



## MEMORANDUM

**TO:** City Council of Montgomery, Texas

**FROM:** Johnson Petrov LLP

**DATE:** April 26, 2024

**RE:** Crime Control and Prevention District ("CCPD")

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### **What is a Crime Control & Prevention District:**

- A CCPD is a special district allowed under Chapter 363 of the Texas Local Government Code to help support crime control and prevention programs, operational expenses, and related capital purchases for Police. The sales tax revenue generated by the district could be utilized to fund enhancements in technology and specialized services that otherwise cannot be accommodated in the current budget.
- Must be approved by the voters in Montgomery through an election. The district would collect a ¼ cent sales tax on sales within the City that is currently dedicated to MEDC. This means the current MEDC sales tax collection will be reduced from ½ cent to ¼ cent.
- A CCPD supports crime control and prevention programs, public safety operational expenses, and related capital purchases. These monies could be utilized to invest in policing technology, equipment, personnel, and specialized divisions.
- To be funded, voters must reallocate a portion of the current sales tax dedicated to MEDC and redirect those funds to Police. Current state law requires the district to be reauthorized by the voters after a period of 5 years, at which time voters will have to reauthorize the sales tax allocation to the respective services.
- It is important to note that this is **not** a tax increase of any kind. The sales tax rate will remain the same regardless of the election outcome; the only change would be that there would be a lesser dedicated sales tax for the MEDC.

### **Possible Goals of the Program:**

- Maintain low response times for emergency calls for service and improve response times to other calls for service as population growth and increased economic growth lead to increased traffic on our roadways.

- Increased police officer visibility in neighborhoods, shopping areas, and our park system.
- Maintain and update technology to improve efficiency, effectiveness and enhanced crime fighting and investigative abilities.
- Promote collaboration and increase trust with citizens.
- Demonstrate proactive, progressive and preventative policing at all levels of the organization.
- Increased police officer visibility in neighborhoods, shopping areas, and our park system by implementing geographical policing strategies.
- Officers can be assigned to a geographical area within Montgomery to increase their visibility in the neighborhoods.
- Maintain and update technology to improve efficiency, effectiveness and enhanced crime fighting and investigative abilities.
- Demonstrate proactive, progressive, and preventative policing at all levels of the organization including establishing new crime prevention programs.

**What can be funded:**

- Personnel - (salaries, benefits, training, uniforms and equipment) will be added across the organization.
- Patrol officers (traffic officers)
- Detectives (example: narcotics detectives and specialized positions)
- Telecommunicators
- Equipment - will be added across the organization, to help offset costs to the General Fund: all Motorola Radio and GMRS Fees, NCT 911 Fees, up-to-date investigative equipment and tools, up-to-date patrol equipment and resources: specialized equipment for special assignments (bicycle, drone, etc...), Traffic enforcement equipment, Traffic safety equipment and Officer safety equipment.
- Fleet needs - the plan recommends a new vehicle and vehicle replacement plan for all areas of the department: new and replacement patrol vehicles, new traffic vehicles and their replacements, the fleet plan is meant to lessen the burden on the General Fund by taking on the expenses of adding additional positions which require more vehicles throughout the organization.

**Creation of District and Temporary Board:**

- City Council may create a district composed of all or part of the political subdivision governed by that body.
- City Council appoints seven persons that reside in the proposed district to serve as temporary directors of the district.

**Election Required:**

- A district proposed by City Council may be created and a tax may be authorized only if the creation and the tax are approved by a majority of the qualified voters of the proposed district voting at an election called and held for that purpose.

**Sales Tax Rate: Rate, Limitation, Municipal Authority:**

- The proposed rate for the district sales and use tax imposed under Subchapter B, Chapter 323, Tax Code, may be only:
  - (1) one-eighth of one percent;
  - (2) one-fourth of one percent;
  - (3) three-eighths of one percent; or
  - (4) one-half of one percent.

**District Administration:**

- A district is governed by a board of seven directors appointed in the same manner as provided for the selection of temporary directors. Board members serve staggered two-year terms that expire September 1, except that the initial appointees under this section shall draw lots to determine:
  - (1) the three directors to serve terms that expire on September 1 of the first year following creation of the district; and
  - (2) the four directors to serve terms that expire on September 1 of the second year following creation of the district.

**District Responsibilities and Limitations on Expenditures:**

- The district may finance all the costs of a crime control and crime prevention program, including the costs for personnel, administration, expansion, enhancement, and capital expenditures.