

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, July 19, 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
- Chris Duncan, City Attorney
- Cathy Ezell, Finance Director
- Lance Petty, Public Works Director
- LeAnn Strahan, Destinations Director
- Courtland Holman, EDC Director
- Henry Rivas, Building/Code Officer
- Ray Garivey, Freeport Police Chief
- Clarisa Molina, Administrative Assistant
- Giselle Hernandez, Financial Analyst
- Laura Tolar, Special Events Coordinator, Teleconference
- LeAnn Strahan, Destinations Director, Teleconference
- Robert Cramer, Teleconference

Visitors:

David McGinty	Manning Rollerson
Pam Dancy	Jerry Meeks
Sabrina Brimage	Raven Wuebker
Kenny Hayes	Tommy Pearson
Desiree Pearson	Edmeryl Williams
Julio Areunlo	Breanna Brimage
Brendan Brimage	Ron Bavarian
Patton Ritter	Shonda Marshall

Visitors, Via Teleconference:

Amanda Petty	Landis Adams
Vander Williams	Patrick Adams

**Call to order.**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Invocation was led by Councilman Brimage and the Pledge was led by City Attorney Chris Duncan.

**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.

Manning Rollerson spoke to council of his constitutional rights. He said that his nephew was pulled over for a traffic stop, he said that officers on the stop pulled their guns on him. He said that he spoke to Mr. Kelty about this. He said that the Chief needs to work on his people skills. Mr. Rollerson asked when the ditches are going to be cleaned where he lives. He spoke of his daughter's apartment again, and the disrespect that the code officer gave his daughter. He also said that he requested a report from this inspection, he said that he was told that there was no report. He said there has to be accountably.

Patton Ridder introduced himself to Council and the visitors. He said that he is running for the position of Brazoria County Judge for CCL2, he said that Marc Holder will be retiring. He said that he was born and raised in Brazoria County. He said that he serves as Prosecutor for Surfside Beach.

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

Presentation for employee of the month May 2021.

Mayor Bass tabled this item.

Presentation of quarterly investment report.

Finance Director Cathy Ezell presented to council the investment report for the quarter ending June 30, 2021.

**COUNCIL REGULAR AGENDA:**

Consideration and possible action on the approval of City Council meeting minutes from July, 6 2021.

On a motion by Councilman Brimage, seconded by Councilman Cain, with all present voting "Aye" 5-0 Council unanimously approved City Council meeting minutes.

Consideration and possible action regarding Resolution No. 2021-2697 authorizing participation with TCUC for intervention in Centerpoint Rate Making Case related to HB 1520.

City Manager, Tim Kelty presented Resolution No. 2021-2697 authorizing participation with TCUC for intervention in Centerpoint Rate Making Case related to HB 1520. He said that this is the Texas Coastal Utility Commission. Mr. Kelty said that staff recommends the approval of this resolution.

Councilman Muraira asked if this will cost the city anything? Mr. Kelty said yes it will be a charge of \$428.76.

On a motion by Councilman Brimage, seconded by Councilman Muraira, with all present voting "Aye" 5-0 Council unanimously approved Resolution No. 2021-2697 authorizing participation with TCUC for intervention in Centerpoint Rate Making Case related to HB 1520.

Pam Dancy said that she does not understand what this is. Mayor Bass said that this is a group that gathers together to get the best prices on natural gas for municipalities. Basically, this group legally fights for the participating cities collectively.

#### Consideration and possible action approving Task Authorization # 18 of concrete streets.

City Manager Tim Kelty presented to council Task Authorization #18 of concrete streets. He said that this is to cover the cost to prepare the engineering specifications for the proposed concrete streets, The bidding and review process and construction engineering administration. He said the cost of the task authorization is \$426,380.

Councilman Muraira asked out of the \$4 million, how much will the City be left with from the bond? Mr. Kelty said that the estimated cost for this project is \$4 million. We will know the actual cost once bids are received. We also have an estimated \$2.5 million either already under contract with the county but with the majority being prepared for late this year. If the bids come back as estimated we would have approximately \$1 million from the original \$7.5 million planned. This \$7.5 million was planned to be a combination of Bond and General Funds expended over the 3-year period. Councilman Muraira asked if Ave B from McNeil to Munson was taken off the list? Mr. Kelty said yes, that that was removed from the list of streets to be engineered for replacement, that the improvements to problem intersections would be done in house by public works. Councilman Muraira asked that Mr. Kelty email, showing what can and will be done, he said that he wants to make sure this is not forgotten. Mayor Bass asked Mr. Petty if the Street Department can handle 20-40 feet of concrete street repair. Mr. Petty said that 20-40 feet is something that the Street Department can do.

Councilman Pena asked if this list of streets can be revised? Mayor Bass said "no". Councilman Pena said that the cost of \$426,000 to get the task done seems steep. He said is this a normal percentage for a preliminary job? Mr. Bavarian said normally it is around 8-12 percent. Councilman Pena spoke of West 2<sup>nd</sup> Street to Arbutus. He said that he would like to see this go to Velasco. Mr. Kelty said eventually this is the plan.

Council Brimage said that he would like the recent construction looked at. He said that when awarding these projects, we need to make sure that money and quality of work are considered.

Tommy Pearson asked how many inches the streets are being cut down for the County work? Mr. Kelty said that they are getting the streets to the proper grade.

Manning Rollerson asked about the drainage with cutting down the streets.

On a motion by Councilman Brimage, seconded by Councilman Cain, with all present voting "Aye"

5-0 Council unanimously approved Task Authorization #18 of concrete streets.

Consideration and possible action amending the Social Media Policy.

City Manager Tim Kelty presented to council the possible action amending the Social Media Policy. He said that this is something that will require a Communication Director.

Council had a discussion on this item and asked that it be brought back with more information on the Communication Manager, and the Social Media Policy for the employees.

Mayor Bass tabled this item.

Budget Workshop for 2021-2022 fiscal year.

City Manager, Tim Kelty and Finance Director, Kathy Ezell presented to council the Proposed Budget for 2021-2022 Fiscal Year.

There was discussion by council on the Building for the Public Works Department, Councilman Muraira said that he did not agree with the \$200,000 for this building he said we need to focus on our City Parks. Mr. Kelty said that the building has mold and it is leaking. Mayor Bass said we have to consider the health of our employees. Later in the meeting Councilman Muraira conceded this importance and value of the Public Works Department needing this new building.

Each department was discussed by council.

Mayor Bass asked that the Admin Legal Fund have \$60,000-\$70,000.00 added back into this account. He also said that he would like to see a donation made to the Salvation Army. Councilman Pena asked if it could be increased by \$100,000.

Councilman Muraira asked about the possibility of adding to Building and Code to have Commercial Property added to the Rental Registration Program. Mr. Kelty said that there are annual safety inspections done on commercial property, but this can be added.

Councilman Pena said that he thinks the Agricultural and Botanical fund should be used for Beautification. He asked why the Beach Maintenance Fund is so low. Ms. Ezell said that a lot of these expenditures come from the Parks and Street Funds. Councilman Pena said that he would like to add funds for the Museum Façade. Councilman Muraira said that he does not agree with adding a fund for the Museum Façade.

There was discussion on the Health Insurance Coverage for employees.

The Budget Workshop was closed by Mayor Bass at 8:39.

**WORK SESSION:**

Councilman Pena asked if there was an update on 9<sup>th</sup> Street. Chris Duncan said that State Law under the Texas Water Code states that if one person alters elevation and it affects a neighbor, it is a civil matter between the neighbors. Mr. Duncan said that the city cannot get involved in civil matters. He said that

we can get new ordinances for new builds that set standards on altering elevation. Councilman Pena asked, “the City will not do anything for the residents affected by this”? Mr. Duncan said that we must have the authority to act, and the city does not have that authority. Councilman Pena said we need to move quickly on these ordinances. Mayor Bass said that we need to put this on a future agenda and get an ordinance. Councilman Pena asked if the Proposed Budget can be made public to our residents, Mr. Kelty said that it is on the front page of the city website. Councilman Pena said that he has requested several times that Velasco at 2<sup>nd</sup> Street and Velasco at Ave A get the torched tape that is highly fluorescent put down, he said that safety measures need to be done. He said that he has noticed that road top is being done going towards Hook’s, and it is frustrating to see this being done when the safety measures haven’t been implemented. He said he is curious as to why the tape cannot be done. Councilman Brimage said that this road was approved by the previous council. Mayor Bass said the resurface of this road was much needed. Councilman Pena said that he knows that this was needed and he knows it leads to the Service Department. Councilman Brimage said it leads to a \$3 Million restaurant as well, he said that it is very important.

Councilman Cain said that after all the rain there has been a lot of mowing yards and taking care of business. He said except for the vacant rent houses, he asked if the Code Department has been looking. He said that he received a picture of a resident standing out in his neighbors’ yard, and the grass was waist high. He said this has to be taken care of.

Councilman Muraira said that he wants to take back what he said earlier. He told Mr. Petty he does agree with the \$200,000.00 going into the service center, but we do need to look at the parks as well. He told Mr. Kelty that he did good with the budget, he does see a reduction in the numbers.

Councilman Brimage said that department heads and staff did an amazing job on the budget.

City Manager Tim Kelty said that he wants to remind council that on August 4-6 we will be hosting the delegation from Altamira. He said that there will be seven delegates here. He said that the city will also be hosting the BCCA Meeting in August.

Mayor Bass said that he hopes the citizens enjoyed the process of the Budget. He said please come back for our second meeting on July 26, 2021.

Update on reports / concerns from Department heads

Open session was closed at 8:53 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.

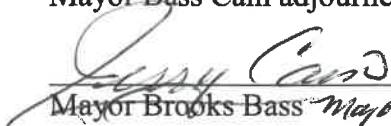
**REGULAR SESSION**


Mayor Bass reconvened regular session at 9:53 P.M.

There was no action taken from executive session.

Adjourn

On a motion by Councilman Pena, seconded by Councilman Muraira, with all present voting "Aye", Mayor Bass Cain adjourned the meeting at 9:53 P.M.

  
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Mayor Brooks Bass *mayor bro Bass*  
City of Freeport, Texas

  
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City Secretary, Betty Wells  
City of Freeport, Texas