



**AGENDA  
REGULAR MEETING  
FREEPORT CITY COUNCIL  
MONDAY, MAY 1, 2023 at 6:00 P.M.**

**Mayor:**

Brooks Bass

**Council Members:**

Jeff Pena  
Jerry Cain  
Mario Muraira  
Winston Rossow

**City Manager:**

Timothy Kelty

**THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, WILL MEET ON MONDAY, THE 1ST DAY OF MAY, 2023, AT 6:00 P.M., AT THE FREEPORT, POLICE DEPARTMENT, MUNICIPAL COURT ROOM, 430 NORTH BRAZOSPORT BOULEVARD FREEPORT TEXAS**

**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.*

**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. Presentation by BWA on Reservoir. **(Kelty)**.
2. Presentation of Proclamation for National Correctional Officer Week, being of May 7<sup>th</sup>. **(Howell)**
3. Presentation of Proclamation for National Police Week, being week of May 14<sup>th</sup>. **(Howell)**
4. Presentation of Second Quarterly Investment Report for Fiscal Year 2022-2023. **(Ezell)**

**COUNCIL BUSINESS – REGULAR SESSION:**

5. Consideration and possible action on the approval of City Council Meeting Minutes, from April 17, 2023. **(Wells)**
6. **Public Hearing**, Consideration and possible action regarding request for Replat No 1 Block 701 Velasco Townsite a Subdivision of 0.506 acres being all of a called 0.506 acre tract of land. As recorded in Brazoria County Clerk's File No. 2006001915, being all of lots 19 thru 24 and portion of Lots 1,2,3 and 18 and Portion of a 20-foot closed alley, in Block 701 Of Velasco Townsite, situated in the Sam T. Angier Survey, Abstract Number 8, in the City Of Freeport, Brazoria County, Texas **(Roman)**
7. Consideration and possible action approving the material increase in cost for the 2022/2023 interlocal roads with Brazoria County for paving. **(Petty)**
8. Consideration and possible action on approval for new fueling system by Sun Coast Resources located at the City of Freeport. **(Petty)**
9. Discussion and direction from Council regarding Freeport ETJ around the City of Brazoria and Brazoria's request for allowance for transfer of that ETJ from Freeport to Brazoria. **(Kelty)**

**WORK SESSION:**

10. **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 Rossow 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:**

11. Executive Session regarding a.) (Consultation with Attorney) Pending Litigation

- a. Port of Freeport potential Condemnation of the East End
- b. Jeff Pena v. The Board of Adjustments for the City of Freeport,
- c. Vernor Material v. City of Freeport,
- d. Marinell Music and Danna Wallace v. City of Freeport et al,
- e. City of Freeport v. Motel 6;

in accordance with Texas Government Code Annotated, Chapter 551, Section 551.071.

**COUNCIL BUSINESS – REGULAR SESSION:**

12. Take any action resulting from Executive Session.

**ADJOURNMENT:**

13. Adjourn.

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

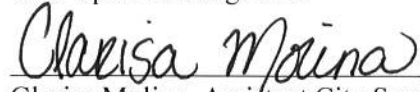
The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

---

**ACCESSIBILITY STATEMENT** This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (979) 233-3526.

---

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

  
Clarisa Molina, Assistant City Secretary,  
City of Freeport, Texas



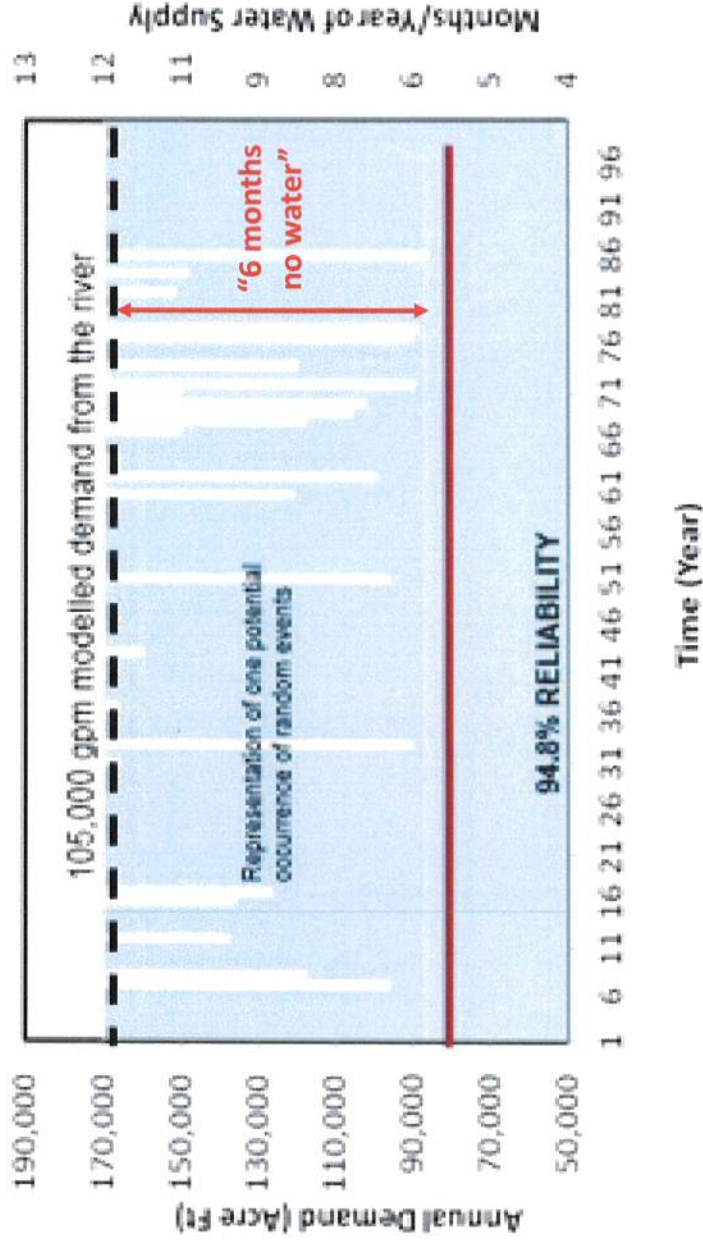
# Facts on Available Local Storage & Planning

- **BWA, Dow and Local Industrial Users have just 2 months of reliable local storage!!** All need significantly more local stored water for reliable supply, both now and in the future!!
- The State of Texas models & Dow modeling both indicate we need, at least, 6 months of storage!!
- TCEQ requires all surface water user to maintain a minimum of 120 days of storage
- In 2022 BWA's 1960 water rights were curtailed for ~5 months
- 2022 BWA surface pumping curtailment forced BWA reliance on Dow obtained "short term contracts
- Dow's **stored water need** has been managed with short-term BRA contracts. These contracts have become increasingly unreliable. They will, at some point, be unavailable in the very near future! Dow was only able to obtain half the volume in 2023 than was obtained in 2022
- Completion of BWA's two phase Brackish Desal Project and acquisition of Rosenberg's BRA Contact helps secure some of the current demand but fails to meet full need in a repeat of 2011 drought.
- BWA capability, with brackish desal and the Rosenberg BRA water, falls significant short of meeting local municipal growth needs and/or the needs projected to result from eventual subsidence pumping constraints
- **Industrial users, like BWA, need action to assure ability to produce and sustain our local economies!!**



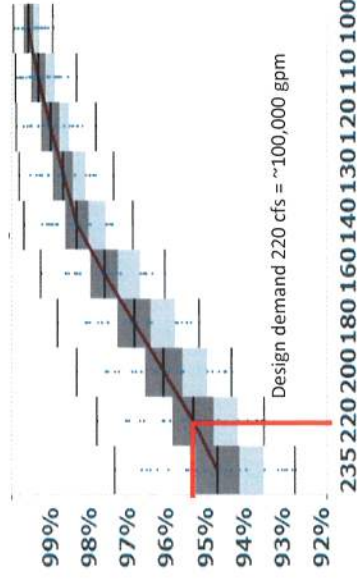
# Dow Reliability Modelling Indicates that without one-year contract water BWA and industry Will Experience Serious Supply Interruptions

Water Availability Model Results - 130,000 gpm Pumping and Existing Storage



“White space in figure indicates in 15 years out of 100 we are at risk of not having surface water supply for up to six months of the year!!”

Statistical Supply Reliability vs. Demand

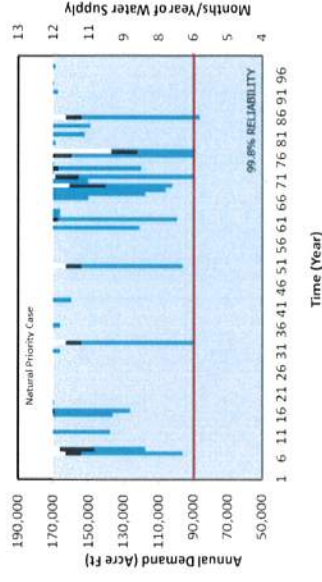


# Harris Reservoir Expansion Project

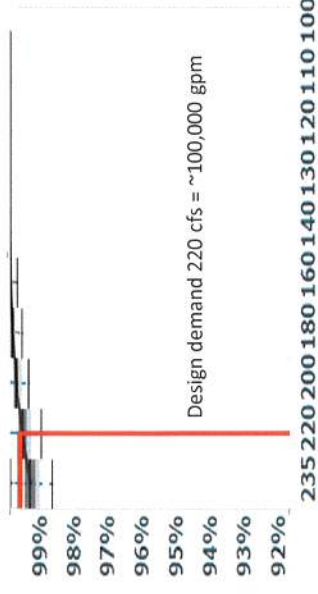
**Goal:** Increase the Current/Future Water Supply Security for Municipal Potable Water in BWA Service Area and Industrial Users in Southern Brazoria County



**Water Availability Model Results – 150,000 gpm Added Pumping and 50,000 AF Added Storage**



**Statistical Supply Reliability vs. Demand**



- Project Cost Estimate - \$650 million Capex (\$750 MM TWDB Program Lending)
- Target Operational Date - October 2028

## Projected BWA Water Rate Impacts Proposed Harris Reservoir Expansion Project

Fiscal Year	Debt Service Increase/ 1000 gal per year	Projected Debt Service/ 1000 gal per year
23/24	\$0.15	\$0.15
24/25	\$0.15	\$0.30
25/26	\$0.15	\$0.45
26/27	\$0.15	\$0.60
27/28	\$0.16	\$0.76
28/29	\$0.16	\$0.92
29/30	\$0.16	\$1.08
30/31	\$0.09	\$1.17
55/56	\$0.00	\$1.17

Note: Values are a best, marginally conservative, estimate based on currently conditions and current interest rates

- **Projected cost impacts are conservatively depicted at current demand, without increased demand revenue!!**
  - **7 to 10 MGD of demand growth fully neutralize added costs! Assume \$1.2/kgal O&M cost**
  - **Meeting added demand assumes brackish desal is leveraged to support growth**



# Current Project Schedule

Project Schedule	Date
FEL3 Project Kickoff	Nov. 2017
USACE 404 Permit Submittal	Feb. 2018
<b>SWIFT Fund Pre-application</b>	<b>Feb. 2023</b>
<b>Complete Detailed Design</b>	<b>March 2023</b>
<b>Construction Contracting Procurement Process Kick-off</b>	<b>April 2023</b>
TCEQ Dam Safety Permit	July 2023
USACE 404 Anticipated Approval	July 2023
<b>D-Fund Full Application (Vet Deal w/ TWDB and/or Enable Acquisition, Planning and Early Funds )</b>	<b>Summer 2023</b>
Start Construction – Site Development & Temporary Facilities	TBD
<b>Anticipate SWIFT Fund Pre-Application/ Full Application</b>	<b>Jan. 2024/ May 2024</b>
<b>Anticipated Receipt of SWIFT Construction Funds</b>	<b>Jan. 2025</b>
Start Major Project Construction	Mar. 2025
Construction Complete	Feb. 2028
Reservoir Start-up and Commissioning Complete	May 2028
<b>Reservoir First Filling Complete</b>	<b>Sept. 2028</b>





## City Council Agenda Item # 2

**Title:** Proclamation

**Date:** 5/1/2023

**From:** Jennifer Howell, Chief of Police

---

**Staff Recommendation:** City Council to recognize our Jailers for National Correctional Officer's week in May for their hard work and dedication to the city. Staff also recommends the Mayor sign a proclamation declaring the week of May 7-13, 2023, to be National Correctional Officer's Week in Freeport, TX, in honor of the individuals whose diligence and professionalism keep our city and citizens safe.

**Item Summary:** Proclamation for the City of Freeport, Tx to recognize May 7-13, 2023, to be National Correctional Officer's Week.

**Background Information:** National Correctional Officers Week in the first week of May — from May 7 to 13 this year. Former President Ronald Reagan established this week on May 5, 1984. He saw the need to create a week for correctional officers to thank them for their services and celebrate their contributions to society. Often, they are to make sure the court orders are seen through and implemented. During this week, various U.S. agencies honor correctional officers in our jails, prisons, and community correctional facilities.

**Special Considerations:** None

**Financial Impact:** None

**Board or 3<sup>rd</sup> Party recommendation:** None

**Supporting Documentation:** Proclamation

## **Proclamation for National Correctional Officer's Week 2023**

WHEREAS, there are more than 300,000 correctional officers serving in communities across the United States, including the dedicated members of the FREEPORT POLICE DEPARTMENT;

WHEREAS, National Correctional Officers and Employees Week was first proclaimed on May 5, 1984, by President Ronald Reagan when he signed Proclamation 5187 creating "National Correctional Officers Week," to recognize the men and women who work in jails, prisons, and community corrections across the country; and

WHEREAS, National Correctional Officers and Employees Week became the official name the first week in May when, in 1986, the U.S. Senate officially changed the name from "National Correctional Officers Week"; and

WHEREAS, National Correctional Officers and Employee Week honors the work of Correctional Officers and Correctional Personnel for their service with honor, respect, and integrity; and raises the awareness of the duties, hazards, and sacrifices made by the Correctional employees; and

WHEREAS, National Correctional Officers and Employees week in FREEPORT, TEXAS recognizes our Jailers for their role in safeguarding the citizens of FREEPORT, TEXAS by providing safe, secure, and humane incarceration of offenders within their custody;

WHEREAS, National Correctional Officers and Employees week in FREEPORT, TEXAS this year wants to recognize all Correctional officers for their acts of heroism, dedication to duty and commitment to our community.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Freeport, does hereby proclaim the week of May 7, 2023-May 13, 2023, as "National Correctional Officers and Employees Week."

Signed this \_\_\_ day of \_\_\_\_\_, 2023

Governor/County Executive/Mayor \_\_\_\_\_

In the State of Texas, Brazoria County, City of Freeport.



## City Council Agenda Item # 3

**Title:** Proclamation

**Date:** 5/1/2023

**From:** Jennifer Howell, Chief of Police

---

**Staff Recommendation:** City Council to recognize our Police Officers for National Police Week in May for their hard work and dedication to the city. Staff also recommends the Mayor sign a proclamation declaring the week of May 14-20, 2023, to be National Correctional Police Week in Freeport, TX, in honor of the individuals whose diligence and professionalism keep our city and citizens safe.

**Item Summary:** Proclamation for the City of Freeport, Tx to recognize May 14-20, 2023, to be National Police Officer's Week.

**Background Information:** In 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls, as National Police Week. Established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others.

**Special Considerations:** None

**Financial Impact:** None

**Board or 3<sup>rd</sup> Party recommendation:** None

**Supporting Documentation:** Proclamation



# Proclamation for National Police Week 2023

WHEREAS, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the FREEPORT POLICE DEPARTMENT;

WHEREAS, since the first recorded death in 1786, there are currently 23,785 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC;

WHEREAS, 556 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 224 officers killed in 2022 and 332 officers killed in previous years;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 35<sup>th</sup> Candlelight Vigil, on the evening of May 13, 2023;

WHEREAS, the Candlelight Vigil is part of National Police Week, which will be *observed* this year May 9-20;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

THEREFORE, BE IT RESOLVED that THE CITY OF FREEPORT will observe May 9-20, 2023, as National Police Week in FREEPORT, TEXAS, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Signed this \_\_\_ day of \_\_\_\_\_, 2023

Governor/County Executive/Mayor \_\_\_\_\_

In the State of Texas, Brazoria County, City of Freeport.



## City Council Agenda Item # 4

**Title:** Presentation of the Investment Report for the Quarter Ending March 31, 2023

**Date:** May 1, 2023

**From:** Cathy Ezell, Finance Director

---

**Staff Recommendation:**

This report is presented for informational purposes. No Council Action is required.

**Item Summary:**

This report reflects that on March 31, 2023, the City's total portfolio of \$24.4 million was managed in compliance with the PFIA and the City's investment policies.

**Background Information:**

The Public Funds Investment Act (PFIA), Texas Government Code, Chapter 2256 states that no less than quarterly, the Investment Officer(s) shall prepare and submit to the governing body a written report of investment transactions for all funds covered by the Act for the preceding reporting period. Presentation of this report fulfills that requirement.

**Special Considerations:** N/A

**Financial Impact:** N/A

**Board or 3<sup>rd</sup> Party recommendation:** N/A

**Supporting Documentation:**

Quarterly Investment Report



Quarterly Investment Report  
January 1, 2023 - March 31, 2023


G/L Account	Description	Book Value	Current Interest Rate	Yield to Maturity	Maturity Date	Days to Maturity	Beginning Market Value for Period	Changes to Market Value	Ending Market Value for Period	Interest Paid YTD
<b>Cash in Demand Accounts</b>										
99-101-000	Operating Account	\$ 8,607,880	4.61%	4.61%	Demand	1	\$ 7,300,456	\$ 1,307,424	\$ 8,607,880	\$ 144,505
<b>Total Cash in Demand Accounts</b>		<b>\$ 8,607,880</b>					<b>\$ 7,300,456</b>	<b>\$ 1,307,424</b>	<b>\$ 8,607,880</b>	<b>\$ 144,505</b>
<b>Invested in Government Pools</b>										
99-105-020	TexasClass	\$ 3,074,875	4.47%	0.05%	Demand	1	\$ -	\$ 3,074,875	\$ 3,074,875	\$ 57,655
99-105-010	TexPool	\$ 12,728,434	4.61%	0.05%	Demand	1	\$ -	\$ 12,728,434	\$ 12,728,434	\$ 249,276
<b>Total Invested in Pools</b>		<b>\$ 15,803,309</b>					<b>\$ -</b>	<b>\$ 12,728,434</b>	<b>\$ 12,728,434</b>	<b>\$ 249,276</b>
<b>TOTAL ALL INVESTMENTS</b>		<b>\$ 24,411,190</b>					<b>\$ 7,300,456</b>	<b>\$ 17,110,734</b>	<b>\$ 24,411,190</b>	<b>\$ 451,436</b>


Investment Category	Book Value	Percentage	Weighted Average Maturity (Days)
Cash in Demand Accounts	\$ 8,607,880	35.26%	1.00
Government Pools	\$ 15,803,309	64.74%	0.81
<b>TOTAL</b>	<b>\$ 24,411,190</b>	<b>100.00%</b>	<b>0.87</b>

Investment schedules presented per the provisions of the Texas Code Chapter 2256 (Public Funds Investment Act) and the City's Investment Policy.

The City requires its depository banks to provide collateral for all deposits in excess of Federal Deposit Insurance. At the end of the quarter, the market value of collateral pledged by Baker Bond Accounting to the City was \$12.88M, 150% of deposits.

Unrealized gain/loss is the difference between the market value of the City's securities and what it paid for them. Gains and losses are realized only when a security is sold prior to maturity. Since it is the City's practice to hold all securities to maturity, it is unlikely that unrealized gains and losses will be realized. As of the end of the quarter, the City had no unrealized gains or losses.

Prepared By:  4/24/2023  
 Cathy Ezell, Investment Officer Date

Verified By:  4/24/23  
 Giselle Hernandez, Investment Officer Date



State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, April 17, 2023 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 Winston Rossow

Staff: Tim Kelty, City Manager  
Lance Petty, Assistant City Manager/PWD  
Betty Wells, City Secretary  
David Olson, Interim City Attorney  
Clarisa Molina, Assistant City Secretary/Administrative Assistant  
Cathy Ezell, Finance Director  
Toby Cohen, IT Manager  
Donna Fisher, Human Resource Director  
Kacey Roman, Building Official  
Chris Motley, Fire Chief  
Laura Cramer, GIS/Special Events Coordinator

Visitors: Melanie Oldham  
George Matamoros  
Nicole Mireles  
Con McCleester  
Ron Bachman  
Pam Dancy  
Sue Page  
Erik Aguilar  
Gwendolyn Jones  
Manning Rollerson  
David McGinty  
Sam Reyna  
Diane McCleester  
Margaret Bachman  
Eric Hayes  
Manuel Gonzales  
Mark Parker

**Call to order.**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Invocation was led by City Manager Tim Kelty, and Pledge was led by Mayor Brooks Bass.

**CITIZENS' COMMENTS:**

Sue Page Surfside Beach Skimmer Court, spoke of a study on “betterbrazoria.org” she recommended that council take a look at this. She said there are reports under the “new study” tab that shows the lost revenues from tax abatements.

Melanie Oldham 922 West 5, said the city has given away a lot of money to tax abatements in the last 10 years. She said we need to get creative in bringing money into the city. Ms. Oldham spoke of the Interlocal Agreement between the Port, she said this needs to be brought out the City.

Nicole Mireles 2002 North G, announced there will be a candidate forum on Saturday from 10am-12pm at the First Methodist Church.

Sam Reyna 2002 North G, spoke of Ordinance No. 2019-2567, he said this was adopted February 2019. He spoke of the City Manager and the Building Official violating the ordinance by removing political signs. He said this is a violation of the First Amendment of freedom of speech. Mr. Reyna said this should be addressed by council.

Manning Rollerson 126 West 6, handed out a letter from the AG Office, he said the investigation is over and he would like a copy of the investigation. He spoke of Olson and Olson applying to work for Port of Freeport. He said this is concerning. He said it is crucial to know what is happening in Freeport.

George Matamoros North Ave O, spoke of the boat ramp at the T-Dock, he said residents have asked for stripes for parking, and signs for no parking in front of the ramps. Mr. Matamoros spoke of Mr. Ed Garcia, he said he will be greatly missed.

Pam Dancy South Front, said she appreciates the things that council has done. She spoke of the political signs being removed. Ms. Dancy said we need fairness and balance in the city.

Melanie Oldham spoke of candidate bashing, and stated she has been removed from the CCF.

Sam Reyna said the CCF was formed to help the citizens, and the veterans, he said we are here to stay. He said the Councilman from Ward C was invited to the forum, but has not responded to the email.

Jeff Pena 224 West Park, read a quote from President John F. Kennedy. He said he encourages residents to step out and speak up. He spoke of the articles in the newspaper. Mr. Pena said early voting for Wards A & C start Monday.

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

Presentation for Employee of the Month, for the Month of March 2023.

City Manager Tim Kelty, presented a certificate for Employee of the Month, for the Month of March 2023 to Court Clerk Kelli Yates.

**CONSENT AGENDA:**

Consideration and possible action on the approval of City Council Meeting Minutes, from April 4, 2023, and Special Meeting Minutes from April 10, 2023.

Consideration and possible action for road closures on May 5, 2023 from 3pm-9pm for the Cinco de Mayo event.

Consideration and possible action approving proposal for 1-year agreement with Holmes Murphy and Associates for Employee Benefit Broker Services.

A motion was made by Council Cain, seconded by Councilman Pena with all present voting "Aye" 5-0, Council unanimously approved the Consent Agenda.

### **COUNCIL REGULAR AGENDA**

Consideration and possible action approving a contract for the phone system upgrade for all City Departments of the City of Freeport.

A motion was made by Councilman Cain to approve, seconded by Councilman Rossow with discussion that followed.

George Matamoros North Ave O, supports this item.

Toby Cohen IT Manager presented to Council a contract for the phone system upgrade for all City Departments of the City of Freeport. He said Legal approves the contract. He said the city has 14 days to opt out of this contract, and the contract begins on the date of the actual use of the system. He said there is a savings of \$25,000 the first year, and \$20,000 thereafter.

There was a lengthy discussion by Council on the service, and the recording that is on calls coming into the City.

Mayor Bass called the motion to a vote, with all present voting "Aye" 5-0, Council unanimously approved a contract for the phone system upgrade for all City Departments of the City of Freeport.

Consideration and Possible action on approval of Residential Street Lighting plan for 2023 street light additions.

Councilman Muraira asked if we received a price on the commercial lights on 4<sup>th</sup> Street, across from the Freeport Intermediate School. Mr. Kelty said the price is \$1,500 to \$3,000.

A motion was made by Councilman Cain to approve the recommended light plan, seconded by Councilman Pena with discussion that followed.

City Manager Tim Kelty presented to council the Residential Street Lighting Plan for 2023. He said the map identifies potential additions for this year. He said we are allowed to add up to 50 lights per year, at no cost.

There was discussion on the antique lights on 2<sup>nd</sup> Street that do not work, it was asked that these please get fixed. Ms. Cramer said these are private customers' accounts, this is not billed to the City.

Mayor Bass called the motion to a vote, with all present voting "Aye" 5-0, Council unanimously approved Residential Street Lighting plan for 2023 street light additions.

Consideration and possible action of approving a salary increase for the Freeport Fire/EMS.



A motion was made by Councilman Pena to approve, seconded by Councilman Muraira with discussion that followed.

Fire Chief Motley presented to council salary increase for the Freeport Firefighters. He said staff is recommending raising the base pay from \$48,600 to \$55,000 a year. He said this is being asked based on Texas Commission on Fire Protection website, on current salaries. He said we are roughly 12% below market value. Chief Motley said we have six positions vacant. He said this has been a challenge, we are losing employees to other agencies because of pay.

There was discussion by council on Volunteer Firefighters. Council discussed that all first responders need to be paid well. There was discussion on the budget for the salary increase.

Councilman Pena withdrew his motion, Councilman Muraira withdrew his second.

A motion was made by Mayor Bass, to approve an immediate salary increase, seconded by Councilman Cain with discussion that followed.

Councilman Cain said he feels our first responders are top notch, and they need to be paid accordingly. He said we need to set some kind of time limit so we are not training and then they leave for another agency. He said we need to implement a retainment time limit to stay on board, or the monies for training need to be paid back.

Mayor Bass called the motion to a vote, with all present voting "Aye" 5-0, Council unanimously approved the salary increase for the Freeport Firefighters.

#### **WORK SESSION:**

Councilman Pena thanked the citizens for speaking in citizens comments. He said he sent an email to all of council with his concerns for 10<sup>th</sup>, and 11<sup>th</sup> Streets, he said the dowels are not being placed properly. Mr. Petty passed out a picture and said the rod irons are place correctly, he said the engineers said there is no issues. Councilman Pena said there have been vehicles speeding down 9<sup>th</sup> and 11<sup>th</sup> Street, he asked that there be more patrol present between 3pm-5pm. Councilman Pena spoke of the Street lighting, he said he is happy the lights are going up.

Councilman Cain spoke of the playground at the T-Dock, he said the slide is missing. Mr. Petty said this will be replaced soon. Councilman Cain said the BOA has been busy with the dangerous structures. He said he is most concerned of the ones with open access, he said the one on 8<sup>th</sup> and Dixie that caught fire. Ms. Roman said the Board gave them 10 days to secure, and if they did not it will be an immediate demolition. She said this should be down in the next 10 days. Councilman Cain spoke of the house across from this structure, he said there is a stack of lumber, he asked can we get this cleaned up as well? Mr. Petty said this is forms from Lucas Construction, and they are utilizing the lot. Councilman Cain asked that there be fencing around this. Mr. Petty said yes this can be done.

Councilman Muraira asked for an update on Starbuck's, Kacey Roman said about five months. He asked for an update on Taco Bell, Mr. Kelty said there is not one yet. Councilman Muraira asked about the lot next to Texas Gulf Bank, he said there have been inquires. Councilman Muraira asked about the fishing dock. Lance Petty said the railing should be done end of this week. Councilman Muraira asked about ownership of property between North Ave M and N. Mr. Kelty said he spoke with the gentleman today and gave the information he was requesting.

Councilman Rossow said the railroad sign on Ave. D needs replacing West bound, and he said there is no sign East bound. He said there is a right turn at Ave. H between ABC Ave and Archer needs to be replaced, the sign is not legible. Councilman Rossow said the 500 Block between Brit Bailey and Archer has grass that is waist high, and on Ave B & C on Brit Bailey there is trash that has been out for about three months. He said the sign on the Old Brazos River, South side is turned the wrong direction. He said the North side, it needs to be replaced. Councilman Rossow said he has about twenty-five issues, he said there are potholes all on the South end of Freeport. He said there is a lot of trash on the South end of Freeport.

**Update on reports / concerns from Department heads.**

**Regulations prohibiting shipping containers**

Eric Hayes said back in February 2020, the Planning Commission met on creating an ordinance for shipping containers. He said the majority of citizens and businesses was against creating this ordinance. Mr. Hayes said we do need an ordinance with some restrictions as they need to be painted and tied down.

Manuel Gonzales, business owner 1309 Brazosport, he asked that council consider allowing the containers for small business owners.

Councilman Pena asked what the policy is for code enforcement and any reports for particular construction or remodeling that may or may not have a permit. He said this weekend he was driving around the city and he noticed two projects going on. He said one was on 332 and the other on Front Street. He said he reported them by text to Ms. Roman and Mr. Kelty, with no response. He said he was told there was a visit by code enforcement. He said his concern is the retaliation from city hall. He said the owner said he was told Councilman Ward A told on him. He said we need accountability and customer service.

City Manager Tim Kelty said in regards to shipping containers Councilman Muraira brought this to his attention because of the need for Mr. Gonzales. He said looking at this the current ordinance does prohibit shipping containers. He said he is asking for guidance from council. David Olson recommended holding off on enforcement until we change the rules.

Manning Rollerson said of the whistleblowers should be kept confidential.

**CLOSED SESSION:**

Open Session was recessed and Executive session was opened at 7:37 P.M.

Executive Session was recessed at 9:38 P.M.

**OPEN SESSION:**

City Manager Tim Kelty read the Mediator's Settlement Proposal.

There was discussion by Council on the history with the Port and East End. There was discussion over Condemnation Lawsuit brought by the Port against the City of Freeport East End Properties. There was discussion over the Legislative Bill, and discussion over the legal process. There have been three condemnation cases that have been filed by Port Freeport, it was explained how this process works. Council discussed the appraised value that was offered by Port Freeport, there was discussion that council did their due diligence to protect Freeport.

Melanie Oldham opposes this settlement proposal.

Manning Rollerson opposes this settlement proposal.

David McGinty opposes this settlement proposal.

George Matamoros believes this settlement proposal should be accepted.

A motion was made by Councilman Pena to decline the Mediator's Settlement Proposal, seconded by Councilman Muraira, with a 3-2 vote motion fails. Councilmen Rossow and Cain and Mayor Bass voted "Nay", Councilmen Muraira and Pena "Aye".

A motion was made by Councilman Cain to accept the Mediator's Settlement Proposal, seconded by Councilman Rossow with a 3-2 vote motion fails. Councilmen Rossow and Cain voted "Aye". Mayor Bass, Councilmen Pena and Muraira voted "Nay".

#### Adjourn

On a motion by Councilman Pena, seconded by Councilman Cain, with 5-0 vote, Mayor Bass adjourned the meeting at 10:40 P.M.

---

Brooks Bass, Mayor

---

Betty Wells, City Secretary



## City Council Agenda Item # 6

**Title:** Public Hearing, Discuss and take possible action regarding request for Minor Replat No 1 Block 701 Velasco Townsite a Subdivision of 0.506 acres being all of a called 0.506 acre tract of land. As Recorded in Brazoria County Clerk's File No. 2006001915, being all of lots 19 thru 24 and portion of Lots 1,2,3 and 18 and Portion of a 20-foot closed alley, in Block 701 Of Velasco Townsite, situated in the Sam T. Angier Survey, Abstract Number 8, In The City Of Freeport, Brazoria County, Texas

**Date:** May 1, 2023

**From:** Kacey Roman, Director of Building and Code

---

**Staff Recommendation:**

Recommendation to Approve Replat following Public Hearing.

**Item Summary:**

A public hearing is required prior to Council taking action on this replat. These are 6 lots located at Ave G and Skinner Street inside the City of Freeport City Limits at 1124 Skinner. The owner on record at the Brazoria County Appraisal District is Perryman Property of Industry, Texas. The owner is requesting to combine the 6 lots into one .506 Acre Lot for the purpose of building a Taco Bell.

**Background Information:** None

**Special Considerations:** None

**Financial Impact:** None

**Board or 3<sup>rd</sup> Party recommendation:**

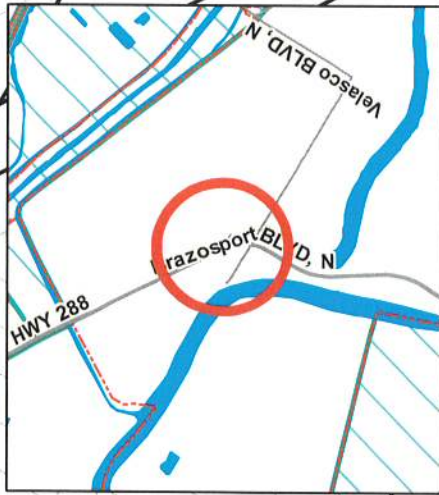
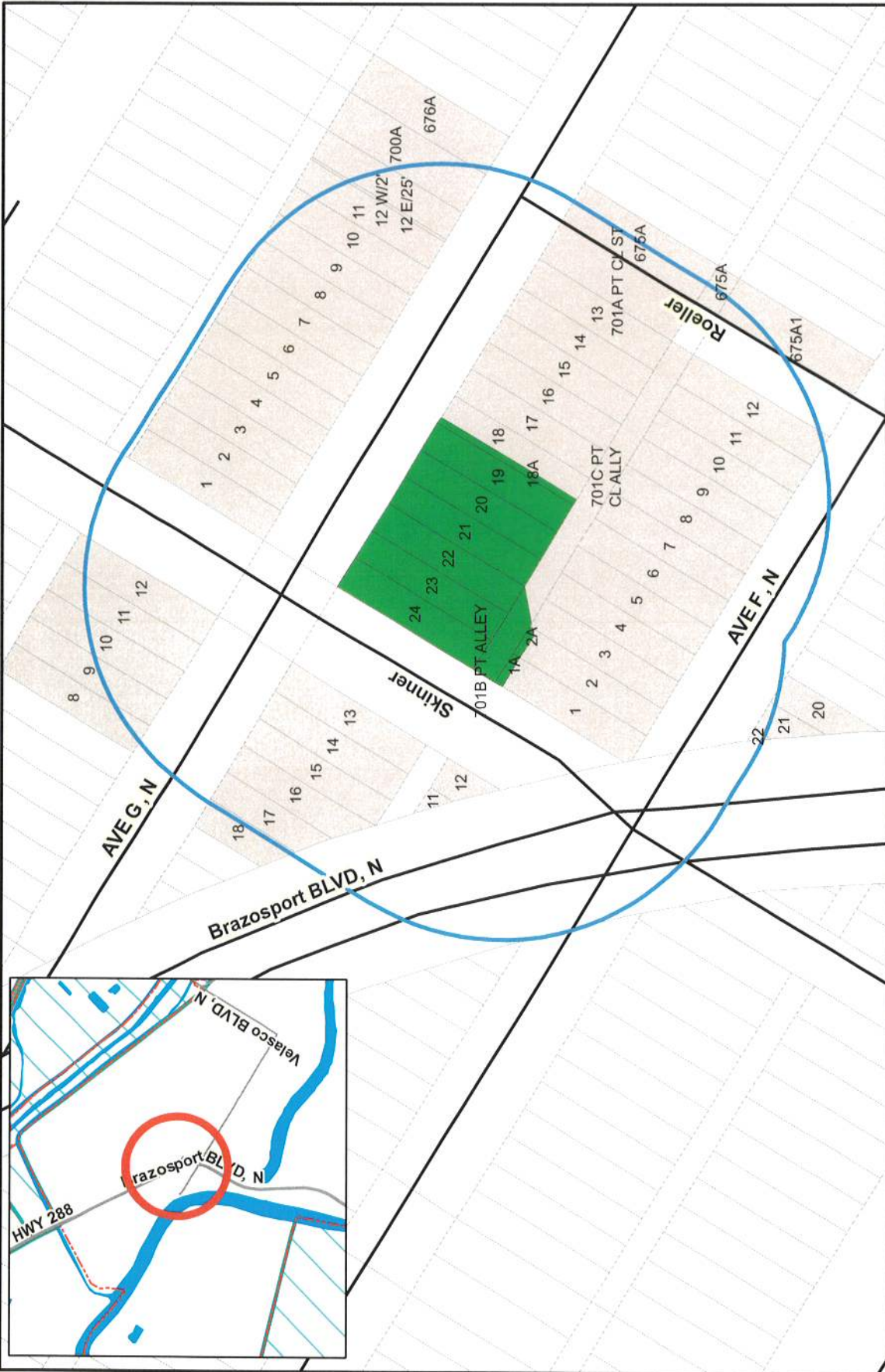
The Planning and Zoning Commission voted unanimously to approve the replat on Tuesday, April 25, 2023 following their public hearing.

**Supporting Documentation:**

Plat and location documentation







Author: Laura Cramer  
Document Path: S:\GIS Data\261276  
200ft w template 041023.mxd

# Replat Property Location Map

Property ID: 261276

Legend	
	261276
	200' Buffer
	Roads
	Water
	Parcels
	Buffered Parcels
	City of Freeport ETJ









## **City Council Agenda Item # 7**

**Title:** Approval of Material Increase Costs for 2022/2023 interlocal Roads with Brazoria County for paving

**Date:** May 1, 2023

**From:** Lance Petty, Assistant City Manager

---

**Staff Recommendation:**

Staff recommends council authorize the material cost increase for the 2022/2023 asphalt agreement with Brazoria County.

**Item Summary:**

This request is for the approval of material cost increase for streets that were approved on November 21, 2022. The total increase cost of materials (HMAC) is \$62,769.86. The cost of Asphalt (HMAC) increased from \$59.00 per ton to \$74.00 per ton. The total miles to be completed for fiscal year is 2.12 miles and the approved list of streets have not changed.

**Background Information:**

On April 13, 2023, staff was notified that the Asphalt material costs to complete the Interlocal Roads increased from \$59.00 per ton to \$74.00 per ton. The City through the Brazoria County Interlocal Agreement pays for materials only for Brazoria County to complete 2 miles of paving each year. The City Council approved the list of roads for this fiscal year at the City Council Meeting on November 21, 2022 totaling \$390,742.00. The adjusted total after the increase of materials is \$453,512.13.

**Special Considerations:**

If approved, the completion of the proposed repairs will extend and improve the City's roadway infrastructure and protect from further damage.



**Financial Impact:**

The proposed costs of repairs are included as an attachment

**Streets Identified for County Interlocal Adjusted Cost**

Ward	Existing Pavement	Street	From -To	Miles	SQ FT	County Asphalt	Adjusted	C&G
A	Asphalt	Maple	8th Street to Dead End	0.0212	2,016	\$3,201	\$3,755.18	No
A	Asphalt	Maple	2nd Street to W. Brazos	0.0617	9,780	\$14,984	\$17,673.92	No
A	Asphalt	Oak	W. Brazosto Outriggers	0.0401	3,816	\$6,059	\$7,108.18	No
A	Asphalt	Walnut	8th Street to Alley	0.0278	2,940	\$4,627	\$5,435.58	Yes
B	Asphalt	Broad	Yaupon to Arbutus	0.0865	13,710	\$21,006	\$24,776.02	No
B	Asphalt	Locust	6th street to 9th street	0.1882	29,820	\$45,689	\$53,889.20	Yes
C	Asphalt	Austin	Slaughter to Curve	0.2185	20,772	\$32,980	\$38,692.65	No
C	Asphalt	Varner	B Port Blvd to N. Ave H	0.0727	8,448	\$13,200	\$15,522.92	No
C	Asphalt	Sweeney	N. Ave G to N Ave F	0.0577	6,710	\$10,484	\$12,329.40	No
C	Asphalt	N Ave Q	Yellowstone to Varner	0.1325	12,600	\$20,005	\$23,470.41	No
C	Asphalt	Slaughter	CR 217 to Golf Course Entry	0.6996	66,492	\$105,571	\$123,856.70	No
D	Asphalt	S. Ave G	Archer to Dead End	0.0634	6,030	\$9,574	\$11,232.37	No
D	Asphalt	S. Ave B	Velasco to Archer	0.1886	19,920	\$31,351	\$36,828.80	No
D	Asphalt	Caldwell	Ave A to Mystery Harbor	0.053	5,040	\$8,002	\$9,388.16	No
D	Asphalt	Dezavalla	Ave A to Mystery Harbor	0.053	5,040	\$8,002	\$9,388.16	No
D	Asphalt	Groce	Ave A to Mystery Harbor	0.053	5,040	\$8,002	\$9,388.16	No
D	Asphalt	Perry	Ave A to Mystery Harbor	0.053	5,040	\$8,002	\$9,388.16	No
D	Asphalt	Munson	Ave A to Mystery Harbor	0.053	5,040	\$8,002	\$9,388.16	No
		Asphalt	TOTALS			\$358,742	\$421,512.13	
		2.12	Engineering			\$0	\$0	
	Asphalt Increase from \$59 to \$74 Per Ton		Related W/S rehab			\$0	\$0	
			Rental Milling Machine			\$32,000	\$32,000	
						\$390,742	\$453,512.13	
						Increase	\$62,769.86	

**Board or 3<sup>rd</sup> Party recommendation:**

This proposal has been reviewed by City Staff

**Supporting Documentation:**

County cost worksheet

2022/2023 Interlocal Agreement Project Request Summary

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
S.Ave G - Archer to Dead End	Asphalt	335	18	3	110	330	110.55	59	\$ 6,522.45
	Crushed C	335	4	4	110	440	32.76	25.58	\$ 837.89
	Portland	335	18	8	4	32	10.72	198	\$ 2,122.56
	ABS-65	335	18	0.05	1	0.05	33.50	2.72	\$ 91.12
Ward D								total	\$ 9,574.02

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
Slaughter - CR 217 to Golf Course	Asphalt	3694	18	3	110	330	1219.02	59	\$ 71,922.18
	Crushed C	3694	4	4	110	440	361.19	25.58	\$ 9,239.27
	Portland	3694	18	8	4	32	118.21	198	\$ 23,405.18
	ABS-65	3694	18	0.05	1	0.05	369.40	2.72	\$ 1,004.77
Ward C								total	\$ 105,571.40

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
S Ave B - Velasco to Archer	Asphalt	996	20	3	110	330	365.20	59	\$ 21,546.80
	Crushed C	996	4	4	110	440	97.39	25.58	\$ 2,491.15
	Portland	996	20	8	4	32	35.41	198	\$ 7,011.84
	ABS-65	996	20	0.05	1	0.05	110.67	2.72	\$ 301.01
Ward D								total	\$ 31,350.80

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
Walnut - 8th to Alley	Asphalt	147	20	3	110	330	53.90	59	\$ 3,180.10
	Crushed C	147	4	4	110	440	14.37	25.58	\$ 367.67
	Portland	147	20	8	4	32	5.23	198	\$ 1,034.88
	ABS-65	147	20	0.05	1	0.05	16.33	2.72	\$ 44.43
Ward A								total	\$ 4,627.08

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
Broad - Yaupon to Arbutus	Asphalt	457	30	3	110	330	251.35	59	\$ 14,829.65
	Crushed C	457	4	4	110	440	44.68	25.58	\$ 1,143.03

	Portland	457	30	8	4	32	24.37	198	\$ 4,825.92
	ABS-65	457	30	0.05	1	0.05	76.17	2.72	\$ 207.17
Ward B									<b>total \$ 21,005.77</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
Locust - 6th to 9th									
	Asphalt	994	30	3	110	330	546.70	59	\$ 32,255.30
	Crushed C	994	4	4	110	440	97.19	25.58	\$ 2,486.15
	portland	994	30	8	4	32	53.01	198	\$ 10,496.64
	ABS-65	994	30	0.05	1	0.05	165.67	2.72	\$ 450.61
Ward B									<b>total \$ 45,688.70</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
Austin - Slaughter to Curve									
	Asphalt	1154	18	3	110	330	380.82	59	\$ 22,468.38
	Crushed C	1154	4	4	110	440	112.84	25.58	\$ 2,886.33
	Portland	1154	18	8	4	32	36.93	198	\$ 7,311.74
	ABS-65	1154	18	0.05	1	0.05	115.40	2.72	\$ 313.89
Ward C									<b>total \$ 32,980.35</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
Varner - B Port Blvd to N Ave H									
	Asphalt	384	22	3	110	330	154.88	59	\$ 9,137.92
	Crushed C	384	4	4	110	440	37.55	25.58	\$ 960.44
	Portland	384	22	8	4	32	15.02	198	\$ 2,973.70
	ABS-65	384	22	0.05	1	0.05	46.93	2.72	\$ 127.66
Ward C									<b>total \$ 13,199.72</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
Sweeney - N Ave G to N Ave F									
	Asphalt	305	22	3	110	330	123.02	59	\$ 7,257.98
	Crushed C	305	4	4	110	440	29.82	25.58	\$ 762.85
	Portland	305	22	8	4	32	11.93	198	\$ 2,361.92
	ABS-65	305	22	0.05	1	0.05	37.28	2.72	\$ 101.40
Ward C									<b>total \$ 10,484.15</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
------	----------	--------	-------	-----	------	--	------	-----	--

N. Ave Q - Yellowstone to Varner											
	Asphalt	700	18	3	110	330	231.00	59	\$	13,629.00	
	Crushed C	700	4	4	110	440	68.44	25.58	\$	1,750.81	
	Portland	700	18	8	4	32	22.40	198	\$	4,435.20	
	ABS-65	700	18	0.05	1	0.05	70.00	2.72	\$	190.40	
Ward C									total	\$	<b>20,005.41</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT			
Maple - 8th to Dead End											
	Asphalt	112	18	3	110	330	36.96	59	\$	2,180.64	
	Crushed C	112	4	4	110	440	10.95	25.58	\$	280.13	
	Portland	112	18	8	4	32	3.58	198	\$	709.63	
	ABS-65	112	18	0.05	1	0.05	11.20	2.72	\$	30.46	
Ward A									total	\$	<b>3,200.87</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT			
Maple - 2nd to W.Brazos											
	Asphalt	326	30	3	110	330	179.30	59	\$	10,578.70	
	Crushed C	326	4	4	110	440	31.88	25.58	\$	815.38	
	portland	326	30	8	4	32	17.39	198	\$	3,442.56	
	ABS-65	326	30	0.05	1	0.05	54.33	2.72	\$	147.79	
Ward A									total	\$	<b>14,984.42</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT			
Oak - W Brazos to Outriggers											
	Asphalt	212	18	3	110	330	69.96	59	\$	4,127.64	
	Crushed C	212	4	4	110	440	20.73	25.58	\$	530.24	
	Portland	212	18	8	4	32	6.78	198	\$	1,343.23	
	ABS-65	212	18	0.05	1	0.05	21.20	2.72	\$	57.66	
Ward A									total	\$	<b>6,058.78</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT		
Caldwell - Ave A to Mystery Harber										
	Asphalt	280	18	3	110	330	92.40	59	\$	5,451.60



	Crushed C	280	4	4	110	440	27.38	25.58	\$ 700.32
	Portland	280	18	8	4	32	8.96	198	\$ 1,774.08
	ABS-65	280	18	0.05	1	0.05	28.00	2.72	\$ 76.16
Ward D									total \$ <b>8,002.16</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
DeZavalla - Ave A to Mystery Harbor									
	Asphalt	280	18	3	110	330	92.40	59	\$ 5,451.60
	Crushed C	280	4	4	110	440	27.38	25.58	\$ 700.32
	Portland	280	18	8	4	32	8.96	198	\$ 1,774.08
	ABS-65	280	18	0.05	1	0.05	28.00	2.72	\$ 76.16
Ward D									total \$ <b>8,002.16</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
Groce - Ave A to Mystery Harbor									
	Asphalt	280	18	3	110	330	92.40	59	\$ 5,451.60
	Crushed C	280	4	4	110	440	27.38	25.58	\$ 700.32
	Portland	280	18	8	4	32	8.96	198	\$ 1,774.08
	ABS-65	280	18	0.05	1	0.05	28.00	2.72	\$ 76.16
Ward D									total \$ <b>8,002.16</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
Perry - Ave A to Mystery Harbor									
	Asphalt	280	18	3	110	330	92.40	59	\$ 5,451.60
	Crushed C	280	4	4	110	440	27.38	25.58	\$ 700.32
	Portland	280	18	8	4	32	8.96	198	\$ 1,774.08
	ABS-65	280	18	0.05	1	0.05	28.00	2.72	\$ 76.16
Ward D									total \$ <b>8,002.16</b>

ROAD	MATERIAL	LENGTH	WIDTH	TNK	RATE		TONS	PPT	
Munson - Ave A to Mystery Harbor									
	Asphalt	280	18	3	110	330	92.40	59	\$ 5,451.60
	Crushed C	280	4	4	110	440	27.38	25.58	\$ 700.32
	portland	280	18	8	4	32	8.96	198	\$ 1,774.08

	ABS-65	280	18	0.05	1	0.05	28.00	2.72	\$ 76.16
Ward D								total	\$ 8,002.16

<b>TOTAL FEET</b>	<b>11216</b>
<b>TOTAL MILES</b>	<b>2.12</b>

<b>TOTAL ARP</b>	<b>\$ 358,742.28</b>
Milling	
Machine	\$32,000.00
<b>Total</b>	<b>\$ 390,742.28</b>

Ward A            797   0.073  
 Ward B           1451   0.275  
 Ward C           6237   1.181  
 Ward D           2731   0.517



## City Council Agenda Item # 8

**Title:** Consideration of approval for new fueling system by Sun Coast Resources located at the City of Freeport Service Center.

**Date:** May 1, 2023

**From:** Lance Petty, Assistant City Manager

---

**Staff Recommendation:**

Staff recommends approving the purchase of the proposed fueling system for city vehicles

**Item Summary:**

With approval, the following infrastructure will be installed:

- (1) 3,000-gallon unleaded tank and pump
- (1) 1,000-gallon diesel tank and pump
- (1) Gasboy-Tecalemit Fueling Monitoring System

**Background Information:**

The City's fueling system located at the Service Center Located at 510 S Avenue A is permanently out of service. The existing tanks consist of single wall fiberglass that are no longer covered under insurance due to the condition and age. The existing fuel monitoring system monitored water entering the existing tanks and Staff immediately notified TCEQ and contract services for investigation and determined that no fuel had leaked out of the tank and the cause of water intrusion was due to old vent lines. The only option to protect the City Fleet is to permanently close the tanks. The City currently travels to Sun Coast Resources located on Hwy 332 to fuel all city fleet. Fuel cost have escalated and will continue to escalate until new tanks have been installed to allow bulk purchasing again. Once this improvement is complete, the city will fill in the existing tanks per TCEQ.

**Special Considerations:**

If approved, the completion of the project will lower the City's existing fuel costs (bulk), and eliminate additional wear and tear on fleet vehicles traveling to fueling station.

**Financial Impact:**

This is not a budgeted item

The amount proposed for improvement is **\$56,430.87**



**Gasboy-Tecalemit Tank Installation Proposal**

March 15, 2023  
City of Freeport  
Freeport, TX  
Attn.

Thank you for the opportunity to provide you with a quote to install Gasboy Dispensers with Tecalemit Fuel System at the City of Freeport. Please see below pricing.

ITEM	PRICE
Atlas 9153 KX-F per dispenser	\$ 7,000.00
Piping & Electrical per dispenser	\$ 17,000.00
Super box 2 Hose My Tecalemit	\$ 7,774.87
My Tecalemit annual fee paid to Tecalemit after the first year of service	\$ 497.40
Shipping & Handling	\$ 656.00
<b>Total (exclusive of applicable taxes and/or fees)</b>	<b>\$ 56,430.87</b>

Warranty is one year, Parts and Labor, from delivery date (required start-up by Gasboy Authorized Service Contractor)

Additional equipment installations, inspections, and/or recertification required to comply with future regulatory agency requirements.

City of Freeport will be responsible for any replacement parts, maintenance of pumps and service fees, or for costs of repair or remediation resulting from any damage or spills while in your custody and control.

The above pricing is good for 30 days and is subject to change. The prices quoted reflect an automatic discount based on payment method if your account with Sun Coast is in good standing and is set up for payment using cash or cash-equivalent (check, money order, wire transfer or EFT). In addition, all prices are exclusive of all appropriate taxes and fees.

If you have any questions or comments, please feel free to contact me at 713.969.3832.

Thank you,

Courtney Krause  
Sales Representative - Sun Coast Resources, Inc.  
713.969.3832  
[ckrause@suncoastresources.com](mailto:ckrause@suncoastresources.com)





## City Council Agenda Item # 9

**Title:** Discussion and direction from Council regarding Freeport ETJ around the City of Brazoria and Brazoria's request for allowance for transfer of that ETJ from Freeport to Brazoria.

**Date:** May 1, 2023

**From:** Tim Kelty, City Manager

---

**Staff Recommendation:**

Staff recommends Council consider this request from the City of Brazoria and direct staff appropriately.

**Item Summary:**

The City of Brazoria has formally requested that the City of Freeport release the Freeport/Brazoria "Contested ETJ" around the south and east side of Brazoria to them for the purposes of planning for the growth and development of the City of Brazoria.

**Background Information:**

In the 1970's the City of Freeport aggressively annexed 10-foot strips of land, encircling the Cities of Clute and Lake Jackson. This 10-foot strip also provides for extended Extra Territorial Jurisdiction (ETJ) along its length. In certain cases when the annexed strips run close to the city limits of other Cities there is "Contested ETJ, where both cities have certain legal claims regarding potential annexation. There is such a strip that runs along the southern and eastern edge of the City of Brazoria.

**Special Considerations:**

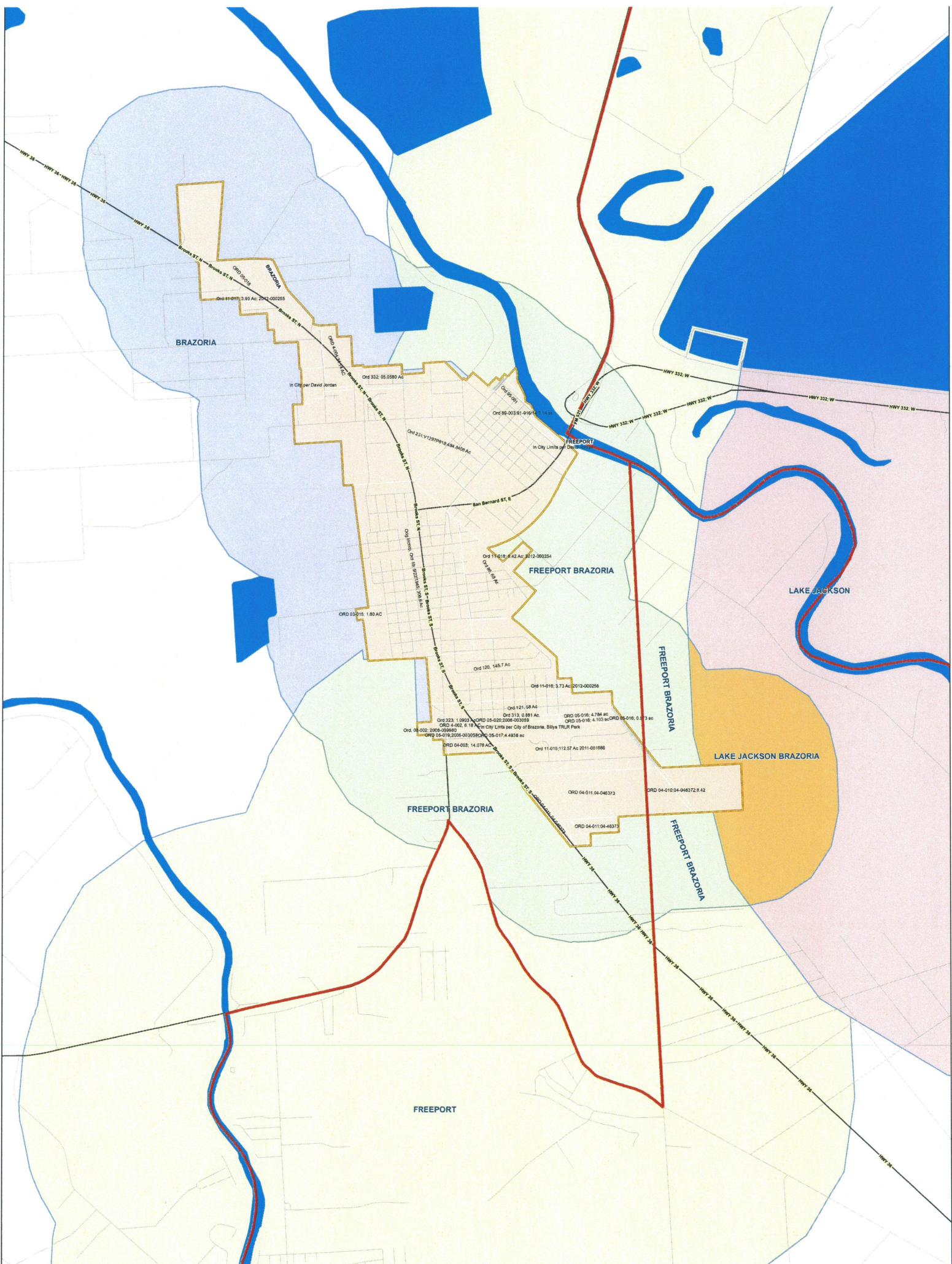
On the attached map, the RED line depicts the 10-foot strip annexed into the city of freeport. The YELLOW area depicts the City of Freeport ETJ. The PEACH area depicts the city limits of the City of Brazoria and light BLUE is Brazoria's ETJ. The Light GREEN area depicts the Contested ETJ between Freeport and Brazoria. (the PINK area is Lake Jackson ETJ and ORANGE area is Contested ETJ between Lake Jackson and Brazoria.)

**Financial Impact:** Unknown.

**Supporting Documentation:**

Map showing Brazoria City Limits, Freeport and Brazoria ETJ and areas of Contested ETJ  
Letter from Brazoria requesting release.









April 26, 2023

201 S. MAIN ST.  
BRAZORIA, TEXAS 77422

Ph: (979) 798-2489  
Fax: (979) 798-2018

Honorable Mayor Bass  
City of Freeport  
200 W. 2<sup>nd</sup> Street  
Freeport, TX 77541

**Re: City of Brazoria & Freeport  
Release of overlapping ETJ boundaries near Brazoria**

Dear Mayor and Council,

It has come to our attention the City of Brazoria and Freeport has overlapping extra-territorial jurisdiction ("ETJ) based on our research. Currently, the Brazoria ETJ extends ½ mile beyond the city limit boundary as shown on the attached map. Whereas Freeport ETJ, following the city limit line, extends over 15 miles beyond the core of the city.

As the City of Brazoria is planning for future growth, we are requesting Freeport to release any overlapping areas with the Brazoria ETJ. The purpose of the release is as follow:

1. Services Provision: We can help provide city services to unincorporated areas that are adjacent to the city. This can improve the quality of life for residents in those areas by providing access to services such as police and fire protection, garbage collection, and street maintenance.
2. Infrastructure Development: Expand our infrastructure, such as roads, water, sewage, and public transportation systems, to serve a larger population. This can improve the quality of life for residents and attract new businesses and residents to the area.
3. Economic Growth: Potential annexation in the ETJ area to help cities expand their tax base, create more economic opportunities, and attract new businesses to the area.
4. Sewer Plant and Sewer Trunk Main are located in the overlapping ETJ.

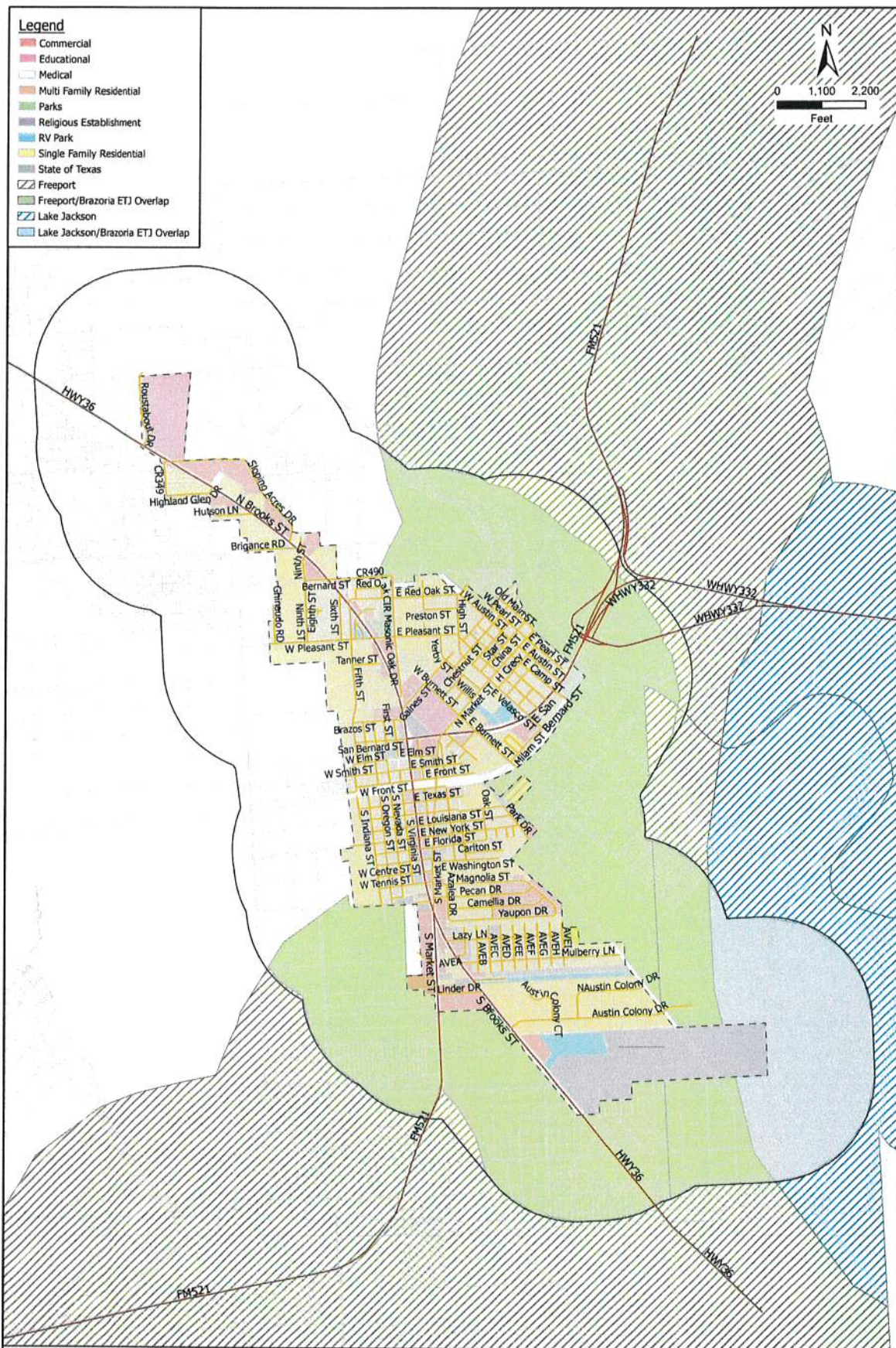
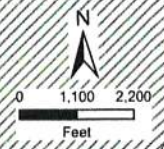
We appreciate your assistance. Should you have any questions, please don't hesitate to contact us at [citymanager@cityofbrazoria.org](mailto:citymanager@cityofbrazoria.org) or by phone (979) 798-2489.

Regards,

Sheila Williams  
City Manager



- Legend**
- Commercial
  - Educational
  - Medical
  - Multi Family Residential
  - Parks
  - Religious Establishment
  - RV Park
  - Single Family Residential
  - State of Texas
  - Freeport
  - Freeport/Brazoria ETJ Overlap
  - Lake Jackson
  - Lake Jackson/Brazoria ETJ Overlap



**CITY OF BRAZORIA**  
BRAZORIA COUNTY, TEXAS

