



**AGENDA  
SPECIAL MEETING  
FREEPORT CITY COUNCIL  
MONDAY, JANUARY 25, 2021 at 6:00 P.M.**

**Mayor:**  
Brooks Bass

**Council Members:**  
Jeff Pena  
Jerry Cain  
Mario Muraira  
Roy Yates

**City Manager:**  
Timothy Kelty

**THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON MONDAY, THE 25th DAY OF JANUARY 2021, AT 6:00 P.M., AT THE FREEPORT, POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARAD FREEPORT TEXAS.**

**BECAUSE OF THE PUBLIC HEALTH THREAT, SEATING WILL BE POSITIONED TO MEET THE REQUIREMENTS OF THE CDC, AND ATTENDEES WILL BE REQUIRED TO WEAR A FACE MASK:**

**OR YOU MAY JOIN THE PUBLIC MEETING REMOTELY BY TELECONFERENCE BY DIALING:**

**(425) 436-6312 AND USING ACCESS CODE 5678901#**

**OR**

**AUDIO VISUAL CONFERENCE CALL USING:  
PCs, Macs®, Chromebooks™, iOS and Android™ phones and tablets.**

International dial-in numbers: [https://fccdl.in/i/council\\_mtg\\_012521](https://fccdl.in/i/council_mtg_012521)

For users wanting to view and listen to the council meeting via a web browser go to  
[https://join.freeconferencecall.com/council\\_mtg\\_012521](https://join.freeconferencecall.com/council_mtg_012521)

**enter access code 5678901# and the online meeting code is: council\_mtg\_012521.**

**OR**

**Visit the App Store or Google Play to download FreeConferenceCall. Enter the phone number, access code and online code listed above to view the meeting.**

**THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:**

**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:** (Council Member)

**CITIZENS' COMMENTS:**

Members of the public are allowed to address the City Council at this time. *Note*, comments must be submitted electronically, and must include name and address specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open meetings Act unless said notice appears herein. The public is reminded that there is a (4) minute time limit as approved by City Council on June 21, 2010.

**COUNCIL BUSINESS – REGULAR SESSION:**

1. Consideration of approving Ordinance No. 2021-2624 voiding Ordinance No. 2021-2623 that council passed on January 19, 2021, and calling the Annual General Election for the City of Freeport for the first Saturday in May, being May 1, 2021 for the Election at large of a Mayor and an Election by Wards for position B and D on the City Council. **(Kelty)**.

**ADJOURNMENT:**


2. Adjourn.

Items not necessarily discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

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).

**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 (979) 233-3526.

**CERTIFICATE** I certify the foregoing notice was posted in the official glass case at the rear door of the City Hall, with 24 hours a day public access, 200 West 2<sup>nd</sup> Street, Freeport Texas, before 6:00 p.m. in accordance with Open Meetings Act.

  
Betty Wells City Secretary  
City of Freeport, Texas



## City Council Agenda Item # 1

**Title:** Consideration and possible action to adopt Ordinance No. 2021-2624 calling the General Election for May 1, 2021 for the election of council positions for Mayor and Wards B and D. And replacing Ordinance No. 2021-2623 that was passed on January 19, 2021.

**Date:** January 25, 2021

**From:** Betty Wells, City Secretary

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**Staff Recommendation:**

Staff recommends adoption of this ordinance to hold the Election on May 1, 2021.

**Item Summary:**

This ordinance calls the election for Mayor and Council Persons for Wards B and D, to be held on May 1, 2021, and establishes polling places and times for voting. It will also repeal Ordinance 2021-2623 that was passed on January 19, 2021 by Council, which contained an error in the dates for filing candidate applications. This Ordinance will void and wholly replace Ordinance 2021-2623.

**Background Information:**

Calling the election is a required action in accordance with state election law.

**Special Considerations**

None

**Financial Impact:**

The cost of the election will be approximately \$3,000.00 based on previous elections.

**Supporting Documentation:** Ordinance

ORDINANCE NO. 2021-2624

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CALLING A GENERAL ELECTION ON THE UNIFORM ELECTION DATE, THE FIRST SATURDAY IN MAY, 2021, BEING MAY 1, 2021, FOR THE ELECTION AT LARGE OF A MAYOR FOR SAID CITY AND AN ELECTION BY WARDS FOR POSITIONS B AND D ON THE CITY COUNCIL; PROVIDING FOR ONE (1) POLLING PLACE AND DESIGNATING THE LOCATION THEREOF; ESTABLISHING THE QUALIFICATIONS FOR CANDIDATES FOR THE OFFICES TO BE VOTED UPON; PROVIDING FOR APPLICATIONS FOR CANDIDATES AND SPECIFYING A FILING DEADLINE AND THE DATE WHEN FILING MAY BEGIN; PROVIDING FOR THE QUALIFICATION OF ELECTORS; APPOINTING THE OFFICERS OF SAID ELECTION AND DESIGNATING THE NUMBER OF CLERKS TO ASSIST IN CONDUCTING SAID ELECTION AND THE COMPENSATION TO BE PAID THE ELECTION JUDGE AND CLERKS; PROVIDING FOR EARLY VOTING; PROVIDING FOR RATIFICATION AND CONFIRMATION BY THE MAYOR OF SAID CITY OF THE ACTION TAKEN BY THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Section 3.01 of the City Charter provides that members of the City Council shall be elected by wards, that Positions B and D on City Council, which represent Wards B and D, respectively, shall be filled by an election to be held on the first Saturday in May every three years at which only persons residing in Wards B and D are eligible to become candidates for election to Council Positions B and D, respectively, and at which only voters residing in Wards B and D are eligible to vote for or against the candidates seeking election to City Council Positions B and D, respectively.

WHEREAS, Section 3.01 of the Home Rule Charter of the City provides that the Mayor of the City shall be elected for a three-year term of office at an election to be held on the first Saturday in May every three years; and,

WHEREAS, on January 19, 2021 the City Council passed Ordinance 2021-2623 calling the election for May 1, 2021 for the position of Mayor and City Council Positions B and D. Ordinance 2021-2623 contained an error in the dates for filing candidate applications. However, the election notice posted on December 14, 2020 contained the correct dates for candidate

applications. This ordinance is intended to void and wholly replace Ordinance 2021-2623 to correct the date error.

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

SECTION ONE--Election for Mayor and Wards B and D Called.

Pursuant to said Section 3.01, the Mayor and City Council hereby order and ordain, respectively, that an election required to be held for the election at large of a Mayor for said city, now held by BROOKS BASS and for an election by wards for Council Positions B and D, now held by JERRY CAIN and ROY YATES, respectively, be held on the first Saturday in May of 2021, being May 1, 2021, between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m., each such election being for a term of three (3) years.

SECTION TWO--Municipal Polling Places

As provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference, for the purpose of the election called by this ordinance, there shall be one (1) municipal polling place, within the City of Freeport located at the Freeport Library, 410 Brazosport Blvd., Freeport, Brazoria County, Texas. On that day, voting will also be permitted at the following Polling Places:

East Annex (Old Walmart)	1524 E Mulberry, Angleton
Pct 4 Building	121 N. 10 <sup>th</sup> St., West Columbia
Brazoria Library	620 S Brooks, Brazoria
Freeport Library	410 Brazosport Blvd., Freeport
Oyster Creek City Hall	3210 FM 523, Oyster Creek
Drainage District #4 Building	4805 W Broadway, Pearland
Sweeny Community Center	205 W Ashley Wilson Rd, Sweeny
Danbury Community Center	6115 5 <sup>th</sup> St, Danbury
Clute Event Center	100 Parkview Dr. Clute
Jones Creek Comm House	7207 Stephen F. Austin Rd.
	Jones Creek

Lake Jackson Civic Center	333 Hwy 332 East, Lake Jackson
Richwood City Hall	1800 N Brazosport Blvd, Richwood
Westside Event Center	2150 Countryplace Pkwy, Pearland
Pearland Recreation Center	4141 Bailey Rd., Pearland
Surfside Beach City Hall	1304 Monument Dr., Surfside Beach
Alvin Library	105 S Gordon, Alvin
North Annex,	7313 Corporate Dr., Manvel
Silverlake Recreation Center	2715 Southwyck Pkwy, Pearland
Tom Reid Library	3522 Liberty Dr, Pearland
Pearland Westside Library	2803 Business Cntr Dr #101 Pearland

SECTION THREE--Candidates, Applications and Filing Fees.

(a) Everyone who has attained the age of eighteen (18) years, who has resided within the incorporated limits of the City for a period of at least twelve (12) consecutive months immediately preceding the last day on which a candidate's application for a place on the ballot could be delivered to the City Secretary, as hereinafter provided, and who is otherwise qualified by State law, shall be eligible to become a candidate for the office of Mayor of the City by filing a sworn application, as hereinafter provided.

(b) Everyone who has attained the age of eighteen (18) years, who has resided within the incorporated limits of the City for a period of at least twelve (12) consecutive months and a resident of the Ward sought to be represented for at six (6) consecutive months immediately preceding the last day on which a candidate's application for a place on the ballot could be delivered to the City Secretary, as hereinafter provided, who is otherwise qualified by State law, and who:

(1) resides in Ward B, as defined in said Ordinance No. 2002-2001, on the day such application is filed, shall be eligible to become a candidate for the office of Council Position B by filing a sworn application, as hereinafter provided; and,

(2) resides in Ward D, as defined in said Ordinance No. 2002-2001, on the day such application is filed, shall be eligible to become a candidate for the office of Council Position D by filing a sworn application, as hereinafter provided.

(c) Each candidate's application shall be in writing, contain the matters set out in Section 141.031, Texas Election Code and be filed with the City Secretary of the City.

(d) An application may not be filed earlier than January 13, 2021 and must be filed not later than 5:00 o'clock p.m. of February 12, 2021.

SECTION FOUR--Electors.

Every person eligible to vote under the provisions of Chapter 11 of Title 2 of the Texas Election Code who is a resident of the City and who is duly registered to vote in the county election precinct where and on the day on which he or she votes, shall be entitled to vote for or against the candidates for Council Position B, if such voter resides in Ward B as defined in Ordinance No. 2002-2001, and for or against the candidates for Council Position D, if such voter resides in Ward D, as defined in Ordinance No. 2002-2001.

SECTION FIVE--Officers of Election and Compensation Thereof.

The Presiding Judge, Alternate Presiding Judge and clerks needed on the day of election for the election called by this ordinance, for the early ballot board and the central counting station shall be appointed, have the duties and be compensated as provided in the Joint Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, which is incorporated herein by reference.

SECTION SIX--Early Voting.

Early voting shall begin on April 19, 2021, and end on April 27, 2021, such early voting to be conducted by the County Clerk of Brazoria County, Texas, between the hours of 8:00 a.m. and 5:00 p.m. at the following locations, from Monday, April 19, 2021, through Friday, April 23, 2021, and between the hours of 7:00 a.m. through 7:00 p.m. on Saturday, April 24, Monday, April 26, and Tuesday, April 27, 2021, at such locations, to-wit:

<u>Angleton Main Location:</u>	East Annex (Old Walmart Building) 1524 E. Mulberry, Angleton
<u>Alvin Branch Location:</u>	Alvin Library 105 S. Gordon, Alvin
<u>Brazoria Branch Location:</u>	Brazoria Library 620 S. Brooks, Brazoria
<u>Freeport Branch Location:</u>	Freeport Library 410 Brazosport Blvd., Freeport
<u>Lake Jackson Branch Location:</u>	Lake Jackson Library 250 Circle Way, Lake Jackson
<u>Manvel Branch Location:</u>	Courthouse North Annex 7313 Corporate Dr., Manvel
<u>Pearland East Branch Location:</u>	Tom Reid Library 3522 Liberty Dr., Pearland
<u>Pearland West Branch Location:</u>	Westside Event Center 2150 Countryplace Pkwy., Pearland
<u>Shadow Creek Branch Location:</u>	Pearland Westside Library 2803 Business Dr. #101, Pearland
<u>Sweeny Branch Location:</u>	Sweeny Community Center 205 W. Ashley Wilson Rd., Sweeny
<u>West Columbia Branch Location:</u>	Precinct 4 Building 2 121 N. 10 <sup>th</sup> St., West Columbia

SECTION SEVEN--Method of Voting and Conducting Election.

Both early voting and all voting on the day named above for the holding of said election shall be in the manner specified in the Joint



Election Agreement and Contract for Election Services between the City and the County Clerk of Brazoria County, Texas, mentioned above.

SECTION EIGHT--Notice of Election.

(a) The Mayor of the City is hereby authorized and directed to issue a notice of said election, including a substantial copy of above and foregoing proposition, and to cause the same to be posted in accordance with Section 4.003(a) (2) of the Election Code for at least twenty-one (21) days prior to the date named above for the holding of said election on the bulletin board used for posting notices of meetings of the City Council.

(b) The City Secretary of the City is hereby authorized and directed to cause a copy of such notice, including a substantial copy of above and foregoing proposition, to be published in a newspaper in accordance with Section 4.003(a) (1) of the Election Code, such publication to be at least ten (10) days before but not more than thirty (30) days before the date named above for the holding of said election.

SECTION NINE--Ratification and Confirmation by Mayor.

By signing this ordinance, the undersigned Mayor of the City hereby ratifies and confirms as his action all matters hereinabove recited which by law come within his jurisdiction.

SECTION TEN--Voiding Prior Election Ordinance.

The City Council of Freeport, Texas finds that the facts contained in the preamble of this ordinance are true and correct. This ordinance voids and wholly replaces Ordinance 2021-2623.

SECTION ELEVEN--Effective Date.

This ordinance shall be effective immediately upon its passage and approval.

READ, PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Brooks Bass, Mayor,  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Betty Wells, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Christopher Duncan, City Attorney,  
City of Freeport, Texas