Rhomer / Questions                          | 2:43 PM  | 2:53 PM  | 0.17  | No Charge |
| 1/2/24  | Detective Rinell H2312126/H2312119                | 3:35 PM  | 3:43 PM  | 0.13  | Complete  |
| 1/2/24  | Glaze Garrett PLLC / H23052018/Wrong Jurisdiction | 3:43 PM  | 4:15 PM  | 0.53  | Complete  |
| 1/2/24  | Parker Firm OAG ruling question                   | 4:25 PM  | 4:34 PM  | 0.15  | No Charge |
| 1/2/24  | Monsour Law H2303161 Complete                     | 4:34 PM  | 5:13 PM  | 0.65  | Paid      |
| 1/2/24  | CR=3 Crash H2311169 Billed                        | 5:13 PM  | 5:30 PM  | 0.28  | Pending   |

| DATE(S) | Record Requestor                               | TIME IN  | TIME OUT | HOURS | Charges  |
|---------|--|----------|----------|-------|----------|
| 1/3/24  | FBI ORR Brewer, Jonathan                       | 7:45 AM  | 9:41 AM  | 1.93  | Complete |
| 1/3/24  | CR-3 Crash H2311673 No. 6642                   | 9:54 AM  | 9:59 AM  | 0.08  | 5.00     |
| 1/3/24  | Parker Firm PC H2304706                        | 10:43 AM | 12:06 PM | 1.38  | Paid     |
| 1/3/24  | Lobby Call Regarding H2309398                  | 12:07 PM | 12:45 PM | 0.63  | Complete |
| 1/3/24  | ICE H2309398 M. Davis                          | 12:45 PM | 1:07 PM  | 0.37  | Complete |
| 1/3/24  | Parker Law Firm PC H2304706                    | 1:08 PM  | 5:00 PM  | 3.87  | Paid     |
| 1/3/24  | IcEH2308167 Joshua S Levy                      | 4:00 PM  | 4:26 PM  | 0.43  | Complete |
| 1/4/24  | Parker Law Firm PC H2304706                    | 8:21 AM  | 9:30 AM  | 1.15  | Paid     |
| 1/4/24  | CR-3 Report H2312182 No. 6643                  | 9:54 AM  | 10:17 AM | 0.38  | 6.00     |
| 1/4/24  | Monsour Law Refund h2204707                    | 10:18 AM | 10:40 AM | 0.37  | Refund   |
| 1/4/24  | DFPS D. Strimpel Wrong Jurisdiction            | 10:40 AM | 10:59 AM | 0.32  | Complete |
| 1/4/24  | OAG Request H2309779                           | 11:30 AM | 11:50 AM | 0.33  | complete |
| 1/4/24  | Monsour Law H2205026 Old ORR                   | 1:29 PM  | 3:50 PM  | 2.35  | Paid     |
| 1/4/24  | J Chad Parker H2312182 NO. 6669 CK# 2856       | 3:50 PM  | 4:23 PM  | 0.55  | 6.00     |
| 1/4/24  | ORR Monsour Law H2205026 Old ORR               | 4:23 PM  | 5:00 PM  | 0.62  | Paid     |
| 1/5/24  | OAG J Chad Parker H2312182 OAG Ruling          | 9:30 AM  | 12:18 PM | 2.80  | OAG      |
| 1/5/24  | ORR Julie Boren Strube Law/Ruth Babel No. 6679 | 12:58 PM | 1:25 PM  | 0.45  | 36.00    |
| 1/5/24  | ORR Monsour Law Old 8/19/2022 ORR              | 2:24 PM  | 4:00 PM  | 1.60  | Paid     |
| 1/5/24  | CR-3 Crash H2312304 No. 6644 Cash              | 3:00 PM  | 3:11 PM  | 0.18  | 6.00     |
| 1/5/24  | ORR Monsour Law Old H2301463 2/17/23           | 4:00 PM  | 5:00 PM  | 1.00  | Paid     |
| 1/8/24  | ORR Monsour Law all cases                      | 7:30 AM  | 10:30 AM | 3.00  | Paid     |
| 1/8/24  | CR-3 AEP/Sweptco H2301382                      | 11:10 AM | 11:45 AM | 0.58  | Complete |
| 1/8/24  | CR-3 112311012 No.6645 CK                      | 11:46 AM | 12:20 PM | 0.57  | 5.00     |
| 1/8/24  | CR-3 H2311260 No. 6646 CK                      | 12:26 PM | 12:35 PM | 0.15  | 5.00     |
| 1/8/24  | CR-3 H2311244 No. 6647 CK                      | 12:36 PM | 12:46 PM | 0.17  | 5.00     |
| 1/8/24  | CR-3 H231012 No. 6648 CK                       | 12:47 PM | 12:57 PM | 0.17  | 5.00     |

| DATE(S) | Record Requestor                                    | TIME IN  | TIME OUT | HOURS | Charges   |
|---------|---|----------|----------|-------|-----------|
| 1/8/24  | CR-3 H2310426 No. 6649 CK                           | 12:58 PM | 1:10 PM  | 0.20  | 5.00      |
| 1/8/24  | CR-3 H2311114 No. 6650 CK                           | 1:11 PM  | 1:21 PM  | 0.17  | 5.00      |
| 1/8/24  | CR-3 H2311396 No. 6651 CK                           | 1:22 PM  | 1:45 PM  | 0.38  | 5.00      |
| 1/8/24  | OAG Brown Law OAG Ruling JCP Law                    | 1:45 PM  | 2:55 PM  | 1.17  | OAG       |
| 1/8/24  | CR-3 202202461                                      | 2:55 PM  | 3:30 PM  | 0.58  | Complete  |
| 1/8/24  | ORR City of Tigard PD Oregon                        | 3:30 PM  | 4:00 PM  | 0.50  | Complete  |
| 1/8/24  | DA Adult Sex Assau SART 2021 and 2022 Complete list | 4:00 PM  | 5:00 PM  | 1.00  | complete  |
| 1/9/24  | ORR Vergara Miller Law 2307303 2003 case            | 7:30 AM  | 8:40 AM  | 1.17  | Completed |
| 1/9/24  | DA Adult Sex Assau SART 2021 and 2022 Complete list | 10:00 AM | 2:00 PM  | 4.00  | Complete  |
| 1/9/24  | ORR A. Chandler                                     | 2:00 PM  | 2:15 PM  | 0.25  | Completed |
| 1/9/24  | CR-3 H2312304 Lexis Nexis No. 6652                  | 2:15 PM  | 5:30 PM  | 3.25  | 5.00      |
| 1/9/24  | CR-3 H2312347 Lexis Nexis No. 6653                  | 2:15 PM  | 5:30 PM  | 3.25  | 5.00      |
| 1/9/24  | CR-3 H2311169 Lexis Nexis No. 6654                  | 2:15 PM  | 5:30 PM  | 3.25  | 5.00      |
| 1/9/24  | CR-3 H2311331 Lexis Nexis No. 6655                  | 2:15 PM  | 5:30 PM  | 3.25  | 5.00      |
| 1/9/24  | CR-3 H2311783 Lexis Nexis No. 6656                  | 2:15 PM  | 5:30 PM  | 3.25  | 5.00      |
| 1/9/24  | CR-3 H231924 Lexis Nexis No. 6657                   | 2:15 PM  | 5:30 PM  | 3.25  | 5.00      |
| 1/9/24  | CR-3 2023420945 Lexis Nexis No. 6658                | 2:15 PM  | 5:30 PM  | 3.25  | 5.00      |
| 1/9/24  | CR-3 H2311997 Lexis Nexis No. 6659                  | 2:15 PM  | 5:30 PM  | 3.25  | 5.00      |
| 1/9/24  | CR-3 Richard Starr Lexis Nexis No. 6660             | 2:15 PM  | 5:30 PM  | 3.25  | 5.00      |
| 1/9/24  | CR-3 H2312182 Lexis Nexis No. 6661                  | 2:15 PM  | 5:30 PM  | 3.25  | 5.00      |
| 1/10/24 | ORR Peraton Sean Walker Clark ORR -No Record        | 7:30 AM  | 9:30 AM  | 2.00  | Complete  |
| 1/10/24 | CR-3 Fish and Still H2312071 ORR                    | 9:00 AM  | 9:33 AM  | 0.55  | Complete  |
| 1/10/24 | ORR Parker Firm PC H2304706                         | 10:45 AM | 2:20 PM  | 3.58  | Complete  |
| 1/10/24 | ORR Jorge Medoza Rodriguez ORR Cruz-Garcia          | 3:50 PM  | 4:31 PM  | 0.68  | No Record |
| 1/10/24 | ORR DFPS E. Bennett H2400176 ORR                    | 4:31 PM  | 4:47 PM  | 0.27  | Complete  |
| 1/10/24 | ORR A.Chandler M. Anthony / No.6664 MO              | 4:47 PM  | 5:05 PM  | 0.30  | Completed |

| DATE(S) | Record Requestor                                     | TIME IN    | TIME OUT    | HOURS | Charges   |
|---------|--|------------|-------------|-------|-----------|
| 1/11/24 | ORR A.Chandler M. Anthony/ No. 6664 MO               | 6:15 AM    | 8:33 AM     | 2.30  | 46.70     |
| 1/11/24 | CR-3 Report H2400263 Not Ready                       | 9:00 AM    | 9:15 PM     | 12.25 | completed |
| 1/11/24 | CR-3 Not Ready gave media page                       | 9:30 AM    | 10:00 AM    | 0.50  | Completed |
| 1/12/24 | Civilian ORR 2015 cases x4 S. O'leary 214-885-9940   | 7:39:50:00 | 9:15 AM     | 0.00  | Billed    |
| 1/12/24 | CR-3 H2400222 No.6662                                | 9:18 AM    | 9:30 AM     | 0.20  | 6.00      |
| 1/12/24 | ORR Vergara Miller Law 2307303 2003 case No. 6668    | 9:35 AM    | 10:35 AM    | 1.00  | 36.40     |
| 1/12/24 | ORR Monsour Law dropped off old cases Longview       | 12:30 PM   | 01:10:00 PM | 0.00  | Complete  |
| 1/12/24 | Civilian ORR E Tovar 10/23/1996 No Record            | 2:00 PM    | 3:00 PM     | 1.00  | No Record |
| 1/12/24 | ORR Black and Skaggs H2304535                        | 3:05 PM    | 5:00 PM     | 1.92  | 212.20    |
| 1/12/24 | CR-3 H2400263  | 5:00 PM    | 5:15 PM     | 0.25  | Complete  |
| 1/17/24 | ORR CACI International /Woleslagle 8.29.97 No Record | 9:00 AM    | 9:30 AM     | 0.50  | Complete  |
| 1/17/24 | CR-3 H2400263 Cris down for maint                    | 9:50 AM    | 9:55 AM     | 0.08  | Complete  |
| 1/17/24 | ORR FBINICS Brewer, Jonathan - No AR Report          | 10:41 AM   | 11:15 AM    | 0.57  | Completed |
| 1/17/24 | ORR Peraton: Sean Walker NO RECORD                   | 11:20 AM   | 11:22 AM    | 0.03  | Complete  |
| 1/17/24 | ORR FBINICS Wriggle Daniel Wayne                     | 11:22 AM   | 12:17 PM    | 0.92  | Complete  |
| 1/17/24 | CR-3 Lexis Nexis H2312304 NO>6665                    | 1:51 PM    | 1:57 PM     | 0.10  | 5.00      |
| 1/17/24 | CR-3 Lexis Nexis NO.6666 No Record                   | 2:00 PM    | 2:17 PM     | 0.28  | 5.00      |
| 1/17/24 | ORR C.Reese  | 3:51 PM    | 4:15 PM     | 0.40  | Pending   |
| 1/18/24 | CR-3 H2400263 NO> 6667                               | 10:50 AM   | 11:10 AM    | 0.33  | 6.00      |
| 1/18/24 | ORR Biggs & Greenslade H2208873 Old request          | 1:15 PM    | 3:20 PM     | 2.08  | Paid      |
| 1/18/24 | ORR US District Court 77 page History                | 3:59 PM    | 5:00 PM     | 1.02  | Complete  |
| 1/18/24 | ORR Henderson Housing                                | 5:00 PM    | 5:30 PM     | 0.50  | Pending   |
| 1/19/24 | ORR Aperture LLC H2300600 Fatality                   | 1:13 PM    | 2:58 PM     | 1.75  | Paid      |
| 1/19/24 | ORR H2311784   | 2:58 PM    | 3:30 PM     | 0.53  | Complete  |
| 1/19/24 | CR-3 Crash Lexis Nexis No Record No.6670 CK          | 4:40 PM    | 5:00 PM     | 0.33  | 5.00      |
| 1/24/24 | CR-3 Crash H2400371 No. 6671 cash                    | 10:11 AM   | 10:29 AM    |       | 6.00      |



| DATE(S) | Record Requestor                   | TIME IN  | TIME OUT | HOURS | Charges   |
|---------|------------------------------------|----------|----------|-------|-----------|
| 1/24/24 | CR-3 Crash H2312304                | 9:00 AM  | 9:12 AM  | 0.20  | complete  |
| 1/24/24 | CR-3 Crash H2400263 No. 6672 cash  | 12:00 PM | 12:27 PM | 0.45  | 6.00      |
| 1/24/24 | ORR Civilian Isabel Multiple cases | 12:10 PM | 2:00 PM  | 1.83  | No Charge |
| 1/24/24 | CR-3 Crash H2400609 Not Ready      | 2:15 PM  | 2:45 PM  | 0.50  | No Charge |
| 1/24/24 | ORR Housing Authority              | 2:45 PM  | 4:00 PM  | 1.25  | No Charge |
| 1/25/24 | ORR 1803 Elm St #504 and 508       | 7:40 AM  | 8:17 AM  | 0.62  | billed    |
| 1/25/24 | ORR FBI Wriggle x7 cases Emailed   | 11:00 AM | 12:00 PM | 1.00  | Complete  |
| 1/25/24 | CR-3 Crash 2023546194 No. 6673 CK  | 12:00 PM | 12:34 PM | 0.57  | 5.00      |
| 1/25/24 | CR-3 Crash h2400424 No. 6674 CK    | 1:05 PM  | 1:16 PM  | 0.18  | 5.00      |
| 1/25/24 | CR-3 Crash H2400400 No. 6675       | 1:40 PM  | 2:00 PM  | 0.33  | 5.00      |
| 1/25/24 | ORR Aperture LLC H2300600 Fatality | 2:00 PM  | 5:00 PM  | 3.00  | Paid      |
| 1/25/24 | ORR US Probation - No Record       | 2:30 PM  | 3:00 PM  | 0.50  | Complete  |
| 1/25/24 | Civilian ORR H2311784              | 3:50 PM  | 4:03 PM  | 0.22  | Complete  |
| 1/25/24 | Ken Paxton OAG -wrong Jurisdiction | 4:45 PM  | 5:03 PM  | 0.30  | Complete  |
| 1/26/24 | CR-3 Crash H2311868 No. 6676       | 7:45 AM  | 8:53 AM  | 1.13  | 5.00      |
| 1/26/24 | ORR Aperture LLC H2300600 Fatality | 9:19 AM  | 11:10 AM | 1.85  | Paid      |
| 1/26/24 | CR-3 Crash H2400519 No. 6677 Cash  | 11:10 AM | 11:22 AM | 0.20  | 6.00      |
| 1/26/24 | CR-3 Crash H2400685 No. 6678 Cash  | 11:30 AM | 11:55 AM | 0.42  | 6.00      |
| 1/26/24 | ORR Aperture LLC H2300600 Fatality | 11:55 AM | 12:25 PM | 0.50  | Paid      |
| 1/26/24 | ORR H2310685 Media Page only       | 12:00 PM | 12:20 PM | 0.33  | No Charge |
| 1/26/24 | ORR Henderson County. Wrong Juris  | 1:40 PM  | 2:00 PM  | 0.33  | Complete  |
| 1/26/24 | ORR H2400226 -Media Page           | 2:20 PM  | 2:29 PM  | 0.15  | Complete  |
| 1/26/24 | ORR Aperture LLC H2300600 Fatality | 2:00 PM  | 5:10 PM  | 3.17  | Paid      |
| 1/26/24 | CR-3 H2400684 Phenix and Crump     | 2:40 PM  | 2:56 PM  | 0.27  | Complete  |
| 1/29/24 | ORR Aperture LLC H2300600 Fatality | 8:03 AM  | 9:37 AM  | 1.57  | Completed |
| 1/29/24 | ORR - Henderson County             | 10:35 AM | 11:00 AM | 0.42  | Complete  |

| DATE(S)  | Record Requestor                 | TIME IN  | TIME OUT | HOURS | Charges  |
|--|----------------------------------|----------|----------|-------|----------|
| 1/29/24  | ORR - Henderson Nevada           | 1:00 PM  | 1:15 PM  | 0.25  | Complete |
| 1/29/24  | Parker Firm 202200120            | 11:30 AM | 3:09 PM  | 3.65  | Billed   |
| 1/29/24  | ORR ICE J Levy 2009 case# 290782 | 4:40 PM  | 5:15 PM  | 0.58  | Complete |
| 1/30/24  | Lexis Nexis ES124119 No. 6681    | 9:00 AM  | 9:05 AM  | 0.08  | 15.00    |
| 1/30/24  | CR3 Lexis Nexis No. 6680         | 9:06 AM  | 10:00 AM | 0.90  | 5.00     |
| 1/30/24  | CR3 H2312225 No. 6682            | 10:20 AM | 10:40 AM | 0.33  | 5.00     |
| 1/30/24  | CR3 Lexis Nexis No. 6683         | 10:00 AM | 10:10 AM | 0.17  | 5.00     |
| 1/30/24  | CR3 H23400684                    | 2:30 PM  | 2:54 PM  | 0.40  | Complete |
| 1/30/24  | Civilian ORR - No Records        | 4:38 PM  | 4:40 PM  | 0.03  | Complete |
| 1/31/24  | Civilian ORR H2400013 Media Page | 4:40 PM  | 5:05 PM  | 0.42  | Complete |
| 1/31/24  | ORR Sloan Firm H2304535          | 7:30 AM  | 8:30 AM  | 1.00  | Billed   |
| 1/31/24  | ORR Monsour Law H2303959         | 10:30 AM | 11:00 AM | 0.50  | Paid     |
| 1/31/24  | CR3 H2400741 - Went through CRIS | 11:40 AM | 11:50 AM | 0.17  | Complete |
| 1/31/24  | CR3 H2400581 - Went through CRIS | 12:20 PM | 12:38 PM | 0.30  | Complete |
| 1/31/24  | ORR Sloan Firm H2304020          | 1:00 PM  | 2:00 PM  | 1.00  | Billed   |
| 1/31/24  | CR3 H2400685 - Went through CRIS | 12:40 PM | 12:50 PM | 0.17  | Complete |
| 1/31/24  | McLane Law CR3 Question          | 12:51 PM | 1:00 PM  | 0.15  | Complete |
|  |                                  |          |          | 0.00  |          |
|  |                                  |          |          | 0.00  |          |
|  |                                  |          |          | 0.00  |          |
| Denotes old cases not answered by Previous Records Clerk |                                  |          |          |       |          |

INFORMATION PROVIDED BY STACEY STRONG - RECORDS ADMINISTRATOR

REV2023/JS

# Balance Sheet

Henderson PD Records

Jan-24

| Balance summary                                  |         |
|--|---------|
| No. 6637 CK 2368860713 (From Dec 2023)           | \$5.00  |
| No. 6638 Cash (From Dec 2023)                    | \$5.00  |
| No. 6639 Ck# 01831784 Lexis Nexis                | \$15.00 |
| No. 6640 Ck# 2393765663 Lexis Nexis H2311639     | \$5.00  |
| No. 6641 Ck# 2398059012 Lexis Nexis Dusty Peeler | \$5.00  |
| No. 6642 CK# 2399291112 LN H2311673              | \$5.00  |
| No. 6643 Cash H2312182                           | \$6.00  |
| No. 6644 Cash H2312304                           | \$6.00  |
| No. 6645 Crash 112311012 CK# 2372906562          | \$5.00  |
| No. 6646 Crash H2311260 Ck# 2381495962           | \$5.00  |
| No. 6647 Crash H2311244 Ck# 2382808462           | \$5.00  |
| No. 6648 Crash H2311012 Ck# 2385436312           | \$5.00  |
| No. 6649 Crash 82310426 CK# 2386917162           | \$5.00  |
| No. 6650 Crash H2311114 CK# 2387220612           | \$5.00  |
| No. 6651 Crash H23011396 CK# 2388059512          | \$5.00  |
| No. 6652 Crash H2312304 CK# 2417281261           | \$5.00  |
| No. 6653 CRASH H2312347 CK 2414358361            | \$5.00  |
| No. 6654 CRASH H2311169 KC 2415683561            | \$5.00  |
| No. 6655 CRASH H2311331 CK 2388494812            | \$5.00  |
| No. 6656 CRASH H2311783 2400679212               | \$5.00  |
| NO. 6657 CRASH H231924 2402359312                | \$5.00  |
| NO. 6658 CRASH 2023420945 CK# 2403885562         | \$5.00  |
| NO. 6659 CRASH H2311997 CK# 2404821812           | \$5.00  |

|   |                 |
|---|-----------------|
| NO. 6660 RICHARD STARR CK# 2409643261                 | \$5.00          |
| NO. 6661 CRASH H2312182 CK# 2410595511                | \$5.00          |
| <b>Turned in to Sara January 9, 2024</b>              | <b>\$137.00</b> |
| No. 6662 Cash H2400222                                | \$6.00          |
| No. 6663 Black and Skaggs CK# 10325 H2304535          | \$212.20        |
| No. 6664 Alexis Chadler Money Order H2308959 & Others | \$46.70         |
| No. 6665 Lexis Nexis CK# 2424340561 H2312304          | \$5.00          |
| No. 6666 Crash Lexis Nexis CK# 2411298261 Cash Jones  | \$5.00          |
| <b>Turned in to Sara January 18, 2024</b>             | <b>\$274.90</b> |
| No. 6667 Crash H2400263 Cash                          | \$6.00          |
| No. 6668 2307303 Ck# 2307303                          | \$36.40         |
| No: 6669 H2312182 Ck# 2856                            | \$6.00          |
| No. 6670 Crash report No record Check                 | \$5.00          |
| No. 6671 Crash H2400371 Cash                          | \$6.00          |
| No. 6672 Crash H2400263 Cash                          | \$6.00          |
| No. 6673 Crash Lexis Nexis CK 2434476212              | \$5.00          |
| No. 6674 Crash H2400424 Ck 2428587461                 | \$5.00          |
| No. 6675 Crash H2400400 ck 2431494061                 | \$5.00          |
| <b>Turned in to Sara January 25, 2024</b>             | <b>\$80.40</b>  |
| No. 6676 Crash H2311868 Ck 2426163311                 | \$5.00          |
| No. 6677 CR3 H2400519 Cash                            | \$6.00          |
| No. 6678 CR3 H2400685 Cash                            | \$6.00          |
| No. 6679 Julie Boren Law CK 1117                      | \$36.00         |
| No. 6680 CR3 Lexis Nexis Ck. 2438096962               | \$5.00          |
| No. 6681 Lexis Nexis ES124119 Ck. 01834878            | \$15.00         |
| No. 6682 CR3 H2312225 Ck. 2417702515                  | \$5.00          |
| No. 6683 CR3 Lexis Nexis Ck. 2440996762               | \$5.00          |
| <b>Turned in to Sara January 30, 2024</b>             | <b>\$83.00</b>  |
| No. 6684  |                 |
| No. 6685  |                 |
|   |                 |
| <b>Balance</b>  | <b>\$575.30</b> |





# Henderson Police Department

800 Lake Forest Parkway

Henderson, Texas 75652

Phone: 903-657-3512 Fax: 903-657-3345

*Integrity ° Respect ° Accountability ° Courage ° Professionalism ° Dedication ° Service*

## January 2024 ORR Revenue

| Description   | Qty | Unit price            | Discount | Total            |
|---------------|-----|-----------------------|----------|------------------|
| Crash Reports | 32  | \$5.00                |          | \$160.00         |
| Crash Reports | 9   | \$6.00                |          | \$54.00          |
|               |     |                       |          |                  |
| ORR Attorney  | 3   | 212.20/36.40<br>36.00 |          | \$284.60         |
| ORR Civilian  | 1   | 46.70                 |          | \$46.70          |
| LexisNexis    | 2   | \$15.00               |          | \$30.00          |
|               |     |                       |          |                  |
| <b>Total</b>  |     |                       |          | <b>\$ 575.30</b> |

Information provided by Stacey Strong – Records Administrator

REV 2013/SJS

# HENDERSON POLICE DEPARTMENT

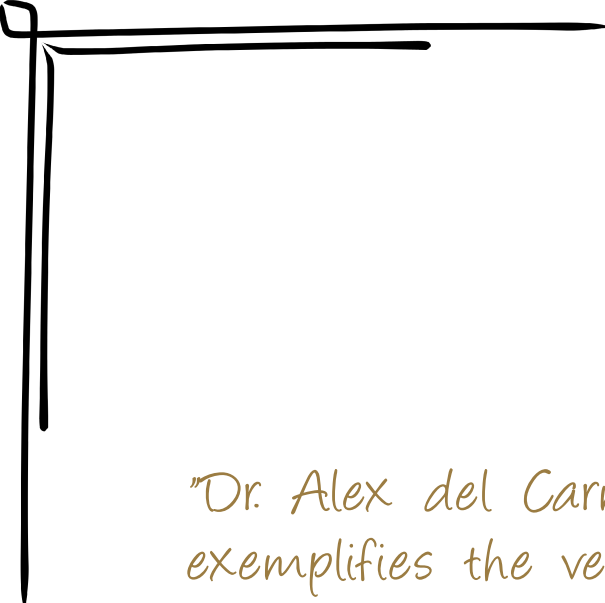


## 2023 RACIAL PROFILING REPORT



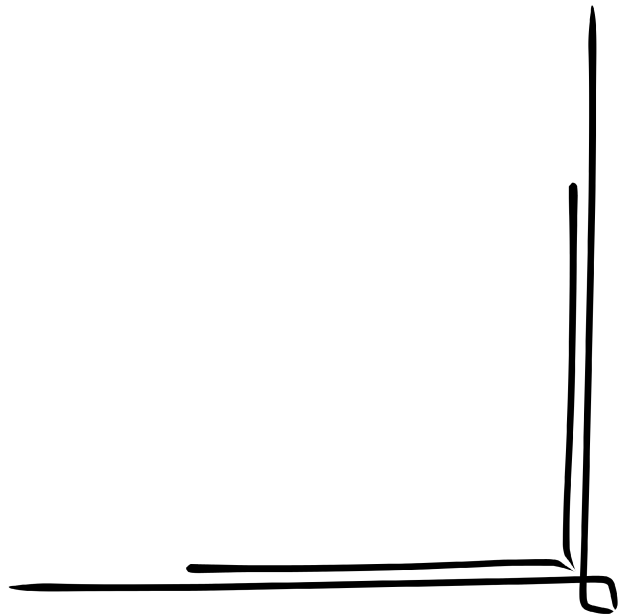
DEL CARMEN  
Consulting®

LAW ENFORCEMENT EXPERTS



"Dr. Alex del Carmen's work on racial profiling exemplifies the very best of the Sandra Bland Act, named after my daughter. My daughter's pledge to fight for injustice is best represented in the high quality of Dr. del Carmen's reports which include, as required by law, the data analysis, audits, findings and recommendations. I commend the agencies that work with him as it is clear that they have embraced transparency and adherence to the law."

-Quote by Geneva Reed (Mother of Sandra Bland)



January 24, 2024

Henderson City Council  
800 Lake Forest Parkway  
Henderson, TX 75652

Dear Distinguished Members of the City Council,

In 2001 the Texas Legislature, with the intent of addressing the issue of racial profiling in policing, enacted the Texas Racial Profiling Law. During the last calendar year, the Henderson Police Department, in accordance with the law, has collected and reported traffic and motor vehicle related contact data for the purpose of identifying and addressing (if necessary) areas of concern regarding racial profiling practices. In the 2009 Texas legislative session, the Racial Profiling Law was modified and additional requirements were implemented. Further, in 2017 the Sandra Bland Act was passed and signed into law (along with HB 3051, which introduced new racial and ethnic designations). The Sandra Bland Law currently requires that law enforcement agencies in the state collect additional data and provide a more detailed analysis. All of these requirements have been met by the Henderson Police Department and are included in this report.



In this report, you will find three sections with information on motor vehicle-related contacts. In addition, when appropriate, documentation is included which demonstrates the manner in which the Henderson Police Department has complied with the Texas Racial Profiling Law. In section one, you will find the table of contents. Section two documents compliance by the Henderson Police Department relevant to the requirements established in the Texas Racial Profiling Law. That is, you will find documents relevant to the training of all police personnel on racial profiling prevention and the institutionalization of the compliment and complaint processes, as required by law.

Finally, section three contains statistical data relevant to contacts (as defined by the law) which were made during the course of motor vehicle stops that took place between 1/1/23 and 12/31/23. Further, this section contains the Tier 2 form, which is required to be submitted to this particular organization and the law enforcement agency's local governing authority by March 1 of each year. The data in this report has been analyzed and compared to information derived from the U.S. Census Bureau's Fair Roads Standard. The final analysis and recommendations are also included in this report.

In the last section of the report, you will find the original draft of the Texas Racial Profiling Law, SB1074, as well as the Sandra Bland Act (current law). Also in this section, a list of requirements relevant to the Racial Profiling Law, as established by TCOLE (Texas Commission on Law Enforcement), is included. The findings in this report support the Henderson Police Department's commitment to comply with the Texas Racial Profiling Law.

Sincerely,

Alex del Carmen, Ph.D.



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# Public Education on Responding to Compliments and Complaints

## Informing the Public on the Process of Filing a Compliment or Complaint with the Henderson Police Department

The Texas Racial Profiling Law requires that police agencies provide information to the public regarding the manner in which to file a compliment or racial profiling complaint. In an effort to comply with this particular component, the Henderson Police Department launched an educational campaign aimed at informing the public on issues relevant to the racial profiling complaint process.

The police department made available, in the lobby area and on its web site, information relevant to filing a compliment and complaint on a racial profiling violation by a Henderson Police Officer. In addition, each time an officer issues a citation, ticket or warning, information on how to file a compliment or complaint is given to the individual cited. This information is in the form of a web address (including in the document issued to the citizen), which has instructions and details specifics related to the compliment or complaint processes.

It is believed that through these efforts, the community has been properly informed of the new policies and the complaint processes relevant to racial profiling.

All Henderson Police Officers have been instructed, as specified in the Texas Racial Profiling Law, to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements. To date, all sworn officers of the Henderson Police Department have completed the TCOLE basic training on racial profiling. The main outline used to train the officers of Henderson has been included in this report.

It is important to recognize that the Chief of the Henderson Police Department has also met the training requirements, as specified by the Texas Racial Profiling Law, in the completion of the LEMIT program on racial profiling. The satisfactory completion of the racial profiling training by the sworn personnel of the Henderson Police Department fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Law.



# **Racial Profiling Course 3256**

## **Texas Commission on Law Enforcement**

### **September 2001**

## **Racial Profiling 3256**

### **Instructor's Note:**

You may wish to teach this course in conjunction with Asset Forfeiture 3255 because of the related subject matter and applicability of the courses. If this course is taught in conjunction with Asset Forfeiture, you may report it under Combined Profiling and Forfeiture 3257 to reduce data entry.

### **Abstract**

This instructor guide is designed to meet the educational requirement for racial profiling established by legislative mandate: 77R-SB1074.

**Target Population:** Licensed law enforcement personnel in Texas

**Prerequisites:** Experience as a law enforcement officer

**Length of Course:** A suggested instructional time of 4 hours

**Material Requirements:** Overhead projector, chalkboard and/or flip charts, video tape player, handouts, practical exercises, and demonstrations

**Instructor Qualifications:** Instructors should be very knowledgeable about traffic stop procedures and law enforcement issues

### **Evaluation Process and Procedures**

An examination should be given. The instructor may decide upon the nature and content of the examination. It must, however, sufficiently demonstrate the mastery of the subject content by the student.

### **Reference Materials**

Reference materials are located at the end of the course. An electronic copy of this instructor guide may be downloaded from our web site at <http://www.tcleose.state.tx.us>.

## **Racial Profiling 3256**

### **1.0 RACIAL PROFILING AND THE LAW**

**1.1 UNIT GOAL: The student will be able to identify the legal aspects of racial profiling.**

**1.1.1 LEARNING OBJECTIVE: The student will be able to identify the legislative requirements placed upon peace officers and law enforcement agencies regarding racial profiling.**

#### **Racial Profiling Requirements:**

Racial profiling CCP 3.05

Racial profiling prohibited CCP 2.131

Law enforcement policy on racial profiling CCP 2.132

Reports required for traffic and pedestrian stops CCP 2.133

Liability CCP 2.136

Racial profiling education for police chiefs Education Code 96.641

Training program Occupations Code 1701.253

Training required for intermediate certificate Occupations Code 1701.402

Definition of "race or ethnicity" for form Transportation Code 543.202

#### **A. Written departmental policies**

1. Definition of what constitutes racial profiling
2. Prohibition of racial profiling
3. Complaint process
4. Public education
5. Corrective action
6. Collection of traffic-stop statistics
7. Annual reports

#### **B. Not prima facie evidence**

#### **C. Feasibility of use of video equipment**

#### **D. Data does not identify officer**

#### **E. Copy of complaint-related video evidence to officer in question**

#### **F. Vehicle stop report**

1. Physical description of detainees: gender, race or ethnicity
2. Alleged violation
3. Consent to search
4. Contraband
5. Facts supporting probable cause
6. Arrest
7. Warning or citation issued

#### **G. Compilation and analysis of data**

#### **H. Exemption from reporting – audio/video equipment**

#### **I. Officer non-liability**

#### **J. Funding**

#### **K. Required training in racial profiling**

1. Police chiefs
2. All holders of intermediate certificates and/or two-year-old licenses as of 09/01/2001 (training to be completed no later than 09/01/2003) – see legislation 77R-SB1074





**1.1.2 LEARNING OBJECTIVE: The student will become familiar with Supreme Court decisions and other court decisions involving appropriate actions in traffic stops.**

**A. Whren v. United States, 517 U.S. 806, 116 S.Ct. 1769 (1996)**

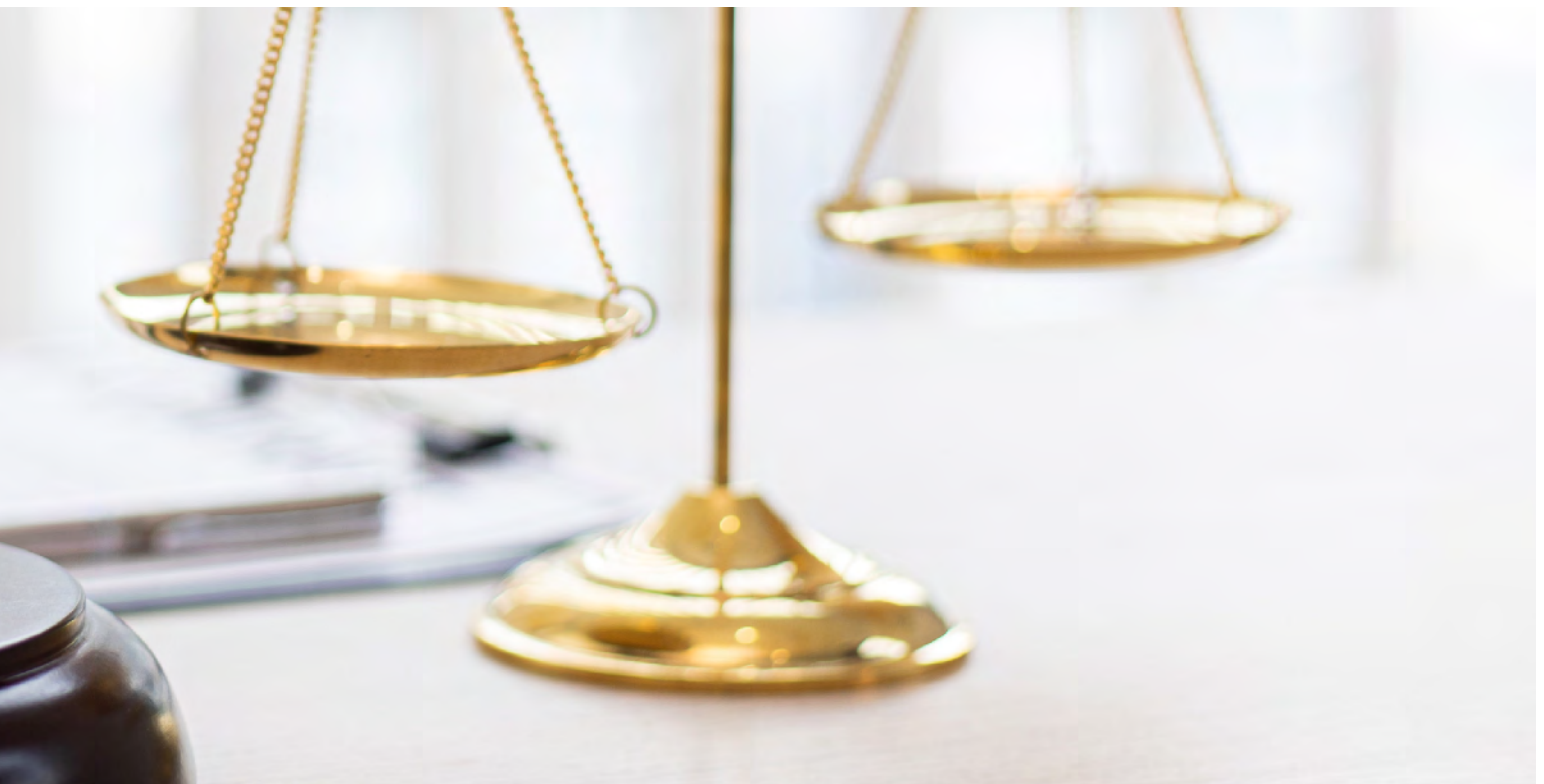
1. Motor vehicle search exemption
2. Traffic violation acceptable as pretext for further investigation
3. Selective enforcement can be challenged

**B. Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868 (1968)**

1. Stop & Frisk doctrine
2. Stopping and briefly detaining a person
3. Frisk and pat down

**C. Other cases**

1. Pennsylvania v. Mimms, 434 U.S. 106, 98 S.Ct. 330 (1977)
2. Maryland v. Wilson, 117 S.Ct. 882 (1997)
3. Graham v. State, 119 MdApp 444, 705 A.2d 82 (1998)
4. Pryor v. State, 122 Md.App. 671 (1997) cert. denied 352 Md. 312, 721 A.2d 990 (1998)
5. Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999)
6. New York v. Belton, 453 U.S. 454 (1981)



## **2.0 RACIAL PROFILING AND THE COMMUNITY**

**2.1 UNIT GOAL:** The student will be able to identify logical and social arguments against racial profiling.

**2.1.1 LEARNING OBJECTIVE:** The student will be able to identify logical and social arguments against racial profiling.

- A. There are appropriate reasons for unusual traffic stops (suspicious behavior, the officer's intuition, MOs, etc.), but police work must stop short of cultural stereotyping and racism.
- B. Racial profiling would result in criminal arrests, but only because it would target all members of a race randomly – the minor benefits would be far outweighed by the distrust and anger towards law enforcement by minorities and the public as a whole.
- C. Racial profiling is self-fulfilling bad logic: if you believed that minorities committed more crimes, then you might look for more minority criminals, and find them in disproportionate numbers.
- D. Inappropriate traffic stops generate suspicion and antagonism towards officers and make future stops more volatile – a racially-based stop today can throw suspicion on tomorrow's legitimate stop.
- E. By focusing on race, you would not only be harassing innocent citizens, but overlooking criminals of all races and backgrounds – it is a waste of law enforcement resources.

### 3.0 RACIAL PROFILING VERSUS REASONABLE SUSPICION

**3.1 UNIT GOAL:** The student will be able to identify the elements of both inappropriate and appropriate traffic stops.

**3.1.1 LEARNING OBJECTIVE:** The student will be able to identify elements of a racially motivated traffic stop.

A. Most race-based complaints come from vehicle stops, often since race is used as an inappropriate substitute for drug courier profile elements

B. "DWB" – "Driving While Black" – a nickname for the public perception that a Black person may be stopped solely because of their race (especially with the suspicion that they are a drug courier), often extended to other minority groups or activities as well ("Driving While Brown," "Flying While Black," etc.)

C. A typical traffic stop resulting from racial profiling

1. The vehicle is stopped on the basis of a minor or contrived traffic violation which is used as a pretext for closer inspection of the vehicle, driver, and passengers
2. The driver and passengers are questioned about things that do not relate to the traffic violation
3. The driver and passengers are ordered out of the vehicle
4. The officers visually check all observable parts of the vehicle
5. The officers proceed on the assumption that drug courier work is involved by detaining the driver and passengers by the roadside
6. The driver is asked to consent to a vehicle search – if the driver refuses, the officers use other procedures (waiting on a canine unit, criminal record checks, license-plate checks, etc.), and intimidate the driver (with the threat of detaining him/her, obtaining a warrant, etc.)



**3.1.2 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which would constitute reasonable suspicion of drug courier activity.**

A. Drug courier profile (adapted from a profile developed by the DEA)

1. Driver is nervous or anxious beyond the ordinary anxiety and cultural communication styles
2. Signs of long-term driving (driver is unshaven, has empty food containers, etc.)
3. Vehicle is rented
4. Driver is a young male, 20-35
5. No visible luggage, even though driver is traveling
6. Driver was over-reckless or over-cautious in driving and responding to signals
7. Use of air fresheners

B. Drug courier activity indicators by themselves are usually not sufficient to justify a stop

**3.1.3 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which could constitute reasonable suspicion of criminal activity.**

A. Thinking about the totality of circumstances in a vehicle stop

B. Vehicle exterior

1. Non-standard repainting (esp. on a new vehicle)
2. Signs of hidden cargo (heavy weight in trunk, windows do not roll down, etc.)
3. Unusual license plate suggesting a switch (dirty plate, bugs on back plate, etc.)
4. Unusual circumstances (pulling a camper at night, kids' bikes with no kids, etc.)

C. Pre-stop indicators

1. Not consistent with traffic flow
2. Driver is overly cautious, or driver/passengers repeatedly look at police car
3. Driver begins using a car- or cell-phone when signaled to stop
4. Unusual pull-over behavior (ignores signals, hesitates, pulls onto new street, moves objects in car, etc.)

D. Vehicle interior

1. Rear seat or interior panels have been opened, there are tools or spare tire, etc.
2. Inconsistent items (anti-theft club with a rental, unexpected luggage, etc.)

**Resources**

Proactive Field Stops Training Unit – Instructor's Guide, Maryland Police and Correctional Training Commissions, 2001. (See Appendix A.)

Web address for legislation 77R-SB1074: <http://tlo2.tlc.state.tx.us/tlo/77r/billtext/SB01074F.htm>



# Report on Compliments and Racial Profiling Complaints



## **Report on Complaints**

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/23-12/31/23 based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.



A check above indicates that the Henderson Police Department has not received any complaints, on any members of its police services, for having violated the Texas Racial Profiling Law during the time period of 1/1/23-12/31/23.

### **Complaints Filed for Possible Violations of The Texas Racial Profiling Law**

| Complaint Number | Alleged Violation | Disposition of the Case |
|------------------|-------------------|-------------------------|
|                  |                   |                         |
|                  |                   |                         |
|                  |                   |                         |
|                  |                   |                         |
|                  |                   |                         |
|                  |                   |                         |
|                  |                   |                         |
|                  |                   |                         |
|                  |                   |                         |

|                             |
|-----------------------------|
| <b>Additional Comments:</b> |
|                             |
|                             |
|                             |
|                             |
|                             |

# Tables Illustrating Motor Vehicle-Related Contacts

## TIER 2 DATA

**TOTAL STOPS: 3,893**

### STREET ADDRESS OR APPROXIMATE LOCATION OF STOP.

|                  |       |
|------------------|-------|
| City Street      | 1,400 |
| US Highway       | 2,121 |
| State Highway    | 363   |
| County Road      | 4     |
| Private Property | 5     |

### WAS RACE OR ETHNICITY KNOWN PRIOR TO STOP?

|     |       |
|-----|-------|
| Yes | 29    |
| No  | 3,864 |

### RACE OR ETHNICITY

|                               |       |
|-------------------------------|-------|
| Alaska Native/American Indian | 27    |
| Asian/Pacific Islander        | 70    |
| Black                         | 944   |
| White                         | 2,019 |
| Hispanic/Latino               | 833   |

### GENDER

**Female Total: 1,534**

|                               |     |
|-------------------------------|-----|
| Alaska Native/American Indian | 11  |
| Asian/Pacific Islander        | 23  |
| Black                         | 394 |
| White                         | 831 |
| Hispanic/Latino               | 275 |

**Male Total: 2,359**

|                               |       |
|-------------------------------|-------|
| Alaska Native/American Indian | 16    |
| Asian/Pacific Islander        | 47    |
| Black                         | 550   |
| White                         | 1,188 |
| Hispanic/Latino               | 558   |

### REASON FOR STOP?

**Violation of Law Total: 220**

|                               |    |
|-------------------------------|----|
| Alaska Native/American Indian | 3  |
| Asian/Pacific Islander        | 0  |
| Black                         | 64 |
| White                         | 92 |
| Hispanic/Latino               | 61 |

**Pre-existing Knowledge Total: 8**

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 2 |
| White                         | 5 |
| Hispanic/Latino               | 1 |

**Moving Traffic Violation Total: 2,671**

|                               |       |
|-------------------------------|-------|
| Alaska Native/American Indian | 20    |
| Asian/Pacific Islander        | 57    |
| Black                         | 609   |
| White                         | 1,418 |
| Hispanic/Latino               | 567   |

## TIER 2 DATA

### Vehicle Traffic Violation Total: 994

|                               |     |
|-------------------------------|-----|
| Alaska Native/American Indian | 4   |
| Asian/Pacific Islander        | 13  |
| Black                         | 269 |
| White                         | 504 |
| Hispanic/Latino               | 204 |

### Contraband (in plain view) Total: 1

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 0 |
| White                         | 1 |
| Hispanic/Latino               | 0 |

### WAS SEARCH CONDUCTED?

|                               | YES        | NO           |
|-------------------------------|------------|--------------|
| Alaska Native/American Indian | 2          | 25           |
| Asian/Pacific Islander        | 0          | 70           |
| Black                         | 52         | 892          |
| White                         | 61         | 1,958        |
| Hispanic/Latino               | 25         | 808          |
|                               |            |              |
| <b>TOTAL</b>                  | <b>140</b> | <b>3,753</b> |

### Probable Cause Total: 98

|                               |    |
|-------------------------------|----|
| Alaska Native/American Indian | 2  |
| Asian/Pacific Islander        | 0  |
| Black                         | 44 |
| White                         | 41 |
| Hispanic/Latino               | 11 |

### Inventory Total: 4

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 0 |
| White                         | 3 |
| Hispanic/Latino               | 1 |

### REASON FOR SEARCH?

#### Consent Total: 29

|                               |    |
|-------------------------------|----|
| Alaska Native/American Indian | 0  |
| Asian/Pacific Islander        | 0  |
| Black                         | 6  |
| White                         | 14 |
| Hispanic/Latino               | 9  |

### Incident to Arrest Total: 8

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 2 |
| White                         | 2 |
| Hispanic/Latino               | 4 |



## TIER 2 DATA

### WAS CONTRABAND DISCOVERED?

|                               | YES       | NO        |
|-------------------------------|-----------|-----------|
| Alaska Native/American Indian | 2         | 0         |
| Asian/Pacific Islander        | 0         | 0         |
| Black                         | 30        | 22        |
| White                         | 37        | 24        |
| Hispanic/Latino               | 9         | 16        |
|                               |           |           |
| <b>TOTAL</b>                  | <b>78</b> | <b>62</b> |

### Did the finding result in arrest?

|                               | YES       | NO        |
|-------------------------------|-----------|-----------|
| Alaska Native/American Indian | 0         | 2         |
| Asian/Pacific Islander        | 0         | 0         |
| Black                         | 7         | 23        |
| White                         | 7         | 30        |
| Hispanic/Latino               | 3         | 6         |
|                               |           |           |
| <b>TOTAL</b>                  | <b>17</b> | <b>61</b> |

### DESCRIPTION OF CONTRABAND

#### Drugs Total: 67

|                               |    |
|-------------------------------|----|
| Alaska Native/American Indian | 2  |
| Asian/Pacific Islander        | 0  |
| Black                         | 27 |
| White                         | 32 |
| Hispanic/Latino               | 6  |

#### Currency Total: 0

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 0 |
| White                         | 0 |
| Hispanic/Latino               | 0 |

#### Weapons Total: 0

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 0 |
| White                         | 0 |
| Hispanic/Latino               | 0 |

#### Alcohol Total: 4

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 1 |
| White                         | 2 |
| Hispanic/Latino               | 1 |

## TIER 2 DATA

### Stolen Property Total: 0

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 0 |
| White                         | 0 |
| Hispanic/Latino               | 0 |

### Other Total: 12

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 4 |
| White                         | 6 |
| Hispanic/Latino               | 2 |

### RESULT OF THE STOP

#### Verbal Warning Total: 0

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 0 |
| White                         | 0 |
| Hispanic/Latino               | 0 |

#### Written Warning Total: 2,954

|                               |       |
|-------------------------------|-------|
| Alaska Native/American Indian | 4     |
| Asian/Pacific Islander        | 58    |
| Black                         | 700   |
| White                         | 1,608 |
| Hispanic/Latino               | 584   |

### Citation Total: 896

|                               |     |
|-------------------------------|-----|
| Alaska Native/American Indian | 22  |
| Asian/Pacific Islander        | 12  |
| Black                         | 227 |
| White                         | 397 |
| Hispanic/Latino               | 238 |

### Written Warning and Arrest Total: 20

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 7 |
| White                         | 6 |
| Hispanic/Latino               | 7 |

### Citation and Arrest Total: 23

|                               |    |
|-------------------------------|----|
| Alaska Native/American Indian | 1  |
| Asian/Pacific Islander        | 0  |
| Black                         | 10 |
| White                         | 8  |
| Hispanic/Latino               | 4  |

### Arrest Total: 0

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 0 |
| White                         | 0 |
| Hispanic/Latino               | 0 |

## TIER 2 DATA

### ARREST BASED ON

#### Violation of Penal Code Total: 25

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 1 |
| Asian/Pacific Islander        | 0 |
| Black                         | 8 |
| White                         | 8 |
| Hispanic/Latino               | 8 |

#### Violation of Traffic Law Total: 6

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 3 |
| White                         | 2 |
| Hispanic/Latino               | 1 |

#### Violation of City Ordinance Total: 0

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 0 |
| White                         | 0 |
| Hispanic/Latino               | 0 |

#### Outstanding Warrant Total: 12

|                               |   |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander        | 0 |
| Black                         | 6 |
| White                         | 4 |
| Hispanic/Latino               | 2 |

### Was physical force used resulting in bodily injury during the stop?

|                               | YES      | NO           |
|-------------------------------|----------|--------------|
| Alaska Native/American Indian | 0        | 27           |
| Asian/Pacific Islander        | 0        | 70           |
| Black                         | 0        | 944          |
| White                         | 0        | 2,019        |
| Hispanic/Latino               | 0        | 833          |
|                               |          |              |
| <b>TOTAL</b>                  | <b>0</b> | <b>3,893</b> |

# Tables Illustrating Motor Vehicle Related Contact Data

**Table 1. Citations and Warnings**

| Race/ Ethnicity                           | All<br>Contacts | Citations | Verbal<br>Warning | Written<br>Warning | Contact<br>Percent | Citation<br>Percent | Verbal<br>Percent | Written<br>Percent |
|---|-----------------|-----------|-------------------|--------------------|--------------------|---------------------|-------------------|--------------------|
| <b>Alaska Native/<br/>American Indian</b> | 27              | 23        | 0                 | 4                  | 1%                 | 3%                  | 0%                | 0%                 |
| <b>Asian/ Pacific<br/>Islander</b>        | 70              | 12        | 0                 | 58                 | 2%                 | 1%                  | 0%                | 2%                 |
| <b>Black</b>                              | 944             | 237       | 0                 | 700                | 24%                | 26%                 | 0%                | 24%                |
| <b>White</b>                              | 2,019           | 405       | 0                 | 1,608              | 52%                | 44%                 | 0%                | 54%                |
| <b>Hispanic/ Latino</b>                   | 833             | 242       | 0                 | 584                | 21%                | 26%                 | 0%                | 20%                |
| <b>TOTAL</b>                              | 3,893           | 919       | 0                 | 2,954              | 100%               | 100%                | 0%                | 100%               |



**Table 2. Motor Vehicle Contacts and Fair Roads Standard Comparison**

Comparison of motor vehicle-related contacts with households that have vehicle access.

| Race/Ethnicity                | Contact Percentage | Households with Vehicle Access |
|-------------------------------|--------------------|--------------------------------|
|                               |                    |                                |
| Alaska Native/American Indian | 1%                 | 0%                             |
| Asian/Pacific Islander        | 2%                 | 1%                             |
| Black                         | 24%                | 6%                             |
| White                         | 52%                | 77%                            |
| Hispanic/Latino               | 21%                | 14%                            |
|                               |                    |                                |
| TOTAL                         | 100%               | 98%                            |

**Table 3. Motor Vehicle Searches and Arrests.**

| Race/Ethnicity                | Searches | Consent Searches | Arrests |
|-------------------------------|----------|------------------|---------|
|                               |          |                  |         |
| Alaska Native/American Indian | 2        | 0                | 1       |
| Asian/Pacific Islander        | 0        | 0                | 0       |
| Black                         | 52       | 6                | 17      |
| White                         | 61       | 14               | 14      |
| Hispanic/Latino               | 25       | 9                | 11      |
|                               |          |                  |         |
| TOTAL                         | 140      | 29               | 43      |

**Table 4. Instances Where Peace Officers Used Physical Force Resulting in Bodily Injury**

| Instances Where Peace Officers Used Physical Force that Resulted in Bodily Injury | Arrest | Location of Stop | Reason for Stop |
|---|--------|------------------|-----------------|
|   |        |                  |                 |
|   |        |                  |                 |
|   |        |                  |                 |
|   |        |                  |                 |
|   |        |                  |                 |
|   |        |                  |                 |

**Table 5. Search Data**

| Race/<br>Ethnicity                      | Searches | Contraband<br>Found Yes | Contraband<br>Found No | Arrests | Percent<br>Searches | Percent<br>Contraband<br>Found | Percent No<br>Contraband | Percent<br>Arrest |
|---|----------|-------------------------|------------------------|---------|---------------------|--------------------------------|--------------------------|-------------------|
|   |          |                         |                        |         |                     |                                |                          |                   |
| Alaska<br>Native/<br>American<br>Indian | 2        | 2                       | 0                      | 1       | 1%                  | 3%                             | 0%                       | 2%                |
| Asian/<br>Pacific<br>Islander           | 0        | 0                       | 0                      | 0       | 0%                  | 0%                             | 0%                       | 0%                |
| Black                                   | 52       | 30                      | 22                     | 17      | 37%                 | 38%                            | 35%                      | 40%               |
| White                                   | 61       | 37                      | 24                     | 14      | 44%                 | 47%                            | 39%                      | 33%               |
| Hispanic/<br>Latino                     | 25       | 9                       | 16                     | 11      | 18%                 | 12%                            | 26%                      | 26%               |
|   |          |                         |                        |         |                     |                                |                          |                   |
| <b>TOTAL</b>                            | 140      | 78                      | 62                     | 43      | 100%                | 100%                           | 100%                     | 100%              |

**Table 6. Report on Audits.**

The following table contains data regarding the number and outcome of required data audits during the period of 1/1/23-12/31/23.

| <b>Audit Data</b> | <b>Number of Data Audits Completed</b> | <b>Date of Completion</b> | <b>Outcome of Audit</b>     |
|-------------------|--|---------------------------|-----------------------------|
|                   |  |                           |                             |
| 1                 | 1                                      | 03/01/23                  | Data was valid and reliable |
| 2                 | 1                                      | 06/01/23                  | Data was valid and reliable |
| 3                 | 1                                      | 09/01/23                  | Data was valid and reliable |
| 4                 | 1                                      | 12/01/23                  | Data was valid and reliable |

|                             |
|-----------------------------|
| <b>ADDITIONAL COMMENTS:</b> |
|                             |
|                             |
|                             |

**Table 7. Instance Where Force Resulted in Bodily Injury.**

| <b>Race/Ethnicity</b>                | <b>Number</b> | <b>Percent</b> |
|--------------------------------------|---------------|----------------|
|                                      |               |                |
| <b>Alaska Native/American Indian</b> | 0             | 0%             |
| <b>Asian/Pacific Islander</b>        | 0             | 0%             |
| <b>Black</b>                         | 0             | 0%             |
| <b>White</b>                         | 0             | 0%             |
| <b>Hispanic/Latino</b>               | 0             | 0%             |
|                                      |               |                |
| <b>TOTAL</b>                         | 0             | 0%             |

**Table 8. Reason for Arrests from Vehicle Contact**

| Race/ Ethnicity                | Violation of Penal Code | Violation of Traffic Law | Violation of City Ordinance | Outstanding Warrant | Percent Penal Code | Percent Traffic Law | Percent City Ordinance | Percent Warrant |
|--------------------------------|-------------------------|--------------------------|-----------------------------|---------------------|--------------------|---------------------|------------------------|-----------------|
|                                |                         |                          |                             |                     |                    |                     |                        |                 |
| Alaska Native/ American Indian | 1                       | 0                        | 0                           | 0                   | 4%                 | 0%                  | 0%                     | 0%              |
| Asian/ Pacific Islander        | 0                       | 0                        | 0                           | 0                   | 0%                 | 0%                  | 0%                     | 0%              |
| Black                          | 8                       | 3                        | 0                           | 6                   | 32%                | 50%                 | 0%                     | 50%             |
| White                          | 8                       | 2                        | 0                           | 4                   | 32%                | 33%                 | 0%                     | 33%             |
| Hispanic/ Latino               | 8                       | 1                        | 0                           | 2                   | 32%                | 17%                 | 0%                     | 17%             |
|                                |                         |                          |                             |                     |                    |                     |                        |                 |
| <b>TOTAL</b>                   | 25                      | 6                        | 0                           | 12                  | 100%               | 100%                | 0%                     | 100%            |

**Table 9. Contraband Hit Rate**

| Race/ Ethnicity                | Searches | Contraband Found Yes | Contraband Hit Rate | Search Percent | Contraband Percent |
|--------------------------------|----------|----------------------|---------------------|----------------|--------------------|
|                                |          |                      |                     |                |                    |
| Alaska Native/ American Indian | 2        | 2                    | 100%                | 1%             | 3%                 |
| Asian/ Pacific Islander        | 0        | 0                    | 0%                  | 0%             | 0%                 |
| Black                          | 52       | 30                   | 58%                 | 37%            | 38%                |
| White                          | 61       | 37                   | 61%                 | 44%            | 47%                |
| Hispanic/Latino                | 25       | 9                    | 36%                 | 18%            | 12%                |



## Analysis and Interpretation of Data

In 2001, the Texas Legislature passed Senate Bill 1074, which eventually became the Texas Racial Profiling Law. This particular law came into effect on January 1, 2002 and required all police departments in Texas to collect traffic-related data and report this information to their local governing authority by March 1 of each year. This law remained in place until 2009, when it was modified to include the collection and reporting of all motor vehicle-related contacts in which a citation was issued or an arrest was made. Further, the modification to the law further requires that all police officers indicate whether or not they knew the race or ethnicity of the individuals before detaining them. In addition, it became a requirement that agencies report motor vehicle-related data to their local governing authority and to the Texas Commission on Law Enforcement (TCOLE) by March 1 of each year. The purpose in collecting and disclosing this information is to determine if police officers in any particular municipality are engaging in the practice of racially profiling minority motorists.

One of the central requirements of the law is that police departments interpret motor vehicle-related data. Even though most researchers would likely agree that it is within the confines of good practice for police departments to be accountable to the citizenry while carrying a transparent image before the community, it is in fact very difficult to determine if individual police officers are engaging in racial profiling from a review and analysis of aggregate/institutional data. In other words, it is challenging for a reputable researcher to identify specific "individual" racist behavior from aggregate-level "institutional" data on traffic or motor vehicle-related contacts.

As previously noted, in 2009 the Texas Legislature passed House Bill 3389, which modified the Racial Profiling Law by adding new requirements; this took effect on January 1, 2010. The changes included, but are not limited to, the re-definition of a contact to include motor vehicle-related contacts in which a citation was issued or an arrest was made. In addition, it required police officers to indicate if they knew the race or ethnicity of the individual before detaining them. The 2009 law also required adding "Middle Eastern" to the racial and ethnic category and submitting the annual data report to TCOLE before March 1 of each year.

In 2017, the Texas Legislators passed HB 3051 which removed the Middle Eastern data requirement while standardizing the racial and ethnic categories relevant to the individuals that came in contact with police. In addition, the Sandra Bland Act (SB 1849) was passed and became law. Thus, the most significant legislative mandate (Sandra Bland Act) in Texas history regarding data requirements on law enforcement contacts became law and took effect on January 1, 2018. The Sandra Bland Act not only currently requires the extensive collection of data relevant to police motor vehicle contacts, but it also mandates for the data to be analyzed while addressing the following:

**1. A comparative analysis of the information compiled (under Article 2.133):**

- a. Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;*
- b. Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;*
- c. Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches.*

**2. Information related to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.**

As part of their effort to comply with The Texas Racial Profiling/Sandra Bland Law, the Henderson Police Department commissioned the analysis of its 2023 contact data. Hence, two different types of data analyses were performed. The first of these involved a careful evaluation of the 2023 motor vehicle-related data. This particular analysis measured, as required by the law, the number and percentage of Whites, Blacks, Hispanics or Latinos, Asians and Pacific Islanders, Alaska Natives and American Indians (Middle Easterners and individuals belonging to the “other” category, as optional categories), who came in contact with police in the course of a motor vehicle-related contact and were either issued a ticket, citation, or warning or an arrest was made. Also included in this data were instances when a motor vehicle contact took place for an alleged violation of the law or ordinance. The Tier 2 data analysis included, but was not limited to, information relevant to the number and percentage of contacts by race/ethnicity, gender, reason for the stop, location of stop, searches while indicating the type of search performed, result of stop, basis of an arrest, and use of physical force resulting in bodily injury.

The analysis on the data performed in this report, was based on a comparison of the 2023 motor vehicle contact data with a specific baseline. When reading this particular analysis, one should consider that there is disagreement in the literature regarding the appropriate baseline to be used when analyzing motor vehicle-related contact information. Of the baseline measures available, the Henderson Police Department accepted our recommendation to rely, as a baseline measure, on the Fair Roads Standard. This particular baseline is established on data obtained through the U.S. Census Bureau (2020) relevant to the number of households that have access to vehicles while controlling for the race and ethnicity of the heads of households.

It should be noted that the census data presents challenges to any effort made at establishing a fair and accurate racial profiling analysis. That is, census data contains information on all residents of a particular community, regardless whether they are among the driving population. Further, census data, when used as a baseline of comparison, presents the challenge that it captures information related to city residents only, thus excluding individuals who may have come in contact with the Henderson Police Department in 2023 but live outside city limits. In some jurisdictions the percentage of the population that comes in contact with the police but lives outside city limits represents a substantial volume of all motor vehicle-related contacts made in a given year.

In 2002, some civil rights groups in Texas expressed their concern and made recommendations to the effect that all police departments should rely, in their data analysis, on the Fair Roads Standard. This source contains census data specific to the number of “households” that have access to vehicles. Thus, proposing to compare “households” (which may have multiple residents and only a few vehicles) with “contacts” (an individual-based count). In essence this constitutes a comparison that may result in ecological fallacy. Despite this risk, as noted earlier, the Henderson Police Department accepted the recommendation to utilize this form of comparison (i.e., census data relevant to households with vehicles) in an attempt to demonstrate its “good will” and “transparency” before the community. Thus, the Fair Roads Standard data obtained and used in this study is specifically relevant to the city of Henderson.

### **Tier 2 (2023) Motor Vehicle-Related Contact Analysis**

When examining the enhanced and more detailed Tier 2 data collected in 2023, it was evident that most motor vehicle-related contacts were made with Whites, followed by Blacks. Of those who came in contact with police, most tickets or citations were issued to Whites and Hispanics; this was followed by Blacks. However, in terms of written warnings, most of these were issued to Whites, followed by Blacks.

While reviewing searches and arrests, the data showed that most searches took place among Whites. When considering all searches, most were consented by Whites and Hispanics, while most custody arrests were of Blacks. Overall, most searches resulted in contraband; of those that produced contraband, most were of Whites; this was followed by Blacks. Of the searches that did not produce contraband, most were of Whites. Most arrests were made of Blacks. Most of the arrests that originated from a violation of the penal code involved Whites, Blacks, and Hispanics. Overall, the police department does not report any instances where force was used that resulted in bodily injury.

### **Comparative Analysis**

A comprehensive analysis of the motor vehicle contacts made in 2023 to the census data relevant to the number of “households” in Henderson who indicated in the 2020 census that they had access to vehicles, produced interesting findings. Specifically, the percentage of Whites who came in contact with police was the same or lower than the percentage of White households in Henderson that claimed in the last census to have access to vehicles. The opposite was true of Blacks, Hispanics, Asians, and American Indians. That is, a higher percentage of Blacks, Hispanics, Asians, and American Indians came in contact with police than the percentage of Black, Hispanic, Asian, and American Indian households in Henderson that claimed in the last census to have access to vehicles. It should be noted that the percentage difference among Asian and American Indian contacts with households is of less than 3%; thus, deemed by some as statistically insignificant..

The comprehensive analysis of the searches resulting in contraband shows that the most significant contraband hit rate is of American Indians. This was followed by Whites and Blacks. This means that among all searches performed in 2023, the most significant percentage of these that resulted in contraband was among American Indians. The lowest contraband hit rate was among Hispanics.

### **Summary of Findings**

As referenced earlier, the most recent Texas Racial Profiling Law requires that police departments perform data audits in order to validate the data being reported. Consistent with this requirement, the Henderson Police Department has engaged del Carmen Consulting, LLC in order to perform these audits in a manner consistent with normative statistical practices. As shown in Table 6, the audit performed reveals that the data is valid and reliable. Further, as required by law, this report also includes an analysis on the searches performed. This analysis includes information on whether contraband was found as a result of the search while controlling for race/ethnicity. The search analysis demonstrates that the police department is engaging in search practices consistent with national trends in law enforcement.

While considering the findings produced as a result of this analysis, it is recommended that the Henderson Police Department should continue to collect and evaluate additional information on motor vehicle contact data (i.e., reason for probable cause searches, contraband detected), which may prove to be useful when determining the nature of the contacts police officers are making with all individuals.

As part of this effort, the Henderson Police Department should continue to:

- 1) Perform an independent analysis on contact and search data in the upcoming year.
- 2) Commission data audits in 2024 in order to assess data integrity; that is, to ensure that the data collected is consistent with the data being reported.

The comprehensive data analysis performed serves as evidence that the Henderson Police Department has complied with the Texas Racial Profiling Law and all of its requirements. Further, the report demonstrates that the police department has incorporated a comprehensive racial profiling policy, currently offers information to the public on how to file a compliment or complaint, commissions quarterly data audits in order to ensure validity and reliability, collects and commissions the analysis of Tier 2 data, and ensures that the practice of racial profiling will not be tolerated.



# Checklist

The following requirements were met by the Henderson Police Department in accordance with The Texas Racial Profiling Law:

- ✓ Implement a Racial Profiling Policy citing act or actions that constitute racial profiling.
- ✓ Include in the racial profiling policy, a statement indicating prohibition of any peace officer employed by the Henderson Police Department from engaging in racial profiling.
- ✓ Implement a process by which an individual may file a complaint regarding racial profiling violations.
- ✓ Provide public education related to the complaint and complaint process.
- ✓ Implement disciplinary guidelines for officers found in violation of the Texas Racial Profiling Law.
- ✓ Collect, report and analyze motor vehicle data (Tier 2).
- ✓ Commission Data Audits and a Search Analysis.
- ✓ Indicate total number of officers who knew and did not know, the race/ethnicity of individuals before being detained.
- ✓ Produce an annual report on police contacts (Tier 2) and present this to the local governing body and TCOLE by March 1, 2024.
- ✓ Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation.





# Legislative & Administrative *Addendum*

FEDERAL  
TAX  
REGULATIONS

# TCOLE GUIDELINES

## Guidelines for Compiling and Reporting Data under Senate Bill 1074

### Background

Senate Bill 1074 of the 77<sup>th</sup> Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of **what** must be accomplished by an agency but allows wide latitude in determining **how** the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

### Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

### Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an “agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers’ official duties.”



The article further defines race or ethnicity as being of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American.” The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

## **Standard 2**

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person’s race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer’s best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

## **Commentary**

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, “the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.”

## **Standard 3**

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

## Commentary

Senate Bill 1074 from the 77<sup>th</sup> Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide an analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for “tier one” data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American”);
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on “tier two” reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person’s gender and race or ethnicity;
- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops

including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

#### **Standard 4**

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

#### **Commentary**

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

#### **Standard 5**

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

#### **Commentary**

None

#### **Standard 6**

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

#### **Commentary**

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

**Standard 7**

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

**Commentary**

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

# The Texas Law on Racial Profiling

S.B. No. 1074 - An Act relating to the prevention of racial profiling by certain peace officers.  
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

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

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

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

(1) clearly define acts constituting racial profiling;

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

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

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

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

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

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

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

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

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

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

policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

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

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

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

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

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

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

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

(A) the person's gender; and

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

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

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

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

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

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

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

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

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

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

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

during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

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

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

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

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

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

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

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

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

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

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

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

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

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

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.



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

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

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

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

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

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

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

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

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

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

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

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

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

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

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

(3) analyzing and reporting collected information.

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

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

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

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

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

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

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

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

(2) the registration number of the vehicle involved;

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

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

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

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

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

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

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

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

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

SECTION 9. Not later than January 1, 2002:

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

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

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

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

SECTION 12. This Act takes effect September 1, 2001

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President of the Senate

Speaker of the House

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

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Secretary of the Senate

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

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Chief Clerk of the House

Approved:

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Date

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Governor

# Modifications to the Original Law

## (H.B. 3389)

Amend CSHB 3389 (Senate committee report) as follows:

(1) Strike the following SECTIONS of the bill:

(A) SECTION 8, adding Section 1701.164, Occupations Code (page 4, lines 61-66);

(B) SECTION 24, amending Article 2.132(b), Code of Criminal Procedure (page 8, lines 19-53);

(C) SECTION 25, amending Article 2.134(b), Code of Criminal Procedure (page 8, lines 54-64);

(D) SECTION 28, providing transition language for the amendments to Articles 2.132(b) and 2.134(b), Code of Criminal Procedure (page 9, lines 40-47).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly: SECTION \_\_\_\_\_. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (a),(b), (d), and (e) and adding Subsection (g) to read as follows:

(a) In this article:

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

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, ~~[or]~~ Native American, or Middle Eastern descent.

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

(1) clearly define acts constituting racial profiling;

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

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

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

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

(6) require collection of information relating to motor vehicle ~~[traffic]~~ stops in which a citation is issued and to arrests made as a result of ~~[resulting from]~~ those ~~[traffic]~~ stops, including information relating to:

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

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

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit ~~[to the governing body of each county or~~

~~municipality served by the agency]~~ an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement Officer Standards and Education; and

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

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

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

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

SECTION \_\_\_\_\_. Article 2.133, Code of Criminal Procedure, is amended to read as follows:

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE ~~[TRAFFIC AND PEDESTRIAN]~~ STOPS. (a) In this article, "race":

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

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

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

(1) a physical description of any ~~[each]~~ person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

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

(2) the initial reason for the stop ~~[traffic law or ordinance alleged to have been violated or the suspected offense];~~

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

(4) whether any contraband or other evidence was discovered in the course of the search and a description ~~[the type]~~ of the contraband or evidence ~~[discovered];~~

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle ~~[existed and the facts supporting the existence of that probable cause];~~

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

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

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

SECTION \_\_\_\_\_. Article 2.134, Code of Criminal Procedure, is amended by amending Subsections (a) through (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Motor vehicle[, "pedestrian] stop" has the meaning assigned by Article 2.132(a) ~~[means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest].~~

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

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each ~~[local]~~ law enforcement agency shall submit a report containing the incident-based data ~~[information]~~ compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency ~~[in a manner approved by the agency].~~

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

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

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities ~~[determine the prevalence of racial profiling by peace officers employed by the agency]; and~~

(B) examine the disposition of motor vehicle ~~[traffic and pedestrian]~~ stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from ~~[the]~~ stops within the applicable jurisdiction; and

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

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

(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.



(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

SECTION \_\_\_\_\_. Article 2.135, Code of Criminal Procedure, is amended to read as follows:

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

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

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

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

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

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle ~~[traffic and pedestrian]~~ stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle ~~[traffic or pedestrian]~~ stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

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

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

SECTION \_\_\_\_\_. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1385 to read as follows:

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based

data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

SECTION \_\_\_\_\_. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:

Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE. (a) In this article, "moving violation" means an offense that:

(1) involves the operation of a motor vehicle; and

(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.

(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.

(c) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

(3) the court defers final disposition of the person's case.

(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as appropriate.

(e) The custodian of a county or municipal treasury shall:

(1) keep records of the amount of funds on deposit collected under this article; and

(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.

(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).

(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.

(h) The comptroller shall deposit the funds received under this article to the credit of the Civil Justice Data Repository fund in the general revenue fund, to be used only by the Commission on Law Enforcement Officer Standards and Education to implement duties under Section 1701.162, Occupations Code.

(i) Funds collected under this article are subject to audit by the comptroller.

SECTION \_\_\_\_\_. (a) Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.061, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;

(2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . \$40;

- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.061, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION \_\_\_\_\_. (a) Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;
- (2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . \$40;
- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.081, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION \_\_\_\_\_. Section 102.101, Government Code, is amended to read as follows:

Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$4;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . \$4;
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5;
- (7) a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed \$30; ~~and~~
- (8) a court cost on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed \$7; and
- (9) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION \_\_\_\_\_. Section 102.121, Government Code, is amended to read as follows:

Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a municipal court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4; ~~and~~
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION \_\_\_\_\_. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.164 to read as follows:

Sec. 1701.164. COLLECTION OF CERTAIN INCIDENT-BASED DATA SUBMITTED BY LAW ENFORCEMENT AGENCIES. The commission shall collect and maintain incident-based data submitted to the commission under Article 2.134, Code of Criminal Procedure, including incident-based data compiled by a law enforcement agency from reports received by the law enforcement agency under Article 2.133 of that code. The commission in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth, Jr., Police Institute at Dallas, and the Texas Police Chiefs Association shall develop guidelines for submitting in a standard format the report containing incident-based data as required by Article 2.134, Code of Criminal Procedure.

SECTION \_\_\_\_\_. Subsection (a), Section 1701.501, Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (d), the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:

- (1) this chapter;

(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure;  
or

(3) a commission rule.

SECTION \_\_\_\_\_. (a) The requirements of Articles 2.132, 2.133, and 2.134, Code of Criminal Procedure, as amended by this Act, relating to the compilation, analysis, and submission of incident-based data apply only to information based on a motor vehicle stop occurring on or after January 1, 2010.

(b) The imposition of a cost of court under Article 102.022, Code of Criminal Procedure, as added by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

# Racial and Ethnic Designations (H.B. 3051)

H.B. No. 3051 - An Act relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.

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

SECTION 1. Article 2.132(a)(3), Code of Criminal Procedure, is amended to read as follows:

(3) "Race or ethnicity" means the following categories:

(A) Alaska native or American Indian;

(B) [of a particular descent, including Caucasian, African, Hispanic,] Asian or Pacific Islander;

(C) black;

(D) white; and

(E) Hispanic or Latino [~~Native American, or Middle Eastern descent~~].

SECTION 2. Section 543.202(a), Transportation Code, is amended to read as follows:

(a) In this section, "race or ethnicity" means the following categories:

(1) Alaska native or American Indian;

(2) [of a particular descent, including Caucasian, African, Hispanic,] Asian or Pacific Islander;

(3) black;

(4) white; and

(5) Hispanic or Latino [~~or Native American descent~~].

SECTION 3. This Act takes effect September 1, 2017.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 3051 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 3051 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

\_\_\_\_\_  
Governor

# **The Sandra Bland Act**

## **(S.B. 1849)**

S.B. No. 1849

An Act relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

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

### **ARTICLE 1. SHORT TITLE**

SECTION 1.01. SHORT TITLE. This Act shall be known as the Sandra Bland Act, in memory of Sandra Bland.

### **ARTICLE 2. IDENTIFICATION AND DIVERSION OF AND SERVICES FOR PERSONS SUSPECTED OF HAVING A MENTAL ILLNESS, AN INTELLECTUAL DISABILITY, OR A SUBSTANCE ABUSE ISSUE**

SECTION 2.01. Article 16.22, Code of Criminal Procedure, is amended to read as follows:

Art. 16.22. EARLY IDENTIFICATION OF DEFENDANT SUSPECTED OF HAVING MENTAL ILLNESS OR INTELLECTUAL DISABILITY [MENTAL RETARDATION]. (a)(1) Not later than 12 [72] hours after receiving credible information that may establish reasonable cause to believe that a defendant committed to the sheriff's custody has a mental illness or is a person with an intellectual disability [mental retardation], including observation of the defendant's behavior immediately before, during, and after the defendant's arrest and the results of any previous assessment of the defendant, the sheriff shall provide written or electronic notice of the information to the magistrate. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability [mental retardation], the magistrate, except as provided by Subdivision

(2), shall order the local mental health or intellectual and developmental disability [mental retardation] authority or another qualified mental health or intellectual disability [mental retardation] expert to:

(A) collect information regarding whether the defendant has a mental illness as defined by Section 571.003,

Health and Safety Code, or is a person with an intellectual disability [mental retardation] as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant; and

(B) provide to the magistrate a written assessment of the information collected under Paragraph (A).

(2) The magistrate is not required to order the collection of information under Subdivision



(1) if the defendant in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability [mental retardation] by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health or intellectual disability [mental retardation] expert described by Subdivision

(1). A court that elects to use the results of that previous determination may proceed under Subsection (c).

(3) If the defendant fails or refuses to submit to the collection of information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a mental health facility determined to be appropriate by the local mental health or intellectual and developmental disability [mental retardation] authority for a reasonable period not to exceed 21 days. The magistrate may order a defendant to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination only on request of the local mental health or intellectual and developmental disability [mental retardation] authority and with the consent of the head of the facility. If a defendant who has been ordered to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination remains in the facility for a period exceeding 21 days, the head of that facility shall cause the defendant to be immediately transported to the committing court and placed in the custody of the sheriff of the county in which the committing court is located. That county shall reimburse the facility for the mileage and per diem expenses of the personnel required to transport the defendant calculated in accordance with the state travel regulations in effect at the time.

(b) A written assessment of the information collected under Subsection (a)(1)(A) shall be provided to the magistrate not later than the 30th day after the date of any order issued under Subsection (a) in a felony case and not later than the 10th day after the date of any order issued under that subsection in a misdemeanor case, and the magistrate shall provide copies of the written assessment to the defense counsel, the prosecuting attorney, and the trial court. The written assessment must include a description of the procedures used in the collection of information under Subsection (a)(1)(A) and the applicable expert's observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability [mental retardation];

(2) whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) recommended treatment.

(c) After the trial court receives the applicable expert's written assessment relating to the defendant under Subsection (b) or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1) resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032;

(2) resume or initiate competency proceedings, if required, as provided by Chapter 46B

or other proceedings affecting the defendant's receipt of appropriate court-ordered mental health or intellectual disability [mental retardation] services, including proceedings related to the defendant's receipt of outpatient mental health services under Section 574.034, Health and Safety Code; or

(3) consider the written assessment during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision.

(d) This article does not prevent the applicable court from, before, during, or after the collection of information regarding the defendant as described by this article: (1) releasing a defendant who has a mental illness [mentally ill] or is a person with an intellectual disability [mentally retarded defendant] from custody on personal or surety bond; or

(2) ordering an examination regarding the defendant's competency to stand trial.

SECTION 2.02. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.23 to read as follows:

Art. 16.23. DIVERSION OF PERSONS SUFFERING MENTAL HEALTH CRISIS OR SUBSTANCE ABUSE ISSUE. (a) Each law enforcement agency shall make a good faith effort to divert a person suffering a mental health crisis or suffering from the effects of substance abuse to a proper treatment center in the agency's jurisdiction if:

(1) there is an available and appropriate treatment center in the agency's jurisdiction to which the agency may divert the person;

(2) it is reasonable to divert the person;

(3) the offense that the person is accused of is a misdemeanor, other than a misdemeanor involving violence; and

(4) the mental health crisis or substance abuse issue is suspected to be the reason the person committed the alleged offense.

(b) Subsection (a) does not apply to a person who is accused of an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code.

SECTION 2.03. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES. (a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or [and] mental illness. [The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.] In awarding grants, the department shall give special consideration to entities:

(1) establishing [a] new collaboratives; or

(2) establishing or expanding collaboratives that serve two or more counties, each with a population of less than 100,000 [collaborative].

(b) The department shall require each entity awarded a grant under this section to:

(1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; [and]

(2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for the purpose of providing services to those persons.

SECTION 2.04. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care or substance abuse treatment.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

(c) Two or more counties, each with a population of less than 100,000, may form a joint plan under Subsection (a).

### ARTICLE 3. BAIL, PRETRIAL RELEASE, AND COUNTY JAIL STANDARDS

SECTION 3.01. The heading to Article 17.032, Code of Criminal Procedure, is amended to read as follows:

Art. 17.032. RELEASE ON PERSONAL BOND OF CERTAIN [MENTALLY ILL] DEFENDANTS WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY.

SECTION 3.02. Articles 17.032(b) and (c), Code of Criminal Procedure, are amended to read as follows:

(b) A magistrate shall release a defendant on personal bond unless good cause is shown

otherwise if the:

(1) defendant is not charged with and has not been previously convicted of a violent offense;

(2) defendant is examined by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health expert under Article 16.22 [of this code];

(3) applicable expert, in a written assessment submitted to the magistrate under Article 16.22:

(A) concludes that the defendant has a mental illness or is a person with an intellectual disability [mental retardation] and is nonetheless competent to stand trial; and

(B) recommends mental health treatment or intellectual disability treatment for the defendant, as applicable; and

(4) magistrate determines, in consultation with the local mental health or intellectual and developmental disability [mental retardation] authority, that appropriate community-based mental health or intellectual disability [mental retardation] services for the defendant are available through the [Texas] Department of State [Mental] Health Services [and Mental Retardation] under Section 534.053, Health and Safety Code, or through another mental health or intellectual disability [mental retardation] services provider.

(c) The magistrate, unless good cause is shown for not requiring treatment, shall require as a condition of release on personal bond under this article that the defendant submit to outpatient or inpatient mental health or intellectual disability [mental retardation] treatment as recommended by the local mental health or intellectual and developmental disability [mental retardation] authority if the defendant's:

(1) mental illness or intellectual disability [mental retardation] is chronic in nature; or

(2) ability to function independently will continue to deteriorate if the defendant is not treated.

SECTION 3.03. Article 25.03, Code of Criminal Procedure, is amended to read as follows:

Art. 25.03. IF ON BAIL IN FELONY. When the accused, in case of felony, is on bail at the time the indictment is presented, [it is not necessary to serve him with a copy, but] the clerk shall [on request] deliver a copy of the indictment [same] to the accused or the accused's [his] counsel[,] at the earliest possible time.

SECTION 3.04. Article 25.04, Code of Criminal Procedure, is amended to read as follows:

Art. 25.04. IN MISDEMEANOR. In misdemeanors, the clerk shall deliver a copy of the indictment or information to the accused or the accused's counsel at the earliest possible time before trial [it shall not be necessary before trial to furnish the accused with a copy of the indictment or information; but he or his counsel may demand a copy, which shall be given as early as possible

SECTION 3.05. Section 511.009(a), Government Code, as amended by Chapters 281 (H.B. 875), 648 (H.B. 549), and 688 (H.B. 634), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

- (a) The commission shall:
- (1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;
  - (2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;
  - (3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;
  - (4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;
  - (5) revise, amend, or change rules and procedures if necessary;
  - (6) provide to local government officials consultation on and technical assistance for county jails;
  - (7) review and comment on plans for the construction and major modification or renovation of county jails;
  - (8) require that the sheriff and commissioners of each county submit to the commission, on a form prescribed by the commission, an annual report on the conditions in each county jail within their jurisdiction, including all information necessary to determine compliance with state law, commission orders, and the rules adopted under this chapter;
  - (9) review the reports submitted under Subdivision (8) and require commission employees to inspect county jails regularly to ensure compliance with state law, commission orders, and rules and procedures adopted under this chapter;
  - (10) adopt a classification system to assist sheriffs and judges in determining which defendants are low-risk and consequently suitable participants in a county jail work release program under Article 42.034, Code of Criminal Procedure;
  - (11) adopt rules relating to requirements for segregation of classes of inmates and to capacities for county jails;
  - (12) require that the chief jailer of each municipal lockup submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the lockup, including all information necessary to determine compliance with state law concerning secure confinement of children in municipal lockups;
  - (13) at least annually determine whether each county jail is in compliance with the rules and procedures adopted under this chapter;
  - (14) require that the sheriff and commissioners court of each county submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the county jail, including all information necessary to determine compliance with state law concerning secure confinement of children in county jails;
  - (15) schedule announced and unannounced inspections of jails under the commission's jurisdiction using the risk assessment plan established under Section 511.0085 to guide the inspections process;
  - (16) adopt a policy for gathering and distributing to jails under the commission's jurisdiction information regarding:
    - (A) common issues concerning jail administration;
    - (B) examples of successful strategies for maintaining compliance with state law and the rules,

standards, and procedures of the commission; and

(C) solutions to operational challenges for jails;

(17) report to the Texas Correctional Office on Offenders with Medical or Mental Impairments on a jail's compliance with Article 16.22, Code of Criminal Procedure;

(18) adopt reasonable rules and procedures establishing minimum requirements for jails to:

(A) determine if a prisoner is pregnant; and

(B) ensure that the jail's health services plan addresses medical and mental health care, including nutritional requirements, and any special housing or work assignment needs for persons who are confined in the jail and are known or determined to be pregnant;

(19) provide guidelines to sheriffs regarding contracts between a sheriff and another entity for the provision of food services to or the operation of a commissary in a jail under the commission's jurisdiction, including specific provisions regarding conflicts of interest and avoiding the appearance of impropriety; [and]

(20) adopt reasonable rules and procedures establishing minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each;

(21) [(20)] require the sheriff of each county to:

(A) investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service; and

(B) use the data described by Paragraph (A) to assist prisoners who are veterans in applying for federal benefits or compensation for which the prisoners may be eligible under a program administered by the United States Department of Veterans Affairs;

(22) [(20)] adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian, as defined by Section 1002.012, Estates Code, that:

(A) allow visitation by a guardian to the same extent as the prisoner's next of kin, including placing the guardian on the prisoner's approved visitors list on the guardian's request and providing the guardian access to the prisoner during a facility's standard visitation hours if the prisoner is otherwise eligible to receive visitors; and

(B) require the guardian to provide the sheriff with letters of guardianship issued as provided by Section 1106.001, Estates Code, before being allowed to visit the prisoner; and

(23) adopt reasonable rules and procedures to ensure the safety of prisoners, including rules and procedures that require a county jail to:

(A) give prisoners the ability to access a mental health professional at the jail through a telemental health service 24 hours a day;

(B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional; and

(C) if funding is available under Section 511.019, install automated electronic sensors or cameras to ensure accurate and timely in-person checks of cells or groups of cells confining at-risk individuals.

SECTION 3.06. Section 511.009, Government Code, is amended by adding Subsection (d) to read

as follows:

(d) The commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody.

SECTION 3.07. Chapter 511, Government Code, is amended by adding Sections 511.019, 511.020, and 511.021 to read as follows:

Sec. 511.019. PRISONER SAFETY FUND. (a) The prisoner safety fund is a dedicated account in the general revenue fund.

(b) The prisoner safety fund consists of:

(1) appropriations of money to the fund by the legislature; and  
(2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) Money in the fund may be appropriated only to the commission to pay for capital improvements that are required under Section 511.009(a)(23).

(d) The commission by rule may establish a grant program to provide grants to counties to fund capital improvements described by Subsection (c). The commission may only provide a grant to a county for capital improvements to a county jail with a capacity of not more than 96 prisoners.

Sec. 511.020. SERIOUS INCIDENTS REPORT. (a) On or before the fifth day of each month, the sheriff of each county shall report to the commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail:

(1) a suicide;  
(2) an attempted suicide;  
(3) a death;  
(4) a serious bodily injury, as that term is defined by  
Section 1.07, Penal Code;  
(5) an assault;  
(6) an escape;  
(7) a sexual assault; and  
(8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code.

(b) The commission shall prescribe a form for the report required by Subsection (a).

(c) The information required to be reported under Subsection (a)(8) may not include the name or other identifying information of a county jailer or jail employee.

(d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552.

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other



than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible.

(b) The commission shall adopt any rules necessary relating to the appointment of a law enforcement agency under Subsection

(a), including rules relating to cooperation between law enforcement agencies and to procedures for handling evidence.

SECTION 3.08. The changes in law made by this article to Article 17.032, Code of Criminal Procedure, apply only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of executed, and the former law is continued in effect for that purpose.

SECTION 3.09. Not later than January 1, 2018, the Commission on Jail Standards shall:

(1) adopt the rules and procedures required by Section 511.009(d), Government Code, as added by this article, and the rules required by Section 511.021(b), Government Code, as added by this article; and

(2) prescribe the form required by Section 511.020(b), Government Code, as added by this article.

SECTION 3.10. Not later than September 1, 2018, the Commission on Jail Standards shall adopt the rules and procedures required by Section 511.009(a)(23), Government Code, as added by this article. On and after September 1, 2020, a county jail shall comply with any rule or procedure adopted by the Commission on Jail Standards under that subdivision.

SECTION 3.11. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to non-substantive additions to and corrections in enacted codes.

#### ARTICLE 4. PEACE OFFICER AND COUNTY JAILER TRAINING

SECTION 4.01. Chapter 511, Government Code, is amended by adding Section 511.00905 to read as follows:

Sec. 511.00905. JAIL ADMINISTRATOR POSITION; EXAMINATION REQUIRED. (a) The Texas Commission on Law Enforcement shall develop and the commission shall approve an examination for a person assigned to the jail administrator position overseeing a county jail.

(b) The commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination.

(c) The sheriff of a county shall perform the duties of the jail administrator position at any time there is not a person available who satisfies the examination requirements of this

section.

(d) A person other than a sheriff may not serve in the jail administrator position of a county jail unless the person satisfies the examination requirement of this section.

SECTION 4.02. Section 1701.253, Occupations Code, is amended by amending Subsection (j) and adding Subsection (n) to read as follows: commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this subsection [section] or Section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

SECTION 4.03. Section 1701.310(a), Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (e), a person may not be appointed as a county jailer, except on a temporary basis, unless the person has satisfactorily completed a preparatory training program, as required by the commission, in the operation of a county jail at a school operated or licensed by the commission. The training program must consist of at least eight hours of mental health training approved by the commission and the Commission on Jail Standards.

SECTION 4.04. Section 1701.352(b), Occupations Code, is amended to read as follows:

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

(1) topics selected by the agency; and

(2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:

(A) civil rights, racial sensitivity, and cultural diversity;

(B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; [and]

(C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and

(D) unless determined by the agency head to be inconsistent with the officer's assigned duties:

(i) the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and

(ii) issues concerning sex offender characteristics.

SECTION 4.05. Section 1701.402, Occupations Code, is amended by adding Subsection (n) to read

as follows:

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section 1701.253(n).

SECTION 4.06. Not later than March 1, 2018, the Texas Commission on Law Enforcement shall develop and the Commission on Jail Standards shall approve the examination required by Section 511.00905, Government Code, as added by this article.

SECTION 4.07. (a) Not later than March 1, 2018, the Texas Commission on Law Enforcement shall establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this article.

(b) The minimum curriculum requirements under Section 1701.253(j), Occupations Code, as amended by this article, apply only to a peace officer who first begins to satisfy those requirements on or after April 1, 2018.

SECTION 4.08. (a) Section 1701.310, Occupations Code, as amended by this article, takes effect January 1, 2018.

(b) A person in the position of county jailer on September 1, 2017, must comply with Section 1701.310(a), Occupations Code, as amended by this article, not later than August 31, 2021.

## ARTICLE 5. MOTOR VEHICLE STOPS, RACIAL PROFILING, AND ISSUANCE OF CITATIONS

SECTION 5.01. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsection (h) to read as follows:

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

(1) clearly define acts constituting racial profiling;

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

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

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

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

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information

relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; [and]
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
- (E) the location of the stop; and
- (F) the reason for the stop; and

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

- (A) the Texas Commission on Law Enforcement; and
- (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

SECTION 5.02. Article 2.133, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

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

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

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

(2) the initial reason for the stop;

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

(4) whether any contraband or other evidence was discovered in the course of the search

and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

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

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b)

to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

SECTION 5.03. Article 2.134(c), Code of Criminal Procedure, is amended to read as follows:

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

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

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; [and]

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

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

SECTION 5.04. Article 2.137, Code of Criminal Procedure, is amended to read as follows:

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship,

available revenue, and budget surpluses. The criteria must give priority to:

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

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)]. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

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

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using [installed] video and audio equipment and body worn cameras for those purposes [as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1)].

SECTION 5.05. Article 2.1385(a), Code of Criminal Procedure, is amended to read as follows:

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an [the] amount not to exceed \$5,000 [of \$1,000] for each violation. The attorney general may sue to collect a civil penalty under this subsection.

SECTION 5.06. Article 2.135, Code of Criminal Procedure, is repealed.

SECTION 5.07. Articles 2.132 and 2.134, Code of Criminal Procedure, as amended by this article, apply only to a report covering a calendar year beginning on or after January 1, 2018.

SECTION 5.08. Not later than September 1, 2018, the Texas Commission on Law Enforcement shall:

(1) evaluate and change the guidelines for compiling and reporting information required under Article 2.134, Code of Criminal Procedure, as amended by this article, to enable the guidelines to better withstand academic scrutiny; and

(2) make accessible online:

(A) a downloadable format of any information submitted under Article 2.134(b), Code of Criminal

Procedure, that is not exempt from public disclosure under Chapter 552, Government Code; and  
(B) a glossary of terms relating to the information to make the information readily understandable to the public. This Act takes effect September 1, 2017.

\_\_\_\_\_  
Senate Speaker of the House

I hereby certify that S.B. No. 1849 passed the Senate on May 11, 2017, by the following vote:  
Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1849 passed the House on May 20, 2017, by the following vote:  
Yeas 137, Nays 0, one present not voting.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Except as otherwise provided by this Act,

Approved:



\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

\_\_\_\_\_  
Chief Clerk of the House



**HENDERSON  
POLICE DEPARTMENT  
RACIAL PROFILING POLICY**

|  |  |                       |
|--|--|-----------------------|
|  <p><i>"Blessed are the peacemakers, for they shall<br/>Be called the children of God."<br/>Matthew 5:9</i></p> | <b>HENDERSON POLICE DEPARTMENT</b>   |                       |
|  | <b>Policy 2.2 Bias Based Policing</b>  |                       |
|  | <b>Effective Date: 01.23.2015</b>  | <b>Replaces: 3.17</b> |
|  | <b>Approved:</b> <br><div style="text-align: right;">Chief Chad Taylor</div> |                       |
|  | <b>Reference: TBP 2.01</b>   |                       |

## I. POLICY

We are committed to a respect for constitutional rights in the performance of our duties. Our success is based on the respect we give to our communities, and the respect members of the community observe toward law enforcement. To this end, we shall exercise our sworn duties, responsibilities, and obligations in a manner that does not discriminate on the basis of race, sex, gender, national origin, ethnicity, age, or religion. All people carry biases: in law enforcement, however, the failure to control our biases can lead to illegal arrests, searches, and detentions, thus thwarting the mission of our department. Most importantly, actions guided by bias destroy the trust and respect essential for our mission to succeed. We live and work in communities very diverse in population: respect for diversity and equitable enforcement of the law are essential to our mission.

All enforcement actions, particularly stops of individuals (for traffic and other purposes), investigative detentions, arrests, searches and seizures of persons or property, shall be based on the standards of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and statutory authority. In all enforcement decisions, officers shall be able to articulate specific facts, circumstances, and conclusions which support probable cause or reasonable suspicion for arrests, searches, seizures, and stops of individuals. Officers shall not stop, detain, arrest, search, or attempt to search anyone based solely upon the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Officers shall base all such actions on a reasonable suspicion that the person or an occupant of a vehicle committed an offense.

All departmental orders are informed and guided by this directive. Nothing in this order limits non-enforcement contacts between officers and the public.

## **II. PURPOSE**

The purpose of this order is to provide general guidance on reducing the presence of bias in law enforcement actions, to identify key contexts in which bias may influence these actions and emphasize the importance of the constitutional guidelines within which we operate.

## **III. DEFINITIONS**

Most of the following terms appear in this order. In any case, these terms appear in the larger public discourse about alleged biased enforcement behavior and in other orders. These definitions are intended to facilitate on-going discussion and analysis of our enforcement practices.

- A. Bias: Prejudice or partiality which may be based on preconceived ideas, a person's upbringing, culture, experience, or education.
- B. Biased policing: Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Biased policing encompasses racial profiling which is specifically defined within this section.
- C. Ethnicity: A cluster of characteristics which may include race but also cultural characteristics or traits which are shared by a group with a common experience or history.
- D. Gender: Unlike sex, a psychological classification based on cultural characteristics or traits.
- E. Probable cause: Facts or apparent facts and circumstances within an officer's knowledge and of which the officer had reasonable, trustworthy information to lead a reasonable person to believe that an offense has been or is being committed, and that the suspect has committed it.
- F. Race: A category of people of a particular descent, including White, Black, Hispanic or Latino, Asian or Pacific Islander, or Alaska Native or American Indian descent. As distinct from ethnicity, race only refers to physical characteristics sufficiently distinctive to group people under a classification.
- G. Racial profiling: A law-enforcement initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
- H. Reasonable suspicion: Articulable, objective facts which lead an experienced officer to suspect that a person has committed, is committing, or may be about to commit a crime. A well-founded suspicion is based on the totality of the circumstances and

does not exist unless it can be articulated. Reasonable suspicion supports a stop of a person. Courts require that stops based on reasonable suspicion be "objectively reasonable."

- I. Sex: A biological classification, male or female, based on physical and genetic characteristics.
- J. Stop: The detention of a subject for a brief period of time, based on reasonable suspicion. A stop is an investigative detention.

#### **IV. PROCEDURES**

##### **A. General responsibilities**

1. Officers are prohibited from engaging in bias-based profiling or stopping, detaining, searching, arresting, or taking any enforcement action including seizure or forfeiture activities, against any person based solely on the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. These characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect with one or more of these attributes. (TBP:2.01)
2. Reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Individuals shall only be subjected to stops, seizures, or detention upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports.
3. Officers shall observe all constitutional safeguards and shall respect the constitutional rights of all persons.
  - a. As traffic stops furnish a primary source of bias-related complaints, officers shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent. How the officer disengages from a traffic stop may be crucial to a person's perception of fairness or discrimination.
  - b. Officers shall not use the refusal or lack of cooperation to justify a search of the person or vehicle or a prolonged detention once reasonable suspicion has been dispelled.
4. All personnel shall treat everyone with the same courtesy and respect that they would have others observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect engenders a future willingness to cooperate with law enforcement.

- a. Personnel shall facilitate an individual's access to other governmental services whenever possible and shall actively provide referrals to other appropriate agencies.
  - b. All personnel will be familiar with Policy 2.4 which provides specific guidelines on the Departments complaint process.
  - c. All personnel shall courteously accept, document, and forward to the Chief of Police any complaints made by an individual against the department. Further, officers shall provide information on the complaints process when appropriate.
5. When feasible, personnel shall offer explanations of the reasons for enforcement actions or other decisions that bear on individual's well-being unless the explanation would undermine an investigation or jeopardize an officer's safety. When concluding an encounter, personnel shall thank him or her for cooperating.
6. When feasible, all personnel shall identify themselves by name. When a person requests the information, personnel shall give their departmental identification number, name of the immediate supervisor, or any other reasonable information.
7. All personnel are accountable for their actions. Personnel shall justify their actions when required.

#### B. Supervisory responsibilities

1. Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties. Supervisors shall identify and correct instances of bias in the work of their subordinates.
2. Supervisors shall use the disciplinary mechanisms of the department to ensure compliance with this order and the constitutional requirements of law enforcement.
3. Supervisors shall be mindful that in accounting for the actions and performance of subordinates, supervisors are key to maintaining community trust in law enforcement. Supervisors shall continually reinforce the ethic of impartial enforcement of the laws, and shall ensure that personnel, by their actions, maintain the community's trust in law enforcement.
4. Supervisors are reminded that biased enforcement of the laws engenders not only mistrust of law enforcement but increases safety risks to personnel. Lack of control over bias also exposes the department to liability consequences.

Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates.

5. Supervisors shall ensure that all enforcement actions are duly documented per departmental policy. Supervisors shall ensure that all reports show adequate documentation of reasonable suspicion and probable cause, if applicable.
6. Supervisors shall facilitate the filing of any complaints about law enforcement service.
7. Police Supervisors or persons designated by the Chief of Police shall review video and audio recordings of traffic stops to ensure proper policies, procedures and conduct are being followed. Also, to ensure correct information regarding racial profiling is being collected. This review is part of monthly line inspections found in Policy 1.4 Inspections and Audits. Any improvements the Department could make in its practices or policies over all, and specifically regarding motor vehicle stops, will be forwarded to the Chief of Police via the chain of command for further review.

**C. Disciplinary consequences**

Actions prohibited by this order shall be cause for disciplinary action, up to and including dismissal.

**D. Training (TBP:2.01)**

1. Officers shall complete all training required by state law regarding bias-based profiling.

**V. COMPLAINTS**

- A. The department shall publish the procedures for making a complaint and make them available at all Police facilities throughout the city. The department's complaint process and its bias-based profiling policy will be posted on the department's website. Whenever possible, the media will be used to inform the public of the department's policy and complaint process.
- B. Complaints alleging incidents of bias-based profiling will be fully investigated as described under Policy 2.4.
- C. Complainants will be notified of the results of the investigations when such investigation is completed.

## **VI. RECORD KEEPING**

- A. The department will maintain all required records on traffic stops where a citation or warning is issued or where an arrest is made subsequent to a traffic stop pursuant to state law. Information will include the following:
1. The race or ethnicity of the individual detained.
  2. Whether a search was conducted and, if so, whether the individual detained consented to the search.
  3. Whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual.
  4. Whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.
  5. The location of the stop.
  6. The reason for the stop.
- B. The Chief of Police shall ensure the information collected above will be reported annually to the city council and TCOLE in the required format.

For additional questions regarding the information presented in this report, please contact:

**Del Carmen Consulting©**  
**817.681.7840**  
**[www.texasracialprofiling.com](http://www.texasracialprofiling.com)**  
**[www.delcarmenconsulting.com](http://www.delcarmenconsulting.com)**

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# *Henderson Police Department*

800 Lake Forest Parkway  
Henderson, Texas 75652  
Phone: 903-657-3512 Fax: 903-657-3345

*Integrity ° Respect ° Accountability ° Courage ° Professionalism ° Dedication ° Service*

**01/03/2024**

To: City Council  
From: Chad Taylor, Chief  
Ref: Training Report

## **Training report for the month of December**

Total number of officers with license certification **3**

Total number of officers moved from basic to intermediate – 0

Total number of officers moved to advanced – 0

Total number of officers moved to master- 0

Total number of officers in the cadet program- **1**

Total number of Telecommunicators with a temporary license – **2**

Total number of Telecommunicators moved from temporary license to basic-0

Total number of Telecommunicators moved from basic to intermediate-**0**

Total number of Telecommunicators moved from advance to master-0

Total Proficiency level moves - 0

Approximate hours of training hours for the month of December-**82**

Information provided by Sgt. Charles Helton – Training/Community Outreach Coordinator



# Henderson Police Department

800 Lake Forest Parkway

Henderson, Texas 75652

Phone: 903-657-3512 Fax: 903-657-3345

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**Current Cycle Training Cycle: 09/01/2021-08/31/2023**

Member total number of training hours in a two-year period: **10,333**

Master Peace Officers: 16

Advance Peace Officers: 4

Intermediate Peace Officers: 5

Basic Peace Officers: 7

Master Telecommunicators: 3

Advance Telecommunicators: 2

Intermediate Telecommunicators: 1

Basic Telecommunicators: 0

Temporary Telecommunicators: 2

## License break- down

License Peace officers: 36

License Telecommunicators: 8

Temporary Telecommunicator: 1

Dual Certifications Peace officer/ Telecommunicator: 4

Total number of licensed employees: 45

Total number of licensed paid employees: 42

Total Number of paid employees: 43

Information provided by Sgt. Charles Helton – Training/Community Outreach Coordinator

Revised:01/03/24



# *Henderson Police Department*

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**Approx. training hours for 2023: 2,576.85**

Total number of officers moved from peace officer license to basic: **3**

Total number of officers moved from basic to intermediate: **2**

Total number of officers moved from intermediate to advance: **0**

Total number of officers moved from advance to master: **0**

Total number of telecommunicators moved from basic to Intermediate: **1**

Total number of telecommunicators moved from Intermediate to advance: **1**

Total proficiency moves: **7**

Information provided by Sgt. Charles Helton – Training/Community Outreach Coordinator



# *Henderson Police Department*

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*Henderson, Texas 75652*

*Phone: 903-657-3512 Fax: 903-657-3345*

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## **December 2023 Open Record Report**

| <b>Request</b>     | <b>ORR<br/>Received</b> | <b>ORR Completed</b> | <b>ORR Open</b> |
|--------------------|-------------------------|----------------------|-----------------|
| Wrong Jurisdiction | 4                       | 4                    | 0               |
| ORR US Gov.        | 4                       | 4                    | 0               |
| ORR State Gov.     | 6                       | 6                    | 0               |
| ORR Local Gov.     | 6                       | 6                    | 0               |
| ORR Subpoena       | 2                       | 2                    | 0               |
| ORR Civilian       | 15                      | 15                   | 0               |
| ORR Attorney       | 13                      | 10                   | 3               |
| CRASH Reports      | 35                      | 35                   | 0               |
| Total Requests     | 85                      | 82                   | 3               |

Information provided by Stacey Strong – Records Administrator

REV 10/23/SJS



# Henderson Police Department

800 Lake Forest Parkway

Henderson, Texas 75652

Phone: 903-657-3512 Fax: 903-657-3345

*Integrity • Respect • Accountability • Courage • Professionalism • Dedication • Service*

## December 2023 ORR Revenue

| Description   | Qty | Unit price | Discount | Total            |
|---------------|-----|------------|----------|------------------|
| Crash Reports | 12  | \$5.00     |          | \$60.00          |
| Crash Reports | 6   | \$6.00     |          | \$36.00          |
|               |     |            |          |                  |
| ORR Attorney  | 1   | 73.20      |          | \$73.20          |
| ORR Civilian  | 0   |            |          |                  |
| LexisNexis    | 1   | 20.00      |          | \$20.00          |
|               |     |            |          |                  |
| <b>Total</b>  |     |            |          | <b>\$ 189.20</b> |

Information provided by Stacey Strong – Records Administrator

REV 3/023/SJS



# Balance Sheet

Henderson PD Records

Dec-23

| Balance summary                    |          |
|------------------------------------|----------|
| No. 6619 Cash                      | \$6.00   |
| No. 6620 CK 01829036               | \$20.00  |
| No. 6621 CK 2364586362             | \$5.00   |
| No. 6622 CK 2368860712             | \$5.00   |
| No. 6623 CK 2345973962             | \$5.00   |
| No. 6624 CK 2352643212             | \$5.00   |
| No. 6625 CK 2365301962             | \$5.00   |
| No. 6626 CK 2368104212             | \$5.00   |
| No. 6627 Cash                      | \$6.00   |
| No. 6628 Cash                      | \$6.00   |
| No. 6629 CK 2365139412             | \$5.00   |
| No. 6630 CK 2368914562             | \$5.00   |
| No. 6631 CK 2379110563             | \$5.00   |
| No.6632 CK 12270                   | \$73.20  |
| No. 6633 CK 2388494811             | \$5.00   |
| No. 6634 Cash                      | \$6.00   |
| No. 6635 Cash                      | \$6.00   |
| No. 6636 Cash Turned in 12/19/2023 | \$6.00   |
| No. 6637 CK 2368860713             | \$5.00   |
| No. 6638 Cash                      | \$5.00   |
|                                    |          |
| Balance                            | \$189.20 |

Information Provided by Stacey Strong - Records Administrator

# Open Records Report

12/1/2023 to 12/31/2023

| DATE(S) | Record Requestor                               | TIME IN  | TIME OUT | HOURS | Charges   |
|---------|--|----------|----------|-------|-----------|
| 12/1/23 | Parker Firm 202109321 Pending                  | 10:00 AM | 12:30 PM | 2.50  | Paid      |
| 12/1/23 | Crash Report H2310712 /NO.6619                 | 12:55 PM | 1:00 PM  | 0.08  | 6.00      |
| 12/1/23 | Parker Law Firm 202109321 case law             | 1:20 PM  | 1:54 PM  | 0.57  | Paid      |
| 12/1/23 | Parker Law Firm 202109321 case law             | 2:09 PM  | 2:10 PM  | 0.02  | Paid      |
| 12/1/23 | Parker Law Firm 202109321 case law             | 2:45 PM  | 2:48 PM  | 0.05  | Paid      |
| 12/1/23 | Charlio Law Firm Skylar Loveall/maggie Alkofer | 2:49 PM  | 3:35 PM  | 0.77  | Subpoena  |
| 12/1/23 | Home state Co Mutual /H2309026                 | 9:34 AM  | 9:52 AM  | 0.30  | No Charge |
| 12/1/23 | Crash Report H2310712 /NO.6619                 | 12:55 PM | 1:00 PM  | 0.08  | Paid      |
| 12/1/23 | Crash Report No Record 236886071/NO 6622       | 8:15 AM  | 8:20 AM  | 0.08  | 5.00      |
| 12/1/23 | Crash Report H2310223 /NO. 6623                | 8:08 AM  | 8:14 AM  | 0.10  | 5.00      |
| 12/1/23 | Lexis Nexis H2310254 Blue Form/NO 6624         | 4:30 PM  | 4:35 PM  | 0.08  | Paid      |
| 12/4/23 | Lexis Nexis H2310254 Blue Form/NO 6624         | 7:45 AM  | 8:07 AM  | 0.37  | 5.00      |
| 12/4/23 | Crash Report H2310223 /NO. 6623                | 8:08 AM  | 8:14 AM  | 0.10  | Paid      |
| 12/4/23 | Lexis Nexis Blue Form NO 6625                  | 8:15 AM  | 8:20 AM  | 0.08  | 5.00      |
| 12/4/23 | Lexis Nexis H2305591 Corrected 3951/NO 6621    | 8:21 AM  | 8:35 AM  | 0.23  | 5.00      |

| DATE(S) | Record Requestor   | TIME IN  | TIME OUT | HOURS | Charges   |
|---------|--|----------|----------|-------|-----------|
| 12/4/23 | Lexis Nexis No Record 11/18/2023/ NO 6626                    | 8:47 AM  | 9:17 AM  | 0.50  | 5.00      |
| 12/4/23 | Lexis Nexis H2310712 / NO 6625                               | 9:18 AM  | 9:53 AM  | 0.58  | Paid      |
| 12/4/23 | CPS Jay Lybrand H2208468 & H2205581                          | 11:45 AM | 12:06 PM | 0.35  | No Charge |
| 12/4/23 | Crash Report H2311114  | 1:22 PM  | 1:45 PM  | 0.38  | No Charge |
| 12/4/23 | Crash Report H2311169 / NO. 6627                             | 2:48 PM  | 2:59 PM  | 0.18  | 6.00      |
| 12/4/23 | Crash Report H2311244 / NO. 6628                             | 4:15 PM  | 4:20 PM  | 0.08  | 6.00      |
| 12/5/23 | Crash Report H2311285  | 11:55 AM | 12:13 PM | 0.30  | No Charge |
| 12/5/23 | Crash Report H2310702 Redacted/ No. 6629                     | 3:00 PM  | 3:12 PM  | 0.20  | 5.00      |
| 12/5/23 | Crash Report No Records/ Citation 121445 / No 6630           | 3:00 PM  | 3:20 PM  | 0.33  | 5.00      |
| 12/5/23 | Crash Report H2310836 Redacted/ No 6631                      | 3:00 PM  | 3:30 PM  | 0.50  | 5.00      |
| 12/6/23 | US DISTRICT COURT Tanya Atkins/ Fillingim, Simone            | 7:48 AM  | 8:34 AM  | 0.77  | No Charge |
| 12/6/23 | Crash Report H2311396 /Not Ready                             | 8:32 AM  | 8:35 AM  | 0.05  | Paid      |
| 12/6/23 | Crash Report JJimborsky Gainesville Ins / Wrong Jurisdiction | 9:00 AM  | 9:20 AM  | 0.33  | No Charge |
| 12/6/23 | Crash Report H2311396 /Not Ready                             | 10:45 AM | 11:03 AM | 0.30  | Paid      |
| 12/6/23 | Crash Report H2311203  | 11:10 AM | 11:14 AM | 0.07  | No Charge |
| 12/6/23 | Civilian ORR H2311384  | 12:05 PM | 12:10 PM | 0.08  | No Charge |
| 12/6/23 | Civilian ORR H2311384  | 12:23 PM | 12:59 PM | 0.60  | No Charge |
| 12/6/23 | Civilian ORR No Record /Tasha Davis 3/25/2023                | 12:11 PM | 12:23 PM | 0.20  | No Charge |
| 12/6/23 | US DISTRICT COURT Tanya Atkins/ Fillingim, Simone            | 2:00 PM  | 2:43 PM  | 0.72  | No Charge |
| 12/7/23 | District Court Zamacona Testimony/Subpoena                   | 8:00 AM  | 10:00 AM | 2.00  | No Charge |
| 12/7/23 | Phenik Law Firm / Crash Report H2311012                      | 10:30 AM | 10:56 AM | 0.43  | No Charge |
| 12/7/23 | Ellis Co. Community Supervision Kinabrew,J                   | 11:10 AM | 11:19 AM | 0.15  | No Charge |
| 12/7/23 | Civilian ORR H2311338  | 12:30 PM | 1:00 PM  | 0.50  | No Charge |
| 12/7/23 | Civilian ORR H2310867  | 12:26 PM | 1:35 PM  | 1.15  | No Charge |
| 12/7/23 | H2203216 Questions   | 4:00 PM  | 4:15 PM  | 0.25  | No Charge |
| 12/7/23 | Carson 903-445-8659 Left msg                                 | 1:10 PM  | 1:12 PM  | 0.03  | No Charge |



| DATE(S)  | Record Requestor                                 | TIME IN  | TIME OUT | HOURS | Charges   |
|----------|--|----------|----------|-------|-----------|
| 12/7/23  | Dallas County DA Isabell cases 911 calls         | 2:00 PM  | 7:00 PM  | 5.00  | No charge |
| 12/8/23  | Dallas County DA Isabell cases 911 calls         | 8:00 AM  | 11:00 AM | 3.00  | No Charge |
| 12/8/23  | Jason Griggs Allstate H2311331                   | 8:30 AM  | 8:45 AM  | 0.25  | No Charge |
| 12/8/23  | Rogers Law Firm/Chase Allen May                  | 8:50 AM  | 9:00 AM  | 0.17  | pending   |
| 12/8/23  | Charlo Law Firm Skyilar Loveall/maggie Alkofer   | 11:00 AM | 2:30 PM  | 3.50  | Subpoena  |
| 12/11/23 | Roketha Isabell Questions                        | 10:10 AM | 10:20 AM | 0.17  | No Charge |
| 12/11/23 | Rogers Law Firm/Chase Allen May                  | 12:30 PM | 1:20 PM  | 0.83  | Pending   |
| 12/11/23 | DFPS Hayes, William cases                        | 1:21 PM  | 2:04 PM  | 0.72  | No Charge |
| 12/11/23 | Rogers Law Firm/Chase Allen May                  | 2:04 PM  | 2:35 PM  | 0.52  | Pending   |
| 12/11/23 | DFPS Thompson Harper 703 N Mill st               | 3:15 PM  | 4:30 PM  | 1.25  | No Charge |
| 12/11/23 | DFPS Shameka Pitts - Craine 703 N mills Thompson | 3:15 PM  | 4:32 PM  | 1.28  | No Charge |
| 12/11/23 | Justin shields FSK Food Mart                     | 3:21 PM  | 4:26 PM  | 1.08  | No Charge |
| 12/12/23 | Arlington PD W#2110058CR /Called RCSO            | 10:30 AM | 10:56 AM | 0.43  | No Charge |
| 12/12/23 | Inesia Isabell question of open cases            | 11:00 AM | 11:30 AM | 0.50  | No Charge |
| 12/12/23 | Vinash Patel Law Firm NO RECORD                  | 11:23 AM | 12:05 PM | 0.70  | No Charge |
| 12/12/23 | Civilian ORR / Kevin Rodriguez                   | 10:30 AM | 1:40 PM  | 3.17  | No Charge |
| 12/12/23 | Sadler and Sadler / Linda Lary                   | 1:57 PM  | 2:46 PM  | 0.82  | No charge |
| 12/12/23 | Crash Report / Candy wrong Jurisdiction          | 4:20 PM  | 4:35 PM  | 0.25  | No Charge |
| 12/12/23 | RC Community Supervision H2310134                | 4:45 PM  | 5:00 PM  | 0.25  | No Charge |
| 12/13/23 | RC Community Supervision H2310134                | 10:50 AM | 11:01 AM | 0.18  | No Charge |
| 12/13/23 | Lexis Nexis Frontier Request 10-3 to 10-20-23    | 7:18 AM  | 8:30 AM  | 1.20  | Paid      |
| 12/13/23 | Monsour Law / H2309026 CR-3                      | 9:40 AM  | 9:50 AM  | 0.17  | No Charge |
| 12/13/23 | DA Denton County /202109096 & 202109189          | 9:45 AM  | 10:20 AM | 0.58  | No Charge |
| 12/13/23 | Lexis Nexis Frontier Request 10-3 to 10-20-23    | 12:00 PM | 2:48 PM  | 2.80  | No Charge |
| 12/13/23 | Parker Firm PC OAG Ruling request                | 1:00 PM  | 1:51 PM  | 0.85  | No Charge |
| 12/13/23 | Civilian ORR / H2311342                          | 3:00 PM  | 3:10 PM  | 0.17  | No Charge |

| DATE(S)  | Record Requestor                                      | TIME IN  | TIME OUT | HOURS | Charges   |
|----------|---|----------|----------|-------|-----------|
| 12/13/23 | McKay Law Firm -Jacob Out of Jurisdiction             | 3:10 PM  | 3:15 PM  | 0.08  | No Charge |
| 12/13/23 | Parker Firm PC OAG Ruling request/ No. 6632           | 4:00 PM  | 5:00 PM  | 1.00  | 73.20     |
| 12/18/23 | Crash Report H2309343                                 | 1:30 PM  | 1:41 PM  | 0.18  | No Charge |
| 12/18/23 | Vinesh Patel Law Firm 201008242 Certified             | 8:50 AM  | 11:00 AM | 2.17  | No Charge |
| 12/18/23 | Lexis Nexis Active Case H2311331/ NO 6633             | 3:00 PM  | 3:12 PM  | 0.20  | 5.00      |
| 12/18/23 | Crash Report H2311673 Not Ready                       | 9:18 AM  | 9:45 AM  | 0.45  | No Charge |
| 12/18/23 | Arlington PD W#2110058CR /Called RCSI/DA              | 10:30 AM | 10:56 AM | 0.43  | No Charge |
| 12/18/23 | Crash Report H2309124                                 | 9:00 AM  | 4:04 PM  | 7.07  | Complete  |
| 12/18/23 | Crash Report H2311535                                 | 4:05 PM  | 4:16 PM  | 0.18  | Complete  |
| 12/19/23 | Henderson Housing Authority H2311770                  | 8:26 AM  | 8:45 AM  | 0.32  | No Charge |
| 12/19/23 | Arlington PD W#2110058CR /Called RCSI/DA              | 9:00 AM  | 9:49 AM  | 0.82  | No Charge |
| 12/19/23 | Crash Report H2309124/ No 6634                        | 1:50 PM  | 2:30 PM  | 0.67  | 6.00      |
| 12/19/23 | Crash Report H2307227/ No 6635                        | 2:30 PM  | 2:40 PM  | 0.17  | 6.00      |
| 12/19/23 | Lexis Nexis Frontier Request 10-3 to 10-20-23         | 2:40 PM  | 9:18 AM  | 18.63 | No Charge |
| 12/19/23 | Crash Report H2307227/ No 6636                        | 3:00 PM  | 3:17 PM  | 0.28  | 6.00      |
| 12/19/23 | Crash Report H2311673 Not Ready                       | 3:18 PM  | 3:20 PM  | 0.03  | No Charge |
| 12/19/23 | FBI No Record   | 12:59 PM | 1:45 PM  | 0.77  | No Charge |
| 12/19/23 | Lexis Nexis Frontier Request 10-3 to 10-20-23         | 2:40 PM  | 4:45 PM  | 2.08  | No Charge |
| 12/20/23 | Sadler and Sadler /OAG Ruling review                  | 8:50 AM  | 9:10 AM  | 0.33  | No Charge |
| 12/20/23 | Lexis Nexis Frontier Request 10-3 to 10-20-23 NO 6637 | 10:18 AM | 11:18 AM | 1.00  | 5.00      |
| 12/20/23 | Monsour Law / H2310980 /BWC Dash Cam                  | 11:30 AM | 1:30 PM  | 2.00  | No Charge |
| 12/20/23 | Monsour Law / H2310980 /BWC Dash Cam                  | 2:30 PM  | 4:30 PM  | 2.00  | No Charge |
| 12/21/23 | Monsour Law / H2310980 /BWC Dash Cam                  | 7:45 AM  | 9:00 AM  | 1.25  | No Charge |
| 12/21/23 | Crash Report H2311169/Not Ready                       | 9:18 AM  | 9:21 AM  | 0.05  | No Charge |
| 12/21/23 | Monsour Law / H2303343 Old Request May 2023           | 10:00 AM | 2:30 PM  | 4.50  | Paid      |
| 12/21/23 | Monsour Law / H2310980 /BWC Dash Cam                  | 2:25 PM  | 4:30 PM  | 2.08  | No Charge |

| DATE(S)  | Record Requestor                                | TIME IN  | TIME OUT | HOURS | Charges   |
|----------|---|----------|----------|-------|-----------|
| 12/27/23 | Crash Report H231169                            | 9:00 AM  | 9:12 AM  | 0.20  | No Charge |
| 12/27/23 | US District Court Lorene Dudley No Record       | 9:30 AM  | 9:50 AM  | 0.33  | No Charge |
| 12/27/23 | Crash Report H2311639 / Not Ready               | 9:59 AM  | 10:10 AM | 0.18  | No Charge |
| 12/27/23 | Crash Report H2311260 / No report/ Advice Given | 10:11 AM | 10:29 AM | 0.30  | No Charge |
| 12/27/23 | Crash Report H2311673                           | 11:00 AM | 11:11 AM | 0.18  | No Charge |
| 12/27/23 | Monsour Law / H2310980 / BWC Dash Cam           | 11:46 AM | 1:00 PM  | 1.23  | No Charge |
| 12/27/23 | H2311950 ORR                                    | 12:00 PM | 12:27 PM | 0.45  | No Charge |
| 12/27/23 | Monsour Law / H2310980 / BWC Dash Cam           | 1:40 PM  | 3:31 PM  | 1.85  | No Charge |
| 12/27/23 | Crash Report H2311997 / Receipt No. 6638        | 2:05 PM  | 2:16 PM  | 0.18  | 5.00      |
| 12/27/23 | Crash Report H2311673                           | 1:40 PM  | 2:40 PM  | 1.00  | No Charge |
| 12/27/23 | Monsour Law / H2309026 Sept 25, 2023            | 7:05 PM  | 9:01 PM  | 1.93  | Paid      |

INFORMATION PROVIDED BY STACEY STRONG - RECORDS ADMINISTRATOR

REV2023/SS

## Henderson Police Department

### END OF YEAR REPORT

**Employee name** Stacey Strong

**Department** Records

**Manager** Charles Helton

**Report start date** Sept 19, 2023

**Report end date** Dec 31, 2023

| Requester                    | Received        | Status    |
|------------------------------|-----------------|-----------|
| OAG Rulings                  | 2               | Completed |
| US Government                | 10              | Completed |
| State Government             | 14              | Completed |
| Local Government             | 14              | Completed |
| Civilian                     | 44              | Completed |
| Attorney                     | 23              | Completed |
| Crash Reports                | 106             | Completed |
| Subpoena                     | 2               | Completed |
| <b>Total of All Requests</b> | <b>215</b>      | Completed |
| <b>Revenue Collected</b>     | <b>\$850.80</b> |           |

| Goals                      | Due date      | Progress    |
|----------------------------|---------------|-------------|
| Redaction Software         | March 2024    | In Progress |
| Records Room Organized     | July 2024     | In Progress |
| Monthly Retention Schedule | December 2024 | In Progress |
| Destruction Record Yearly  | December 2024 | In Progress |

# Memo



**To:** Jay Abercrombie, City Manager

**From:** Chad Taylor, Chief of Police

**cc:** Cheryl Jimerson, City Secretary

**Date:** January 8, 2024

**Re:** Henderson Police Department Monthly Report



Attached to this memo please find the monthly activity report from the Police Department for December.

The Henderson Police Department had an eventful month for December. We had several interactions with the community this month that everyone enjoyed especially with it being centered around Christmas. We were involved in several Holiday festivities and celebrations where we were able to interact with our citizens. We had Ribbon Cuttings and Mid-Morning Coffee for businesses. The Police Department also swore in another employee who graduated from the Academy.



**December 1, 2023 – Chief Taylor, Lt. Sullivan and Lt. Bathke at our Employee Appreciation Dinner.**



**December 6, 2023 – Sergeant Charles Helton at the Ribbon Cutting for Henderson RV park.**





December 6, 2023 – Officers at the Henderson Christmas Parade





**December 7, 2023 – Cadet Levi Morrill graduating from the Longview Police Academy with Chief Taylor.**



**December 8, 2023 – Brookdale bringing the employees at the PD Christmas Stockings.**





December 13, 2023 – Det. Pamela Randolph participating in the Gingerbread House event at Brookdale Assisted Living (1<sup>st</sup> Place recipient).



December 14, 2023 – Officers at Midmorning Coffee hosted by PB&J Services.





**December 18, 2023 –New Officer Levi Morrill being Sworn In.**



**December 19, 2023 – Officers participating in the Wylie Christmas Parade.**



December 20, 2023 – Detective Pamela Randolph in the Best 40 under 40 competition representing East Texas.

LAW ENFORCEMENT & MILITARY  
Top 3 Nominees



Bianca Smedley      Blake Dickerson      Pamela Randolph

ETX VIEW  
YOUR VIEW OF EAST TEXAS

<

|                              | Dec | Jan  | Feb | Mar | Apr | May  | June | July | Aug | Sept | Oct  | Nov  | Dec | Jan | Feb | Mar  | April |
|------------------------------|-----|------|-----|-----|-----|------|------|------|-----|------|------|------|-----|-----|-----|------|-------|
|                              |     | 2022 |     |     |     |      |      |      |     |      |      |      |     |     |     |      |       |
| <b>CALLS FOR SERVICE</b>     | 802 | 738  | 671 | 753 | 878 | 1176 | 1160 | 1139 | 988 | 1001 | 1037 | 1030 | 975 | 991 | 970 | 1092 | 1047  |
| <b>OFFICER INITIATED CFS</b> | 86  | 66   | 53  | 105 | 209 | 486  | 484  | 414  | 388 | 289  | 362  | 295  | 321 | 299 | 371 | 364  | 331   |
| <b>DISPATCHED CFS</b>        | 716 | 672  | 618 | 648 | 669 | 690  | 676  | 725  | 600 | 712  | 675  | 735  | 654 | 692 | 599 | 728  | 716   |
| <b>TRAFFIC CITATIONS</b>     | 71  | 87   | 59  | 124 | 90  | 59   | 53   | 58   | 71  | 51   | 58   | 48   | 25  | 42  | 53  | 94   | 29    |
| <b>WRITTEN WARNINGS</b>      | 327 | 338  | 275 | 490 | 425 | 286  | 274  | 182  | 234 | 168  | 240  | 152  | 185 | 187 | 231 | 241  | 134   |
| <b>ARREST</b>                | 59  | 42   | 47  | 62  | 33  | 23   | 31   | 35   | 21  | 31   | 38   | 35   | 25  | 30  | 31  | 31   | 28    |
| <b>ACCIDENTS</b>             | 22  | 23   | 14  | 24  | 17  | 21   | 28   | 29   | 21  | 37   | 19   | 44   | 35  | 50  | 35  | 39   | 41    |
| <b>DWI ARREST</b>            | 0   | 1    | 3   | 1   | 1   | 4    | 3    | 0    | 2   | 1    | 2    | 3    | 2   | 3   | 1   | 1    | 1     |
| <b>(included above)</b>      |     |      |     |     |     |      |      |      |     |      |      |      |     |     |     |      |       |
| <b>INCIDENT REPORTS</b>      |     |      |     |     |     |      |      |      |     |      |      |      |     |     |     |      |       |
| <b>SENT TO CID</b>           | 290 | 265  | 256 | 258 | 191 | 226  | 230  | 181  | 204 | 231  | 229  | 249  | 212 | 247 | 179 | 240  | 204   |
| <b>ASSIGNED</b>              | 216 | 240  | 228 | 201 | 191 | 226  | 230  | 181  | 204 | 231  | 229  | 249  | 212 | 247 | 179 | 240  | 204   |
| <b>SUSPENDED</b>             | 98  | 143  | 118 | 105 | 70  | 75   | 86   | 98   | 78  | 53   | 126  | 90   | 71  | 86  | 59  | 120  | 141   |
| <b>CLEARED</b>               | 96  | 63   | 85  | 95  | 112 | 95   | 109  | 56   | 145 | 135  | 121  | 112  | 80  | 84  | 55  | 111  | 102   |
| <b>BURGLARY</b>              | 15  | 10   | 12  | 4   | 1   | 5    | 5    | 2    | 19  | 15   | 7    | 14   | 17  | 14  | 3   | 7    | 10    |
| <b>ROBBERY</b>               | 1   | 2    | 1   | 0   | 1   | 1    | 4    | 0    | 0   | 0    | 0    | 1    | 3   | 0   | 0   | 2    | 1     |
| <b>ASSAULT</b>               | 40  | 27   | 26  | 23  | 12  | 10   | 31   | 22   | 19  | 32   | 28   | 27   | 31  | 26  | 15  | 41   | 29    |
| <b>POCS / POM*</b>           | 12  | 5    | 9   | 6   | 2   | 3    | 3    | 4    | 2   | 0    | 3    | 0    | 1   | 2   | 3   | 2    | 2     |
| <b>SEXUAL ASSAULT</b>        | 1   | 1    | 2   | 1   | 2   | 1    | 1    | 0    | 0   | 0    | 4    | 0    | 0   | 0   | 2   | 0    | 3     |

\* Includes marijuana, cocaine, etc.

| May  | June | July | Aug  |      | Oct  | Nov  | Dec  |
|------|------|------|------|------|------|------|------|
|      |      |      |      |      |      |      |      |
| 1077 | 1102 | 1133 | 1150 | 1180 | 1057 | 1019 | 1218 |
| 304  | 362  | 424  | 432  | 514  | 460  | 454  | 591  |
| 773  | 740  | 709  | 718  | 666  | 597  | 565  | 627  |
|      |      |      |      |      |      |      |      |
| 74   | 64   | 73   | 117  | 96   | 133  | 152  | 104  |
| 185  | 170  | 225  | 224  | 285  | 178  | 182  | 324  |
|      |      |      |      |      |      |      |      |
| 27   | 38   | 23   | 37   | 38   | 31   | 22   | 42   |
| 39   | 46   | 37   | 28   | 30   | 35   | 21   | 35   |
| 0    | 1    | 2    | 1    | 2    | 0    | 2    | 5    |
|      |      |      |      |      |      |      |      |
|      |      |      |      |      |      |      |      |
| 233  | 280  | 212  | 206  | 191  | 202  | 148  | 197  |
| 233  | 280  | 212  | 206  | 191  | 202  | 148  | 197  |
| 59   | 141  | 117  | 174  | 110  | 72   | 90   | 91   |
| 89   | 70   | 127  | 107  | 105  | 95   | 77   | 103  |
|      |      |      |      |      |      |      |      |
| 23   | 15   | 13   | 6    | 13   | 12   | 10   | 6    |
| 1    | 0    | 1    | 2    | 1    | 2    | 2    | 0    |
| 32   | 28   | 21   | 31   | 27   | 26   | 18   | 26   |
| 1    | 2    | 1    | 6    | 8    | 4    | 5    | 2    |
| 2    | 3    | 1    | 1    | 1    | 0    | 1    | 0    |

**Compatibility Report for Copy of Jan 2022 Monthly Report -  
.xls  
Run on 02/02/2022 16:35**

If the workbook is saved in an earlier file format or opened in an earlier version of Microsoft Excel, the listed features will not be available.

**Minor loss of fidelity**

**# of  
occurrences**      **Version**

|  |    |               |
|--|----|---------------|
| Some cells or styles in this workbook contain formatting that is not supported by the selected file format. These formats will be converted to the closest format available. | 17 | Excel 97-2003 |
|--|----|---------------|



City of Henderson  
Animal Center  
And Protection

## Memo

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**To:** Jay Abercrombie, City Manager

**From:** Charissa Pool, Animal Center and Animal Protection Director

**cc:** Cheryl Jimerson, City Secretary

**Date:** January 16, 2024

**Re:** Henderson Animal Center and Protection Monthly Report

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Attached to this memo, please find the monthly activity report from Henderson Animal Center and Protection for December 2023.





## Henderson Animal Center and Protection

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### December 2023



'Tis the season for adoptions and furry companionship as we tried to find all of our animals homes in time for the holidays!

Lots of time went into taking festive photos of the dogs to increase their adoptability!





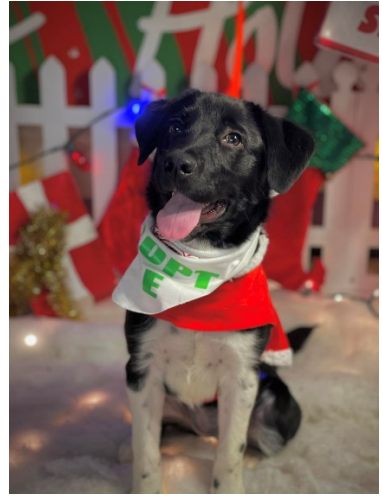
















We received lots of great items for the animals this holiday season!





We rang the Salvation Army bell at Walmart:



We challenged the public to donate to the animals for Taylor Swift's birthday!

## #TAYLORSWIFTCHALLENGE



Taylor is a huge supporter of animal shelters. On her birthday--Dec. 13-- what if everyone donates \$13 to their local animal shelter in Taylor's name?

# **DONATE \$13 ON DEC. 13**

This can make a huge difference for shelters like us, who have had a particularly hard year.

Monetary donations continue to help the animals with medical needs that come through our doors!





There have been an increase in dumped animals, including at our doors.  
These are just a few:







We are chipping away at feral cat colony populations by setting traps:





Our officers have stayed busy responding to stray dog calls:



Here are a few happy outcomes for the month!















# Henderson Animal Center and Protection

## Monthly Report

Month of: December

Year: 2023

### Inside City Limits

|                                 |           |                      |           |
|---------------------------------|-----------|----------------------|-----------|
| Number of Dogs:                 | 16        | Year to Date:        | 27        |
| Number of Cats:                 | 10        | Year to Date:        | 30        |
| Number of Others:               | 0         | Year to Date:        | 0         |
| <b>TOTAL Number of Animals:</b> | <b>26</b> | <b>Year to Date:</b> | <b>57</b> |

### ACOPU

|                                 |           |                      |           |
|---------------------------------|-----------|----------------------|-----------|
| Number of Dogs:                 | 15        | Year to Date:        | 34        |
| Number of Cats:                 | 5         | Year to Date:        | 23        |
| Number of Others:               | 1         | Year to Date:        | 7         |
| <b>TOTAL Number of Animals:</b> | <b>21</b> | <b>Year to Date:</b> | <b>64</b> |

### Outside City Limits

|                                 |          |                      |           |
|---------------------------------|----------|----------------------|-----------|
| Number of Dogs:                 | 8        | Year to Date:        | 18        |
| Number of Cats:                 | 1        | Year to Date:        | 8         |
| Number of Others:               | 0        | Year to Date:        | 2         |
| <b>TOTAL Number of Animals:</b> | <b>9</b> | <b>Year to Date:</b> | <b>28</b> |

### Rusk County Sheriff's Department

|                                 |          |                      |          |
|---------------------------------|----------|----------------------|----------|
| Number of Dogs:                 | 0        | Year to Date:        | 0        |
| Number of Cats:                 | 0        | Year to Date:        | 0        |
| Number of Others:               | 0        | Year to Date:        | 0        |
| <b>TOTAL Number of Animals:</b> | <b>0</b> | <b>Year to Date:</b> | <b>0</b> |

### City of Overton

|                                 |          |                      |          |
|---------------------------------|----------|----------------------|----------|
| Number of Dogs:                 | 0        | Year to Date:        | 0        |
| Number of Cats:                 | 0        | Year to Date:        | 0        |
| Number of Others:               | 0        | Year to Date:        | 0        |
| <b>TOTAL Number of Animals:</b> | <b>0</b> | <b>Year to Date:</b> | <b>0</b> |

### City of Tatum

|                                 |          |                      |          |
|---------------------------------|----------|----------------------|----------|
| Number of Dogs:                 | 0        | Year to Date:        | 0        |
| Number of Cats:                 | 0        | Year to Date:        | 0        |
| Number of Others:               | 0        | Year to Date:        | 0        |
| <b>TOTAL Number of Animals:</b> | <b>0</b> | <b>Year to Date:</b> | <b>0</b> |



### **City of New London**

|                                 |          |                      |          |
|---------------------------------|----------|----------------------|----------|
| Number of Dogs:                 | 0        | Year to Date:        | 0        |
| Number of Cats:                 | 0        | Year to Date:        | 0        |
| Number of Others:               | 0        | Year to Date:        | 0        |
| <b>TOTAL Number of Animals:</b> | <b>0</b> | <b>Year to Date:</b> | <b>0</b> |

### **TOTAL of Animals Received**

|                          |           |                      |            |
|--------------------------|-----------|----------------------|------------|
| Number of Dogs:          | 39        | Year to Date:        | 79         |
| Number of Cats:          | 16        | Year to Date:        | 61         |
| Number of Others:        | 1         | Year to Date:        | 9          |
| <b>TOTAL this Month:</b> | <b>56</b> | <b>Year to Date:</b> | <b>149</b> |

### **Animals Reclaimed**

|                          |          |                      |           |
|--------------------------|----------|----------------------|-----------|
| Number of Dogs:          | 5        | Year to Date:        | 12        |
| Number of Cats:          | 1        | Year to Date:        | 2         |
| Number of Others:        | 0        | Year to Date:        | 0         |
| <b>TOTAL this Month:</b> | <b>6</b> | <b>Year to Date:</b> | <b>14</b> |

### **Animals Adopted**

|                          |           |                      |            |
|--------------------------|-----------|----------------------|------------|
| Number of Dogs:          | 26        | Year to Date:        | 57         |
| Number of Cats:          | 22        | Year to Date:        | 78         |
| Number of Others:        | 0         | Year to Date:        | 2          |
| <b>TOTAL this Month:</b> | <b>48</b> | <b>Year to Date:</b> | <b>137</b> |

|                                    |                        |    |                        |    |
|------------------------------------|------------------------|----|------------------------|----|
| <i>Monthly Adoption Breakdown:</i> | <i>Dogs Adopted:</i>   | 13 | <i>Dogs Rescued:</i>   | 13 |
|                                    | <i>Cats Adopted:</i>   | 8  | <i>Cats Rescued:</i>   | 14 |
|                                    | <i>Others Adopted:</i> | 0  | <i>Others Rescued:</i> | 0  |

### **Animals Euthanized**

|                          |          |                      |          |
|--------------------------|----------|----------------------|----------|
| Number of Dogs:          | 1        | Year to Date:        | 7        |
| Number of Cats:          | 0        | Year to Date:        | 0        |
| Number of Others:        | 0        | Year to Date:        | 0        |
| <b>TOTAL this Month:</b> | <b>1</b> | <b>Year to Date:</b> | <b>7</b> |

|                                     |              |                 |                    |
|-------------------------------------|--------------|-----------------|--------------------|
| <i>Monthly Euthanasia Breakdown</i> | <i>Sick:</i> | <i>Injured:</i> | <i>Aggressive:</i> |
| <i>Dogs:</i>                        | 0            | 0               | 1                  |
| <i>Cats:</i>                        | 0            | 0               | 0                  |
| <i>Other: (Non-Wildlife)</i>        | 0            | 0               | 0                  |

|   |             |                      |               |
|---|-------------|----------------------|---------------|
| <b><u>Animals Held for Rabies Quarantine:</u></b> | <b>6</b>    | <b>Year to Date:</b> | <b>11</b>     |
| <b><u>Animals Tested for Rabies:</u></b>          | <b>0</b>    | <b>Year to Date:</b> | <b>3</b>      |
| <b><u>Animal Complaints Received:</u></b>         | <b>534+</b> | <b>Year to Date:</b> | <b>1,711+</b> |
| <b><u>Deceased on Arrival (disposal):</u></b>     | <b>1</b>    | <b>Year to Date:</b> | <b>11</b>     |
| <b><u>Died in Care:</u></b>                       | <b>0</b>    | <b>Year to Date:</b> | <b>2</b>      |

### **Animal Protection Activity**

|   |           |                      |            |
|---|-----------|----------------------|------------|
| <b>Warnings Issued:</b>                       | <b>9</b>  | <b>Year to Date:</b> | <b>34</b>  |
| <b>Citations:</b>                             | <b>0</b>  | <b>Year to Date:</b> | <b>10</b>  |
| <b>Calls for Service during hours:</b>        | <b>40</b> | <b>Year to Date:</b> | <b>150</b> |
| <b>Calls for Service after hours:</b>         | <b>2</b>  | <b>Year to Date:</b> | <b>6</b>   |
| <b>Seizures:</b>                              | <b>0</b>  | <b>Year to Date:</b> | <b>0</b>   |
| <b>Wildlife Euthanasia (sick or injured):</b> | <b>0</b>  | <b>Year to Date:</b> | <b>1</b>   |
| <b>Wildlife Release:</b>                      | <b>1</b>  | <b>Year to Date:</b> | <b>3</b>   |
| <b>Traps Set:</b>                             | <b>3</b>  | <b>Year to Date:</b> | <b>30</b>  |

### **CITY WAITING LIST:**

|                                |          |                       |            |
|--------------------------------|----------|-----------------------|------------|
| <b>TOTAL ADDED this Month:</b> | <b>6</b> | <b>Total to Date:</b> | <b>430</b> |
|--------------------------------|----------|-----------------------|------------|

### **COUNTY WAITING LIST:**

|                                |           |                       |              |
|--------------------------------|-----------|-----------------------|--------------|
| <b>TOTAL ADDED this Month:</b> | <b>62</b> | <b>Total to Date:</b> | <b>3,267</b> |
|--------------------------------|-----------|-----------------------|--------------|

### **TOTAL ANIMALS ADDED TO WAITING LIST:**

|                                      |           |                                     |              |
|--------------------------------------|-----------|-------------------------------------|--------------|
| <b>TOTAL ADDED this Month:</b>       | <b>68</b> | <b>Total added to list to Date:</b> | <b>3,697</b> |
| <b>Found rescues for this Month:</b> | <b>5</b>  |                                     |              |



City of Henderson  
Animal Center  
And Protection

## Memo

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**To:** Jay Abercrombie, City Manager

**From:** Charissa Pool, Animal Center and Animal Protection Director

**cc:** Cheryl Jimerson, City Secretary

**Date:** February 20, 2024

**Re:** Henderson Animal Center and Protection Monthly Report

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Attached to this memo, please find the monthly activity report from Henderson Animal Center and Protection for January 2024.



# **Henderson Animal Center and Protection**

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**January 2024**



We started off the New Year focusing on pet owner education, training, and tactics to help keep pets out of the center.



## Cold Weather Reminders for Pet Owners

If you are cold, they are cold!



- 1) Bring pets inside if you are able.**  
If they are not used to being inside, a crate is a great solution. Let them out as needed for bathroom breaks.
- 2) Outdoor pets need to have:**
  - Adequate shelter from the cold
    - Dog house or similar shelter or structure providing a break from the wind
    - Bedding, straw, and/or added heat source for warmth such as a heater or lamp
  - Access to water and extra food
    - Make sure the animal has access to thawed water. If water freezes, make sure you have thawed water frequently available for them.
    - Provide extra food as cold animals burn more calories than usual to try and stay warm.
- 3) Reminder: Tethering is prohibited in the city limits without direct supervision of animal by owner!**

**DO NOT LEAVE ANIMALS TIED AND UNATTENDED OUTSIDE UNDER ANY CIRCUMSTANCES!**



Leave it to beaver! We had an unusual call to start the year. This beaver ended up trapped in a man-hole so our officers went to rescue and relocate him to safety.





Our officers have been busy setting traps to thin down some local cat colonies:





Chewy was found completely matted, and Doggy Darlings graciously offered a pro bono trim.



Volunteers came to help out give baths to quite a few of our dogs:





We had many strays come through our doors this month:



Our office closed in observation of Martin Luther King Jr. Day:



Here are a few of our happy outcomes for the month:







# Henderson Animal Center and Protection

## Monthly Report

Month of: January

Year: 2024

### Inside City Limits

|                                 |          |                      |           |
|---------------------------------|----------|----------------------|-----------|
| Number of Dogs:                 | 3        | Year to Date:        | 30        |
| Number of Cats:                 | 4        | Year to Date:        | 34        |
| Number of Others:               | 0        | Year to Date:        | 0         |
| <b>TOTAL Number of Animals:</b> | <b>7</b> | <b>Year to Date:</b> | <b>64</b> |

### ACOPU

|                                 |           |                      |           |
|---------------------------------|-----------|----------------------|-----------|
| Number of Dogs:                 | 10        | Year to Date:        | 44        |
| Number of Cats:                 | 16        | Year to Date:        | 39        |
| Number of Others:               | 3         | Year to Date:        | 10        |
| <b>TOTAL Number of Animals:</b> | <b>29</b> | <b>Year to Date:</b> | <b>93</b> |

### Outside City Limits

|                                 |          |                      |           |
|---------------------------------|----------|----------------------|-----------|
| Number of Dogs:                 | 1        | Year to Date:        | 19        |
| Number of Cats:                 | 2        | Year to Date:        | 10        |
| Number of Others:               | 0        | Year to Date:        | 2         |
| <b>TOTAL Number of Animals:</b> | <b>3</b> | <b>Year to Date:</b> | <b>31</b> |

### Rusk County Sheriff's Department

|                                 |          |                      |          |
|---------------------------------|----------|----------------------|----------|
| Number of Dogs:                 | 0        | Year to Date:        | 0        |
| Number of Cats:                 | 0        | Year to Date:        | 0        |
| Number of Others:               | 0        | Year to Date:        | 0        |
| <b>TOTAL Number of Animals:</b> | <b>0</b> | <b>Year to Date:</b> | <b>0</b> |

### City of Overton

|                                 |          |                      |          |
|---------------------------------|----------|----------------------|----------|
| Number of Dogs:                 | 0        | Year to Date:        | 0        |
| Number of Cats:                 | 0        | Year to Date:        | 0        |
| Number of Others:               | 0        | Year to Date:        | 0        |
| <b>TOTAL Number of Animals:</b> | <b>0</b> | <b>Year to Date:</b> | <b>0</b> |

### City of Tatum

|                                 |          |                      |          |
|---------------------------------|----------|----------------------|----------|
| Number of Dogs:                 | 0        | Year to Date:        | 0        |
| Number of Cats:                 | 0        | Year to Date:        | 0        |
| Number of Others:               | 0        | Year to Date:        | 0        |
| <b>TOTAL Number of Animals:</b> | <b>0</b> | <b>Year to Date:</b> | <b>0</b> |

### **City of New London**

|                                 |          |                      |          |
|---------------------------------|----------|----------------------|----------|
| Number of Dogs:                 | 0        | Year to Date:        | 0        |
| Number of Cats:                 | 0        | Year to Date:        | 0        |
| Number of Others:               | 0        | Year to Date:        | 0        |
| <b>TOTAL Number of Animals:</b> | <b>0</b> | <b>Year to Date:</b> | <b>0</b> |

### **TOTAL of Animals Received**

|                          |           |                      |            |
|--------------------------|-----------|----------------------|------------|
| Number of Dogs:          | 14        | Year to Date:        | 93         |
| Number of Cats:          | 22        | Year to Date:        | 83         |
| Number of Others:        | 3         | Year to Date:        | 12         |
| <b>TOTAL this Month:</b> | <b>39</b> | <b>Year to Date:</b> | <b>188</b> |

### **Animals Reclaimed**

|                          |          |                      |           |
|--------------------------|----------|----------------------|-----------|
| Number of Dogs:          | 4        | Year to Date:        | 16        |
| Number of Cats:          | 1        | Year to Date:        | 3         |
| Number of Others:        | 0        | Year to Date:        | 0         |
| <b>TOTAL this Month:</b> | <b>5</b> | <b>Year to Date:</b> | <b>19</b> |

### **Animals Adopted**

|                          |           |                      |            |
|--------------------------|-----------|----------------------|------------|
| Number of Dogs:          | 11        | Year to Date:        | 68         |
| Number of Cats:          | 21        | Year to Date:        | 99         |
| Number of Others:        | 0         | Year to Date:        | 2          |
| <b>TOTAL this Month:</b> | <b>32</b> | <b>Year to Date:</b> | <b>169</b> |

|                                    |                        |   |                        |    |
|------------------------------------|------------------------|---|------------------------|----|
| <i>Monthly Adoption Breakdown:</i> | <i>Dogs Adopted:</i>   | 7 | <i>Dogs Rescued:</i>   | 4  |
|                                    | <i>Cats Adopted:</i>   | 6 | <i>Cats Rescued:</i>   | 15 |
|                                    | <i>Others Adopted:</i> | 0 | <i>Others Rescued:</i> | 0  |

### **Animals Euthanized**

|                          |          |                      |           |
|--------------------------|----------|----------------------|-----------|
| Number of Dogs:          | 2        | Year to Date:        | 9         |
| Number of Cats:          | 1        | Year to Date:        | 1         |
| Number of Others:        | 0        | Year to Date:        | 0         |
| <b>TOTAL this Month:</b> | <b>3</b> | <b>Year to Date:</b> | <b>10</b> |

|                                     |              |                 |                    |
|-------------------------------------|--------------|-----------------|--------------------|
| <i>Monthly Euthanasia Breakdown</i> | <i>Sick:</i> | <i>Injured:</i> | <i>Aggressive:</i> |
| <i>Dogs:</i>                        | 0            | 0               | 2                  |
| <i>Cats:</i>                        | 0            | 1               | 0                  |
| <i>Other: (Non-Wildlife)</i>        | 0            | 0               | 0                  |

|   |          |                      |           |
|---|----------|----------------------|-----------|
| <b><u>Animals Held for Rabies Quarantine:</u></b> | <b>2</b> | <b>Year to Date:</b> | <b>13</b> |
|---|----------|----------------------|-----------|

|  |          |                      |          |
|--|----------|----------------------|----------|
| <b><u>Animals Tested for Rabies:</u></b> | <b>0</b> | <b>Year to Date:</b> | <b>3</b> |
|--|----------|----------------------|----------|

|   |             |                      |               |
|---|-------------|----------------------|---------------|
| <b><u>Animal Complaints Received:</u></b> | <b>547+</b> | <b>Year to Date:</b> | <b>2,258+</b> |
|---|-------------|----------------------|---------------|

|   |          |                      |           |
|---|----------|----------------------|-----------|
| <b><u>Deceased on Arrival (disposal):</u></b> | <b>2</b> | <b>Year to Date:</b> | <b>13</b> |
|---|----------|----------------------|-----------|

|                             |          |                      |          |
|-----------------------------|----------|----------------------|----------|
| <b><u>Died in Care:</u></b> | <b>0</b> | <b>Year to Date:</b> | <b>2</b> |
|-----------------------------|----------|----------------------|----------|

### **Animal Protection Activity**

|                         |           |                      |           |
|-------------------------|-----------|----------------------|-----------|
| <b>Warnings Issued:</b> | <b>30</b> | <b>Year to Date:</b> | <b>64</b> |
|-------------------------|-----------|----------------------|-----------|

|                   |          |                      |           |
|-------------------|----------|----------------------|-----------|
| <b>Citations:</b> | <b>3</b> | <b>Year to Date:</b> | <b>13</b> |
|-------------------|----------|----------------------|-----------|

|  |           |                      |            |
|--|-----------|----------------------|------------|
| <b>Calls for Service during hours:</b> | <b>77</b> | <b>Year to Date:</b> | <b>227</b> |
|--|-----------|----------------------|------------|

|                                       |          |                      |          |
|---------------------------------------|----------|----------------------|----------|
| <b>Calls for Service after hours:</b> | <b>0</b> | <b>Year to Date:</b> | <b>6</b> |
|---------------------------------------|----------|----------------------|----------|

|                  |          |                      |          |
|------------------|----------|----------------------|----------|
| <b>Seizures:</b> | <b>1</b> | <b>Year to Date:</b> | <b>1</b> |
|------------------|----------|----------------------|----------|

|   |          |                      |          |
|---|----------|----------------------|----------|
| <b>Wildlife Euthanasia (sick or injured):</b> | <b>0</b> | <b>Year to Date:</b> | <b>1</b> |
|---|----------|----------------------|----------|

|                          |          |                      |          |
|--------------------------|----------|----------------------|----------|
| <b>Wildlife Release:</b> | <b>2</b> | <b>Year to Date:</b> | <b>5</b> |
|--------------------------|----------|----------------------|----------|

|                   |           |                      |           |
|-------------------|-----------|----------------------|-----------|
| <b>Traps Set:</b> | <b>35</b> | <b>Year to Date:</b> | <b>65</b> |
|-------------------|-----------|----------------------|-----------|

### **CITY WAITING LIST:**

|                                |          |                       |            |
|--------------------------------|----------|-----------------------|------------|
| <b>TOTAL ADDED this Month:</b> | <b>6</b> | <b>Total to Date:</b> | <b>436</b> |
|--------------------------------|----------|-----------------------|------------|

### **COUNTY WAITING LIST:**

|                                |            |                       |              |
|--------------------------------|------------|-----------------------|--------------|
| <b>TOTAL ADDED this Month:</b> | <b>112</b> | <b>Total to Date:</b> | <b>3,379</b> |
|--------------------------------|------------|-----------------------|--------------|

### **TOTAL ANIMALS ADDED TO WAITING LIST:**

|                                |            |                                     |              |
|--------------------------------|------------|-------------------------------------|--------------|
| <b>TOTAL ADDED this Month:</b> | <b>118</b> | <b>Total added to list to Date:</b> | <b>3,815</b> |
|--------------------------------|------------|-------------------------------------|--------------|





## Community Development Department

300 West Main Street

Henderson, Tx 75652

Phone: 903-392-0786

# Monthly Report

To: Mayor and City Council Members

From: Cliff McElfresh/Billy Hughes

RE: Summary for the Month of December 2023

MONTHLY TOTALS BUILDING CONSTRUCTION VALUE: December, 2023 \$1,460,609.00

MONTHLY TOTALS BUILDING CONSTRUCTION VALUE: December, 2022 \$837,945.00

ANNUAL TOTAL BUILDING CONSTRUCTION VALUE: TO DATE 2023 \$31,843,347.40

ANNUAL TOTAL BUILDING CONSTRUCTION VALUE: Thru December, 2022 \$7,257,299.49

## BUILDING INSPECTORS REPORT

## CODE ENFORCEMENT REPORT

|                            |    |  |   |
|----------------------------|----|--|---|
| Building Inspections       | 11 | Food Establishment Inspections                   | 9 |
| Electrical Inspections     | 23 | Food Truck/Trailer Permits                       | 1 |
| Plumbing Inspections       | 24 | High Grass & Weeds                               | 1 |
| Mechanical Inspections     | 7  | Junk Vehicles                                    | 1 |
| Stop Work Orders           | 0  | Illegal Signs                                    | 0 |
| Other-Driveway, slab, etc. | 6  | Sub-Standard Structure Inspections/Notifications | 0 |
| Residential Plan Review    | 1  | Illegal Dumping /Road debris/Illegal storage     | 0 |
| Commercial Plan Review     | 3  | Restaurant Grease Trap Inspection                | 0 |
| Sign Permits Review        | 4  | Abatements                                       | 0 |
| Certificate of Occupancy   | 10 | Other  | 0 |

|                                     |   |
|-------------------------------------|---|
| Commercial Building Permits Issued  | 2 |
| Residential Building Permits Issued | 5 |
| Residential Demo Permits Issued     | 0 |
| Residential Roof Permits Issued     | 4 |
| Commercial Roof Permits issued      | 3 |
| Residential Fence Permit Issued     | 1 |



**Planning & Zoning:** The Planning & Zoning Commission met on December 12, 2023 to consider an application to re-zone a property from R3 to M2. The property is located on North Evenside. The board voted to make a recommendation to council to consider and approve this request to re-zone this parcel.

**Board of Adjustments:** The Board of Adjustments did not meet this month.

**Items of interest:** Two new businesses opened their doors in the month of December, Cherokee Motors and Marine and AC Storage on Hwy 64. West Fraser is still working on the Wellons Dry Kiln at this time.

**Submitted by:** Cliff McElfresh, Community Development Mgr.

**Date:** 1/3/2024

**Billy Hughes, Planning and Zoning Administrator**



## Community Development Department

300 West Main Street

Henderson, Tx 75652

Phone: 903-392-0786

# Monthly Report

**To:** Mayor and City Council Members

**From:** Cliff McElfresh/Billy Hughes

**RE:** Summary for the Month of January 2024

MONTHLY TOTALS BUILDING CONSTRUCTION VALUE: January, 2024 \$270,906.00

MONTHLY TOTALS BUILDING CONSTRUCTION VALUE: January, 2023 \$244,945.00

ANNUAL TOTAL BUILDING CONSTRUCTION VALUE: TO DATE 2024 \$270,906.00

ANNUAL TOTAL BUILDING CONSTRUCTION VALUE: Thru January, 2023 \$244,945.00

## BUILDING INSPECTORS REPORT

## CODE ENFORCEMENT REPORT

|                            |    |  |   |
|----------------------------|----|--|---|
| Building Inspections       | 12 | Food Establishment Inspections                   | 2 |
| Electrical Inspections     | 27 | Food Truck/Trailer Permits                       | 1 |
| Plumbing Inspections       | 24 | High Grass & Weeds                               | 0 |
| Mechanical Inspections     | 5  | Junk Vehicles                                    | 1 |
| Stop Work Orders           | 0  | Illegal Signs                                    | 0 |
| Other-Driveway, slab, etc. | 12 | Sub-Standard Structure Inspections/Notifications | 1 |
| Residential Plan Review    | 1  | Illegal Dumping /Road debris/Illegal storage     | 0 |
| Commercial Plan Review     | 2  | Restaurant Grease Trap Inspection                | 0 |
| Sign Permits Review        | 4  | Abatements                                       | 1 |
| Certificate of Occupancy   | 1  | Other  | 0 |

|                                     |   |
|-------------------------------------|---|
| Commercial Building Permits Issued  | 0 |
| Residential Building Permits Issued | 5 |
| Residential Demo Permits Issued     | 1 |
| Residential Roof Permits Issued     | 4 |
| Commercial Roof Permits issued      | 1 |
| Residential Fence Permit Issued     | 0 |

**Planning & Zoning:** The Planning and Zoning Commission met on January 9, 2024 to consider the creation of a new zoning district for Town Homes. The board voted unanimously to make a recommendation to approve this new residential district along with its own specific developmental standards.

**Board of Adjustments:** The Board of Adjustments did not meet this month.

**Items of interest:** West Fraser continues to move forward with the construction of the new sawmill.

Billy Hughes will be retiring at the end of February after serving the city for 5 years as Planning and Zoning Administrator and we will have Dennis Williams stepping into this position after retiring from the City of Longview's inspection department.

**Submitted by:** Cliff McElfresh, Community Development Mgr.

**Date:** 2/7/2024

**Billy Hughes, Planning and Zoning Administrator**



To: Jay Abercrombie, City Manager  
From: Kirk Kimbrell, Director of Public  
Services

# January 2024 Public Services Monthly Report



- Frontier & Sparklight fiber optic is currently being installed throughout the city. Public Services has a crew dedicated to locating the City's utilities during the installation to protect City water, sewer, and storm sewer infrastructure.
- New water meters are being installed throughout the city by Performance Services.
- Keep Henderson Beautiful won their 4<sup>th</sup> Governor's Community Achievement Award and are currently in the planning phase of beautification work on the traffic star and along HWY 79.
- Continually updating GIS mapping throughout the city.
- Assisting City of Overton with utilities distribution and sewer collection system maintenance.
- Public Services supervisors attended Leadership Training provided by Express Pros Personnel.
- Clearing property on the West side of Lake Forest Park for development.

## **Maintenance Work:**

January 1<sup>st</sup> – 6<sup>th</sup>, 2024

- Street & Utility crews – Utility locates for fiber optic installation throughout town, remodel lady's restroom at City Hall, asphalt repairs on McMurray St and Jalapeno Tree parking lot, repaired storm drain on Lone Oak, set up for Christmas Parade, concrete repair in Jalapeno Tree Parking Lot, clean Public Services Warehouse.
- Parks and Recreation – Mow parks, cemeteries, and city-owned properties, spray selective and non-selective herbicide, trimmed low hanging limbs at Lakewood Cemetery, leveled graves and headstones at Lakewood Cemetery, clean, service, and repairs on vehicles, worked Christmas Parade, poured concrete slabs at Lakewood Cemetery for new trash cans.
- Buildings and Grounds Maintenance – Repaired electrical outlet at the Community Center, inspect and repair Downtown electrical in preparation for Christmas decorations, installed a toolbox on custodian truck, assist with Civic Center setups, wire, and program Heritage Square Christmas Tree Downtown, met with contractor about replacing a furnace at the Community Center.



### January 7<sup>th</sup> – 13<sup>th</sup>, 2024

- Street & Utility Crews – Utility locates for fiber optic installation throughout town, remodel lady's restroom at City Hall, organize and Sports Complex shop building for special events material storage, camera inspection of sewer line on West Elk, drainage work on Industrial @ Morris St, cleared west side of Lake Forest Park, asphalt repairs on Ruby @ Rogers, Yates parking lot, and High St.
- Parks and Recreation - Mow parks, cemeteries, and city-owned properties, spray selective and non-selective herbicide, update/convert cemetery records to GIS, poured concrete slabs for new trash cans.
- Buildings and Ground Maintenance – Picked up lights and lenses for Fire Station #1 remodel, met with City of Longview about GIS/Cityworks, installed new controller on Heritage Square Clock, cleared washing machine drain line at Fire Station #1, fixed running toilet at Fire Station #1, installed signs socket on S. Marshall @ Ragley, assist with Civic Center setups.

### January 14<sup>th</sup> – 2<sup>th</sup>, 2024

- Street & Utility Crews – Utility locates for fiber optic installation throughout town, remodel lady's restroom at City Hall, patched potholes throughout town, cleared west side of Lake Forest Park, asphalt repairs on Shawnee, Cleaver, and S. High, graded drainage ditch on Mockingbird, poured concrete around stop sign on Marshall @ Ragley.
- Parks and Recreation - Mow parks, cemeteries, and city-owned properties, sprayed selective and non-selective herbicides on City maintained properties, update/convert cemetery records to GIS, cleaned equipment to be in Wylie School Christmas Parade, striped the parking lot at the Civic Center.
- Buildings and Grounds Maintenance – Repaired Christmas Tree programming and wiring, assist with Civic Center setups, installed new signs on Alabama @ Cherokee Trl, S. Marshall @ Ragley, and N. High @ Van Sickle, repaired Heritage Square Clock.

January 22<sup>st</sup> – 31<sup>st</sup>, 2024

- Street & Utility Crews – Utility locates for fiber optic installation throughout town, remodel lady's restroom at City Hall, cleared property on the West side of Lake Forest Park for park expansion, patched potholes throughout town, assisted utility crews with a water leak on Jacksonville Dr.
- Parks and Recreation - Mow parks, cemeteries, and city-owned properties, spray selective and non-selective herbicide, update/convert cemetery records to GIS, pick up fallen tree limbs at Lakewood Cemetery, striped Yates Park Parking Lot, poured slabs for new trash cans at Lakewood Cemetery.
- Buildings and Grounds Maintenance – Repaired air conditioner at the Animal Center, replaced an electrical receptacle at the Activity Center, upgraded Sports Complex shop building with new LED fixtures, repaired broken toilet at the Police Department, turned off school zone lights for Christmas break, serviced Activity Center air conditioners, winterized park water fountains and splash pads.



To: City of Henderson Council Members  
Jay Abercrombie, City Manager

From: Karen Arnall, Finance Director

Subject: Monthly Report

Date: January 11, 2024

- Investment Report for Nov 2023-see attached report
- Hotel-Motel Occupancy Tax for Nov 2023-see attached report

### Water/Sewer/Garbage Billing Recap Month Ending 11/30/2023

| Type of service       | Amount Billed | Consumption Billed | Count  |   |
|-----------------------|---------------|--------------------|--------|---|
| Garbage               | \$ 171,998.40 | -                  | 5,417  | - |
| Sales tax on garbage  | \$ 12,868.46  | -                  |        | - |
| Sewer Charges         | \$ 224,286.31 | 41,977,720         | 4,439  | - |
| Water Charges         | \$ 293,352.10 | 68,143,120         | 4,779  |   |
| Sprinkler             | \$ 16,321.68  | 3,156,400          | 364    | - |
| Penalty               | \$ 11,215.68  | -                  | 919    |   |
| Water Taps            | -             | -                  | -      | - |
| Sewer Taps            | -             | -                  | -      | - |
| Service Chg/Back Flow | \$ 2,177.00   | -                  | 5      |   |
| Total Billing         | \$ 732,219.01 | 113,277,240        | 15,923 |   |

**INVESTMENT SUMMARY REPORT  
OCTOBER 1, 2023-NOVEMBER 30, 2023**

| FUND              | AMOUNT      |              |             | INT          |          |          |
|-------------------|-------------|--------------|-------------|--------------|----------|----------|
|                   | INVESTED    | Oct          | Nov         | TOTAL        | RECEIVED | Y-T-D    |
|                   | OCT 1, 2023 | Change       | Change      | INVESTED     | IN NOV   | INTEREST |
| GENERAL FUND      | 752,144     | -457,808.00  | 12,844.00   | 307,180      | 4,755    | 12,328   |
| GF-RESTRICTED     | 66,498      | 0.00         | 0.00        | 66,498       |          |          |
| GF-MIN. RESERVE   | 1,200,000   | 0.00         | 0.00        | 1,200,000    |          |          |
| GF-MISC A/R       | 210,000     | 0.00         | 0.00        | 210,000      |          |          |
| GENERAL -DEBT     | 401,293     | 4,296.00     | -141,439.00 | 264,150      | 996      | 2,033    |
| GENERAL CONSTR.   | 81,846      | -13,207.00   | 25,186.00   | 93,825       | 119      | 222      |
| EQUIPMENT REPL    | 521,017     | 1,029.00     | -267,290.00 | 254,756      | 950      | 1,979    |
| STREET & DRAINAGE | 6,442       | 2,060,915.00 | -8,248.00   | 2,059,109    | 8,814    | 14,657   |
| CEMETERY FUND     | 71,017      | 436.00       | 235.00      | 71,688       | 46       | 94       |
| ANIMAL SHELTER    | 45,555      | 114.00       | 486.00      | 46,155       | 19       | 38       |
| W/S FUND          | 139,143     | -62,397.00   | 105,742.00  | 182,488      | 2,613    | 5,361    |
| W/S MIN.RESERVE   | 800,000     | 0.00         | 0.00        | 800,000      |          |          |
| W/S- DEBT SERVICE | 21,774      | 12.00        | 12.00       | 21,798       |          |          |
| W/S-RESTRICTED    | 106,592     | 0.00         | 0.00        | 106,592      |          |          |
| W/S CONSTR.       | 78,737      | -33,058.00   | 32.00       | 45,711       | 32       | 77       |
| MAIN STREET       | 12,966      | -1,255.00    | -308.00     | 11,403       | 4        | 9        |
| TOURISM           | 229,928     | 896.00       | -12,126.00  | 218,698      | 94       | 189      |
| CIVIC CENTER      | 83          | 0.00         | 0.00        | 83           | 1        | 1        |
| INSURANCE RESERVE | 11,471      | 4.00         | 4.00        | 11,479       | 4        | 8        |
| 2018 BOND SERIES  | 832,011     | 2,423.00     | -118,628.00 | 715,806      | 2,361    | 4,784    |
| TOTALS            | 5,588,517   | 1,502,400.00 | -403,498.00 | 6,687,419.00 | 20,811   | 41,780   |

This report is in compliance with our investment strategies as approved by council and the Public Investment Act.

Director of Finance, Karen Arnall

City Manager, Jay Abercrombie

**Hotel-Motel Occupancy Tax  
Monthly Reporting for  
November 2023**

| DATE RECEIVED | TAX FOR MONTH | HOTEL NAME                              | TAXABLE MONTHLY RECEIPTS | 7% TAX    | 1% RETAINER | AMOUNT PAID |
|---------------|---------------|---|--------------------------|-----------|-------------|-------------|
| 12/5/2023     | Nov           | Baymont Inn                             | 78,444.25                | 5,491.10  | 54.91       | 5,436.19    |
| 12/2/2023     | Nov           | Budget Inn (Sawan LLC)                  | 16,024.47                | 1,121.71  | 11.22       | 1,110.49    |
| 12/27/2023    | Nov           | Economy Inn                             | 2,601.82                 | 182.13    | -           | 182.13      |
| 12/3/2023     | Nov           | Holiday inn Express(Jayani Investments) | 128,567.00               | 8,999.69  | 90.00       | 8,909.69    |
| 12/3/2023     | Nov           | Woodlawn Hills (Patel & Sons LTD)       | 16,710.00                | 1,169.70  | 11.70       | 1,158.00    |
| 12/11/2023    | Nov           | Motel 6                                 | 62,806.56                | 4,396.46  | 43.96       | 4,352.50    |
|               |               |   |                          |           |             |             |
|               |               | <b>Totals</b>                           | 305,154.10               | 21,360.79 | 211.79      | 21,149.00   |





To: City of Henderson Council Members  
Jay Abercrombie, City Manager

From: Karen Arnall, Finance Director

Subject: Monthly Report

Date: February 15, 2024

- Investment Report for Dec 2023-see attached report
- Hotel-Motel Occupancy Tax for Dec 2023-see attached report

### Water/Sewer/Garbage Billing Recap Month Ending 12/31/2023

| Type of service       | Amount Billed | Consumption Billed | Count  |   |
|-----------------------|---------------|--------------------|--------|---|
| Garbage               | \$ 171,491.94 | -                  | 5,408  | - |
| Sales tax on garbage  | \$ 12,857.97  | -                  |        | - |
| Sewer Charges         | \$ 191,311.22 | 33,722,502         | 4,437  | - |
| Water Charges         | \$ 261,318.43 | 62,152,702         | 4,776  |   |
| Sprinkler             | \$ 12,039.56  | 2,453,200          | 364    | - |
| Penalty               | \$ 11,618.89  | -                  | 927    |   |
| Water Taps            | -             | -                  | -      | - |
| Sewer Taps            | -             | -                  | -      | - |
| Service Chg/Back Flow | \$ 2,271.50   | -                  | 5      |   |
| Total Billing         | \$ 662,909.51 | 98,328,404         | 14,990 |   |



# Monthly Report

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**To:** Mayor and City Council Members

**From:** Cheryl Jimerson, City Secretary

**Date:** December 19, 2023

**Re:** November 2023 Monthly Report

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## City Hall

- City Secretary
  - Took 6 hours vacation and 4 hours sick time.
  - Attended E Records class in Austin (2 days)
  - Attended TMCCP Conference in Frisco (2 days).
  - Registered with the Texas Municipal Clerks Association to get my certification.
    - Completed and passed Course 1 certification program.
    - Completed homework for Course 2 Modules 1,2, & 3.
  - Working to become a Certified Retention Schedule Manager.
  - Received, responded, or corresponded to open records requests.
  - Attended Management Meetings.
  - Attended Council Meeting.
  - Worked with Interim City Attorney office on ordinances and resolutions.
  - Approved and/or entered requisitions and other day to day operations.
  - Answered incoming calls and/or returned calls and met with citizens about various reasons throughout the month.
  - Working to bring Bradshaw State Jail in with a voluntary annexation proposal.
    - Corresponded with Joshua Whitney with the Texas Land and Mineral Department he is working on the Bradshaw voluntary annexation application (last correspondence was November 20).
    - HEDCO annexation application for the East Texas Business Park process will start as soon as the Bradshaw State Jail has been annexed.

- Front Desk Executive
    - Updating the calendar for the shared conference room and Council Chambers at City Hall.
    - Organized the Fun Food Day menu that is scheduled on the 3<sup>rd</sup> Friday of each month.
    - Organizing City Hall records.
    - Answered and transferred calls that come in for each department.
    - Scan records for electronic storage.
    - Made sure all incoming mail was sent to the appropriate departments.
    - Place postage on all out-going mail.
    - Entered purchase orders.
    - Enter timesheets.
    - Searched for records pertaining to ordinances and/or resolutions for the City Secretary.
    - Folding and stuffing second notices for water department twice a month
-



# Monthly Report

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**To:** Mayor and City Council Members

**From:** Cheryl Jimerson, City Secretary

**Date:** February 20, 2024

**Re:** January 2024 Monthly Report

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## City Hall

- City Secretary
  - Took 6 hours vacation and 4 hours sick time.
  - Attended election Law Seminar (2 days)
  - Registered with the Texas Municipal Clerks Association to get my certification.
    - Completed and passed Course 1 certification program.
    - Completed homework for Course 2 Modules 1,2, & 3.
  - Received, responded, or corresponded to open records requests.
  - Attended Management Meetings.
  - Attended Council Meeting.
  - Worked with City Attorney office on ordinances and resolutions.
  - Approved and/or entered requisitions and other day to day operations.
  - Answered incoming calls and/or returned calls and met with citizens about various reasons throughout the month.
  - Working to bring Bradshaw State Jail in with a voluntary annexation proposal.
    - Received all documentation from the Bradshaw State Jail to begin annexation process.
    - After the Jail annexation is completed, we have the documentation ready to annex Loop 571 and the East Texas Business Park.

- Front Desk Executive
    - Printed and put together about 30 comprehensive plan notebooks.
    - Helped City Secretary work on the decorating of the entrance and lobby area of City Hall.
    - Updating the calendar for the shared conference room and Council Chambers at City Hall.
    - Organized the Fun Food Day menu that is scheduled on the 3<sup>rd</sup> Friday of each month.
    - Organizing City Hall records.
    - Answered and transferred calls that come in for each department.
    - Scan records for electronic storage.
    - Made sure all incoming mail was sent to the appropriate departments.
    - Keeping City Hall supplies ordered and stocked.
    - Place postage on all out-going mail.
    - Entered purchase orders.
    - Enter timesheets.
    - Searched for records pertaining to ordinances and/or resolutions for the City Secretary.
    - Folding and stuffing second notices for water department twice a month
-



## HEDCO SALES TAX RECEIPTS HISTORY

| Sales Month                            | Check          | 1992-1993 | 1993-1994 | 1994-1995 | 1995-1996 | 1996-1997 | 1997-1998 | 1998-1999 | 1999-2000 |
|--|----------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
|  | Received Month |           |           |           |           |           |           |           |           |
| AUGUST                                 | OCTOBER        |           | 38,548    | 36,197    | 37,403    | 43,615    | 43,743    | 45,133    | 43,378    |
| SEPTEMBER                              | NOVEMBER       |           | 58,170    | 59,062    | 53,862    | 54,472    | 61,268    | 67,745    | 60,108    |
| OCTOBER                                | DECEMBER       | 26,898    | 34,289    | 33,121    | 31,637    | 45,934    | 44,271    | 46,166    | 55,469    |
| NOVEMBER                               | JANUARY        | 34,466    | 40,048    | 50,644    | 35,998    | 36,900    | 39,058    | 40,237    | 44,788    |
| DECEMBER                               | FEBRUARY       | 66,400    | 65,598    | 63,055    | 57,486    | 67,599    | 72,385    | 79,705    | 65,828    |
| JANUARY                                | MARCH          | 32,279    | 31,172    | 33,161    | 35,558    | 42,066    | 37,413    | 38,909    | 47,912    |
| FEBRUARY                               | APRIL          | 30,617    | 34,455    | 33,221    | 45,104    | 40,731    | 40,610    | 45,303    | 46,995    |
| MARCH                                  | MAY            | 55,433    | 52,448    | 53,933    | 54,102    | 57,676    | 61,795    | 66,026    | 65,237    |
| APRIL                                  | JUNE           | 35,656    | 36,285    | 35,147    | 40,376    | 42,114    | 50,487    | 48,953    | 46,288    |
| MAY                                    | JULY           | 35,704    | 35,612    | 37,804    | 38,755    | 42,613    | 44,454    | 48,043    | 50,643    |
| JUNE                                   | AUGUST         | 56,455    | 60,479    | 57,700    | 61,328    | 60,099    | 68,203    | 60,864    | 65,906    |
| JULY                                   | SEPTEMBER      | 35,503    | 33,121    | 36,831    | 49,029    | 49,767    | 48,094    | 45,344    | 49,843    |
| TOTAL                                  |                | 409,411   | 520,225   | 529,876   | 540,638   | 583,586   | 611,781   | 632,428   | 642,395   |
| Average Monthly Sales Tax:             |                | 40,941    | 43,352    | 44,156    | 45,053    | 48,632    | 50,982    | 52,702    | 53,533    |
| Annual % Change Over the Previous Year |                |           | 27.07%    | 1.86%     | 2.03%     | 7.94%     | 4.83%     | 3.37%     | 1.58%     |

| Sales Month                            | Check          | 2000-2001 | 2001-2002 | 2002-2003 | 2003-2004  | 2004-2005 | 2005-2006 | 2006-2007 | 2007-2008 |
|--|----------------|-----------|-----------|-----------|------------|-----------|-----------|-----------|-----------|
|  | Received Month |           |           |           |            |           |           |           |           |
| AUGUST                                 | OCTOBER        | 49,572    | 58,284    | 48,837    | 56,577     | 54,801    | 82,519    | 85,356    | 87,078    |
| SEPTEMBER                              | NOVEMBER       | 59,757    | 73,834    | 64,109    | 70,315     | 72,264    | 80,573    | 100,384   | 121,188   |
| OCTOBER                                | DECEMBER       | 57,388    | 55,476    | 48,859    | 48,045     | 54,868    | 66,909    | 75,575    | 83,539    |
| NOVEMBER                               | JANUARY        | 47,961    | 48,417    | 46,007    | 48,377     | 55,768    | 75,685    | 72,105    | 88,099    |
| DECEMBER                               | FEBRUARY       | 73,487    | 81,480    | 64,590    | 76,014     | 81,875    | 102,065   | 111,520   | 141,454   |
| JANUARY                                | MARCH          | 48,080    | 42,784    | 44,274    | 51,551     | 51,428    | 67,088    | 71,346    | 57,698    |
| FEBRUARY                               | APRIL          | 46,582    | 46,678    | 44,678    | 50,425     | 62,545    | 77,568    | 77,833    | 84,927    |
| MARCH                                  | MAY            | 66,004    | 65,071    | 63,256    | 70,803     | 80,858    | 91,113    | 112,557   | 113,913   |
| APRIL                                  | JUNE           | 54,487    | 50,901    | 51,519    | 54,893     | 60,060    | 79,527    | 94,809    | 92,131    |
| MAY                                    | JULY           | 54,980    | 49,222    | 49,936    | 51,277     | 61,354    | 82,635    | 90,307    | 110,175   |
| JUNE                                   | AUGUST         | 71,779    | 71,920    | 67,805    | 73,543     | 88,459    | 98,619    | 118,741   | 124,099   |
| JULY                                   | SEPTEMBER      | 53,936    | 51,693    | 58,630    | 52,730     | 63,193    | 72,496    | 81,438    | 105,559   |
| TOTAL                                  |                | 684,013   | 695,760   | 652,500   | \$ 704,550 | 787,473   | 976,797   | 1,091,971 | 1,209,860 |
| Average Monthly Sales Tax:             |                | 57,001    | 57,980    | 54,375    | \$ 58,713  | 65,623    | 81,400    | 90,998    | 100,822   |
| Annual % Change Over the Previous Year |                | 6.48%     | 1.72%     | -6.22%    | 7.98%      | 11.77%    | 24.04%    | 11.79%    | 10.80%    |

## HEDCO SALES TAX RECEIPTS HISTORY

| Sales Month                            | Check<br>Received Month | 2008-2009 | 2009-2010 | 2010-2011 | 2011-2012    | 2012-2013 | 2013-2014 | 2014-2015 | 2015-2016 |
|--|-------------------------|-----------|-----------|-----------|--------------|-----------|-----------|-----------|-----------|
| AUGUST                                 | OCTOBER                 | 111,268   | 76,298    | 87,499    | \$ 84,071    | 92,147    | 114,011   | 116,949   | 121,718   |
| SEPTEMBER                              | NOVEMBER                | 134,059   | 97,160    | 106,938   | \$ 106,441   | 114,084   | 119,394   | 148,033   | 149,725   |
| OCTOBER                                | DECEMBER                | 128,139   | 74,526    | 85,724    | \$ 85,001    | 93,729    | 99,139    | 119,562   | 120,511   |
| NOVEMBER                               | JANUARY                 | 118,278   | 75,375    | 80,897    | \$ 86,133    | 91,079    | 92,381    | 109,862   | 108,103   |
| DECEMBER                               | FEBRUARY                | 146,434   | 96,298    | 120,034   | \$ 120,338   | 121,444   | 133,265   | 147,853   | 145,156   |
| JANUARY                                | MARCH                   | 101,087   | 72,740    | 73,132    | \$ 83,391    | 83,926    | 93,906    | 106,330   | 101,430   |
| FEBRUARY                               | APRIL                   | 101,860   | 72,550    | 72,002    | \$ 90,348    | 94,535    | 96,345    | 113,852   | 112,599   |
| MARCH                                  | MAY                     | 120,755   | 106,538   | 111,326   | \$ 126,183   | 118,964   | 135,024   | 140,828   | 142,354   |
| APRIL                                  | JUNE                    | 96,023    | 83,877    | 82,698    | \$ 95,591    | 100,456   | 113,739   | 116,123   | 104,961   |
| MAY                                    | JULY                    | 94,426    | 78,745    | 79,889    | \$ 101,797   | 103,080   | 129,549   | 110,049   | 101,897   |
| JUNE                                   | AUGUST                  | 113,557   | 110,237   | 116,504   | \$ 120,043   | 122,602   | 141,380   | 140,858   | 132,394   |
| JULY                                   | SEPTEMBER               | 75,248    | 79,339    | 85,237    | \$ 88,084    | 98,996    | 114,067   | 125,934   | 101,024   |
| TOTAL                                  |                         | 1,341,134 | 1,023,683 | 1,101,880 | \$ 1,187,421 | 1,235,042 | 1,382,200 | 1,496,233 | 1,441,872 |
| Average Monthly Sales Tax:             |                         | 111,761   | 85,307    | 91,823    | \$ 98,952    | 102,920   | 115,183   | 124,686   | 120,156   |
| Annual % Change Over the Previous Year |                         | 0.11      | -23.67%   | 7.64%     | 7.76%        | 4.01%     | 11.92%    | 8.25%     | -3.63%    |

| Sales Month                            | Check<br>Received Month | 2016-2017 | 2017-2018 | 2018-2019 | 2019-2020    | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024      |
|--|-------------------------|-----------|-----------|-----------|--------------|-----------|-----------|-----------|----------------|
| AUGUST                                 | <b>OCTOBER</b>          | 108,069   | 99,446    | 113,001   | \$ 94,789    | 119,769   | 136,754   | 163,729   | 172,110        |
| SEPTEMBER                              | NOVEMBER                | 132,067   | 124,141   | 138,028   | \$ 142,246   | 141,434   | 177,944   | 208,295   | <b>210,169</b> |
| OCTOBER                                | DECEMBER                | 100,965   | 95,324    | 114,866   | \$ 113,405   | 113,333   | 143,064   | 167,491   |                |
| NOVEMBER                               | JANUARY                 | 96,254    | 100,353   | 110,701   | \$ 110,843   | 112,738   | 145,911   | 168,489   |                |
| DECEMBER                               | FEBRUARY                | 123,378   | 147,969   | 139,736   | \$ 141,342   | 161,211   | 185,516   | 227,918   |                |
| JANUARY                                | MARCH                   | 101,565   | 97,139    | 105,806   | \$ 113,262   | 116,200   | 140,154   | 138,614   |                |
| FEBRUARY                               | APRIL                   | 97,772    | 102,039   | 102,197   | \$ 106,063   | 99,301    | 127,489   | 169,500   |                |
| MARCH                                  | MAY                     | 151,778   | 148,855   | 141,682   | \$ 147,519   | 168,499   | 230,335   | 229,210   |                |
| APRIL                                  | JUNE                    | 99,509    | 128,332   | 111,569   | \$ 130,329   | 143,875   | 157,730   | 180,538   |                |
| MAY                                    | JULY                    | 98,978    | 111,018   | 118,162   | \$ 150,050   | 147,755   | 155,829   | 206,674   |                |
| JUNE                                   | AUGUST                  | 111,408   | 141,389   | 135,709   | \$ 169,353   | 168,612   | 192,135   | 235,730   |                |
| JULY                                   | SEPTEMBER               | 93,383    | 114,001   | 124,498   | \$ 115,717   | 139,587   | 161,760   | 178,760   |                |
| TOTAL                                  |                         | 1,315,126 | 1,410,006 | 1,455,955 | \$ 1,534,918 | 1,632,314 | 1,954,621 | 2,274,948 | 382,279        |
| Average Monthly Sales Tax:             |                         | 109,594   | 117,501   | 121,330   | \$ 127,910   | 136,026   | 162,885   | 189,579   | 191,140        |
| Annual % Change Over the Previous Year |                         | -0.09     | 7.21%     | 3.26%     | 5.42%        | 6.35%     | 19.75%    | 16.39%    | -83.20%        |

## HEDCO SALES TAX RECEIPTS HISTORY

| Sales Month                            | Check<br>Received Month | 1992-1993 | 1993-1994 | 1994-1995 | 1995-1996 | 1996-1997 | 1997-1998 | 1998-1999 | 1999-2000 |
|--|-------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| AUGUST                                 | OCTOBER                 |           | 38,548    | 36,197    | 37,403    | 43,615    | 43,743    | 45,133    | 43,378    |
| SEPTEMBER                              | NOVEMBER                |           | 58,170    | 59,062    | 53,862    | 54,472    | 61,268    | 67,745    | 60,108    |
| OCTOBER                                | DECEMBER                | 26,898    | 34,289    | 33,121    | 31,637    | 45,934    | 44,271    | 46,166    | 55,469    |
| NOVEMBER                               | JANUARY                 | 34,466    | 40,048    | 50,644    | 35,998    | 36,900    | 39,058    | 40,237    | 44,788    |
| DECEMBER                               | FEBRUARY                | 66,400    | 65,598    | 63,055    | 57,486    | 67,599    | 72,385    | 79,705    | 65,828    |
| JANUARY                                | MARCH                   | 32,279    | 31,172    | 33,161    | 35,558    | 42,066    | 37,413    | 38,909    | 47,912    |
| FEBRUARY                               | APRIL                   | 30,617    | 34,455    | 33,221    | 45,104    | 40,731    | 40,610    | 45,303    | 46,995    |
| MARCH                                  | MAY                     | 55,433    | 52,448    | 53,933    | 54,102    | 57,676    | 61,795    | 66,026    | 65,237    |
| APRIL                                  | JUNE                    | 35,656    | 36,285    | 35,147    | 40,376    | 42,114    | 50,487    | 48,953    | 46,288    |
| MAY                                    | JULY                    | 35,704    | 35,612    | 37,804    | 38,755    | 42,613    | 44,454    | 48,043    | 50,643    |
| JUNE                                   | AUGUST                  | 56,455    | 60,479    | 57,700    | 61,328    | 60,099    | 68,203    | 60,864    | 65,906    |
| JULY                                   | SEPTEMBER               | 35,503    | 33,121    | 36,831    | 49,029    | 49,767    | 48,094    | 45,344    | 49,843    |
| TOTAL                                  |                         | 409,411   | 520,225   | 529,876   | 540,638   | 583,586   | 611,781   | 632,428   | 642,395   |
| Average Monthly Sales Tax:             |                         | 40,941    | 43,352    | 44,156    | 45,053    | 48,632    | 50,982    | 52,702    | 53,533    |
| Annual % Change Over the Previous Year |                         |           | 27.07%    | 1.86%     | 2.03%     | 7.94%     | 4.83%     | 3.37%     | 1.58%     |

| Sales Month                            | Check<br>Received Month | 2000-2001 | 2001-2002 | 2002-2003 | 2003-2004  | 2004-2005 | 2005-2006 | 2006-2007 | 2007-2008 |
|--|-------------------------|-----------|-----------|-----------|------------|-----------|-----------|-----------|-----------|
| AUGUST                                 | OCTOBER                 | 49,572    | 58,284    | 48,837    | 56,577     | 54,801    | 82,519    | 85,356    | 87,078    |
| SEPTEMBER                              | NOVEMBER                | 59,757    | 73,834    | 64,109    | 70,315     | 72,264    | 80,573    | 100,384   | 121,188   |
| OCTOBER                                | DECEMBER                | 57,388    | 55,476    | 48,859    | 48,045     | 54,868    | 66,909    | 75,575    | 83,539    |
| NOVEMBER                               | JANUARY                 | 47,961    | 48,417    | 46,007    | 48,377     | 55,768    | 75,685    | 72,105    | 88,099    |
| DECEMBER                               | FEBRUARY                | 73,487    | 81,480    | 64,590    | 76,014     | 81,875    | 102,065   | 111,520   | 141,454   |
| JANUARY                                | MARCH                   | 48,080    | 42,784    | 44,274    | 51,551     | 51,428    | 67,088    | 71,346    | 57,698    |
| FEBRUARY                               | APRIL                   | 46,582    | 46,678    | 44,678    | 50,425     | 62,545    | 77,568    | 77,833    | 84,927    |
| MARCH                                  | MAY                     | 66,004    | 65,071    | 63,256    | 70,803     | 80,858    | 91,113    | 112,557   | 113,913   |
| APRIL                                  | JUNE                    | 54,487    | 50,901    | 51,519    | 54,893     | 60,060    | 79,527    | 94,809    | 92,131    |
| MAY                                    | JULY                    | 54,980    | 49,222    | 49,936    | 51,277     | 61,354    | 82,635    | 90,307    | 110,175   |
| JUNE                                   | AUGUST                  | 71,779    | 71,920    | 67,805    | 73,543     | 88,459    | 98,619    | 118,741   | 124,099   |
| JULY                                   | SEPTEMBER               | 53,936    | 51,693    | 58,630    | 52,730     | 63,193    | 72,496    | 81,438    | 105,559   |
| TOTAL                                  |                         | 684,013   | 695,760   | 652,500   | \$ 704,550 | 787,473   | 976,797   | 1,091,971 | 1,209,860 |
| Average Monthly Sales Tax:             |                         | 57,001    | 57,980    | 54,375    | \$ 58,713  | 65,623    | 81,400    | 90,998    | 100,822   |
| Annual % Change Over the Previous Year |                         | 6.48%     | 1.72%     | -6.22%    | 7.98%      | 11.77%    | 24.04%    | 11.79%    | 10.80%    |

## HEDCO SALES TAX RECEIPTS HISTORY

| Sales Month                            | Check<br>Received Month | 2008-2009 | 2009-2010 | 2010-2011 | 2011-2012    | 2012-2013 | 2013-2014 | 2014-2015 | 2015-2016 |
|--|-------------------------|-----------|-----------|-----------|--------------|-----------|-----------|-----------|-----------|
| AUGUST                                 | OCTOBER                 | 111,268   | 76,298    | 87,499    | \$ 84,071    | 92,147    | 114,011   | 116,949   | 121,718   |
| SEPTEMBER                              | NOVEMBER                | 134,059   | 97,160    | 106,938   | \$ 106,441   | 114,084   | 119,394   | 148,033   | 149,725   |
| OCTOBER                                | DECEMBER                | 128,139   | 74,526    | 85,724    | \$ 85,001    | 93,729    | 99,139    | 119,562   | 120,511   |
| NOVEMBER                               | JANUARY                 | 118,278   | 75,375    | 80,897    | \$ 86,133    | 91,079    | 92,381    | 109,862   | 108,103   |
| DECEMBER                               | FEBRUARY                | 146,434   | 96,298    | 120,034   | \$ 120,338   | 121,444   | 133,265   | 147,853   | 145,156   |
| JANUARY                                | MARCH                   | 101,087   | 72,740    | 73,132    | \$ 83,391    | 83,926    | 93,906    | 106,330   | 101,430   |
| FEBRUARY                               | APRIL                   | 101,860   | 72,550    | 72,002    | \$ 90,348    | 94,535    | 96,345    | 113,852   | 112,599   |
| MARCH                                  | MAY                     | 120,755   | 106,538   | 111,326   | \$ 126,183   | 118,964   | 135,024   | 140,828   | 142,354   |
| APRIL                                  | JUNE                    | 96,023    | 83,877    | 82,698    | \$ 95,591    | 100,456   | 113,739   | 116,123   | 104,961   |
| MAY                                    | JULY                    | 94,426    | 78,745    | 79,889    | \$ 101,797   | 103,080   | 129,549   | 110,049   | 101,897   |
| JUNE                                   | AUGUST                  | 113,557   | 110,237   | 116,504   | \$ 120,043   | 122,602   | 141,380   | 140,858   | 132,394   |
| JULY                                   | SEPTEMBER               | 75,248    | 79,339    | 85,237    | \$ 88,084    | 98,996    | 114,067   | 125,934   | 101,024   |
| TOTAL                                  |                         | 1,341,134 | 1,023,683 | 1,101,880 | \$ 1,187,421 | 1,235,042 | 1,382,200 | 1,496,233 | 1,441,872 |
| Average Monthly Sales Tax:             |                         | 111,761   | 85,307    | 91,823    | \$ 98,952    | 102,920   | 115,183   | 124,686   | 120,156   |
| Annual % Change Over the Previous Year |                         | 0.11      | -23.67%   | 7.64%     | 7.76%        | 4.01%     | 11.92%    | 8.25%     | -3.63%    |

| Sales Month                            | Check<br>Received Month | 2016-2017 | 2017-2018 | 2018-2019 | 2019-2020    | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024      |
|--|-------------------------|-----------|-----------|-----------|--------------|-----------|-----------|-----------|----------------|
| AUGUST                                 | <b>OCTOBER</b>          | 108,069   | 99,446    | 113,001   | \$ 94,789    | 119,769   | 136,754   | 163,729   | 172,110        |
| SEPTEMBER                              | NOVEMBER                | 132,067   | 124,141   | 138,028   | \$ 142,246   | 141,434   | 177,944   | 208,295   | 210,169        |
| OCTOBER                                | DECEMBER                | 100,965   | 95,324    | 114,866   | \$ 113,405   | 113,333   | 143,064   | 167,491   | 189,000        |
| NOVEMBER                               | JANUARY                 | 96,254    | 100,353   | 110,701   | \$ 110,843   | 112,738   | 145,911   | 168,489   | <b>204,304</b> |
| DECEMBER                               | FEBRUARY                | 123,378   | 147,969   | 139,736   | \$ 141,342   | 161,211   | 185,516   | 227,918   |                |
| JANUARY                                | MARCH                   | 101,565   | 97,139    | 105,806   | \$ 113,262   | 116,200   | 140,154   | 138,614   |                |
| FEBRUARY                               | APRIL                   | 97,772    | 102,039   | 102,197   | \$ 106,063   | 99,301    | 127,489   | 169,500   |                |
| MARCH                                  | MAY                     | 151,778   | 148,855   | 141,682   | \$ 147,519   | 168,499   | 230,335   | 229,210   |                |
| APRIL                                  | JUNE                    | 99,509    | 128,332   | 111,569   | \$ 130,329   | 143,875   | 157,730   | 180,538   |                |
| MAY                                    | JULY                    | 98,978    | 111,018   | 118,162   | \$ 150,050   | 147,755   | 155,829   | 206,674   |                |
| JUNE                                   | AUGUST                  | 111,408   | 141,389   | 135,709   | \$ 169,353   | 168,612   | 192,135   | 235,730   |                |
| JULY                                   | SEPTEMBER               | 93,383    | 114,001   | 124,498   | \$ 115,717   | 139,587   | 161,760   | 178,760   |                |
| TOTAL                                  |                         | 1,315,126 | 1,410,006 | 1,455,955 | \$ 1,534,918 | 1,632,314 | 1,954,621 | 2,274,948 | 775,583        |
| Average Monthly Sales Tax:             |                         | 109,594   | 117,501   | 121,330   | \$ 127,910   | 136,026   | 162,885   | 189,579   | 193,896        |
| Annual % Change Over the Previous Year |                         | -0.09     | 7.21%     | 3.26%     | 5.42%        | 6.35%     | 19.75%    | 16.39%    | -65.91%        |

## CIVIC CENTER/PAVILION MONTHLY REPORT

**DECEMBER**

**2023**

### CIVIC CENTER

#### **Rental**

|                |           |  |
|----------------|-----------|--|
| Entire Hall    | 6         | City EAB, Ramirez Wedding, Church on Purpose, Brooks Wedding, HISD Band Banquet, Manning 75th Party  |
| 1/3 Hall       | 3         | Provalus Christmas Party, DeeLee Smith, McDaniels Party  |
| 2/3 Hall       | 6         | New Life (x5), Production Serv Christmas Party, Provalus (x15), Ramirez Wedding, Brooks Wedding, S Kierce, Rent Buy Christmas Party, R martin, C Gossett |
| Reception Room | 21        |  |
| Board Room     | 10        | New Life (x5), Body Shop Wellness (x2), Ramirez Wedding, Brooks Wedding, Syrup Festival Post-mortem  |
| <b>TOTAL</b>   | <b>46</b> |  |

**FUN FACT: 42 out of 52 Saturdays are already booked for 2024**

### PAVILIONS

#### **Rental**

|                    |          |                |
|--------------------|----------|----------------|
| Yates Park         | 0        |                |
| Fair Park          | 0        |                |
| Lake Forest-Lion   | 0        |                |
| Lake Forest-Mann   | 0        |                |
| Lake Forest-Azalea | 0        |                |
| Lake Forest-Gazebo | 0        |                |
| Lake Forest-Plaza  | 1        | Brooks Wedding |
| <b>TOTAL</b>       | <b>1</b> |                |





**CIVIC CENTER/PAVILION MONTHLY REPORT**

**JANUARY 2024**

**CIVIC CENTER Rental**

|                |    |  |
|----------------|----|--|
| Entire Hall    | 5  | UT Health Leadership Conf., 4-H Youth Food Show,         |
| 1/3 Hall       | 1  | Saldana Graduation Party, Chamber Banquet, Mardi Gras    |
|                |    | GoTrips  |
| 2/3 Hall       | 3  | New Life (x3)  |
|                |    | Provalus (x10), Griffith Party, Main St Board, 7Waters   |
| Reception Room | 15 | Retirement Lunch, Saldana, Utzman                        |
|                |    |  |
| Board Room     | 8  | New Life (x3), Body Shop Wellness (x2), Tourism Meeting, |
|                |    | CC Inc Meeting, C Gossett                                |
| TOTAL          | 32 |  |

**FUN FACT: 50 out of 52 Saturdays are already booked for 2024**

**PAVILIONS Rental**

|                    |   |                 |
|--------------------|---|-----------------|
| Yates Park         | 0 |                 |
| Fair Park          | 0 |                 |
| Lake Forest-Lion   | 2 | Holland, Osteen |
| Lake Forest-Mann   | 0 |                 |
| Lake Forest-Azalea | 0 |                 |
| Lake Forest-Gazebo | 0 |                 |
| Lake Forest-Plaza  | 0 |                 |
| TOTAL              | 2 |                 |







# MONTHLY REPORT

January 2024

January was extremely busy, with our annual self-assessment and report due and the annual Mardi Gras Gumbo Cook-Off just a week later.

## ANNUAL REPORTING

I discovered the reason our Main Street moved from accredited to affiliated in 2023 was because our annual report was submitted late last January. Kaitlin, the Main Street Coordinator, was out on maternity leave at the time. There is no significant difference between being accredited and being affiliated, other than being accredited means the organization has met all the goals and guidelines while being affiliated means the organization is making satisfactory progress toward meeting the goals and guidelines. We will probably not meet accreditation this year, as several new requirements were instituted last year that our organization did not meet in 2023. Board President Leon Harris and I have met several times and are developing a plan to meet each requirement in 2024 so that we will be accredited for 2025.

## MARKETING MAIN STREET

I had a Teams meeting with Maximilian Hall with the Texas Historical Commission and HEDCO Director John Clary on Jan. 30 about updating Henderson's page on Downtowntx.org, a tool provided for all Texas Main Street cities to market vacant space in downtown. As part of that process, I will be compiling a survey of all downtown buildings, whether occupied or vacant, and will be requesting assistance from all property owners to ensure our webpage is thorough and accurate. Once completed, we could apply to be a part of the THC's 2025 Imagine the Possibilities Tour, where the agency organizes visits for investors to downtowns with space available for lease or purchase. More information about the website and tour are available at <https://www.thc.texas.gov/preserve/tourism-and-economic-development/downtowntx>.

## MARDI GRAS GUMBO COOK-OFF

We held our 10<sup>th</sup> annual gumbo cook-off and Mardi Gras party on Jan. 27. Initially conceived as a fun way to draw people downtown, the event moved to the civic center a few years ago to escape a cold front and has stayed indoors since. It appears to have been very well received by participants and actually made a little money this year. We had seven teams competing and received excellent television coverage on CBS19 and KETK. Expenses for the event totaled approximately \$5,500 and revenues totaled approximately \$6,700. The Main Street Board will discuss the future of the event at their February board meeting.

## TOURISM

Stephanie and I attended the Northeast Texas Tourism Council meeting in Lindale on Jan. 11. The focus of that meeting was preparing for upcoming travel shows. I will be working at the Houston Home and Garden Show with a team from NETTC the weekend of Feb. 2 and the Dallas Adventure Show the weekend of March 23.

## MONTHLY OVERVIEW

- January 3 – Visioning and planning meeting – Stephanie Kimbrell and Jay Abercrombie
- 4 – Event planning and workflow meeting – Phedra Johnson
- 8 – New Main Street Managers training series – online
- 9 – Main Street America Transformation Strategy workshop – online
- 10 – KWRD morning show
- 10 – Main Street America Accreditation Platform training – online
- 11 – NETTC meeting – Lindale
- 17 – Imagine the Possibilities network call – online
- 17 – 2050 Comprehensive Plan workshop – City staff, Keep Henderson Beautiful
- 23 – CBS19 Early Morning Show – 6 a.m. in Tyler
- 24 – KWRD morning show
- 26 – Mardi Gras decorating
- 27 – Mardi Gras event
- 29 – Rusk County Historical Commission meeting – Depot Museum
- 30 – DowntownTX.org navigation meeting – online



# MONTHLY REPORT

December 2023

The holiday season is always a race to get everything done before the end of the year, and 2023 was no exception.

## CHRISTMAS PARADE

The annual Downtown Christmas Parade was originally scheduled for Thursday, Nov. 30 but, due to the weather forecast, had to be postponed until Dec. 5. We had more than 80 entries this year and all reports seem to indicate it was a well-received event. Next year, we will schedule the tree lighting for 5:45 p.m. and the parade at 6 p.m. to ensure a timely start.

## MAIN STREET AND PRESERVATION

The Main Street and Preservation boards met December 12 at the civic center. Brooke Dover's board application was reviewed and approved for submission to Council for approval. Committees continue to meet and planning is underway for the annual Mardi Gras celebration. We have been working on the quarterly and annual reports for Main Street.

## MONTHLY OVERVIEW

Dec. 1 – City employee appreciation party

Dec. 5 – Christmas parade

Dec. 7 – Laneville pre-K students spent the morning with Santa in his village on the Square

Dec. 7 – Heritage Syrup Festival post-mortem meeting with city staff and vendors

Dec. 8 – Zoom demonstration of Placer.ai geofencing. *Data indicates approximately 30,000 people attended the Syrup Festival this year.*

Dec. 12 – Main Street/Preservation board meetings

Dec. 19 – Volunteered for First Responders Luncheon at the Jimerson's home.

Dec. 22-Dec. 25 – Office closed







**City of Henderson**

# Monthly Report

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**To:** Mayor and City Council Members

**From:** Cristina Soriano, Juvenile Case Manager

**Date:** January 8, 2024

**Re:** December 2023 Monthly Report

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## **MUNICIPAL COURT**

Fines collected for 2022-2023 year – \$206,229.60 from 8010 transactions

Fines collected for 2021-2022 year- 232,468.44 from 8411 transactions

Fines Collected December 2023 - \$13,647.30 from 532 transactions

Fines Collected December 2022 – \$13,019.20 from 479 transactions

Virtual open Court Cases Scheduled 32 Appeared 12 by virtual and including walk-ins



**City of Henderson**

# Monthly Report

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**To:** Mayor and City Council Members

**From:** Cristina Soriano, Juvenile Case Manager

**Date:** February 7, 2024

**Re:** January 2024 Monthly Report

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## **MUNICIPAL COURT**

Fines collected for 2023-2024 year – \$57,574.20 from 2211 transactions

Fines collected for 2022-2023 year- 48,596.60 from 1901 transactions

Fines Collected January 2024 - \$14,593.80 from 564 transactions

Fines Collected January 2023 – \$11,116.40 from 431 transactions

Virtual open Court Cases Scheduled 46 Appeared 20 by virtual and including walk-ins

The Planning and Zoning Board met on the above date at 9:00 a.m. Members present: Chairman Johnny Walker, Gary Wilson, Chad Boatwright, and Scott Droddy. Members unable to attend William Garmon.

Marlen Villanueva acted as secretary for the board.

Chairman Walker opened the meeting with a prayer.

Chairman Walker called the meeting to order at 9:00 a.m.

No citizens comment.

#### Agenda 3

Chairman Walker asked for a motion regarding the minutes from the meeting held on December 12, 2023. Scott Droddy made a motion to approve the minutes. The motion was duly seconded by Gary Wilson and with a unanimous vote of the Board, the minutes were approved.

#### Agenda 4

Chairman Walker opened a public hearing to consider a request to amend Article 2 of the City of Henderson's Zoning Ordinances by adding a new zoning district that will be known as the Town Home Dwelling District and the developmental standards that are appropriate for this district.

Chairman Johnny Walker turned the meeting over to Billy Hughes, the proposed amendment would create a new zoning district for Town Homes and/or Condominiums, allowing certain residential properties to be rezoned to this new district.

Our staff has already been approached by several builders and property owners interested in building townhomes. If approved, the creation of this new "Town Home" Dwelling District would be the first step toward the direction of residential developments suggested by the newly adopted 2050 Comprehensive Plan. By adding these new multifamily structures to lots that are currently vacant the school district, county and city would see an increase in property taxes as well as the city would receive revenue from utility building.

Each case will come to the Planning and zoning board for approval and recommendation to Council to rezone the property.

Chairman Walker asked if there were any questions or comments from the Board or citizens.

Chairman Walker closed the public hearing.

Gary Wilson made a motion to recommend that the Council approves the adding to the new zoning district; duly seconded by Scott Droddy. The vote was unanimous.

The meeting was adjured at 9:32 a.m.

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Chairman Johnny Walker

**City of Henderson**  
**Main Street Department**  
1500 Lake Forest Parkway  
Henderson, Texas 75652



**Telephone:** 903-392-8232  
**Fax:** 903-657-7327  
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**MINUTES**  
**HENDERSON MAIN STREET ADVISORY BOARD MEETING**  
Tuesday, January 9, 2024–12:15pm, Henderson Civic Center Rec. Rm.  
1500 Lake Forest Parkway, Henderson, Texas 75652

**Board Members Attending:**

|                 |                  |
|-----------------|------------------|
| Brant Bane      | Brooke Dover     |
| Michael Loosier | Kelly Bumgardner |
| Bonnie Geddie   | Misty Evans      |
| Leon Harris     |                  |

**Ex-Officio Members Attending:**

|                                     |  |
|-------------------------------------|--|
| Alexa Duke, Tourism/Main St. Coord. | Stephanie Kimbrell, Civic Center Manager |
| Billy Hughes, Community Development | Dennis Williams, Community Development   |

Called to order by President Leon Harris at 12:15 p.m.

1. Citizen Presentation -- none
2. Downtown Association Report -- none
3. Consider and act upon: November 28 and December 12, 2023 Minutes – Loosier moved and Bumgardner seconded to approved as presented. Motion carried.
4. Consider and act upon: November and December 2023 Financials – November financials were tabled. December financials were considered but the motion to approve and vote were inadvertently omitted. Both months' financials will be presented at the February meeting.
5. Consider and act upon: 113 S. Main sign grant application – tabled due to lack of full documentation.
6. Workshop: annual self-assessment –Harris pointed out this year's assessment is much more in-depth than previous years and that the requirements to achieve accreditation are much more involved than anything the Main Street Board has had to do in the past. Members reviewed some of the assessment questions and the grading scale. After considerable discussion about Main Street's online presence, Alexa will meet with the City's marketing manager to clarify how and where we can amplify our presence on the internet and try to set up a meeting with her and the promotion committee. In order to be considerate of everyone's time, Harris suggested that each board member review each of the questions and consider specific actions to be taken to meet accreditation requirements next year and that he and Duke meet to complete the 2024 self-assessment to ensure timely submission. Each board meeting in future will include discussion and action on a section of the self-assessment.
7. Committee Reports:
  - a. Organization – Committee has been gathering information from other cities but no report has been compiled.

- b. Economic Restructuring – Bumgardner requested copies of sign and façade applications for the owners of the old pawn shop on South Main. She also asked how to pursue repairs on buildings with broken windows and other derelict conditions. Hughes replied that letters could be sent, but there's not a lot the board could do.
  - c. Promotion & Design – Will meet after the board meeting to discuss the upcoming Mardi Gras event. Bane reported he has met with someone about replacing the lights on the buildings downtown. Lights designed for year-round use are much more costly than regular light strings similar to what we have, so Bane is working toward getting bids for color-changing programmable lights installed in phases and synced to one controller. He would like to have numbers in place to present to Council as part of the annual budgeting process.
- 8. Main St. Coordinator Report – Sponsors are needed for Mardi Gras. There was some discussion about either moving the event back downtown or changing it to more of a fundraiser. We had a request from a politician who wanted to pay the registration fee for a booth but not cook, just use the booth for promotion. General consensus was not to allow that, that booths must have cooking teams. Several members will work on securing sponsors and prizes for King Cupcakes.
  - 9. President's Report – He has been meeting fairly regularly with Duke.
  - 10. Adjourn – Geddie made the motion, Bane seconded, to adjourn. Carried unanimously.

**Submitted by:**



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Alexa Duke, Tourism & Main Street Coordinator



**MINUTES**  
**HENDERSON MAIN STREET ADVISORY BOARD**  
**Tuesday, December 12, 2023 at 12:30 pm**  
**Henderson Civic Center**  
**1500 Lake Forest Parkway**  
**Henderson, Texas 75652**

Committee Members Present:

Leon Harris, President  
Misty Evans  
Michael Loosier

Kelly Bumgardner, Vice President  
Bonnie Geddie

Committee Members Absent:

Brant Bane

Ex-Officio Members Present:

Alexa Duke, Main Street Coordinator      Stephanie Kimbrell, Civic Center Manager

Others in Attendance:

None

Ex-Officio Members Absent:

Jay Abercrombie, City Manager  
John Fullen, City Mayor  
Billy Hughes, Planning and Zoning Coordinator  
Downtown Representative

Cheryl Jimerson, City Secretary  
Kirk Kimbrell, Public Services Director  
Cliff McElfresh, Community Development

1. Called to order by Leon Harris
2. Citizen presentation – none
3. Board Application from Brooke Dover was reviewed and, upon a motion from Bonnie Geddie and second from Kelly Bumgardner, was unanimously approved for presentation to Council.
4. Committee Reports:
  - a. Organization – No report
  - b. Economic Revitalization -- Better Half Antiques has moved forward with awning replacement and removal of broken wood on the facade. The committee will present paint options to Rusty Phenix for his extension office and will provide him with façade and sign grant applications to be completed.
  - c. Promotion & Design – Committee has added moving forward with the mural project to their goals list and will look into additional Christmas lighting and decoration elements over Alley on Main and Heritage Square.
5. Upon a motion from Bonnie Geddie, seconded by Kelly Bumgardner, and unanimously approved, the meeting was adjourned.

Submitted by: Alexa Duke, Main Street Coordinator



## **MINUTES – REGULAR MEETING**

### **HENDERSON HISTORIC LANDMARK PRESERVATION COMMITTEE**

**Tuesday, January 9, 2024 at 12:00pm  
Henderson Civic Center Reception Room  
1500 Lake Forest Parkway  
Henderson, Texas 75652**

#### **Committee Members Attending:**

Brant Bane  
Kelly Bumgardner  
Brooke Dover  
Misty Evans  
Bonnie Geddie  
Leon Harris  
Michael Loosier

#### **Ex-Officio Members Attending:**

Alexa Duke, Main Street Coordinator  
Stephanie Kimbrell, Civic Center Manager

1. Called to Order by President Leon Harris at noon.
2. Citizen Presentation -- none
3. Consider and act upon October 24, 2023 Minutes – Tabled due to an error on the agenda (the wrong date was used. The meeting was held Oct. 10). No changes or corrections to be made.
4. Consider and act upon: Façade/Sign Modification Application – 126 W. Main St. – The application specified three signs, which Kelly Bumgardner pointed out that is against the current ordinance. After some discussion, it was decided Brooke Arrington, owner, will apply for a variance from the Board of Adjustments to include the third sign. Geddie made a motion to approve the request as written pending approval from the Board of Adjustments for a third sign, as well as adding an address to the curb structure. Should the variance not be granted, two signs facing Van Buren and West Main streets are approved. The motion was seconded by Bane and carried unanimously.
5. Geddie moved and Bane seconded to adjourn. Motion carried unanimously.

**Submitted by**

A handwritten signature in black ink, appearing to read "A Duke", is written over a horizontal line.

Alexa Duke  
Tourism & Main Street Coordinator