

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, November 21, 2022 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

Staff: Tim Kelty, City Manager
Lance Petty, Assistant City Manager/PWD
Betty Wells, City Secretary
Tommy Ramsey, Interim City Attorney
Cathy Ezell, Finance Director
Jaason Schafer, Freeport Fire/EMS
Toby Cohen, IT Manager
Jennifer Howell, Freeport Police Chief
Donna Fisher, Human Resource Director
Ana Silbas, Main Street Coordinator
Johnnie Kaye Ramsey, Court Clerk
Wade Dillon, Museum Manager

Visitors: George Matamoros
Melanie Oldham
Kenny Hayes
Ruby Marshall
Eric Hayes
Mr. Falk (Bickerstaff)
Bob Casale
Karla Clark
Sam Reyna
Pam Dancy
Shonda Marshall
Keith Stumbaugh
Nicole Mireles
Karla Clark

Call to order.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation was a moment of silence, and Pledge was led by Mayor Bass.

CITIZENS' COMMENTS:

Nicole Mireles spoke to council of the transit system in Freeport, she said there are no benches nor covers at the bus locations. She called the transit company, and was told the cost of the cover is \$10,000. She

said the CCF is willing to do their part in contributing to this project and asked council to find a way to help.

Sam Reyna resident at 2002 North Ave G, spoke to council of the live recordings for the board and committees. He is not in favor of this resolution. He also spoke of council being allowed to do investigations, he said he agrees that item #14 to modify the agenda policy and he agrees it should be modified.

George Matamoros said he just wants to say he is thankful for the projects that have been done in the city. He said the sidewalk project that Lance and his crew has been working on. He also thanked staff that he been in contact with TxDot, and the road repair that has begun on Brazosport Boulevard.

Pam Dancy said that it is important that we get benches and covers for our bus stops. She also spoke of the Zoning Map.

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

Mingo Marquez, President of the EDC introduced Robert Johnson, the new Director of the EDC. and Ana Silbas was introduced as the new Mainstreet Manager.

Presentation of Employee of the Month for the Month of October 2022.

Mr. Kelty presented the employee of the month to Johnnie Kaye Ramsey, for the month of October 2022.

CONSENT AGENDA

Consideration and possible action on the approval of City Council meeting minutes from November 7, and November 14, 2022.

Consideration and possible action for road closures for the MLK, Jr. Parade on January 16, 2023.

Consideration and possible action for road closures for Downtown Holiday Market on Saturday December 19, 2022

Councilman Pena asked that item #3 be pulled from Consent Agenda.

A motion was made to approve the consent agenda item #'s 1 & 2 by Councilman Cain, seconded by Councilman Pena. With all present voting "Aye" 4-0 council unanimously approved the Consent Agenda, item # 2 & 3.

COUNCIL REGULAR AGENDA

Consideration and possible action for road closures for Downtown Holiday Market on Saturday December 10, 2022

Councilman Pena asked Freeport Museum Manager, Wade Dillon what the process is for vendors? He said he is curious why participation by vendors was so low at the last Holiday Market. Mr. Dillon said the weather had a large part to play. He said there are vendor applications, and if there are not enough vendors, then we will call it off.

A motion was made to approve the road closures for Downtown Holiday Market on Saturday December 10, 2022 by Councilman Pena, seconded by Councilman Cain. With all present voting "Aye" 4-0 council unanimously approved road closures for Downtown Holiday Market on Saturday December 10, 2022.

Public Hearing: Public Hearing for the Redistricting of the Council Wards, and a Public Drawing Session.

Mayor Bass opened the Public Hearing at 6:25 PM.

Mr. Falk with Bickerstaff explained what the redistricting is about, and that Federal Law says difference in population between the largest and smallest wards must be no greater than 10%. Mr. Falk presented two proposed maps. One Plan A, and the other Plan B.

Keith Stumbaugh with the Redistricting Citizen Advisory Committee, said the committee recommends Plan A. However, he said they also discussed Velasco Boulevard as a boundary between Ward A & B and if there was a way to make that so it was recommended.

Pam Dancy asked who the Advisory Board consisted of? She was told Eric Hayes, Kenny Hayes, Keith Stumbaugh, and Raul Ramirez.

There was a lengthy discussion by Council on the Plans A & B. During the drawing session, with suggestions by Council options C and D were developed. Option D held the consensus of Council as the cleanest and best option with an overall deviation of 7.11%. All of Council agreed on a new Plan D Map.

Consideration and possible action for the designation of streets for Interlocal with County.

Assistant City Manager/PWD, Lance Petty presented to council the designation of streets for the Interlocal with Brazoria County. He said this is the same plan that was presented at the meeting on November 7. He passed out information on streets that Councilman Pena asked for. Mr. Petty said with the recommendations from Councilman Pena, there would be 9 streets removed from the original list of roads in order to add the beach road. The total on the alternate change will be a total of 1.88 miles, with the total \$363,288 and the original list of roads is 2.12 miles with a total of \$390,742.

Councilman Pena said this will save the City some money. Mr. Petty said it does however remove four roads out of Ward A, and five roads out of Ward D which will still need to be done in the future. Councilman Cain asked which roads are in the worst shape? Mr. Petty said if he were to grade them, DeZavala and Perry are the two worst. Councilman Cain said he has a hard time taking nine streets off of the list, without looking at them first. He asked how hard is it to submit changes, and is there a time crunch on this? Mr. Petty said there is opportunity to remove but, a lot of hurdles to get there. There is a time frame, we have to get this signed by the Mayor and back to the County to be approved by the Commissioners Court as soon as possible. The longer we put this off the further down we get on this list for the street repairs on the following year.

A motion was made by Councilman Pena to approve the alternate streets he had recommended including the Beach Road for County Interlocal. With a lack of second, the motion died.

A motion was made by Councilman Cain to approve the County Interlocal Street Repair as originally recommended. Seconded by Mayor Bass. With discussion that followed.

Councilman Muraira asked if Slaughter Road could have footage taken off to allow for the beach road? He said we can give some footage to Councilman Pena. Mr. Petty said he would not recommend removing anything from Slaughter; this road is in very bad shape.

Councilman Cain said for the record he is not anti-beach, but he feels like the roads less traveled is not the important part. He said the important part is the roads that need the most repair.

Councilman Muraira said he sees Councilman Pena's vision for the beach, but these streets need repair.

Mayor Bass called the motion for a vote, with a 3-1 vote council approved the County Interlocal Street Repair as originally written. Mayor Bass, Councilmen Cain and Muraira voted "Aye" Councilman Pena voted "Ney".

Consideration and possible action for the awarding bid to B3 Resources, LLC., for Riverside Parking Lot, and authorizing the Mayor to sign the resulting contract.

Assistant City Manager/PWD, Lance Petty presented to council recommendation to award bid to B3 Resources, LLC., for Riverside Parking Lot, and authorizing the Mayor to sign the resulting contract. He said the city went out for sealed bids and received one bid. He said B3 came in at \$66,000. Staff recommends awarding the bid to B3 Resources, LLC., and authorizing Mayor to sign the contract.

A motion to approve awarding bid to B3 Resources, LLC., for Riverside Parking Lot, and authorizing the Mayor to sign the resulting contract by Councilman Pena. Seconded by Councilman Muraira with all present voting "Aye" council unanimously approved awarding bid to B3 Resources, LLC., for Riverside Parking Lot, and authorizing the Mayor to sign the resulting contract.

Consideration and possible action for awarding bid to B3 Resources, LLC., Recreation Center Parking Lot, and authorizing the Mayor to sign the resulting contract.

Assistant City Manager/PWD, Lance Petty presented to council possible action for awarding bid to B3 Resources, LLC., Recreation Center Parking Lot, and authorizing the Mayor to sign the resulting contract. Mr. Petty said B3 was the only bidder on this project. This will be an 80'x80' additional parking area for the Freeport Rec Center. He said if this is approved it will provide 20 additional parking spaces at the North end of the rec center. Mr. Petty said this is a budgeted item and it came in below budget at \$63,355. Staff recommends awarding this to B3 Resources, LLC.

Councilman Pena asked how many estimates did we get on this? Mr. Petty said this was advertised for sealed bids, and this is the only bid that came in.

There was a lengthy discussion by Council on the price point on each item that was bid by B3. There was discussion on drainage. There was discussion on the sealed bid process.

A motion to approve for awarding bid to B3 Resources, LLC., Recreation Center Parking Lot, and authorizing the Mayor to sign the resulting contract, by Councilman Cain. Seconded by Mayor Bass.

Pam Dancy spoke of city employees parking in citizens parking.

Mayor Bass called the motion for a vote, with a 2-2 vote motion failed. Mayor Bass and Councilman Cain voted "Aye", Councilmen Muraira and Pena voted "Ney".

Consideration and possible action for awarding bid to B3 Resources, LLC., for repair to T-Dock Levee Road, and authorizing the Mayor to sign the resulting contract.

Assistant City Manager/PWD, Lance Petty presented to council possible action for awarding bid to B3 Resources, LLC., for repair to T-Dock Levee Road, and authorizing the Mayor to sign the resulting contract. Mr. Petty said this is a budgeted item. He said we went out for bids, and we received only one from B3 Resources, LLC is the only one that came in, and it came in under budget for \$95,665.10. Staff recommends the approval of awarding bid to B3 Resources, LLC.

Councilman Cain said with this repair we will be able to see the kids playing at the playground which inside of the levee. Mayor Bass said this is for the safety for our children.

A motion to approve awarding of bid to B3 Resources, LLC., for repair to T-Dock Levee Road, for the safety of our children, and authorizing the Mayor to sign the resulting contract by Mayor Bass. Seconded by Councilman Cain. With discussion that followed.

The question was asked for square footage of this project. Mr. Petty said 13,430. Councilman Pena spoke on the cost of widen of the road. There was discussion by Councilman Pena on the condition of the road, and its condition, being good.

George Matamoros said he feels these bids need to be approved.

Mayor Bass called the motion for a vote, with a 2-2 vote motion failed. Mayor Bass and Councilman Cain voted "Aye". Councilmen Muraira and Pena voted "Ney".

Consideration and possible action for awarding bid to Tra-Con, for the Velasco House improvement, and authorizing the Mayor to sign the resulting contract.

Assistant City Manager/PWD, Lance Petty presented to council the possible action for awarding bid to Tra-Con, for the Velasco House improvement, and authorizing the Mayor to sign the resulting contract. He said the City went out for bids, and two bids were received. Mr. Petty said this is a budgeted item. Staff recommends awarding the bid and contract to Tra-Con, they came in under budget at \$57,770. He said the Velasco Community House remodel, will bring this rental space up to code, and improve the city's rental space for the citizens.

A motion was made to approve awarding bid to Tra-Con, for the Velasco House improvement, and authorizing the Mayor to sign the resulting contract. Seconded by Councilman Cain. With discussion that followed.

Councilman Pena said he does not agree with putting money into this place, when we have the Riverplace and when we have the opportunity to put in a Rec Center with a meeting space. He said he would like to vote on this at the next meeting.

Mayor Bass called the motion to a vote. With a 3-1 vote, motion passed. Mayor Bass, Councilmen Cain and Muraira voted "Aye". Councilman Pena voted "Ney".

Consideration and possible action for awarding bid to Tra-Con, for the improvement of the roof and painting of the Service Center Warehouse, and authorizing the Mayor to sign the resulting contract.

Assistant City Manager/PWD, Lance Petty presented to council the possible action for awarding bid to Tra-Con, for the improvement of the roof and painting of the Service Center Warehouse, and authorizing the Mayor to sign the resulting contract. Mr. Petty said this is an approved budgeted item. He said the city went out for sealed bids, and we received three. Staff is recommending awarding the bid to Tra-Con. He said we need to get the roof repaired and bring the exterior up so it is good in the eye of the public.

A motion to approve awarding bid to Tra-Con, for the improvement of the roof and painting of the Service Center Warehouse, and authorizing the Mayor to sign the resulting contract by Councilman Cain, seconded by Mayor Bass, with discussion that followed.

There was a lengthy discussion by Councilman Pena on the service center and it is continually needing to be remodeled. He said he is not interested in putting more money into projects, that don't help our bottom line. Mr. Petty said this is the service center where all of our equipment is stored, and if we do not repair it now it will cost three times more next year.

Mayor Bass called the motion for a vote, with a 3-1 vote motion passed. Mayor Bass, Councilmen Cain and Muraira voted "Aye". Councilman Pena voted "Ney".

First reading on Resolution 2022-2768 for the approval of the EDC Project – 2022/2023 Local Small Business grant program.

City Manager Tim Kelty read the first reading of Resolution 2022-2768 for the approval of the EDC Project – 2022/2023 Local Small Business grant program. He said the second reading will be on the next Regular City Council meeting.

No action was needed on this item.

Discuss and take possible action on Resolution No. 2022-2769 to require FB Live recordings of ALL public board meetings at City Hall Chambers.

Councilman Muraira presented to council Resolution No. 2022-2769 to require FB Live recordings of ALL public board meetings at City Hall Chambers. He said he believes we should have all committee meetings with the Facebook live. It shows transparency. Councilman Pena said Planning and Zoning, Charter Review, Board of Adjustments, and Historical Museum and Main Street Board should all be Facebook live and held in Council Chambers.

Mayor Bass said the way the item is written, this is all boards and committees. Interim Attorney said this includes all boards and committees that are subject to Open Meetings requirements.

A motion to approve Resolution No. 2022-2769 to require FB Live recordings of ALL public board meetings at City Hall Chambers by Councilman Pena, seconded by Councilman Muraira. With discussion that followed.

Councilman Cain said just as the Disclosure Statement, we will lose a lot of members with this Resolution. He said he does not feel this is the right thing for the City of Freeport.

Councilman Muraira said he feels this is appropriate.

Tobey Cohen, IT Manager spoke regarding our inability to ensure Facebook Live data is retained indefinitely.

Mayor Bass called the motion for a vote, with a 2-2 vote motion failed. Mayor Bass and Councilman Cain voted “Ney” Councilmen Muraira and Pena voted “Aye”.

Discuss and Take Possible Action to Modify Agenda policy review to determine what info is required by Council and City Staff to produce.

Councilman Pena presented to council the possible action to modify agenda policy review to determine what info is required by council and city staff to produce. He spoke of the now requirement by council members to provide documentation to staff for any item placed on the agenda. He spoke of having to fill out the memo for the agenda. He said he wants to make sure fair is fair, and each councilmember has this requirement.

A motion was made by Councilman Pena to modify agenda policy review to determine what info is required by council and city staff to produce, seconded by Councilman Muraira. With discussion that followed.

Mayor Bass explained the ordinance that was passed for the agenda policy, and the requirements for Council to add to the agenda. Mayor Bass said one of the reasons this was passed was because of last minute additions being made to the agenda, as well as the need for documentation for the item by the person requesting.

There was a lengthy discussion by Councilman Pena.

Mayor Bass called the motion to a vote, with a 2-2 vote motion failed. Mayor Bass and Councilman Cain voted “Ney”. Councilmen Muraira and Pena voted “Aye”.

WORK SESSION:

Councilman Pena thanked Mayor Bass for the moment of silence for the national tragedy. Councilman Pena spoke on the citizen comments. He said he agrees that we need additional funding for the bus stop, he said we need benches and covers for these stops. He congratulated Mr. Johnson on his position of Director with the EDC. He spoke on the sewer issue of 9th and 12th Street. Mr. Kelty said there was a breakdown in the sewer line. He said GLO approved the repair without effecting the Grant.

Councilman Cain spoke of the bus route and the benches and covers, he said the City and EDC needs to try and come up with funds for this. He said we need to look into why the city is not receiving the funds from the transit, we need to make sure they are doing their share. Councilman Cain thanked Mr. Kelty for the light issue on Dixie Drive, and getting it taken care of. Mr. Kelty said this was reported to Centerpoint, he said that a line has been cut. He said we are looking who is responsible for this. Councilman Cain spoke of the sections of street repair on 288. Mr. Kelty said TxDOT will get this repaired this FY. Councilman Cain said the sections that are done, are nice.

Councilman Muraira asked about the lighting plan? Mr. Kelty said I will get an update by the next meeting. Councilman Muraira asked when people can begin to file for Ward D position? Mr. Kelty said the filing is open now and ends on December 27. Councilman Muraira asked about the driveway on the 1700 block of 5th Street. Mr. Petty said 5th Street, driveway is between the homeowner and the contractor. Mr. Petty spoke on 8th Street concern with the concrete. He said the engineers met him and Mr. Kelty on

site, and discussed the issues. The engineer came back and said there was a letter of notice to correct. They will require them to remove the concrete and repour. Councilman Muraira asked the timeframe. Mr. Petty said by the end of December. Councilman Muraira asked about a car crash between Yaupon and Broad. Mayor Bass said there was an accident at the intersection of 4th Street and Yaupon, a Trooper was involved. Councilman Muraira said there needs to be a sign that says "Stop Ahead" on 4th Street.

City Manager Tim Kelty said he had a meeting with TxDot and they have a major grant potential for the city to get, this will be for pedestrian and transit type projects. Also, for sidewalks along Gulf Boulevard and Brazosport Boulevard in conjunction with this. He said we are moving forward with the grant for \$1.837 million with the projects for pump station ground storage tanks at Ave F.

Update on reports / concerns from Department heads

CLOSED SESSION:

Open Session was closed at 9:26 PM.

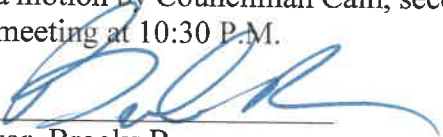
Councilman Pena made a motion to not invite Mr. Kelty and Ms. Wells into Executive Session. There was no second, motion fails.

Executive Session was closed at 10:30 PM.

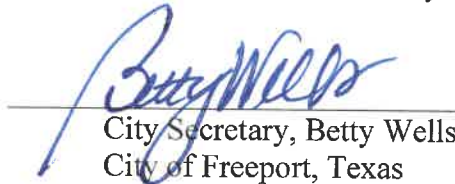
No action was taken from Executive Session.

Adjourn

On a motion by Councilman Cain, seconded by Councilman Pena, with 4-0 vote, Mayor Bass adjourned the meeting at 10:30 P.M.



Mayor, Brooks Bass
City of Freeport, Texas



City Secretary, Betty Wells
City of Freeport, Texas