



**AGENDA
REGULAR MEETING
FREEPORT CITY COUNCIL
MONDAY, SEPTMEBER 20, 2021 at 6:00 P.M.**

Mayor:
Brooks Bass

Council Members:
Jeff Pena
Jerry Cain
Mario Muraira
Troy Brimage

City Manager:
Timothy Kelty

THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON MONDAY, THE 20TH DAY OF SEPTEMBER, 2021, AT 6:00 P.M., AT THE FREEPORT, POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD FREEPORT TEXAS

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

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

OR

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REMOTE PARTICIPANTS WILL NOT BE ABLE TO ADDRESS COUNCIL DIRECTLY. COMMENTS FROM REMOTE PARTICIPANTS MUST BE SENT VIA EMAIL TO publiccomments@freeport.tx.us ANY TIME PRIOR TO, OR DURING THE MEETING ALL COMMENTS RECEIVED WILL BE READ ALOUD INTO THE RECORD.

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, and must include name and address. *Note*, 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.

PRESENTATIONS/ANNOUNCEMENTS: Announcements by Mayor, City Council and/or Staff.

1. Report on Hurricane Nicholas impact response. **(Kelty)**

CONSENT AGENDA:

Consent Agenda items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately

2. Consideration and possible action on the approval of City Council meeting minutes from September 7, 2021. **(Wells)**
3. Consideration of Road Closure for Veterans' Day Parade on November 11th, 2021

COUNCIL BUSINESS – REGULAR SESSION:

4. Consideration and possible action to approve Resolution No. 2021-2707 for the approval of the 2021-2022 EDC Budget **(Duncan/Ezell)**
5. Consideration and possible action approving Resolution No. 2021-2709 amending the Master Fee Schedule for pool party rentals. **(Strahan)**
6. Discussion regarding Redistricting for City Council Wards **(Kelty/Duncan)**

7. Consideration and possible action to approve Ordinance No. 2021-2642 an Ordinance ratifying, affirming, and extending the Declaration of Disaster regarding Hurricane Nicholas. (Kelty)

WORK SESSION:

8. **The City Council may deliberate and make inquiry into any item listed in the Work Session.**
 - A. Mayor Brooks Bass announcements and comments.
 - B. Councilman Pena Ward A announcements and comments.
 - C. Councilman Cain Ward B announcements and comments.
 - D. Councilman Muraira Ward C announcements and comments.
 - E. Councilman Brimage Ward D announcements and comments.
 - F. City Manager Tim Kelty announcements and comments.
 - G. Updates on current infrastructure.
 - H. Update on reports / concerns from Department heads.

CLOSED SESSION:

9. Executive Session regarding a.) (Potential Litigation) consultation with city attorney, b.) (Deliberations about Real Property), O.A. Fleming, and East End, in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Sections 551.071, 551.072, 551.074.

COUNCIL BUSINESS – REGULAR SESSION:

ADJOURNMENT:

10. 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 2nd Street, Freeport Texas, before 6:00 p.m. in accordance with Open Meetings Act.

Betty Wells, City Secretary,
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, September 7, 2021 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Brooks Bass
Councilman Jeff Pena
Councilman Jerry Cain
Councilman Mario Muraira
Councilman Troy Brimage

Staff: Tim Kelty, City Manager
Betty Wells, City Secretary
Cathy Ezell, Finance Director
Lance Petty, Public Works Director
Laura Tolar, Special Events Coordinator, Via Teleconference
Robert Cramer, Teleconference
Chris Motley, Fire Chief
LeAnn Strahan, Destinations Director
Ray Garivey, Freeport Police Chief
Clarisa Molina, Administrative Assistant

Visitors: Manning Rollerson Ruth Rollerson
Kenny Hayes Desiree Pearson
Tommy Pearson Melanie Oldham
Brian Bruce Raven Wuebker
Sabrina Brimage

Visitors, Via Teleconference: Amanda Petty Jerry Meeks
Paul Crow Kim Hammonds

Call to order.

Mayor Bass called the meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation and the Pledge was led by Mayor Brooks Bass.

CITIZENS' COMMENTS:

Members of the public are allowed to address the City Council at this time, and must include name and address. Note, 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.

Ruth Rollerson spoke to council of her concern for her daughter and the ongoing issue with her apartment and the AC not working. She said that she cannot believe that council has done nothing to help with this issue, and that they are allowing this to happen.

Manning Rollerson spoke to council of the Troops fighting for our freedom. He said that he served and he comes from a long line of family that has fought for our Country. He spoke of his concern for the zoning in Freeport. He said that this is why Freeport is not growing. He said that he appealed the Commissioners findings and he asked for a Jury Trial. He said that residents should have received appraisals. He asked if Council is for the citizens of the City of Freeport.

Mayor Bass asked that Chief Garivey stand. He told the Chief that he was sorry for the loss of his Son-in-Law, and that he was in our prayers. He said that it sounds like this young man was one of a kind.

PRESENTATIONS/ANNOUNCEMENTS: Announcements by Mayor, City Council and/or Staff.

CONSENT AGENDA:

Consideration and possible action on the approval of City Council meeting minutes from August 16, 2021.

Consideration of approving the road closure for the Brazosport High School Homecoming Parade.

Consideration of approving the road closure for the Texas Navy Day.

Consideration and possible action to approve Resolution No. 2021-2704 the annual review and revision of the investment policy.

Councilman Muraira asked if Mayor Bass had seconded item number 5 on the meeting minutes from August 16th. Mayor Bass said that he seconded approval of the Consent Agenda numbers 2, 3, and 4.

On a motion by Councilman Brimage, seconded by Councilman Cain, with all present voting "Aye" 5-0 Council unanimously approved the Consent Agenda.

COUNCIL REGULAR AGENDA:

Public Hearing: Public Hearing and possible action on replat on Minter Subdivision a combination of Lots 56 and 57, Block 4 of the Bar X Ranch Subdivision Section 5 recorded in Volume 16, page 195-198 of the Brazoria County Plat Records situated in the Asa Mitchell Survey Abstract 97, Brazoria County, Texas. July 2021.

Mayor Bass opened the Public Hearing at 6:11 PM.

City Manager Tim Kelty presented to council a replat on Minter Subdivision a combination of Lots 56 and 57, Block 4 of the Bar X Ranch Subdivision Section 5 recorded in Volume 16, page 195-198 of the Brazoria County Plat Records situated in the Asa Mitchell Survey Abstract 97, Brazoria County, Texas. July 2021. He said that this was presented and approved by the Planning Commission. He said that this is in the ETJ.

Public Hearing closed at 6:12 PM.

On a motion by Councilman Brimage, seconded by Councilman Muraira, with all present voting "Aye" 5-0, Council unanimously approved a replat on Minter Subdivision a combination of Lots 56 and 57, Block 4 of the Bar X Ranch Subdivision Section 5 recorded in Volume 16, page 195-198 of the Brazoria County Plat Records situated in the Asa Mitchell Survey Abstract 97, Brazoria County, Texas. July 2021.

Public Hearing: Public Hearing Regarding FY 2021-2022 Proposed Budget.

Mayor Bass opened the Public Hearing at 6:14 PM.

City Manager Tim Kelty said that the Public Hearing is required to receive any final input from the Public and City Council. He said that the proposed Budget has been placed on the website.

Finance Director, Cathy Ezell presented to council the City of Freeport FY 2021-2022 proposed Budget. She said that all the changes that council has asked for were made. Ms. Ezell said that there have been two other changes that were made since. One is that staff increased Property Taxes in the General Fund, and increased the General Fund transfer into the CIP Funds. She said this is for the antenna repair at the Freeport Fire Department. She said that this repair will not be able to be done until after October 1, and this is why these funds were moved into this budget.

City Manager Tim Kelty said that there are a few items that were brought up by individual council members and are not included in the budget at this time. They are the T-Dock Parking, \$100,000.00, the expansion of the road at the 2nd Street Boat Ramp, \$150,000.00 and the Walking Trail for \$300,000.00. Mr. Kelty said that these are not included in this budget, and if council wants these to be included it needs to be made in the motion.

Mayor Bass asked if the finalized Budget will be at the end of September? Ms. Ezell said that the finalized budget is being presented right now, and if there are any changes that council would like made we can adopt the budget with the changes being asked.

Councilman Brimage asked if the Communication Manager Position is in this budget, he said that he thought this was tabled. Ms. Ezell said that this position was to be removed, and she forgot to take it out. She said that this position will be removed from the final budget but the amount will stay in the budget, just in case the funds can be used to create any other position. She said the amount is \$78,000.00 and it sits in the Salary and Benefits Fund for Administration.

Melanie Oldham asked if the Communication Manager Position was discussed at the last meeting? Mayor Bass said yes. Ms. Oldham asked about the Heritage House Fund, she said that the \$325,000.00 is still there and asked if this is where these funds will stay? She also asked about the employees for the Code Department, she said we need to have enough Code Officers to do the enforcement in the City. Mayor Bass said that council will have to address the Heritage House sooner than later. City Manager Tim Kelty said that the number of employees has not changed, he said currently there is a Building

Official, Building Inspector Position, Administrative Position and four Code/Health Officers. He said this is a significant number of employees for a city this size.

Mayor Bass asked if we have enough revenue generated to pay for this Budget that Administration and Council is proposing? Ms. Ezell said yes. Mayor Bass asked will there be money left over? Ms. Ezell said yes.

Manning Rollerson asked about the Olin Building, he asked why the taxes are so little on the Corporation Buildings? Mayor Bass said that he does not have the answer for that. Mr. Kelty said the city sets the tax rate, and the Tax Office and Appraisal District sets the value of the property.

Online statement, said that money needs to be budgeted for ditches and fix the flooding.

Mayor Bass asked if public works has an extension arm for a brush hog. Lance Petty said yes, we have one but some ditches are so deep it still will not work. Mayor Bass asked what his plan is to take care of the drainage on the Avenues? Mr. Petty said that they have a preventative schedule. Mayor Bass asked if this is something we can post? Mr. Petty said yes, they are working on a newsletter. Public Works Director, Lance Petty said that in the budget he has a Vac Trailer, and a Jet Machine.

Councilman Muraira asked how the levy trail will look with the bids that have been received. Mr. Petty said that he only received one bid, and it is for concrete and widening the trail to six feet wide, and four inches in depth, and 1.1 miles. He said that it is \$54 a linear foot. This would be a project that would have to be bid out.

Councilman Muraira said that he would like to see the funds allocated to the budget for added parking to the T-Docks, as well as the levy trail walkway.

Councilman Pena said that he would like to see the trail wider than 6 feet. Councilman Muraira said that he thinks six feet is good.

Councilman Cain asked if the asphalt will cost more, or about the same for the levy? Mr. Petty said that asphalt will be a little cheaper.

Kenny Hayes said will this include the levy from the Velasco Bridge to the boat ramp? Mr. Kelty said this is not included in this cost but that staff planned to do that within this budget.

Pamela Dancy said that she thinks the flooding issues needs to be taken care of before the levy trail. She said that there are bigger issues that need attention other than the beautification. She said it would be nice to have pesticides sprayed to kill the grass in the ditches to help with the drainage.

Mayor Bass said that Councilman Muraira has asked for an additional \$300,000.00 to be added to the budget for the levy trail, and councilmen Cain and Brimage has asked for \$150,000.00 for the expansion of the road at the 2nd Street Boat Ramp, and \$100,000.00 for additional parking at the T-Docks respectively. Councilman Cain said that if we can get the track like material he is in support of the levy trail walkway.

Councilman Pena presented a PowerPoint with his desired improvements for Bryan Beach.

Kenny Hayes spoke of the beach he said that a previous City Manager, he put palm trees on the beach, and they got burned up from bonfires. He said there are no utilities on the beach, and he does not know

where Councilman Pena believes the revenue will come from, for retail. Mr. Hayes said this is a huge waste of money that the city does not have. Councilman Pena said that EDC has talked about this, and there are engineering plans from Freese and Nichols.

Desiree Pearson asked why will someone pay to go on Bryan Beach, when they can turn left and go to Quintana Beach for free. Mayor Bass said that Quintana is not clean, compared to Bryan. Mayor Bass said that he would love to see food trucks on the beach.

Mayor Bass said that he appreciates the presentation. He said that he would love to see the EDC put a traffic counter on the beach and get a good count of visitors to the beach. Councilman Muraira asked what is Councilman Pena proposing? Councilman Pena said that he is proposing \$700,000.00 but will come down to \$400,000.00.

Councilman Pena said that on an hourly basis throughout the day, there is at least 300 vehicles on the water and the dune side.

Councilman Brimage asked is the \$700,000.00 a one-time expense? Councilman Pena said the one time would be \$200,000.00-\$500,000.00. Councilman Brimage asked where he plans on using the \$200,000.00? Councilman Pena said the EDC will be taking care of the entrance road and the sign. He said the city side is to take care of the infrastructure, staff and the bathrooms. Councilman Brimage asked where will you take the waste from the restrooms? Councilman Pena said the infrastructure is there. Councilman Brimage said you are telling the people one thing, and you have to be realistic you cannot put a restroom in for \$200,000.00. Councilman Pena said that this is an opportunity that we have been missing, a branding and creating an investment. Changing the brand and imagine of Freeport in every way.

Sabrina Brimage said that the presentation was very nice. She said that we keep our beach clean, safe with officer patrol. She said that she is not certain with all the different areas that money is budgeted, but she knows that we have talked about a sport plex's, baseball and softball fields, parks, basketball courts. She said that we need to improve these areas in the city, she said there is a lot of areas to improve for our youth. She said our Rec Center needs improvement. She said that putting a lot money into the beach, does not make sense.

Councilman Pena said, this is just not about the beach it is about the Riverfront as well. He would like to have a brand-new Rec Center.

Online statement, What about the Texas Free Beach Act?

Mayor Bass said that he appreciates Councilman Pena's effort and work, but at this particular time his suggestion is that we proceed with the budget process because we are at the end of it.

Melanie Oldham said that Councilman Pena is the Councilman for her Ward. She said that the Golf Course loses money, the Rec Center loses money, as well as the Museum. She said that we need to develop the river and the beach, she said not at \$400,000.00, but it is good for thought.

Councilman Cain said that he would like to see rehab on the Velasco Community House. He said that Ms. Oldham has brought this up as well as Councilman Muraira. He said that he would like to hear what Council feels about this. Councilman Muraira said that he feels we owe the citizens a community house. He said that he was going along with Lance Petty, and the building that he is doing for the Service Center, it is \$200,000.00. He thinks this would be good for the Velasco Community House.

Mayor Bass said that we have discussed \$200,000.00 for Velasco Community House, \$300,000.00 for the Levy Trail Walkway, \$100,000.00 for T-dock parking and \$150,000.00 for the 2nd Street boat ramp expansion. Mr. Kelty said if remembers correctly Councilman Muraira had suggested using the funds for the Heritage House be moved for the rehab of the Velasco Community House. Councilman Muraira said that he does not know how Councilman Cain feels about this, Councilman Muraira said that if council wants to use the money that is funded for Heritage House for the rehab of Velasco Community House, he is fine with that. Councilman Cain said that the money budgeted for the Heritage House, he would like to see it stay in the fund until council decides what will be done with the Heritage House. He said that he would hate to spend the funds on something else, and then decide later to fix it.

Mayor Bass said that we are asking to add another \$750,000.00 to the budget for projects that aren't approved of even planned. Mayor Bass said that the EDC owes \$150,000.00 to the city for projects and we could use this for the Velasco Community House.

Mayor Bass asked Finance Director Cathy Ezell if this budget will have any measurable issues if we add an additional \$250,000.00 tonight? Ms. Ezell said no. Mayor Bass said we need to be responsible with the funds, what happens if we lose the industrial contracts?

Mayor Bass asked Councilman Muraira is he is okay with the \$150,000.00 owed to the city from the EDC to do the rehab on the Velasco Community House? Councilman Muraira said it will be good.

Councilman Pena said that he agrees that we have to be responsible. He said that we need to be proactive, and reinvest the money into our city so that we are not dependent on industrial dollars, but become dependent on ourselves. Councilman Pena said on the \$150,000.00 that the EDC owes he thinks that we need to add additional parking at the park for the boat ramps.

Councilman Muraira asked what the thought process is about the Levy Trail Walkway? Mayor Bass said that we have not decided on this.

Mayor Bass closed the Public Hearing at 7:40 PM.

Consideration of an Ordinance No. 2021-2637 Adopting FY2021-2022 Budget.

Mayor Bass said that his understanding from the Public Hearing is that Council is wanting to add \$250,000.00 to this budget for additional Parking at the T-Dock and roadway improvements over the levy.

A motion was made by Councilman Brimage, to accept the budget with the changes of adding \$100,000.00 for additional parking at the T-Dock, and \$150,000.00 for the 2nd Street boat ramp expansion, seconded by Councilman Cain. Discussion followed.,

Councilman Muraira said that he sees this as one person getting what they want, he said that he had a list of things, and he was hoping that we had funding for the levy trail, and not for just plans for the future. Mayor Bass asked when he brought this up, Councilman Muraira said that he has brought it up several times.

Councilman Brimage said that we still have the money for this, he said that we all want to see it get done. Councilman Muraira said but when will it get done? Will it be done quickly? Councilman Muraira said he wants to see it on paper.

Mayor Bass said that he wants to address what Councilman Muraira said, “that one person is getting what they want?”, Mayor Bass said there are two people that are wanting to get this, additional parking and road widening. Councilman Cain said that “widening the road is a safety issue, with the playground being there it is a safety issue”.

Mayor Bass said we have a budget we are increasing it \$250,000.00, we have reserves on there. He said the Levy Trail Walkway can be brought up again, he thinks it is a great idea. Mayor Bass said that Councilman Muraira got a \$75,000.00 bridge over a ditch to the softball fields. Mayor Bass said that we are not doing anything tit for tat, we are doing this all for the citizens.

Mayor Bass called for a vote on the motion. With a vote of 3-2, the motion was passed. Councilman Pena and Councilman Muraira voted “Ney”.

A motion was made by Councilman Muraira to add the Levy Trail and the additional \$300,000.00 to the budget, seconded by Mayor Bass. Discussion followed.

Mayor Bass asked if we add an additional \$300,000.00 to this budget will we be able to still make this budget, and still have money at the end of this budget? Ms. Ezell said yes, but she gave a forewarning that this is your reserve. However, if you take this reserve down to zero, it will reduce the funds that you have for Capital Projects next year.

Councilman Brimage said that he supports the Levy Trail. He said but let’s not half way do it, as we have in the past. He said let’s do it right, and take it to the Velasco Bridge. Councilman Brimage said that Mr. Petty has told us tonight, that \$300,000.00 will not be enough. Councilman Muraira said “your addition of \$250,000.00 can be added at the next council meeting”. City Manager Tim Kelty said that approving this in the budget, gives staff the approval to move forward on this project. He said that it gives staff direction to take it out for bid.

Councilman Pena said this whole budget is what we estimate of what our city will generate in the next year. He said staff has been as conservative as possible, but he wants to make sure we approach this not as a mentality of scarceness, but of a mentality of abundance. Mayor Bass said this is the biggest budget the city has had in years. Councilman Pena said of the money that has been proposed, he likes the idea of the river front levy. He said out of the expenditures we have added; the beach is the only one that will pay for itself.

Mayor Bass said that this budget is built on our input. He said that we have already added \$250,000.00 and dropped our reserves lower than he would like, to \$1.45 million and now we are talking of \$300,000.00 more. Mayor Bass said that he is in favor for the Levy Trail, but he does not to want add it to this budget. He said we need to talk about it, and have Mr. Petty come back with a plan, with what it will cost. He said that his position is it should not be added to this budget. He asked if there is anymore discussion on this motion.

Councilman Pena asked if this motion can be amended to add \$250,000.00 for the beach. Mayor Bass said if Councilman Muraira is willing to amend his motion to include the \$250,000.00.

Councilman Muraira said that he wants to ask Councilman Cain what his thoughts are.

Councilman Cain said that his thoughts are, the beach there is some work that can be done to benefit the city. However, he would like to see where the money is going before he makes a commitment to it.

Councilman Muraira said that he does not want to change his motion.

Councilman Brimage said that he wants the record to reflect that we just added \$300,000.00 to the budget that we have no idea of how much it will cost to do the levy trail walkway.

Mayor Bass called for a vote on the Motion With a vote 3-2 the motion passed. Mayor Bass, and Councilman Brimage, voted "Ney".

On a third motion made by Councilman Pena to add \$100,000.00 for the beach entrance, seconded by Councilman Muraira, the motion failed with a 2-3 vote, Mayor Bass, Councilman Brimage, and Councilman Cain voted "Ney". Councilman Muraira and Councilman Pena voted "Aye"

Councilman Brimage said for the record, that was Councilman Pena and Councilman Muraira that made this motion.

Councilman Cain said that he agrees with the vision that Councilman Pena has for the beach, however he cannot blindly do it.

Councilman Pena said, this is what we did with the levy. And he is not asking for the true dollar amount, he just wants it to stay on the board, to keep open for discussion.

Mayor Bass said the budget is not the thing that you play tit for tat with, or put in the budget as a place holder. He said the budget is responsible to the citizens of the City of Freeport. He said doing what is happening right now at the last minute is not appropriate.

Councilman Pena said that he would like to make sure the parking lot in downtown gets lighting and proper parking for the events that are held in downtown. Mayor Bass asked Lance Petty to look into what this cost will be.

Finance Director Cathy Ezell said that the transfers out were \$3,751,815.00 of General Fund and is now \$4,301,815.00. She said that this has gone up after the amending of the budget to include the \$550,000.

Mayor Bass asked Ms. Ezell if she recommends these items to be put in this budget at this time, he asked what is your best advice? Ms. Ezell said her best advice is, anything that has to do with safety, she recommends that we do. Mayor Bass asked if this is being responsible. Ms. Ezell said that she would not recommend bringing the extra fund balance down past \$1.5 million, especially not knowing the direction that council wants to go.

Cathy Ezell said that the record vote would be to adopt the budget, with the amendments done tonight that will bring the total \$32,980,707.00 she said that this is the total of the expenditure budget. Projects that we are adding are \$150,000.00 for the 2nd Street boat ramp road expansion, \$100,000.00 for additional parking at the T-Docks, and \$300,000.00 for the Levy Trail.

On a motion by Councilman Muraira to approve the budget as amended tonight, seconded by Councilman Cain, with all present and making a record vote:

Mayor Bass "Ney"

Councilman Brimage "Ney"

Councilman Pena "Ney"

Councilman Cain “Aye”
Councilman Muraira “Aye”

Motion Fails, 3-2 Vote.

Mayor Bass said that these items that have been added can be looked at as early as November, once this budget has passed, and we see the revenues coming. He said they do not have to be added to the budget tonight as place holders.

Councilman Brimage said that this is from lack of experience, and voted on for personal reasons, and for that he is willing to take away the parking lot, and roadway and add the trail. He said that we can work on the roadway and the parking during the year and get it done. He said that it is irresponsible to do what Councilman Muraira did tonight.

Councilman Pena said that he agrees with the idea to remove the roadway and parking.

On a motion by Councilman Brimage to approve the budget without the parking and the roadway expansion, and add the Levy Walkway, seconded by Councilman Pena with all present and making a record vote:

Mayor Bass “Aye”
Councilman Brimage “Aye”
Councilman Pena “Aye”
Councilman Cain “Ney”
Councilman Muraira “Aye”

Motion passed, to approve the FY2021-2022 Budget as amended.

Public Hearing: Public Hearing Regarding the FY 2021-2022 Tax Rate.

Mayor Bass opened the Public Hearing at 8:15 PM.

Finance Director Cathy Ezell presented to council Public Hearing Regarding the FY 2021-2022 Tax Rate. She said that council proposed a tax rate of \$.61, she said that that this would be an M & O Rate of 0.56691, and a Debt Rate of 0.103309. Ms. Ezell said that as staff went through the budget, staff changed the budget to reflect \$.60 Tax Rate, she said that it will be a M & O Rate of 0.496691 and a Debt Rate of 0.103309 she said that it is still over the NNR but it is a decreased from last year’s Tax Rate.

Mayor Bass asked if this is a lower tax rate than last year? Ms. Ezell said yes, but it generates more revenue.

Councilman Brimage said by adopting a lower tax rate we are benefiting our existing citizens, but creating more money because we have new revenue. Ms. Ezell said yes.

Councilman Pena asked where the majority of the Tax Revenue increase comes from. Ms. Ezell said that she is not sure of the company, but there were three cranes that were put in at \$70 million and that is considered equipment that we get property tax on. Cathy Ezell said that this is just property tax.

Mayor Bass closed the Public Hearing 8:19 PM.

Consideration and Possible Action Regarding an Ordinance No. 2021-2638 Establishing a Tax Rate for the 2021 Tax Year.

On a motion by Councilman Brimage- **I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.600000, WHICH IS EFFECTIVELY A 3.62% INCREASE IN THE TAX RATE**, seconded by Councilman Pena with all present making a record vote.

Mayor Bass "Aye"
Councilman Brimage "Aye"
Councilman Cain "Aye"
Councilman Pena "Aye"
Councilman Muraira "Aye"

Motion Passed unanimously.

Ratification of Increased Property Tax Revenues Reflected in the Fiscal Year 2021-2022 Adopted Budget.

Finance Director Cathy Ezell, presented to council the Ratification of Increased Property Tax Revenues Reflected in the Fiscal Year 2021-2022 Adopted Budget. She said that the Legislature says if you adopt a property tax revenue that does increase, then you have to ratify your budget for that increase. Ms. Ezell asked that this motion be done with a record vote.

On a motion to ratify the increased property tax revenues reflected in the FY2021-2022, adopted budget by Councilman Pena, seconded by Councilman Cain with all present making a record vote for the Ratification of Increased Property Tax Revenues Reflected in the Fiscal Year 2021-2022 Adopted Budget.

Mayor Bass "Aye"
Councilman Brimage "Aye"
Councilman Cain "Aye"
Councilman Pena "Aye"
Councilman Muraira "Aye"

Motion passed.

Consideration and possible action to approve Resolution No. 2021-2703 authorizing the application to the Texas General Land Office (GLO) Beach Maintenance Reimbursement (BMR) Program and designating the City Manager as the official with full authority to act for the purpose of the program.

Finance Director Cathy Ezell presented to council Resolution No. 2021-2703 authorizing the application to the Texas General Land Office (GLO) Beach Maintenance Reimbursement (BMR) Program and designating the City Manager as the official with full authority to act for the purpose of the program. She said that we apply yearly for the BMR Grant. She said that this resolution must be in place to apply for the grant.

Councilman Pena asked if this agreement was reviewed by Legal Counsel? Ms. Ezell said yes. He asked if it was approved, Ms. Ezell said yes. Councilman Pena asked in terms of the beach usage for commerce and trying to develop the beach, is this what this is used for? Ms. Ezell said that this is for beach

maintenance, not for commerce. She said that it for a percentage of reimbursement of what it cost to maintain the beach.

On a motion by Councilman Pena and seconded by Councilman Cain with all present voting “Aye” 5-0 Council unanimously approved Resolution No. 2021-2703 authorizing the application to the Texas General Land Office (GLO) Beach Maintenance Reimbursement (BMR) Program and designating the City Manager as the official with full authority to act for the purpose of the program.

Consideration and Possible action on Resolution No. 2021-2705 amending the City of Freeport Personnel Policy regarding quarantine restrictions for Police, Fire and Detention Facility employees.

Finance Director Cathy Ezell presented to council Resolution No. 2021-2705 amending the City of Freeport Personnel Policy regarding quarantine restrictions for Police, Fire and Detention Facility employees. She said that HB 2073 was passed by the Legislature and signed into law. She said that this Bill requires the city to create paid quarantine leave for Peace Officers, Jailers/Detention Officers, Fire Fighters, and EMT’s.

On a motion by Councilman Brimage and seconded by Councilman Pena with all present voting “Aye” 5-0 Council unanimously approved Resolution No. 2021-2705 amending the City of Freeport Personnel Policy regarding quarantine restrictions for Police, Fire and Detention Facility employees.

Consideration and possible action approving Ordinance No. 2021-2635 amending the offering of health benefits coverage to City of Freeport Retirees.

Finance Director Cathy Ezell presented to council Ordinance No. 2021-2635 amending the offering of health benefits coverage to City of Freeport Retirees. Ms. Ezell said that what this ordinance will do is change the number of consecutive years to be eligible for retiree health coverage. She said it will go from 8 years to 15 years, to receive this benefit.

On a motion by Councilman Brimage and seconded by Councilman Muraira with all present voting “Aye” 5-0 Council unanimously approved Ordinance No. 2021-2635 amending the offering of health benefits coverage to City of Freeport Retirees.

Councilman Cain asked the number of years is from 8 to 15 years? He said that in the memo under background information it says from 5 consecutive years to 15 years. Ms. Ezell said that is a mistake on her part, it should say 8 years.

Councilman Pena asked how many employees who have left the city will this effect? Ms. Ezell said one. Councilman Pena asked what age to the benefits go up to? Ms. Ezell said 64. Councilman Pena asked how many employees are employed with the city now have 15 or more years? Ms. Ezell said that she did not know this number. Mr. Kelty said, probably less than 10.

Consideration and possible action regarding Ordinance No. 2021-2636 requiring an electrical inspection prior to renewing expired electrical service.

Online comment, why does this not have to go to Planning and Zoning Commission?

City Manager Tim Kelty presented to council Ordinance No. 2021-2636 requiring an electrical inspection prior to renewing expired electrical service. Mr. Kelty said that this is not a Planning and Zoning issue. He said that currently the city does inspections when service has been disconnected. He said that there

is no fee in providing this service. He said, instead of inspection on all disconnected service, staff is recommending that we do this when the service has been interrupted for 90 days.

Councilman Pena asked if there was a timetable on this previously? Mr. Kelty said no, it was every time service was disconnected.

Councilman Muraira asked why was this was tabled last time? Mr. Kelty said that Mr. Rivas made some comments that caused some confusion.

On a motion by Councilman Brimage, seconded by Councilman Cain with all present voting "Aye" 5-0 Council unanimously approved Ordinance No. 2021-2636 requiring an electrical inspection prior to renewing expired electrical service.

Consideration and possible action approving Resolution No. 2021-2702 amending the Master Fee Schedule for electrical inspection for reactivation of service.

City Manager Tim Kelty presented to council Resolution No. 2021-2702 amending the Master Fee Schedule for electrical inspection for reactivation of service. He said that this resolution will allow for a \$35.00 reactivation fee.

On a motion by Councilman Pena, seconded by Councilman Muraira with all present voting "Aye" 5-0 Council unanimously approved Resolution No. 2021-2702 amending the Master Fee Schedule for electrical inspection for reactivation of service.

Councilman Cain asked if the property owner is responsible for the \$35.00 charge? Mr. Kelty said yes.

Consideration and possible action approving Resolution No. 2021-2706 for the Grant Application for the Freeport Police Departments, Radio Console Upgrade Grant.

Freeport Police Chief Garivey presented to council Resolution No. 2021-2706 for the Grant Application for the Freeport Police Departments, Radio Console Upgrade Grant. He said that the approval of this resolution will allow the City Manager to be the authorized official.

On a motion by Councilman Brimage, seconded by Councilman Cain with all present voting "Aye" 5-0 Council unanimously approved Resolution No. 2021-2706 for the Grant Application for the Freeport Police Departments, Radio Console Upgrade Grant.

Consideration and possible action on designating a representative and an alternate to the Houston-Galveston Area Council General Assembly for the year 2021.

City Manager Tim Kelty presented to council possible action on designating a representative and an alternate to the Houston-Galveston Area Council General Assembly for the year 2021. He said that staff recommends appointment of an elected representative of the City Council to serve as the City's Representative and Alternate.

Councilman Pena said that he will serve as the Representative, and Councilman Cain said that he will serve as the Alternate.

On a motion by Mayor Bass, seconded by Councilman Brimage with all present voting "Aye" 5-0 Council unanimously approved designating a representative and an alternate to the Houston-Galveston Area Council General Assembly for the year 2021.

WORK SESSION:

Councilman Cain said that he knows we are trying to get a contract with the garbage service, but we have to keep pressure on this company now. He said that he drove around today there is trash, leaves, limbs, mattresses, and car parts all over. He said that one of the main reasons he hated not being here on the last meeting is because of the Director Reports, he said that Mr. Rivas gave the best report he has seen in the last two years for the Building and Code Department. He said that he wants it said for the record that Mr. Rivas did a good job on the report.

Councilman Muraira asked Lance Petty about the electricity at the soccer fields. Mr. Petty said that the school had disconnected the service to the soccer fields, he said that he contacted the school to get the power back on, and they have done nothing. Mr. Petty said that a contractor is coming out to look at it tomorrow. He said that Centerpoint will not touch it because it is not theirs, but he is hoping to have it back on tomorrow. Councilman Muraira asked about the alleys on West 7th and 8th and 8th and 9th going to Velasco and the railroad tracks. He said there is a big lump of grass down the center of the alley, he asked if we can get this cleaned up it is hard for cars to get through. He asked can we maybe get the alleys leveled out.

Councilman Pena asked what is the emergency response link 211 on the website? Fire Chief Motley said that this is used for any service in the State, he said that it is more than likely for evacuation service. He said that it is a service to the citizens. He said that it is used for hurricane season usually. Councilman Pena said that we need to make sure that Legal Counsel is present at our City Council Meetings. Mayor Bass said he received a text at 3:30 saying that there was a conflict with the schedule for Clute. Councilman Pena spoke of the septic systems in the City of Quintana. He asked when does the HGAC meet? Mr. Kelty said he believes it is twice a year. Councilman Pena asked about the Beautification Committee, he asked about the funds that are allotted for this. Mr. Kelty said that this is budgeted through Landscaping and Public Works. Councilman Pena spoke of the downtown parking, he said that this is needed as well as the lighting. He said that he wants to make sure that there is communication with the public on the projects throughout the city, he asked if we can mail out a schedule of the Public Works projects. Councilman Pena asked when the striping will be done on Velasco and 2nd and Velasco and Ave A. Mr. Petty said that stop bars are down on Velasco and 2nd Street. They discussed the stop sign at Velasco and Ave A. Mr. Petty said that the Engineer said that we can remove the stop signs at Velasco, and just have them on Ave A. He said that the Ordinance still calls for a red-light. Mr. Kelty said that this needs to go to Planning and Zoning before we can do anything on this. Councilman Pena said that alleys in downtown need some attention, he said the alleys between Broad and 2nd and Park and Cherry. He asked if contractors do the mowing in downtown park area, and 4th and 2nd. Councilman Pena asked when the light will be put on the Fire Department Building, he said this is needed for more lighting when turning off of Pine Street. Chief Motley said that we are waiting on the contractor. Councilman Pena said that this is an unsafe turn at night, when coming from the beach.

Councilman Brimage presented some pictures of Auto Repair and Body Shops from around the city, he asked if there is an ordinance for these shops. He said these shops look like a storage facility. He said that the old police station on Avenue A needs cleaning up, he said that EDC property needs to be cleaned up. We expect our residents to maintain their property, he said we have to do the same. Councilman Brimage said that he has asked several times that the Pop Box be removed from the levy, and it is still sitting on the Levy. He said he wants a date of when this will be removed. Councilman Brimage spoke

of the trash in the park, and the baseball field that is in horrible condition. He said that the dugout needs to be cleaned out. Mr. Petty said that the baseball field in the pictures is not in use, he said that the league abandoned this field. Councilman Muraira said that there is a meeting tomorrow at 5 PM with the Freeport League, Mr. Kelty and Reggie to see what the future for this field will be. Councilman Brimage said that he is on council, and he did not know that this field was abandoned. He said he is not attacking Mr. Petty and his team, but his point is we have a lot to address, other than the beach. Councilman Petty said that we have to be at the same standards of which we hold our residents. Councilman Muraira said that he has been working on the baseball fields, he said that things have been fixed by Lance and his team. Councilman Brimage asked again, when will this Pop Box be removed from the Levy? Mr. Kelty said that he will work on this tomorrow, he said that this is EDC property and there are a couple of ways to handle it. He said from a Code standpoint we can just order it removed. Councilman Pena said you have to ask the EDC to move it? Mayor Bass said actually, probably not, it is on City Property. Councilman Brimage said no we do not have to ask the EDC; the citizens want it removed. Councilman Pena said that he likes where it is at, and he likes the idea of where it could be. Councilman Brimage said you like it here on the levy, because it is not in downtown, in a manicured park. Councilman Brimage said that by the next City Council meeting he hopes this box is gone.

City Manager Tim Kelty said that in upcoming city council meeting we will be discussing the redistricting, he said that he has never done this and he will be getting with Mr. Duncan. He said that the Zoning Ordinance will be coming back to Planning and Zoning at the end of this month, and hopefully coming to council in October for consideration.

Mayor Bass said that the only thing he has to say, is that tonight we have seen democracy in action.

Update on reports / concerns from Department heads.

Open session was closed at 9:18 pm and Council entered into Executive Session.

CLOSED SESSION:

Executive Session regarding a.) (Potential Litigation) consultation with city attorney b.) (Deliberations about Real Property), O. A. Fleming, and East End, c.) (Personnel Matters) City Manager annual evaluation in accordance with Government Code Annotated, Chapter 551, Sections 551.071, 551.072, 551.074.

REGULAR SESSION

Mayor Bass reconvened regular session at 10:15 P.M.

There was no action taken from executive session.

Adjourn

On a motion by Councilman Cain, seconded by Councilman Brimage, with all present voting "Aye", Mayor Bass adjourned the meeting at 10:15 P.M.

Mayor Brooks Bass
City of Freeport, Texas

City Secretary, Betty Wells
City of Freeport, Texas



City Council Agenda Item #3

Title: Veteran's Day Parade Road Closures

Date: September 20, 2021

From: Laura Tolar, Special Projects Coordinator

Staff Recommendation:

Staff recommends street closures for the Veterans Day Parade

Item Summary:

The City of Freeport will be hosting the Veteran's Day Parade to be held on November 11, 2021 (Veteran's Day). Notification will be provided to property owners along the route as invitation to watch the parade and also notification of temporary street closures.

Background Information:

This will be the third time that the City of Freeport has hosted. We previously hosted in 2003 and 2009.

Special Considerations:

N/A

Financial Impact:

N/A

Board or 3rd Party recommendation:

N/A

Supporting Documentation:

Parade Route Map

Item Summary:

Background Information:

This will be the third time that the City of Freeport has hosted. We previously hosted in 2003 and 2009.

2021 Veterans Day Parade

Parade line up and route

Legend

- Parade Line Up
- Veterans Day Parade Route 1.94





City Council Agenda Item # 4

Title: Consideration and possible action on Resolution #2021-2707 approving and adopting a budget for the Freeport Economic Development Corporation for FY 2021-2022.

Date: September 20, 2021

From: Tim Kelty, City Manager

Staff Recommendation:

Staff recommends approval of this Resolution

Item Summary:

The Freeport EDC FY 2021-2022 proposed budget was approved at the by the EDC Board on Friday September 17, 2021.

Revenue

Sales Tax projections for EDC are \$1-\$1.2 million

Background Information:

As of this writing the EDC Budget Steering Committee was still working on the budget and had not yet provided any information for Council Packet. The EDC is having a special meeting on Friday September 17 (Rescheduled from Tues. the 14th due to the Hurricane) to discuss and act on a budget that will be presented to council at the City Council meeting

Special Considerations:

None.

Financial Impact:

If adopted, this will be the budget the EDC operates under for the fiscal year 2021-2022.

Board or 3rd Party recommendation:

N/A

Supporting Documentation:

Ordinance (Exhibit A to be provided at City Council meeting.

RESOLUTION NO. 2021-2707

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FREEPORT ECONOMIC DEVELOPMENT CORPORATION FOR FISCAL YEAR 2021-2022; PROVIDING FOR THE INCORPORATION OF A PREAMBLE; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, after notice required by law, on the 17th day of September 2021, the Freeport Economic Development Corporation Board proposed and adopted a budget for expenditures for the Freeport Economic Development Corporation for the 2021-2022 Fiscal Year; and

WHEREAS, Section 501.073 of Texas Local Government Code requires the corporation's authorizing unit approve all programs and expenditures of a corporation; and

WHEREAS, the City Council now finds that the proposed and adopted budget for the Freeport Economic Development Corporation for Fiscal Year 2021-2022 should be approved and adopted.

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

Section 1. The facts and recitations set forth in the preamble of this Resolution are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The annual budget for the Freeport Economic Development Corporation for the Fiscal Year 2021-2022 (attached hereto as Exhibit "A" and incorporated herein by reference the same as if set forth verbatim), is hereby approved and adopted. The City Secretary is hereby directed to place on said budget an endorsement to be signed by the City Secretary, which shall read as follows: "The Original Budget of the Freeport Economic Development Corporation for the Fiscal Year 2021-2022." Such budget as thus endorsed shall be kept on file in the office of the City Secretary as a public record.

Section 3. The necessity for making and approving a budget for the fiscal year, as required by the laws of the State of Texas, requires that this resolution shall take effect immediately from and after its passage, as the law in such case provides.

READ, PASSED AND ADOPTED 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:

Chris Duncan, City Attorney
City of Freeport, Texas



City Council Agenda Item # 5

Title: Master Fee Schedule Revision - Pool Party Rental Fees

Date: September 20, 2021

From: LeAnn Strahan, Destinations Director

Staff Recommendation:

Staff recommends approval of the Master Fee Schedule revisions to amend pool party fees.

Item Summary:

In reviewing the Master Fee Schedule for the Recreation Center, it was determined that the current rental fees for pool parties are not enough to cover the actual expenses associated with payroll, electricity and pool chemicals needed during the time frames. We propose that the lifeguard costs be charged in addition to the pool party rental fees.

Background Information:

It is unknown the last time the pool party rental fee schedule was re-evaluated.

Special Considerations

N/A

Financial Impact:

We can expect an increase in revenues for the Recreation Center.

Board or 3rd Party recommendation:

N/A

Supporting Documentation:

Proposed Pool Party Rental Pricing

RESOLUTION NO. 2021-2709

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS AMENDING THE MASTER FEE SCHEDULE FOR ASSESSING RATES AND FEES AND CHARGES FOR SERVICES PROVIDED BY CITY DEPARTMENTS, USE OF CITY PROPERTY, AND PURCHASE OF CERTAIN GOODS PROVIDED BY THE CITY; SPECIFICALLY AMENDING FEES TO RENT SWIMMING POOL FACILITIES FOR PARTIES; AUTHORIZING THE CITY CLERK TO MAINTAIN THE MASTER RATE SCHEDULE AND RECOMMEND ADJUSTMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR A FINDING OF PROPER MEETING AND NOTICE.

WHEREAS, the City Council of the City of FREEPORT, Texas ("City") seeks to provide for reasonable fees and charges for services provided by City departments, use of City property, and purchase of certain goods provided by the City in order to recoup the cost of conducting municipal business on the public's behalf without unduly relying on taxes; and

WHEREAS, the City Council finds that the Code of Ordinances of the City of FREEPORT, Texas ("Code") contains rates and fees throughout the Code and desires to consolidate all City rates and fees to provide a single and convenient location for a list of all rates and fees charged by the City through a Master Rate Schedule; and

WHEREAS, by Ordinance No. 2019-2597 the City Council of the City authorized the establishment and maintenance of a Master Fee Schedule; and

WHEREAS, the City Council has determined that the public welfare would be best served by maintaining and amending Building/Permit Fees in the Master Fee Schedule establishing an electrical inspection fee for inspection prior to reactivation of service;

WHEREAS, the City Council has determined that the public would be best served by amending the fee charged for rental of exclusive and private use of the Municipal pool.

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

SECTION 1. FEES. Pursuant to the provisions of its Code of Ordinances, as amended by Ordinance No. 2019-2597, the City Council of the City hereby amends the Master Fee Schedule with the rates and fees attached hereto as Exhibit "A".

SECTION 2. EFFECTIVE DATE. This resolution and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect on the date of passage and upon execution by the mayor and city secretary as set forth below.

SECTION 3. PROPER NOTICE AND MEETING. It is hereby found and determined that the meeting at which this resolution was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

Read, passed and adopted the _____ day of September, 2021.

Brooks Bass, Mayor
City of Freeport, Texas

ATTEST:

Betty Wells, City Clerk
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Christopher Duncan, City Attorney
City of Freeport, Texas

EXHIBIT A

Rentals Fees	Rental Fee	\$125	\$125	\$125
	*Guards Fee	\$80	\$120	\$160
	Total Fee:	\$205	\$245	\$285

*Guards Fee = 4 lifeguards per party (2 on stand with 2 down, rotate every 30 mins) x # of hours x \$10 hourly wage



City Council Agenda Item # 6

Title: Discussion regarding Redistricting for City Council Wards

Date: September 20, 2021

From: Tim Kelty City Manager/Chris Duncan City Attorney

Staff Recommendation:

Staff recommends Council begin discussion and give staff direction in regard to potential redistricting of City Council wards

Item Summary:

The City of Freeport is divided into 4 City Council Districts or Wards. Wards are required to contain an equal number of voters as far as practicable

Typically, cities evaluate the division of Council Wards following each Decennial Census, using updated population counts in each Census Block Group to determine if equitable division of the City Council Wards remains. The last redistricting of Wards occurred in 1992.

Background Information: None

Special Considerations: With the loss of population on the East End and Slaughter Road since 1992 and Growth in other areas of the city it is anticipated that changes will be needed to rebalance the wards.

Financial Impact: None

Board or 3rd Party recommendation:

N/A

Supporting Documentation:

Redistricting Map from 1992



City Council Agenda Item # 7

Title: Consideration and possible action to approve Ordinance No. 2021-2642 an Ordinance ratifying, affirming, and extending the Declaration of Disaster regarding Hurricane Nicholas.

Date: September 20, 2021

From: Timothy Kelty, City Manager

Staff Recommendation:

Staff recommends approval of this ordinance

Item Summary:

This ordinance Confirms and extends the emergency declaration signed by Mayor Bass on Monday September 13, 2021 as then Tropical Storm Nicholas approached Freeport.

Background Information:

A Tropical Disturbance first noted as it started to develop very late in the week around the 10th of September. It quickly strengthened into a tropical depression and then Tropical Storm Nicholas early Sunday, and the City began taking action to prepare for its potential impact. 36 hours later, it escalated to a Category 1 Hurricane and was on top of Freeport.

According to Local Government Code 418.108 a declaration of a local state of disaster allows for activation of recovery and rehabilitation aspects of all applicable local and interjurisdictional emergency management plans, authorizes the furnishing of all aid and assistance as deemed necessary or desirable by those administering such plans, and activates the preparedness and response aspects of the city's emergency management plan.

Special Considerations:

This emergency declaration will remain in effect until action is taken by City Council to lift it.

Financial Impact:

Undetermined. This will allow the city to spend the funds necessary to effectively prepare for, respond to and recover from the impacts of Hurricane Nicholas.

Board or 3rd Party recommendation:

N/A

Supporting Documentation:

Ordinance, Original Emergency Declaration by Mayor Bass

ORDINANCE NO. 2021-2642

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS BY THE COUNCIL OF THE CITY RATIFYING, AFFIRMING AND EXTENDING THE CITY OF FREEPORT'S DECLARATION OF DISASTER AND EMERGENCY PREVIOUSLY ISSUED BY THE MAYOR BEYOND THE INITIAL SEVEN DAY PERIOD THROUGH SEPTEMBER 13, 2021.

WHEREAS, the City of Freeport, Texas under Proclamation of Mayor, Brooks Bass issued a Declaration of Disaster and Emergency in recognition of the imminent threat posed by Tropical Storm/Hurricane Nicholas on the 13th day of September 2021; and

WHEREAS, Tropical Storm/Hurricane Nicholas made landfall in the City of Freeport, causing damage and destruction to public and private property; and

WHEREAS, the officials and employees of the City of Freeport have been required are continue to be required to expend resources to provide aid and service to the citizens of Freeport; and

WHEREAS, it is critical to take additional steps to respond to, and mitigate the damage and to protect the health and welfare of Freeport residents.

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

That the Declaration of Disaster and Emergency Proclaimed by Mayor, Brooks Bass on **SEPTEMBER 13, 2021** including all provisions included therein and hereto attached, is hereby Ratified, Affirmed and Extended until further action by the City Council.

READ, PASSED AND ADOPTED this _____ day of September, 2021

Brooks Bass, Mayor

ATTEST:

Betty Wells, City Secretary

APPROVED AS TO FORM ONLY:

Christopher Duncan, City Attorney

DECLARATION OF DISASTER BY THE MAYOR OF THE CITY OF FREEPORT

WHEREAS, the City of Freeport, Texas on the 13TH day of September 2021, recognizes the imminent threat posed by TROPICAL STORM NICHOLAS; and

WHEREAS, the Mayor of the City of Freeport has determined that extraordinary measures must be taken to mitigate the potential impacts of Tropical Storm Nicholas, including the loss of life and severe property damage, to alleviate the suffering of people, and to protect or rehabilitate property, roads, parks and other infrastructure within the City; and

WHEREAS, pursuant to Texas Government Code Chapter 418, Freeport Mayor, Brooks Bass has the authority to declare a local state of disaster and make emergency declarations.

NOW THEREFORE, I, BROOKS BASS, MAYOR FOR THE CITY OF FREEPORT, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:

SECTION 1. That the findings and recitations set out in the preamble to this ORDER are found to be true and correct and they are hereby adopted and made a part hereof for all purposes.

SECTION 2. That a local state of disaster is hereby declared for the City of Freeport, Brazoria County, Texas, pursuant to §418.108(a) of the Texas Government Code.

SECTION 3. Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven (7) days from the date of this declaration unless continued or renewed by the City Council of the City of Freeport, Texas.

SECTION 4. Pursuant to §48.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Clerk, and copy sent to Brazoria County Office of Emergency Management and the Texas Department of Emergency Management.

SECTION 5. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster activates the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of all aid and assistance as deemed necessary or desirable by those administering such plans and activates the preparedness and response aspects of the City of Freeport emergency management plan, and any other such plans.

SECTION 6. This proclamation shall take effect immediately from and after its issuance.

DULY ORDERED this the 13th day of September, 2021, in the City of Freeport, Texas.

A handwritten signature in black ink, appearing to read "Brooks Bass", written over a horizontal line.

Brooks Bass, Mayor