



**AGENDA
SPECIAL MEETING
FREEPORT CITY COUNCIL
MONDAY, FEBRUARY 7, 2022 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 7TH DAY OF FEBRUARY, 2022, AT 6:00 P.M., AT THE FREEPORT, POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD FREEPORT TEXAS

BECAUSE OF THE PUBLIC HEALTH THREAT, SEATING WILL BE POSITIONED TO MEET THE REQUIREMENTS OF THE CDC, AND ATTENDEES ARE ENCOURAGED TO WEAR A FACE MASK.

This meeting will be live streamed via Facebook Live and may be accessed on the City of Freeport Facebook page: <https://www.facebook.com/freeporttexas>

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.*

COUNCIL BUSINESS – REGULAR SESSION:

1. Discuss and Take Possible Action on Trash Recycling. **(Pena/Muraira)**
2. Discuss and Take Possible Action on Beach Road Entry and Beach Plan. **(Pena/Muraira)**
3. Discuss and Review and Take Possible Action on Agenda Procedure Ordinance. **(Pena/Muraira)**

CLOSED SESSION:

4. Executive Session regarding a.) (Personnel Matters) Review Job Performance Issues of City Manager, in accordance with Vernon's Texas Government Code Annotated, Chapter 551, Sections 551.074.

COUNCIL BUSINESS – REGULAR SESSION:

ADJOURNMENT:

5. 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.

 For Betty Wells

Betty Wells, City Secretary,
City of Freeport, Texas



City Council Special Agenda Item # 1

Title: Discuss and Take Possible Action on Trash Recycling

Date: February 7, 2022

From: Councilman Pena and Muraira

Staff Recommendation:

This item was requested to be placed on the Agenda by Councilmen Jeff Pena and Mario Muraira.

Item Summary:

Council Approved a Solid Waste Contract with Ameriwaste in November which went into effect on February 1, 2022. As a result at the last Council meeting Council was able to lower Residential trash rates by 20%. During that discussion, the idea of Recycling in the City of Freeport was brought up. This is an opportunity to continue that discussion.

Background Information:

At last meeting Janell Marin of AmeriWaste stated that a Recycling provision could be amended into the contract, but requested that the city wait a few months to do so that both Customers could become acclimated to the new service provider and provisions of the new contract and Ameriwaste could become more familiar with any special needs of delivering services to Freeport Residents.

Since that meeting, Staff has continued the conversation with Ameriwaste regarding Recycling. We have a few different options, all of which would have different costs to residents:

- 1 Curbside Recycling city-wide(with various schedules)
2. Curbside recycling as a subscriber service.
3. Centralized Recycling Drop off and Collection location.

No costs have yet been put together for discussion purposes and when speaking with Ms. Marin, while she will work with us in any way we need, she reiterated her recommendation to wait a few months before initiating recycling.

Special Consideration: None

Board or 3rd Party recommendation: None

Financial Impact: None. The cost of this service would be passed on to residents either through direct billing by Ameriwaste or an addition to the trash bill.

Supporting Documentation: None



City Council Special Agenda Item # 2

Title: Discuss and Take Possible Action on Beach Entry Road and Beach Plan

Date: February 7, 2022

From: Councilman Pena and Muraira

Staff Recommendation:

This item was requested to be placed on the Agenda by Councilmen Jeff Pena and Mario Muraira.

Item Summary:

This item is similar to an items discussed by Council at the last meeting, for which a motion to approve possible action on a Budget Amendment for Supplementing the Completion of FM1495 Beach Entry and to Get Engineering and Pricing for the Asphaltting of CR723 and CR241 died for lack of a second.

Background Information: None.

Special Consideration: None

Board or 3rd Party recommendation: None

Financial Impact: Unknown

Supporting Documentation: None



City Council Special Agenda Item # 3

Title: Discuss and Review and Take Possible Action on Agenda Procedure Ordinance.

Date: February 7, 2022

From: Councilman Pena and Muraira

Staff Recommendation:

This item was requested to be placed on the Agenda by Councilmen Jeff Pena and Mario Muraira.

Item Summary:

This item is similar to an item discussed by Council at the last meeting. At that meeting a motion to amend ordinance 2021-2650 to require 96-hour notice to request a Special Meeting, and whatever agenda language request is made, it will not be manipulated, and it will appear in Open and/or Closed Session, was approved, and designated as Ordinance 2022-2657.

As of this time that ordinance has not yet been drafted by the City attorney for signature by Mayor Bass or Mayor Pro-tem Cain.

Background Information: None.

Special Consideration: None

Board or 3rd Party recommendation: None

Financial Impact: None

Supporting Documentation: Ordinance 2021-2650

ORDINANCE NO. 2021-2650

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; ESTABLISHING SPECIFIC PROCEDURES AND DEADLINES FOR ITEMS TO BE PLACED ON THE CITY COUNCIL AGENDA; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON SUCCESSFUL PASSAGE AND EXECUTION BY THE MAYOR AND CITY CLERK.

WHEREAS, the City Council desires to insure equal access by each and every Council member to bring items for consideration to the City Council as a whole; and

WHEREAS, the City Council recognizes that city staff must gather information, draft proposed resolutions and ordinances, and organize documents for each agenda item, and adequate time should be provided for city staff to perform those functions; and

WHEREAS, the City Council of the City of Freeport, Texas, has determined and does here now declare that the adoption of this ordinance is necessary to the fair and orderly administration of its constitutional and statutory powers as a home-rule municipality.

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

First, the City Council specifically finds that all items contained in the preamble above are true and correct.

Second, the City Council adopts the following rules, procedures and deadlines for items requested by one or more council member to be placed on the City Council Agenda:

1. Any request made by the Mayor, the City Manager or two (2) council members for an item to be placed on the agenda of a REGULAR council meeting, must be made in writing, to the City Manager, on or before noon (12:00 p.m.) on the Tuesday prior to the meeting.
2. Any request made by the Mayor, the City Manager or two (2) council members for an item to be placed on the agenda of a SPECIAL council meeting, must be made in writing, to the City Manager, on or before noon (12:00 p.m.) on the day prior to the meeting.
3. The City Manager shall place the requested item on the agenda as requested within the time-frame above.
4. The City Manager and city staff shall contact the requesting council member(s) should they have any questions or require more information to prepare the necessary documents for the item.
5. The City Manager shall be responsible to have all necessary resolutions, ordinances, supporting documentation prepare and in the city council packets delivered to council

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members on the day the agenda is posted and, if he chooses, he may prepare a council memorandum with his recommendation regarding the requested action.


6. The Council may table any agenda item upon motion and majority vote during the open session of the council meeting of which the item is on the agenda.

Third, in the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Fourth, this ordinance shall take effect immediately upon its passage and execution by the Mayor and the City Clerk.

Fifth, the City Council specifically finds and determines that the meeting at which this ordinance was passed 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 this 15 th day of November, 2021



Brooks Bass, Mayor

ATTEST:



Betty Wells, City Secretary

APPROVED AS TO FORM ONLY:



Christopher Duncan, City Attorney