



NOTICE OF THE CITY COUNCIL - REGULAR MEETING

The City Council for the City of Simonton, Texas, will hold its City Council - Regular Meeting on November 19, 2024 at 6:30 PM at the Fort Bend County Emergency Services District #4 (ESD#4)/ Fulshear-Simonton Fire Department at 33301 FM 1093, Fulshear, TX 77441, for the purpose of considering the following:

1. Call to Order

2. Invocation and Pledge

3. Public Comments

In accordance with Texas Open Meetings Act and Texas Government Code 551.007, City Council may not discuss or take action on any item NOT listed on the Agenda. Each member of the public wishing to speak must sign in prior to the meeting and is limited to 3 minutes.

In accordance with the City Council's Adopted Resolution 2023-01, Conduct of Meeting for Council and Public Comments, all attendees are respectfully reminded of the City Council's commitment to decorum and mutual respect.

4. Consider and take action on the Consent Agenda

Items listed under the Consent Agenda are considered routine and are generally enacted in one motion. The exception to this rule occurs when a Council Member requests one or more items removed from the Consent Agenda for separate discussion and action.

a. Draft City Council Meeting Minutes of October 22, 2024 Regular Meeting.

5. New Business

a. Discuss and take action regarding Resolution 2024-09: A Resolution of the City Council of the City of Simonton, Texas, Adopting a Covered Applications and Prohibited Technology Policy as Required by Texas Senate Bill 1893 of the 88th Legislature.

b. Discuss and take action regarding Resolution 2024-10: Proclamation to Honor Chief Gilbert "Here" Meier, Jr. as community servant and protector of the City of Simonton.

6. Adjourn to Executive Session

Section 551.071 - Consultation with Legal Counsel

7. Reconvene to Open Session

8. Consider and take action resulting from Executive Session.

9. Reports

a. *EDC A Board and EDC B Board Updates*

b. *Keep Simonton Beautiful Updates*

c. *Mayor*

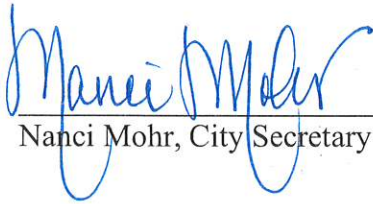
d. *City Attorney*

- e. City Staff
- f. City Council

10. Schedule Next City Council Meeting

11. Adjournment

I, the undersigned, City Secretary of the City of Simonton, do hereby certify that on November 15, 2024 I posted a true and correct copy of the above and following notice of the Regular Meeting of the City of Simonton Council to be held on November 19, 2024 at 6:30 PM at the Fort Bend County Emergency Services District #4 (ESD#4)/ Fulshear-Simonton Fire Department at 33301 FM 1093, Fulshear, TX 77441, which posting was done not less than seventy-two (72) hours prior to the date fixed for said meeting.



Nanci Mohr, City Secretary



The City Council may hold an Open or Closed meeting by telephone conference call if an emergency or public necessity exists within the meaning of Section 551.045 of the Open Meetings Act, and the convening at one location of a quorum of the City Council is difficult or impossible.

The City Council may convene into executive session on any matter related to any of the above agenda items for a purpose, such a closed session is allowed under Chapter 551, Texas Government Code.

Reasonable accommodation for persons with disabilities attending this meeting will be available. Persons with disabilities in need of special assistance at the meeting should please contact the City Secretary at 281-533-9809. Agendas are posted on the City Website at <http://simontontexas.gov>.

Minutes

City Council – Regular City Council Meeting

CITY OF SIMONTON

October 22, 2024

This is a true and correct copy of the Minutes of the City Council – Regular Meeting of the Simonton City Council held on October 22, 2024 at 6:30 p.m.

1. **Call to Order at 6:32 p.m.**

A quorum was present with the following City Council Members in attendance:
Kelli Carlson, Laurie Boudreaux, Courtney Cox, Faith Haley, Justin Boudreau and Burns Turner

City Staff present:

City Secretary Nanci Mohr
Olson and Olson Attorney Philip Boedeker

Public Present:

Dan McJunkin, Oscar Lopez, Paul “Dub” Sabrsula, Ryan Nance and Barabara Minton.

2. **Invocation and Pledge**

Mayor Boudreaux gave the invocation.
Mayor Boudreaux led the assembly in the Pledge of Allegiance.

3. **Public Comments**

1. Mr. Jeff Moseley of Mosely Advisors spoke on behalf of the owner of the 19-acre tract at 34140 FM 1093 and the owner’s proposed usage of same.
2. Ryan Nance, 1606 Wagon stated that he has issues with Texas Pride trash service.

4. **Consider and take action on the Consent Agenda**

Items listed under the Consent Agenda are considered routine and are generally enacted in one motion. The exception to this rule occurs when a Council Member requests one or more items removed from the Consent Agenda for separate discussion and action.

- a. Draft City Council Meeting Minutes of September 24, 2024 Regular Meeting.

Discussion regarding content and preparation of September 24, 2024 Meeting Minutes.

Motion by Council Member Kelli Carlson to approve September 24, 2024 Meeting Minutes. Motion seconded by Council Member Justin Boudreaux.

Ayes: Three (Carlson, Boudreau and Turner)

Noes: Two (Cox and Haley)

Present and not voting except in the event of a tie: Mayor Boudreaux.

Motion passed.

- b. Draft City Council Meeting Minutes of October 1, 2024 Special Session Meeting.

Motion by Council Member Kelli Carlson to approve October 1, 2024 Meeting Minutes. Motion seconded by Council Member Justin Boudreaux.

Ayes: Three (Carlson, Boudreau and Turner)

Noes: Two (Cox and Haley)

Present and not voting except in the event of a tie: Mayor Boudreaux.

Motion passed.

- c. Council Report, August 2024.

Discussion regarding Ardurra Group and credit card bills. Council Member Courtney Cox asked if budget adjustment needs to be ratified for August; City Attorney Philip Boedeker stated that we will have ongoing adjustments.

Motion by Council Member/Pro Tem Courtney Cox to table (c) Council Report. Motion seconded by Council Member Faith Haley.

Ayes: Two (Cox and Haley)

Noes: Three (Carlson, Boudreau and Turner)

Present and not voting except in the event of a tie: Mayor Boudreaux.

Motion failed.

Motion by Council Member Justin Boudreaux to approve (c) Council Report. Motion seconded by Council Member Kelli Carlson.

Ayes: Three (Carlson, Boudreau and Turner)

Noes: Two (Cox and Haley)

Present and not voting except in the event of a tie: Mayor Boudreaux.

Motion passed.

- d. Payment Report, August 2024.

Motion by Council Member Justin Boudreaux to approve (d) Payment Report. Motion seconded by Council Member Kelli Carlson.

Ayes: Three (Carlson, Boudreau and Turner)
Noes: Two (Cox and Haley)
Present and not voting except in the event of a tie: Mayor Boudreaux.
Motion passed.

- e. Year-to-Date Revenue and Expense Report.

Motion by Council Member Justin Boudreaux to approve (e) Year-to-Date Revenue and Expense Report. Motion seconded by Council Member Burns Turner.

Ayes: Three (Carlson, Boudreau and Turner)
Noes: Two (Cox and Haley)
Present and not voting except in the event of a tie: Mayor Boudreaux.
Motion passed.

5. New Business

- a. Revenue Management Services Presentation by Ryan Fortner.

Ryan Fortner provided a report regarding sales tax, e-commerce and upward trends. Community Member Dub Sabrsula questioned how sales tax is applied if addresses are listed incorrectly. Mr. Fortner stated that Amazon provides documentation for a lump area and turns those numbers in to the Comptroller of Public Accounts. Mr. Fortner would like to meet with City Council in December or January for a year-end recap.

- b. Receive report from Texas Pride.

Community Member Dan McJunkin, 1234 Pony Lane read the results of a Survey Monkey report shown on his website.

Community Member Ryan Nance, 1606 Wagon Road stated he had spoken with the Texas Pride representative and believed his trash issues could be resolved.

Clay Cox, Texas Pride Houston Market General Manager stated that he believes trash issues can be resolved and that Facebook is not the place to resolve the issues.

Council Member Courtney Cox stated that the problems with trash service started with the inception of the Texas Pride sticker program.

- c. Discuss and take action regarding Impress Computers October 2024 Hardware Lifecycle Report.

Mayor Boudreaux provided a report regarding computer expirations and old hardware.

- d. Discuss and take action regarding Peacock Engagement Agreement.

Mayor Boudreaux stated that Peacock specializes in software like Fundview.

Motion by Council Member/Pro Tem Courtney Cox to table Peacock Engagement Agreement until after Executive Session. Motion seconded by Council Member Faith Haley.

Ayes: Two (Cox and Haley)

Noes: Three (Carlson, Boudreau and Turner)

Present and not voting except in the event of a tie: Mayor Boudreaux.

Motion failed.

Motion by Council Member Burns Turner to enter into an agreement with Peacock. Motion seconded by Council Member Justin Boudreau.

Ayes: Three (Carlson, Boudreau and Turner)

Noes: Two (Cox and Haley)

Present and not voting except in the event of a tie: Mayor Boudreaux.

Motion passed.

- e. FY 2025 Budget Adjustment: discuss and take action regarding Ordinance No. 2024-10 An Ordinance Amending the Budget of the City of Simonton, Texas for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; Containing Findings and Provisions Relating to the Subject and Declaring an Emergency.

Motion by Council Member Justin Boudreau to approve transfers from technology to internet and phone categories. Motion seconded by Council Member Burns Turner.

Ayes: Five (Carlson, Boudreau, Turner, Cox and Haley)

Noes: None

Present and not voting except in the event of a tie: Mayor Boudreaux.

Motion passed unanimously.

Discussion regarding budget adjustments, including funding EDCs and EDCs splitting funds towards zoning.

Motion by Council Member Justin Boudreaux to approve budget adjustments. Motion seconded by Council Member Burns Turner.

Ayes: Four (Carlson, Boudreau, Turner and Haley)

Noes: One (Cox)

Present and not voting except in the event of a tie: Mayor Boudreaux.

Motion passed.

FOR THE FULL DISCUSSION PLEASE GO TO THE CITY'S FACEBOOK PAGE TO VIEW THE VIDEO.

- f. Discuss and take action regarding Ordinance No. 2024-09 An Ordinance Amending Ordinance Number 010116, City of Simonton, Fort Bend County; Providing for an Increase in Registration and Related Fees; Providing an Effective Date; Providing a Severability Clause; Providing for Posting and Publishing.

Motion by Council Member Kelli Carlson to approve (f) Ordinance 2024-09.
Motion seconded by Council Member Justin Boudreau.

Ayes: Five (Carlson, Boudreau, Turner, Co and Haley)

Noes: None

Present and not voting except in the event of a tie: Mayor Boudreaux.

Motion passed.

6. Adjourn to Executive Session at 8:43 p.m.
Section 551.071 - Consultation with Legal Counsel

7. Reconvene to Open Session at 9:03 p.m.

8. Consider and take action resulting from Executive Session.

None.

9. Reports

- a. *EDC A Board and EDC B Board Updates - none*
b. *Keep Simonton Beautiful Updates - none*
c. *Mayor -- Mayor Boudreaux stated that construction at City Hall is progressing*
d. *City Attorney - none*
e. *City Staff - none*
f. *City Council - none*

10. **Next City Council Meeting is on November 19, 2024 at 6:30 p.m.**

11. **Adjournment**

Mayor Boudreaux adjourned the City Council Meeting at 9:05 p.m. without objection.

Respectfully submitted,

Mayor Laurie Boudreaux

Nanci Mohr, City Secretary



DRAFT

RESOLUTION NO. 2024-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIMONTON, TEXAS, ADOPTING A COVERED APPLICATIONS AND PROHIBITED TECHNOLOGY POLICY AS REQUIRED BY TEXAS SENATE BILL 1893 OF THE 88th LEGISLATURE.

WHEREAS, the City Council (the “Council”) of the City of Simonton, Texas (the “City”) understands that the City is a “political subdivision” of the State of Texas for the purposes of Senate Bill 1893 of the 88th Texas Legislature (the “Bill”); and

WHEREAS, the Council intends to satisfy the requirement of the Bill that the City adopt a policy regarding the use of Tik-Tok by City employees; and

WHEREAS, the Council finds that the policy attached to this Resolution as “Exhibit A” (the “Policy”) satisfies the requirements of the Bill and desires to adopt the Policy; and, **NOW, THEREFORE**,

THE CITY COUNCIL OF THE CITY OF SIMONTON, TEXAS RESOLVES:

Section 1. THAT the Recitals and Exhibits to this Resolution are true and correct and are incorporated herein for all intents and purposes.

Section 2. THAT the Policy attached to this Resolution as “Exhibit A” be adopted by the City.

Section 3. THAT the City Secretary is hereby authorized and directed to keep a copy of the Policy in the office of the City Secretary and to make the Policy available upon request.

PASSED, APPROVED, and RESOLVED this 19th day of November, 2024.

FOR THE CITY OF SIMONTON:

LAURIE BOUDREAUX, MAYOR

ATTEST:

NANCI MOHR, CITY SECRETARY

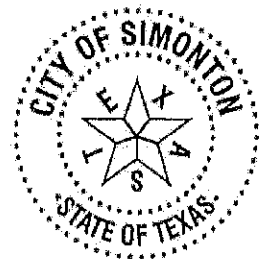


EXHIBIT A – Covered Applications and Prohibited Technology Policy



City of Simonton

**Covered Applications and Prohibited
Technology Policy**

November 2024

1.0 INTRODUCTION

On December 7, 2022, Governor Greg Abbott required all state agencies to ban the video-sharing application TikTok from all state-owned and state-issued devices and networks over the Chinese Communist Party's ability to use the application for surveilling Texans. Governor Abbott also directed the Texas Department of Public Safety (DPS) and the Texas Department of Information Resources (DIR) to develop a plan providing state agencies guidance on managing personal devices used to conduct state business. Following the issuance of the Governor's directive, the 88th Texas Legislature passed [Senate Bill 1893](#), which prohibits the use of covered applications on governmental entity devices.

As required by the Governor's directive and Senate Bill 1893, this model policy establishes a template that entities subject to the directive or bill may mimic to prohibit the installation or use of covered applications or prohibited technologies on applicable devices.

2.0 COVERED APPLICATIONS POLICY FOR THE CITY OF SIMONTON

2.1 SCOPE AND DEFINITIONS

Pursuant to Senate Bill 1893, any political subdivision of this state, including a municipality, county, or special purpose district, must establish a covered applications policy.

Therefore, this policy applies to all **City of Simonton (the "City")** full- and part-time employees, contractors, paid or unpaid interns, and other users of City networks. All City employees are responsible for complying with this policy.

A covered application is:

- The social media service TikTok or any successor application or service developed or provided by ByteDance Limited, or an entity owned by ByteDance Limited.
- A social media application or service specified by proclamation of the Governor under Government Code Section 620.005.

2.2 COVERED APPLICATIONS ON CITY-OWNED OR LEASED DEVICES

Except where approved exceptions apply, the use or installation of covered applications is prohibited on all City-owned or -leased devices, including cell phones, tablets, desktop and laptop computers, and other internet-capable devices.

The City will identify, track, and manage all City-owned or -leased devices including mobile phones, tablets, laptops, desktop computers, or any other internet-capable devices to:

- a. Prohibit the installation of a covered application.
- b. Prohibit the use of a covered application.
- c. Remove a covered application from a City-owned or -leased device that was on the device prior to the passage of S.B. 1893 (88th Leg, R.S.).
- d. Remove an application from a City-owned or -leased device if the Governor issues a proclamation identifying it as a covered application.

The City will manage all City-owned or leased mobile devices by maintaining the ability to implement the security measures listed below as applicable:

- a. Restrict access to "app stores" or unauthorized software repositories to prevent the installation of unauthorized applications;
- b. Maintain the ability to remotely wipe non-compliant or compromised mobile devices;
- c. Maintain the ability to remotely uninstall unauthorized software from mobile devices; or
- d. Other City-implemented security measures as needed.

2.3 ONGOING AND EMERGING TECHNOLOGY THREATS

To provide protection against ongoing and emerging technological threats to the City's sensitive information and critical infrastructure, DPS and DIR will regularly monitor and evaluate additional social media applications or services that pose a risk to this state. DIR will annually submit to the Governor a list of social media applications and services identified as posing a risk to Texas. The Governor may proclaim items on this list as covered applications that are subject to this policy. If the Governor identifies an item on the DIR-posted list described by this section, then the City will remove and prohibit the covered application. The City may also prohibit social media applications or services in addition to those specified by proclamation of the Governor.

2.4 BRING YOUR OWN DEVICE POLICY

If the City adopts, or has adopted, a “Bring Your Own Device” (BYOD) program, then the City may consider prohibiting the installation or operation of covered applications on employee-owned devices that are used to conduct City business.

2.5 COVERED APPLICATION EXCEPTIONS

The City may permit exceptions authorizing the installation and use of a covered application on a City-owned or -leased device consistent with the authority provided by Government Code Chapter 620. Government Code Section 620.004 only allows the City to install and use a covered application on an applicable device to the extent necessary:

- (1) For providing law enforcement; or
- (2) For developing or implementing information security measures.

If the City authorizes an exception allowing for the installation and use of a covered application, then the City must use measures to mitigate the risks posed to the State during the application’s use including any measures that the City deems appropriate and reasonable to support the purpose of this policy.

The City shall document whichever measures it took to mitigate the risks posed to the State during the use of the covered application. The City requires any employee or official to consult with its attorney prior to seeking an exception to installing an application covered by this policy.

2.6 BRING YOUR OWN DEVICE POLICY IF THE CITY IS NOT SUBJECT TO THE GOVERNOR’S PROHIBITED TECHNOLOGY DIRECTIVE

If the City is deemed to not be subject to the Governor’s prohibited technology directive but is subject to Senate Bill 1893, then the City may prohibit the installation or operation of prohibited technologies and covered applications on employee-owned devices that are used to conduct City business. If the City adopts, or has adopted, a “Bring Your Own Device” (BYOD) program, then the City shall institute a “Bring Your Own Device” (BYOD) policy requiring the enrollment of these personal devices in the City’s program before their continued use in conducting City business.

3.0 POLICY COMPLIANCE

The City will verify compliance with this policy through various methods, including but not limited to, IT/security system reports and feedback to leadership. An employee found to have violated this policy may be subject to disciplinary action, including termination of employment.

4.0 POLICY REVIEW

This policy will be reviewed annually and updated as necessary to reflect changes in state law, additions to applications identified under Government Code Section 620.006, updates to the prohibited technology list posted to DIR's website, or to suit the needs of the City.
