



City of Freeport
Meeting and/or Executive Session Agenda

This meeting will be live streamed via YouTube Live and may be accessed on the City of Freeport Facebook page: <https://www.facebook.com/freeporttexas> or by visiting <https://www.youtube.com/@cityoffreeporttx8375/streams>

Monday, November 3, 2025, 6:00 PM | Council Chamber | 430 North Brazosport Blvd., Freeport, Texas 77541

In accordance with Section 551.043 of the Texas Government Code, this agenda has been posted at Freeport City Hall, and distributed to the appropriate news media within the required time frame. All meetings of the Freeport City Council are open to the public. Public participation and written comments are invited on all open session business items.

The Mayor and City Council request that cell phones be turned off or set to vibrate. Members of the audience are requested to step outside to conduct a phone conversation. The Council Chamber is wheelchair accessible and special parking is available outside the building. If special accommodation is required, please contact the City Secretary a minimum of 72 hours in advance at 979-233-3526.

1: Call to Order:

- 1A. Call to Order - Jerry Cain, Mayor
- 1B. Invocation - Councilman
- 1C. Pledges - Pledge of Allegiance to the United States; Pledge of Allegiance to the State of Texas.
- 1D. Audience Participation – Anyone who has registered to speak prior to the meeting being called to order and desires to address the City Council will be heard at this time, or during the discussion of an item listed on the agenda. These forms are located by the City Secretary. After completing the form, give it to the City Secretary. She will give it to the Mayor. The Mayor will call on you when that item is presented, once a motion has been made by Council then public participation will not be allowed. You will have four (4) minutes to make your comments regardless of the number of agenda items to be addressed.

2: Consent Agenda:

All items listed are part of the Consent Agenda. Public Hearing and review are held collectively unless opposition is presented, in which case the contested item will be heard separately.

- 2A. Action regarding Minutes, October 20, 2025-Clarisa Fernandez, City Secretary
- 2B. Action approving Ordinance No. 2025-2750, authorizing Budget Amendment #1 as approved October 20th, 2025-Ashlee Hurst, Finance Director
- 2C. Action approving the payment to Central Square of the annual renewal of services for the Police Department-Jennifer Howell, Police Chief

3: Proclamations - Presentations and Updates

- 3A. Employee Recognitions –CPL Lorena Huerta, Officer Steven Early, Officer Julian Gonzalez and Officer Tyler MacAllister, Freeport Police Department-Dan Pennington, Interim City Manager
- 3B. Presentation by members of Kimley Horn on Impact Fees.
- 3C. Presentation-Hurricane Beryl Financial Update-Ashlee Hurst, Finance Director
- 3D. Upcoming Events -
 - Senior Bingo, RiverPlace, November 17, 10:00A.M.-12:00P.M.
 - Merry Museum Christmas, Freeport Historical Museum, November 29, 11:00AM-2:00P.M.
 - Holiday on the Brazos, Freeport Municipal Park, December 5, 6:00P.M.-9:00P.M.
 - Blue Santa Pancake Breakfast, Freeport RiverPlace, December 6, 8:00A.M.-11:00A.M.
 - Christmas on Main, Historic Downtown, December 6, 4:00P.M.-8:00P.M.
 - Senior Citizens Christmas Party, RiverPlace, December 15, 10:00A.M.-12:00P.M.

4: Executive Session

The City Council may take action on any Executive Session item posted. 551.071. Texas Government Code. Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legal posted agenda item, when the City Council seeks advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

- 4A. Executive Session regarding: Texas Government Code, Section 551.074 (Personnel Matters) 1.) Interview of City Attorney Applicant (Mark Swaim).

5: Reconvene into Open Session:

- 5A. Take any action resulting from Executive Session.

6: Business

- 6A. Consideration and possible action approving Resolution No. 2025-2984 appointing a member to the Historical Commission and Main Street Advisory Board.(Maria Lopez)
- 6B. Consideration and possible action approving Resolution No. 2025-2985 of Revised Leave Donation (Sick Leave Pool) Policy – Section 8.14.(Donna Fisher)
- 6C. Consideration and possible action approving Resolution No. 2025-2986 revising Section 9.18 – Residency Incentive Program in the Personnel Policy Manual.(Donna Fisher)
- 6D. Consideration and possible action approving Resolution No. 2025-2987 to amend section 9.07, titled “Overtime/Compensatory Time”, adding Section 9.07 A “Alternative to Overtime: Flextime”.(Donna Fisher)

- 6E. Consideration and possible action approving change Order for Lift Station #1 Relocation.(Rudy Ragle)
- 6F. Consideration and possible action approving Resolution No. 2025-2988 approving a Facility Use and Rental Policy.(Rudy Ragle)
- 6G. Consideration and possible action approving Resolution No. 2025-2989 amending City Policy 5.22 Cell Phone Usage.(Chief Jennifer Howell)
- 6H. Consideration and possible action approving Resolution No. 2025-2990 amending the Grants Management Policy originally adopted on September 15, 2025.(Ashlee Hurst)
- 6I. Consideration and possible action approving Resolution No. 2025-2991 appointing a member(s) to the Senior Citizens Commission.(Dan Pennington)
- 6J. Consideration and possible action approving Resolution No. 2025-2992 Roadway Mill & Overlay Partnership – 2nd Street Revitalization Project.(Dan Pennington)
- 6K. Consideration and possible action approving Resolution No. 2025-2993 appointing a City Representative and Alternate of the City Council to serve on the HGAC 2026 General Assembly.(Dan Pennington)
- 6L. Consideration and possible action approval of EDC Funding Project – Water Line Valve Installation Project.(Dan Pennington)
- 6M. Consideration and possible action approving Resolution No. 2025-2994 to approve the City Manager Employment Agreement.(Dan Pennington)
- 6N. Consideration and take possible action approving ordinance no. 2025- to amend section 155.1108 (f) (3) revising the 4/5 council vote requirement to a simple majority.(Councilman Davis)
- 6O. Discussion and take possible action to implement the use of gun/metal detection wands for all visitors and officials attending all City Council meetings prior to entering the Council Chambers, including upon any re-entry after leaving the Chambers.(Councilman Pena)

7: Work Session

The City Council may deliberate and make inquiry into any item specifically listed as a Subsection under the itemized Sections A-F below, an item appearing on the City Council agenda for this meeting, on matters related to community events, or on matters that are not within the jurisdiction of the City for consideration by City Council. The City Council may not deliberate on any City matters not specifically disclosed under this Work Session or on this posted City Council Meeting agenda. City Council members and the Mayor always reserve the right to request that a matter be placed on a future agenda for consideration.

- A. Councilman Pena Ward A announcements and comments.
- B. Councilman Davis Ward B announcements and comments.
- C. Councilman Matamoros Ward C announcements and comments.
- D. Councilman Rossow Ward D announcements and comments.

- E. Mayor Jerry Cain announcements and comments.
- F. City Manager announcements and comments.

8: Adjournment

8A. Adjournment – Jerry Cain, Mayor

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).

CERTIFICATE I certify the foregoing notice was posted in the official glass case at the front door of the City Hall, with 24 hours a day public access, 1201 North Avenue H., Freeport Texas, 3 business days prior to meeting in accordance with Open Meetings Act.

Clarisa Fernandez,
City Secretary, City of Freeport, Texas



State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, October 20, 2025 at 6:00 PM at the Freeport Council Chamber located at 430 North Brazosport Blvd. , Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Jerry Cain
Councilman Jeff Pena
Councilman Jarvis Davis
Councilman George Matamoros
Councilman Winston Rossow

Staff: Dan Pennington, Interim City Manager
Jennifer Howell, Police Chief/Assistant City Manager
Chris Duncan, Interim City Attorney
Clarisa Fernandez, City Secretary
Ashlee Hurst, Finance Director
Toby Cohen, IT Director
Genesis Martinez, Human Resources Specialist
Chris Motley, Fire Chief
Maria Lopez, Main Street Coordinator

Visitors: Melanie Oldham Tom Pearson
Kenneth Hayes

Call to Order:

Call to Order - Jerry Cain, Mayor

Mayor Cain called the regular scheduled meeting of the Freeport City Council to order at 6:02P.M. on October 20, 2025, declaring a quorum was present.

Invocation - Councilman

Councilman Rossow led the Invocation.

Pledges - Pledge of Allegiance to the United States; Pledge of Allegiance to the State of Texas.

Councilman Rossow led the Pledge of Allegiance to the United States and the Pledge of Allegiance to the State of Texas.

Audience Participation – Anyone who has registered to speak prior to the meeting being called to order and desires to address the City Council will be heard at this time, or during the discussion of an item listed on the agenda. These forms are located by the City Secretary. After completing the form, give it to the City Secretary. She will give it to the Mayor. The Mayor will call on you when that item is presented, once a motion has been made by Council then public participation will not be allowed. You will have four (4) minutes to make your comments regardless of the number of agenda items to be addressed.

Tom Pearson addressed the City Council regarding concerns from the last council meeting. He expressed that while the council would likely appreciate positive feedback from citizens, he felt a significant disservice

occurred during the previous meeting. Mr. Pearson noted that citizens attending the regular scheduled meeting had to wait for three hours while the Council conducted an executive session pertaining to the sale of property and attorney interviews, which he stated took precedence over the public's time. Mr. Pearson raised concerns about the lack of adequate seating for citizens, noting that some attendees had to stand inside or sit outside on the concrete, exposed to mosquitoes, while others chose to leave. He suggested that the Council consider scheduling executive sessions on different days to prevent citizens from waiting for extended periods. He also observed that extended discussions by Council members could be contributing to declining attendance at Council meetings. Additionally, Mr. Pearson highlighted the ongoing shortage of police officers, stating that the City is currently five officers short with no applications, and noted that officers are leaving for other Cities due to leadership and pay issues. He emphasized that this shortage results in extended work hours, fatigue, and potential safety risks for officers. Mr. Pearson suggested that the City Manager and HR manager could interview current officers privately to identify key issues and develop possible solutions. Mr. Pearson concluded by urging that both the concerns regarding Council meeting scheduling and the police staffing shortage be addressed promptly to provide timely solutions.

Kenneth Hayes resides at 414 Mystery Harbor. He addressed the Mayor and Councilman Matamoros, stating that he was tired of hearing certain rhetoric that they are "fat, lazy, and stupid." He emphasized that he is a team builder, noting that he manages approximately 100 employees and that his focus is always on maintaining teamwork. Mr. Hayes expressed frustration that one individual was not allowing the team to function properly and said that many were becoming increasingly fed up with the situation.

Maria Lopez, Main Street Coordinator, presented information about a new community Christmas celebration called Christmas on Main. She explained that the City of Freeport Main Street Program, in partnership with the Freeport Economic Development Corporation (EDC) and the City of Freeport, is organizing the event to engage residents and visitors. Ms. Lopez outlined that the tree lighting ceremony is scheduled for Saturday, December 6th, from 4:00P.M. to 8:00P.M. in downtown Freeport, with the official tree lighting at 6:30P.M. The celebration will feature a live DJ, family-friendly activities, and food vendors. Ms. Lopez emphasized that the event aims to showcase the Freeport Historic District, highlight ongoing efforts of the Main Street Program to revitalize downtown, promote local pride, and strengthen community connections. She noted that the celebration is intended to foster unity, raise awareness, and create lasting memories for residents and visitors alike.

Melanie Oldham resides at 531 West Brazos. She addressed the City Council regarding several community and city matters. She began by complimenting the Freeport Economic Development Corporation (EDC), Mr. Pennington, and others for their leadership and transparency. Ms. Oldham noted that during a recent EDC meeting, discussions were held regarding available funds, including the TIRZ fund and EDC reserves, and expressed approval that approximately \$450,000 was approved to redo Second Street. She emphasized that this project would complement the recent improvements to Highway 288 and support downtown traffic and a new downtown restaurant. Ms. Oldham also addressed the current status of the City's police officers, acknowledging that the department has competent personnel but noting concerns about shortages. She encouraged the Council to consider incentives to retain current officers and attract new hires. Additionally, Ms. Oldham commented on the ongoing City Manager selection process. She shared her observations from attending the open house for the candidates, noting that one candidate stood out due to grant writing experience and experience addressing wastewater challenges. She highlighted the candidate's openness, transparency, and willingness to listen to public input as strong leadership traits.

Manning Rollerson addressed the City Council regarding housing and police department concerns in the City of Freeport. Mr. Rollerson stated that housing is his primary concern and expressed hope that recent actions regarding urban land had not overlooked the City's need for additional housing. He also addressed the police department, acknowledging the quality of current officers and emphasizing the importance of retaining them. Mr. Rollerson highlighted challenges officers face with compensation, healthcare costs, and

other financial pressures, noting that proper support is necessary to ensure they remain in the community. He stressed that police officers and firemen play a critical role in public safety, responding to incidents such as fires and vandalism, and that maintaining their well-being should be a priority for the City. Mr. Rollerson concluded by emphasizing that decisions regarding public safety and officer support must be guided by fairness and righteousness.

Mayor Cain and the Council discussed item 6A before entering the Executive Session.

A motion was made by Councilman Matamoros to invite the Cleer Career Representatives into Executive Session for the two City Manager Applicants only, seconded by Councilman Davis with discussion that followed.

Councilman Pena emphasized that the Representatives should only be invited if there are questions for them and asked whether it is necessary for them to be present during the actual interviewing. Councilman Pena explained that the intention is to maintain as much privilege as possible for the Council. Mayor Cain noted that discussion would take place prior to inviting the first candidate in and that this would help answer some of the questions raised.

Mayor Cain called the motion to a vote with all present and voting "Aye" 5-0. The Council unanimously approved the motion.

Executive Session

Executive Session regarding: Texas Government Code, Section 551.074 (Personnel Matters) 1.) Interview of City Manager Applicants (Kelly, Jones, Holmes) 2.) Interview of City Attorney Applicants (Parker, Duncan, Bojorquez).

Discuss and Take Possible Action in Executive Session regarding: Texas Government Code, Section 551.074 (Personnel Matters) 1.) Interview of City Attorney Applicants — to include the second round interview for Mr. Parker and interviews with the two candidates for the contract position (Mr. Duncan and Bojorquez). (Councilman Pena)

The Regular Session closed at 6:21P.M. and the Council entered into the Executive Session.

Reconvene into Open Session:

Take any action resulting from Executive Session.

The Executive Session ended at 11:13P.M. and the Council went back into Regular Session.

There was no action from the Executive Session.

Consent Agenda:

Action regarding Minutes, September 29, 2025 and October 6, 2025. - Clarisa Fernandez, City Secretary

Action approving Monthly Financials through September 30, 2025- Ashlee Hurst, Finance Director

Action approving Resolution No. 2025-2982 and Resolution No. 2025-2983 to change City Manager from Lance Petty to Dan Pennington for acceptance of grants- Jennifer Howell, Police Chief

A motion was made by Councilman Matamoros to approve the Consent Agenda as presented, seconded by

Councilman Rossow with discussion that followed.

Councilman Pena asked whether the ordinance being discussed applied to all grants or specific ones. Police Chief Jennifer Howell clarified that the ordinance pertained to two specific grants; one related to police radios and the other for protective vests. She explained that while additional grant applications were still pending, these two had been officially awarded. The purpose of the resolution was to update the name of the grants so that Interim City Manager Dan Pennington could formally accept the awards on behalf of the City.

Mayor Cain called the motion to a vote with all present and voting "Aye" 5-0. The Council unanimously approved the motion.

Proclamations - Presentations and Updates

Upcoming Events - Museum Expansion Ribbon Cutting, Freeport Historical Museum, October 22, 3:00P.M.

Fright Night 2025, Freeport Municipal Park, October 23rd, 6:00P.M.-9:00P.M.

Merry Museum Christmas, Freeport Historical Museum, November 29, 11:00AM-2:00P.M.

Holiday on the Brazos, Freeport Municipal Park, December 5, 6:00P.M.-9:00P.M.

Blue Santa Pancake Breakfast, Freeport RiverPlace, December 6, 8:00A.M.-11:00A.M.

Christmas on Main, Historic Downtown, December 6, 4:00P.M.-8:00P.M.

Interim City Manager Dan Pennington gave updates on upcoming events.

Presentation of the Investment Report for Quarter Ending September 30, 2025- Ashlee Hurst, Finance Director

Finance Director Ashlee Hurst presented the Investment Report for the Quarter Ending September 30, 2025.

Business

Discuss and Take Possible Action to introduce a Budget Amendment to ensure the Police Department receives the full 6% Cost of Living Adjustment (COLA).

Councilman Pena stated that the topic had been discussed at length during the September 15th meeting and noted that the current discussion was likely more of a formality. He explained that he wanted to ensure the item was placed on the agenda as quickly as possible so that police officers could benefit from the cost-of-living adjustment sooner rather than later.

A motion was made by Councilman Pena to pass the amendment to the budget for the 6% cost of living adjustment for the Police Department, seconded by Councilman Davis with discussion that followed.

Councilman Matamoros asked whether the increase would be an additional 6% or an additional half percent to make it 6.0% total. Mayor Cain said an additional half percent, noting that during a line-by-line review of the budget, the Council had conducted a straw poll and agreed on a 6% increase. He clarified that when the motion to approve the budget was originally made, the increase had been listed as 5.5%. The current item before the Council was to adjust the budget to reflect the agreed-upon 6% increase. Councilman Matamoros asked Finance Director Ashlee Hurst to confirm that the additional funds were available in the budget, which was affirmed, with the difference noted to be slightly over \$26,000.

Mayor Cain called the motion to a vote with all present and voting "Aye" 5-0. The Council unanimously approved the motion.

Work Session

Councilman Pena Ward A announcements and comments.

Councilman Pena thanked everyone who attended earlier in the evening and participated in the meet and greets and interviews for the City Manager candidates. He stated that the Council had a very productive interview process during the executive session and that a candidate had been selected. Notifications regarding the Council's decision would be sent out that evening. Interim City Manager Dan Pennington noted that the formal announcement of the selected candidate would not be made at this time. He extended appreciation to everyone who provided feedback during the process and completed the evaluation forms. Councilman Pena then gave an update on the Downtown Memorial Park splash pad project. Interim City Manager Dan Pennington reported that the City was still waiting on two or three replacement parts for the splash pad and that due to limited suppliers.

Councilman Davis Ward B announcements and comments.

Councilman Davis began by thanking everyone for attending the meeting and expressed appreciation to City employees and police officers for their continued dedication and participation throughout recent meetings. He stated that the Council had a positive session earlier in the day with productive interviews and citizen engagement during the City Manager candidate meet and greet. Councilman Davis also extended his thanks to Clear Career Professionals for conducting the search and presenting experienced candidates for consideration. Councilman Davis inquired about a blinking stop sign he had previously mentioned during a workshop, asking if staff had followed up on the matter. He recalled that a resident had raised concerns about a particular intersection and reiterated his desire to identify a potential solution. He also addressed concerns related to the soccer field, noting that a Councilmember had complaints regarding this. After visiting the location himself, he spoke with nearby residents and observed that while some acknowledged occasional inconvenience, most did not find the situation problematic as long as vehicles did not block driveways and drivers maintained safe speeds due to children playing nearby. Councilman Davis emphasized that the Council should focus on identifying solutions rather than issuing citations, suggesting that utilizing the adjacent softball field parking area could alleviate congestion. He proposed directing soccer attendees to park in the existing concrete parking lot and walk a short distance approximately 50 yards along the sidewalk to the soccer field. He noted that this approach would mirror arrangements at other communities' fields and reduce the impact on residential streets. Interim City Manager Dan Pennington responded that Police Chief Howell and Public Works Director Rudy Ragle were already working on a plan with the City's engineering firm, Kimley-Horn. He explained that the engineers had drafted a design for an additional parking area and confirmed that hotel occupancy tax (HOT) funds could be used for the project. Once the design is finalized, the City will seek bids from several asphalt contractors to complete the work, with the goal of minimizing roadway congestion and improving access for emergency vehicles. Councilman Davis expressed support for addressing the parking issue but cautioned that the City should avoid encroaching on existing softball facilities. He noted that prior field adjustments had already reduced available warm-up areas and backstops for softball tournaments. Mr. Pennington clarified that the proposed parking addition would be situated behind the current soccer field area, near the pump or lift station, rather than within the softball field boundaries. Councilman Davis acknowledged this information but reiterated the importance of balancing improvements to avoid further loss of field space. He also suggested that the City make use of the existing softball parking lot and sidewalk connection to the soccer area as a cost-effective solution. Mayor Cain added that one of the reasons residents may not currently use the softball parking lot at night is due to inadequate lighting. Councilman Davis responded that the lighting issue could be easily resolved by activating the existing lights used for evening softball games, emphasizing that doing so would be more economical than constructing new parking areas. Councilman Davis reiterated that proactive planning and coordination would ensure continued community use while maintaining safety and efficiency.

Councilman Matamoros Ward C announcements and comments.

Councilman Matamoros said vote no Freeport.

Councilman Rossow Ward D announcements and comments.

Councilman Rossow greeted everyone and noted that he had been reminded earlier in the day about how late City Council meetings often run, acknowledging that while most people go to bed by 10:00P.M., some meetings simply require extended hours to complete City business. He commended the success of the recent National Night Out event, sharing that he attended and observed strong participation from vendors, families, and children. He expressed hope that the City of Freeport would continue hosting this nationwide community event each year. Councilman Rossow stated that he was looking forward to seeing how the City of Freeport will appear during the upcoming holiday season, expressing confidence that the decorations and overall presentation would reflect the City's pride and community spirit. He also commented positively on the City Manager interview process, echoing the remarks of Councilman Davis, noting that the process went smoothly and saw a high level of community engagement. Many residents, he added, were pleasantly surprised by the turnout and the opportunity to be involved in the selection process. Councilman Rossow concluded by expressing optimism about the City's direction, stating that once the new City Manager and City Attorney are finalized, the Council can focus on moving forward with its priorities. He remarked that the City of Freeport is "on its way up—up is where we belong."

Mayor Jerry Cain announcements and comments.

Mayor Cain expressed appreciation to everyone who attended the meeting. He also extended gratitude to all residents who participated in the City Manager candidate meet and greet earlier in the day, noting that the parking lot at the Velasco Community House was full and that community engagement was strong. He thanked the many citizens who took the time to fill out feedback forms, stating that the Council carefully reviewed and considered those comments during its decision-making process regarding the City Manager selection. Mayor Cain also reminded the public about the upcoming Fright Night event scheduled for Friday, October 23, from 6:00P.M. to 9:00P.M. He encouraged everyone to attend, adding that the event would be enjoyable for families and residents of all ages.

City Manager announcements and comments.

Interim City Manager Dan Pennington echoed the Council's appreciation for the strong public participation in the City Manager selection process. He stated that he was pleased to see so many residents in attendance, asking thoughtful questions, and engaging with the candidates. Mr. Pennington expressed gratitude to the candidates for their professionalism and for taking the time to participate in the process. He commended the City Council for conducting thorough interviews and noted that their diligence would continue as they finalized their decision. He concluded by stating that he is confident the City of Freeport is on the right path and thanked everyone for their involvement and support.

Councilman Pena inquired about early voting, asking if it was taking place that evening or during the week at the library. After confirming that early voting had started, he encouraged residents to "vote yes for the PD."

Adjournment

Adjournment – Jerry Cain, Mayor

A motion was made by Councilman Matamoros to adjourn the meeting, seconded by Councilman Rossow with all present and voting "Aye" 5-0. Mayor Cain adjourned the meeting at 11:58P.M.

Jerry Cain, Mayor

Clarisa Fernandez, City Secretary



City Council Agenda Item #[2.B]

Title: Action approving Ordinance No. 2025-2750, authorizing Budget Amendment #1 as approved October 20th, 2025-Ashlee Hurst, Finance Director

Date: November 3, 2025

From: Ashlee Hurst, Finance Director

Staff Recommendation: Staff recommend approval of the Ordinance.

Item Summary: The Freeport Code requires a formal Ordinance to accompany a Budget Amendment. This Ordinance is to fulfill that requirement.

Background Information: Councilman Pena presented a 0.5% COLA for the Police/Code employees, in addition to the 5.5% COLA that was adopted with the FY2025-2026 Adopted Budget. Council voted and the motion passed 5-0.

Special Considerations: N/A

Financial Impact: The total impact of the additional 0.5% COLA is \$26,500.00

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. BA#01 FY2026 Ordinance DUNCAN
2. BA#01 FY2026 Exhibit A

ORDINANCE NO. 2025-2750

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, AMENDING THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025 AND ENDING SEPTEMBER 30, 2026; APPROVING BUDGET AMENDMENT #1 OF THE FISCAL YEAR; PROVIDING FOR SUPPLEMENTAL APPROPRIATION AND/OR TRANSFER OF CERTAIN FUNDS; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT; PROVIDING A SEVERANCE CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Freeport, Texas, (hereinafter sometimes "the City") is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, under Section 102.001(b) of the Local Government Code, because the City has a City Manager form of government, the City Manager is the budget officer of the City municipality and under Section 102.002 of said Code and Chapter 9 of said Charter, the City Manager is required to prepare a proposed annual budget for the municipality and, under Section 102.03(a) of said Code and Chapter 9 of said Charter, is required to file the same with the City Secretary before the 30th day before the date the governing body of the municipality makes its tax levy for the fiscal year; and,

WHEREAS, on September 15, 2025, the City Manager presented to the City Council a proposed budget of the expenditures of the City of Freeport for the fiscal year 2026 and the proposed budget was filed with the City Secretary and posted on the City website as required by Local Government Code Section 102.005; and

WHEREAS, pursuant to notice as required by Section 102.006 of the Local Government Code, on September 15, 2025, a public hearing on such budget was held in the Council Chambers, at which hearing all citizens and taxpayers of the City had the right to be present and to be heard, and those who requested to be heard were heard; and

WHEREAS, the budget for the 2025-2026 fiscal year of the City was approved by the City Council by Ordinance No. 2025-2737, read, passed and adopted on the 15th day of September 2025.

WHEREAS, such Ordinance states that the budget for operations shall be administered as follows:

- a. The Council may transfer any unencumbered appropriation balance or portion thereof from one department, or fund to another, at any time;
- b. The City Manager shall have authority, without Council approval, to transfer appropriation balances from one expenditure account to another within a department;
- c. At any time in any fiscal year, the Council may, pursuant to Article XI, section 9.14 of the City Charter, make emergency appropriations to meet pressing need for public expenditure, for other than regular or recurring requirements, to protect the public health, safety or welfare. Such appropriation shall not be more than 5% of the total annual budget; however, the 5% may only be allocated under the condition the "undesignated" reserve/contingency funds may only be used with the specific consent of the City Council for unforeseen contingencies by the City Manager; and

WHEREAS, the City Council has considered the proposed budget amendment and has made such changes therein as in the City Council's judgment were warranted by law and were in the best interest of the citizens and taxpayers of the City.

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

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. The existing Budget of the City of Freeport, Texas, for the fiscal year 2025-2026 is hereby amended and revised as Budget Amendment #1, and reflected in said Exhibit "A", .

Section 3. All ordinances and resolutions, and parts of ordinances and resolutions in conflict herewith, are hereby repealed.

Section 4. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

This ordinance shall take effect and be in force from and after its passage and adoption.

PASSED AND ADOPTED this 3rd day of November 2025

.

Jerry Cain, Mayor

ATTEST:

Clarisa Fernandez, City Secretary

APPROVED AS TO FORM:

Chris Duncan, Interim City Attorney

City of Freeport
Budget Amendment #1
Fiscal Year 2025-2026

Department	Account Number	Description	FY2025-2026 Current Budget	FY2025-2026 Proposed Budget Amendment	FY2025-2026 Amended Budget	Reasoning
General Fund						
Police Department	10-525-100	Salaries/Wages	3,671,000.00	21,900.00	3,692,900	This is to add an additional .05% COLA raise to all PD/Code employees
Police Department	10-525-110	Salaries/Wages-PT	91,000.00	300.00	91,300	
Police Department	10-525-201	FICA & Medicare	308,500.00	1,200.00	309,700	
Police Department	10-525-230	TMRS	709,000.00	3,100.00	712,100	
					-	
					-	
					-	
Total General Fund			\$ 4,779,500	\$ 26,500	\$ 4,806,000	



City Council Agenda Item #[2.C]

Title: Action approving the payment to Central Square of the annual renewal of services for the Police Department-Jennifer Howell, Police Chief

Date: November 3, 2025

From: Chief Jennifer Howell, Police Chief

Staff Recommendation: Staff recommends approval of annual service fees.

Item Summary: The police department processes their dispatch (CAD) and reports (RMS) through Central Square. Annually they provide us a quote for our upcoming services. We have been with this company for approximately 8 years and as we have learned more about their services, we have added features that have added additional cost, such as their GPS mapping (a project council approved last year). No budget amendments will be needed. The total cost is \$79,299.40. This program is used by all divisions of the police department and is cloud based to better protect records from being compromised.

Background Information: After speaking with the city manager and legal, due to the amount, it was determined to bring before council as the city manager can only authorize payments under \$30,000.

Special Considerations: None.

Financial Impact: No additional financial impact as this is a budgeted item.

Board or 3rd Party Recommendation: None.

Supporting Documentation:

1. Central Square 2025-2026 FY

Quote #: Q-181902

Primary Quoted Solution: PSJ Pro

Quote expires on: December 31, 2025

Quote prepared for:

Stephanie Arbolante

Freeport Police Department

430 N. Brazosport Boulevard

Freeport, Texas 77541

(979) 239-1211

Thank you for your interest in CentralSquare. CentralSquare provides software that powers over 8,000 communities. More about our products can be found at www.centralsquare.com.

WHAT SOFTWARE IS INCLUDED?

CAD

	PRODUCT NAME	QUANTITY	UNIT PRICE	DISCOUNT	TOTAL
1.	CentralSquare Pro CAD Cloud Dispatch Position Annual Subscription Fee	2	1,800.00	- 828.00	2,772.00
2.	CentralSquare Pro CAD Cloud Platform Annual Subscription Fee	1	34,000.00	- 7,820.00	26,180.00

CAD Software Subtotal	37,600.00 USD
CAD Software Discount	- 8,648.00 USD
CAD Software Total	28,952.00 USD

CENTERLINE

	PRODUCT NAME	QUANTITY	UNIT PRICE	DISCOUNT	TOTAL
3.	Centerline AI Platform Annual Subscription Fee	1	0.00		0.00
4.	Centerline AI User Annual Subscription Fee	20	350.00	- 7,000.00	0.00

Centerline Software Subtotal	7,000.00 USD
Centerline Software Discount	- 7,000.00 USD
Centerline Software Total	0.00 USD

FTO STANDALONE

	PRODUCT NAME	QUANTITY	UNIT PRICE	DISCOUNT	TOTAL
5.	Field Training Online (Stand-Alone)- Annual Subscription Fee	1	2,800.00	- 2,800.00	0.00

FTO Standalone Software Subtotal	2,800.00 USD
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FTO Standalone Software Discount - 2,800.00 USD
FTO Standalone Software Total 0.00 USD

JAIL

	PRODUCT NAME	QUANTITY	UNIT PRICE	DISCOUNT	TOTAL
6.	CentralSquare Pro Jail Cloud Platform Annual Subscription Fee	1	8,500.00	- 1,955.00	6,545.00
7.	CentralSquare Pro Jail Short Term Holding Cloud per Bed Annual Subscription Fee	32	80.00	- 588.80	1,971.20

Jail Software Subtotal 11,060.00 USD
Jail Software Discount - 2,543.80 USD
Jail Software Total 8,516.20 USD

MAPPING

	PRODUCT NAME	QUANTITY	UNIT PRICE	DISCOUNT	TOTAL
8.	CentralSquare Pro Cloud Mapping AVL Playback Annual Subscription Fee	1	1,696.08	- 390.10	1,305.98
9.	Mapping PS Pro TAIP AVL Interface (Import) Annual Subscription Fee	1	6,630.00	- 1,524.90	5,105.10

Mapping Software Subtotal 8,326.08 USD
Mapping Software Discount - 1,915.00 USD
Mapping Software Total 6,411.08 USD

MOBILES

	PRODUCT NAME	QUANTITY	UNIT PRICE	DISCOUNT	TOTAL
10.	CentralSquare Pro CAD Cloud Mobile Position Annual Subscription Fee	19	450.00	- 1,966.50	6,583.50

Mobiles Software Subtotal 8,550.00 USD
Mobiles Software Discount - 1,966.50 USD
Mobiles Software Total 6,583.50 USD

RECORDS

	PRODUCT NAME	QUANTITY	UNIT PRICE	DISCOUNT	TOTAL
11.	CentralSquare Pro Records Cloud Officer Annual Subscription Fee	32	400.00	- 2,944.00	9,856.00
12.	CentralSquare Pro Records Cloud Platform Annual Subscription Fee	1	18,000.00	- 4,140.00	13,860.00

13.	Records PS Pro NDEx Adapter (IA IEPD) Annual Subscription Fee	1	0.00	0.00
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Records Software Subtotal	30,800.00 USD
Records Software Discount	- 7,084.00 USD
Records Software Total	23,716.00 USD

SUITE

	PRODUCT NAME	QUANTITY	UNIT PRICE	TOTAL
14.	PS Pro TLETS/NCIC Interface (Basic Queries) Annual Subscription Fee	1	5,120.62	5,120.62

Suite Software Total	5,120.62 USD
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SOFTWARE SUMMARY

Software Subtotal	111,256.70 USD
Software Discount	- 31,957.30 USD
Software Total	79,299.40 USD

WHAT SERVICES ARE INCLUDED?**CENTERLINE**

DESCRIPTION	TOTAL
1. Centerline AI Implementation Services - Fixed Fee	1,560.00

Centerline Services Subtotal	1,560.00 USD
Centerline Services Discount	- 1,560.00 USD
Centerline Services Total	0.00 USD

FTO STANDALONE

DESCRIPTION	TOTAL
2. CentralSquare FTO Services - Fixed Fee	3,900.00

FTO Standalone Services Subtotal	3,900.00 USD
FTO Standalone Services Discount	- 3,900.00 USD
FTO Standalone Services Total	0.00 USD

SERVICES

DESCRIPTION		TOTAL
3.	Pro CAD Cloud Migration Services (1-12 CAD Positions) - Fixed Fee	5,000.00
4.	Pro JMS Cloud Migration Services (1-2,000 Jail Beds) - Fixed Fee	5,000.00
5.	Pro RMS Cloud Migration Services (24-99 Sworn) - Fixed Fee	5,000.00
Services Services Subtotal		15,000.00 USD
Services Services Discount		- 15,000.00 USD
Services Services Total		0.00 USD

SERVICES SUMMARY

Services Subtotal	20,460.00 USD
Services Discount	- 20,460.00 USD
Services Total	0.00 USD

QUOTE SUMMARY

Software Subtotal	111,256.70 USD
Services Subtotal	20,460.00 USD
Quote Subtotal	131,716.70 USD

Discount - 51,935.62 USD

Quote Total **79,299.40 USD**

Net Recurring Fees will increase in the amount of \$27,755.82. For products being replaced in this project, this is an estimate based on the client's current recurring fees of \$51,870.08. The increase amount may change based on any adjustments to scope or pricing and depending on the final project timeline. Your new renewal estimate is \$79,625.90. Any items not being replaced by this order will continue in addition to the renewal estimate listed.

TOTAL RECURRING FEES

TYPE	AMOUNT
TOTAL RECURRING FEES	\$79,625.90
CURRENT RECURRING FEES	-\$51,870.08
NET RECURRING FEE INCREASE	\$27,755.82

This Quote is not intended to constitute a binding agreement. The terms herein shall only be effective once incorporated into a definitive written agreement with CentralSquare Technologies (including its subsidiaries) containing other customary commercial terms and signed by authorized representatives of both parties.

BILLING INFORMATION

Fees will be payable within 30 days of invoicing.

Please note that the Unit Price shown above has been rounded to the nearest two decimal places for display purposes only. The actual price may include as many as five decimal places. For example, an actual price of \$21.37656 will be shown as a



Quote prepared on:

October 17, 2025

Quote prepared by:

Ashley Ainsworth

ashley.ainsworth@centralsquare.com

Unit Price of \$21.38. The Total for this quote has been calculated using the actual prices for the product and/or service, rather than the Unit Price displayed above.

Prices shown do not include any taxes that may apply. Any such taxes are the responsibility of Customer. This is not an invoice.

For customers based in the United States or Canada, any applicable taxes will be determined based on the laws and regulations of the taxing authority(ies) governing the "Ship To" location provided by Customer on the Quote Form.

PURCHASE ORDER INFORMATION

Is a Purchase Order (PO) required for the purchase or payment of the products on this Quote Form? (Customer to complete)

Yes [] No []

Customer's purchase order terms will be governed by the parties' existing mutually executed agreement, or in the absence of such, are void and will have no legal effect.

PO Number:

Initials:

Applicable Additional terms will be added to the next page.



City Council Agenda Item #[3.B]

Title: Presentation by members of Kimley Horn on Impact Fees.
Date: November 3, 2025
From: Chief Jennifer Howell, Police Chief

Staff Recommendation: Nothing at this time as it is a presentation only for educational purposes.

Item Summary: City Council had expressed an interest in learning more regarding impact fees and what it would mean for the city. Below was the information previously provided.

KIMLEY-HORN RESPONSE:

Below is a budget breakdown for water/wastewater Master Plans and Impact Fees. You'll see there is a big range for the master plan. Most of the budget swing comes from the data collection piece, and it will be helpful to sit down with you guys to understand what level of detail you want us to go into to build the City's water and wastewater models for the master planning piece. For instance, we can build a rough water model based on the City's current GIS and mapping information you have and we can model everything from 4-inch and above. However, calibrating the model will be a little more difficult without verifying areas where we have limited information, performing fire flow tests to check pressure loss at hydrants, and performing pressure monitoring at the City's ESTs. It means that will be building the model off limited data, so I'm not sure what range of detail yall would like us to get into when developing this. The same is true on the wastewater side, and it would help to survey (rim and flow line elevations) of a certain number of the City's manholes to help us understand pipe slope and capacity to help build a better model.

Water:

Master Plan: \$100-140k

Impact Fee: \$80-90k

Wastewater:

Master Plan: \$100-140k

Impact Fee: \$80-90k

Total Budget: \$360k - \$460k

Background Information: While working on the budget process, council expressed an interest in impact fees. It was agreed upon that we would wait until the new budget year to have engineering company come in and present the information.

Special Considerations: None at this time as it is a presentation only.

Financial Impact: None at this time as it is a presentation only.



Board or 3rd Party Recommendation: None.

Supporting Documentation:

1. Freeport-ImpactFees_V2



Kimley»Horn

IMPACT FEES 101

Presented to City of Freeport

NOVEMBER 3, 2025

INTRODUCTIONS



Stephen Kelly, PE

346.888.3891

stephen.kelly@kimley-horn.com



Ben Plett, PE

512.418.4523

ben.plett@kimley-horn.com



Victoria Baltazar, PE

346.249.8380

victoria.baltazar@kimley-horn.com

PRESENTATION AGENDA

- Impact Fee Basics
 - » What are they (and what are they not)?
 - » Who administers them?
- Impact Fee Components
- Project Success
- Impact Fee Market
- Steps to Implementing Impact Fees
- Legislation Updates
- Other Funding Options
- Experience

IMPACT FEE BASICS



What are they?

- Mechanism to recover infrastructure costs required to serve future development
- ‘Rough Proportionality with mathematical exactitude’
- Governed by Chapter 395 of the Texas Local Government Code; Established in Texas in 1987
- Water, Wastewater, Roadway, and Drainage impact fees allowed in Texas

IMPACT FEE BASICS



What are the benefits of impact fees?

- Provide an additional funding tool for infrastructure systems
- Provide for the orderly growth of the community
- Allow balanced funding combination that recognizes the benefits of growth

IMPACT FEE BASICS

Who administers Impact Fees?

- City Council – Capital Improvements Advisory Committee (CIAC) – Staff
- Public Hearing and Process Requirements
- Budgeting, Programming, and Implementation
- Capital Improvement Advisory Committee (CIAC)
 - » Advise in the adoption of Land Use Assumptions
 - » Review the Capital Improvements Plan (CIP)
 - » Provides Comments to City Council
 - » CIAC Requirements:
 - Not less than five members
 - Must be appointed by City Council
 - Representation from real estate, development, or building industries
 - Extraterritorial Jurisdiction (ETJ) representation
 - No employees of a governmental entity

IMPACT FEE BASICS CONT.

Planning and Zoning (P/Z) members may act as the CIAC:

- Additional representation may be needed when P/Z members act as the CIAC
- If no real estate, development, or building industry representative exists on P/Z, one must be appointed
- Representation from the ETJ is required if fees will be assessed there
- Additional members are appointed as ad hoc voting members to serve when the P/Z meets as the CIAC

IMPACT FEE BASICS CONT.

CAPITAL IMPROVEMENTS PLAN

COMPONENTS THAT CAN BE PAID FOR THROUGH AN IMPACT FEE PROGRAM	COMPONENTS THAT CANNOT BE PAID FOR THROUGH AN IMPACT FEE PROGRAM
Construction cost of capital improvements on the CIP	Projects not included in the CIP
Survey and engineering fees	Repair, operation and maintenance of existing or new facilities
Land acquisition costs, including court awards	Upgrades to serve existing development
Debt service of impact fee CIP	Administrative costs of operating the program
Study/update costs	

IMPACT FEE COMPONENTS



Service Areas



Land Use Assumptions (LUAs)



Service Units



Capital Improvement Plan



Maximum Assessable Fee



Collection Rate



Policy

IMPACT FEE COMPONENTS:

Service Areas



Funds collected within a service area must be spent on projects within the same service area within 10 years



Water – Citywide Service Area (City Limits + ETJ)



Sewer – Citywide Service Area (City Limits + ETJ)



Drainage – Citywide/Regional Service Area



Transportation – 6-mile trip length limit

IMPACT FEE COMPONENTS

Land Use Assumptions

10-Year Growth

- Establishes infrastructure demands and master plans
- Population and employment projections
- Coordinate with future land use or other city model

IMPACT FEE COMPONENTS

Service Units

- Chapter 395 “Service unit” definition
 - » Standardized measure of consumption attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous 10 years
- Example – Roadway
 - » Vehicle-mile is the service unit
 - Trip generation
 - Trip length
 - » One average single family home produces
 - .99 peak hour trips
 - 3.96 miles traveled
 - = 3.81 vehicle-miles
- Example – Water/wastewater
 - » Meter connection size (3/4" and above)

IMPACT FEE COMPONENTS

Capital Improvement Plan

- Strategic document to help plan for City's infrastructure needs
- Assesses existing infrastructure and projects to prepare for future growth
- Outlines and prioritizes a list of projects through multiple disciplines
- Includes approximate project costs (current and future)
- Typically, a 5 -10-year document, updated every 5 years

IMPACT FEE COMPONENTS

Assessable Impact Fee

$$\text{Max. Impact Fee Per Service Unit} = \frac{\text{Recoverable Cost of the CIP (\$)}}{\text{New Service Units}}$$

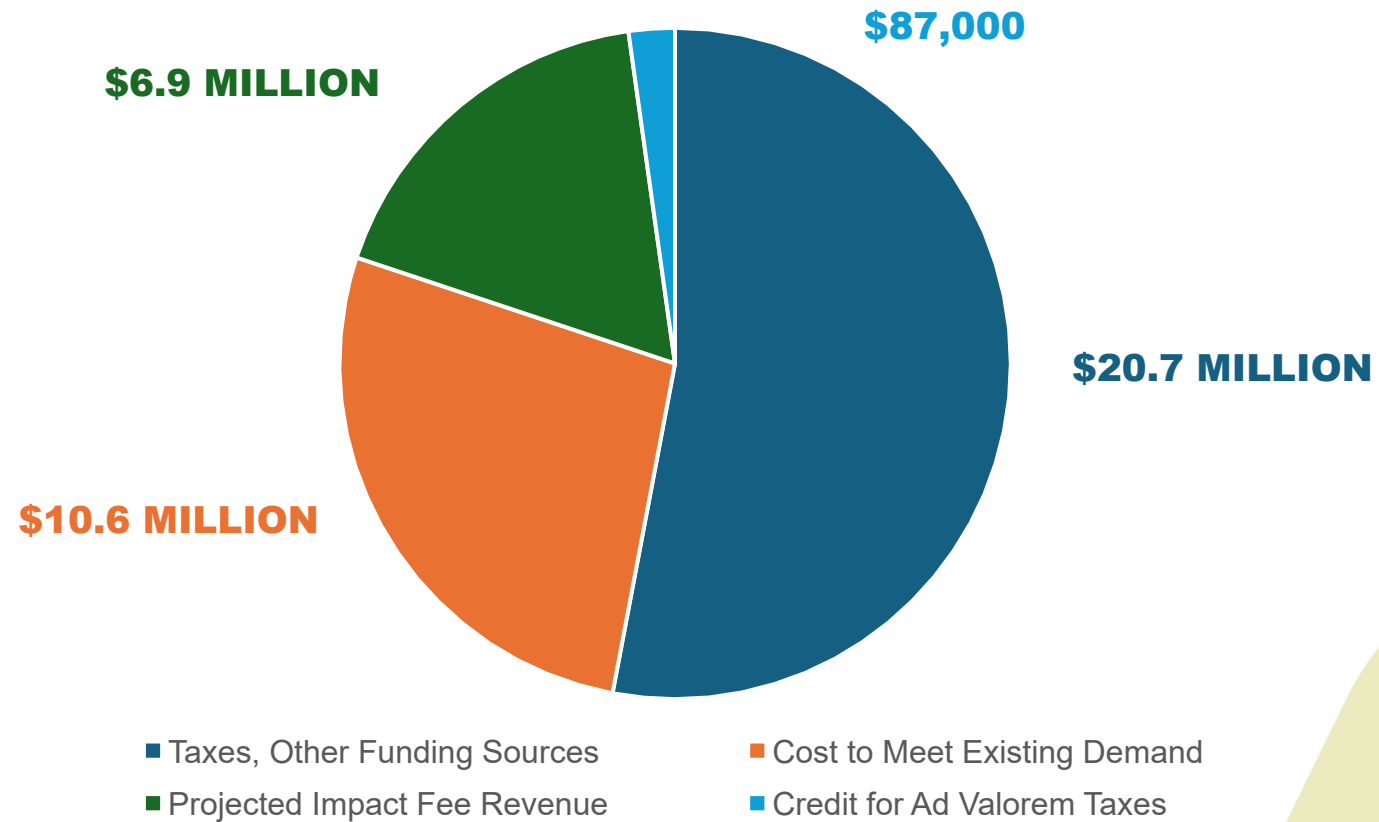
- New service units
 - » Land use assumptions (10-year growth) and future land use plan
- Impact fee capital improvements plan needed for growth
- Credits against impact fees due when a developer constructs or contributes to a thoroughfare facility
- Impact fee calculations must be updated at least every 5 years

IMPACT FEE COMPONENTS

Collection Rate

ROADWAY IMPACT FEES IN SERVICE AREA D

\$38.3 MILLION | ADOPTED 25% OF MAX FEE



IMPACT FEE COMPONENTS

‘Politics’ Or Policy



Are there any checks and balances?

- Independent licensed professionals prepare:
 - » LUAs
 - » Master plans
 - » CIP
 - » Maximum assessable impact fee calculations
- CIAC
 - » Chapter 395.058 provides the CIAC role and makeup (typically P/Z)

IMPACT FEE PROJECT SUCCESS



Keys to a successful impact fee project

- **Defensible, up-to-date master plans**
- City manager and council support
- Stakeholder involvement
- Collective understanding of the project goals by
 - » Citizens, developers, and city staff
- What is the 'impact fee market'
 - » Comparison to neighboring/competing cities
- Active management of the program after adoption
- Benefits:
 - » **Predictable**
 - » **Equitable**
 - » **Transparent**
 - » **Flexible**
 - » **Legal**
 - » **Consistent**

IMPACT FEE MARKET

HOUSTON

Freeport

Baytown

Water- \$857

Wastewater- \$3,315

Impact fee per EDU- \$4,172

Pearland

Water- \$3,891

Wastewater- \$5,374

Impact Fee- \$9,265

Friendswood

\$5,396 for a 1" meter

League City

Water - \$5,101

Wastewater - \$2,567

Alvin

Water- \$3,273

Wastewater- \$12,091

Impact Fee- \$15,364

STEPS TO IMPLEMENTING IMPACT FEES

- Impact Fee Update  Here!
- Council appoints a CIAC
- Establish land use assumptions and public hearing
- CIAC meeting on CIP and LUA's
- CIAC provides comments to council
- Public hearing on maximum assessable impact fee
- Council adopts ordinance

LEGISLATIVE UPDATES

- SB 1883 (effective September 1, 2025)
 - Audits
 - Adoption Threshold
 - Increase Frequency
 - Public Access
 - Appeals
- SB 14 (effective January 1, 2026)
 - Amends Ch. 395 and requires credits to be earned for development that implements lower water consumption, conservation, and reuse measures

FUNDING OPTIONS

Impact Fees
TIRZ (Tax Increment Reinvestment Zone)
Bonds (GO/CO)
Developer Agreements (380 Agreement)
MUD (Municipal Utility District)
PUD (Public Utility District)
Property Taxes
Utility Rates
Grants/Alternative Funding Sources

KIMLEY-HORN TEXAS EXPERIENCE

Since 2002

60 IMPACT FEE STUDIES FOR 35+ CITIES

Round Rock	New Braunfels	Leander
Austin	Pflugerville	Georgetown
Lancaster	Fort Worth	Killeen
Rowlett	Little Elm	Melissa
The Colony	Georgetown	Burleson
Flower Mound	Fate	Fairview
Mansfield	College Station	Princeton
Frisco	Corinth	Lakewood Village
Saginaw	Houston	Fulshear
Decatur	Farmersville	McKinney
Prosper	Galveston	Denton
Colleyville	Baytown	Southlake



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City Council Agenda Item #[3.C]

Title: Presentation-Hurricane Beryl Financial Update-Ashlee Hurst, Finance Director

Date: November 3, 2025

From: Ashlee Hurst, Finance Director

Staff Recommendation: This presentation is for informational purposes only.

Item Summary: N/A

Background Information: N/A

Special Considerations: N/A

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Overview of Hurricane Beryl Presentation



OVERVIEW OF HURRICANE BERYL DISASTER

Prepared By: Ashlee Hurst, CGFO

Prepared On: October 13, 2025



Agenda

FEMA
reimbursements
and how the
process works

What services
have been
submitted for
reimbursement?

What are we
planning to
submit?

What has been
spent so far and
what funds have
been used?

Anticipated “final
bill”



Categories of Work

Emergency Work

Category A – Debris Removal

Category B – Emergency
Protective Measures

Permanent Work

Category C – Roads & Bridges

Category D – Water Control Facilities

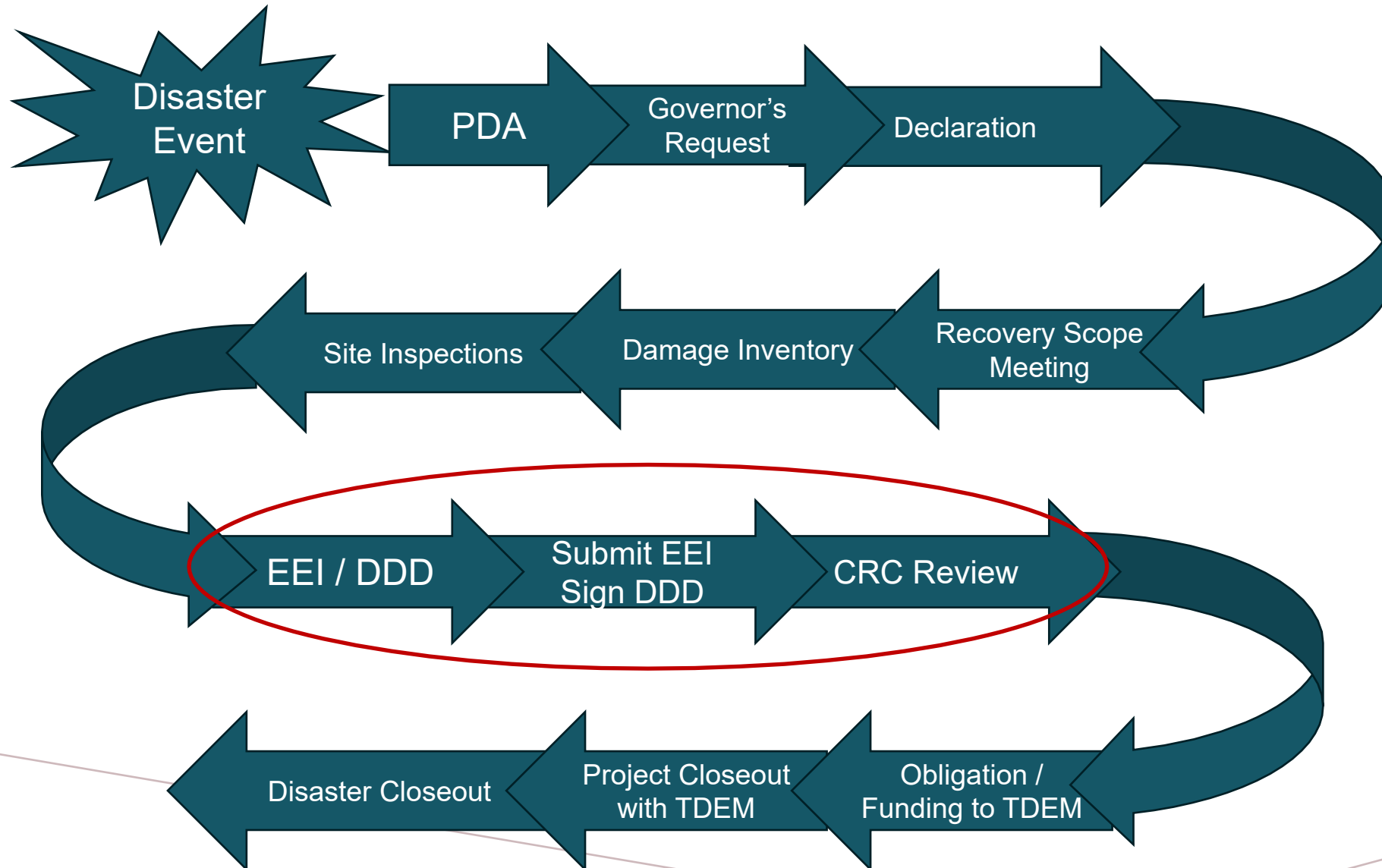
Category E – Buildings & Equipment

Category F – Utilities

Category G – Parks, Recreational,
and Other



FEMA Public Assistance (PA) Process



Acronyms Legend:

PDA – Preliminary Damage Assessment

EEI – Essential Elements of Information

DDD – Damage Description and Dimension

CRC – Consolidated Resource Center

TDEM – Texas Division of Emergency Management



FEMA Public Assistance (PA) Reimbursement Process

- All eligible costs have been submitted to the projects as the work was completed, bills had been paid, and all required documentation was generated.
- The City has started submitting costs related to all categories of work
 - Typical timeline for reimbursement of costs is projected to be between 1 and 3 years
 - FEMA and TDEM require federally compliant procurement for all work completed
 - Every document is reviewed extensively prior to any funding being obligated to us
 - The Public Assistance process is extensive and time-consuming



FEMA Public Assistance (PA) Reimbursement Cost Share

- Federal Share = 75%
 - This is the maximum potential reimbursement amount that FEMA will pay
- Local Share = 25%
 - This is the minimum amount that must be covered by the City of Freeport



Cost Estimates as of September 2025

FEMA Damage Category	Hurricane Beryl (DR 4798) Total Cost Incurred	Federal Share of Cost Incurred	Local Share of Cost Incurred
Category A (Debris Removal)	\$946,240.86	\$709,680.65	\$236,560.21
Category B (Emergency Measures)	\$280,091.56	\$210,068.67	\$70,022.89
Category C – G (Permanent Work)	\$684,211.93	\$513,158.95	\$171,052.98
Ineligible Costs	\$419,043.98	-	\$419,043.98
Total Cost Estimates	\$2,329,588.33	\$1,432,908.27	\$896,680.06
Insurance Payments Received	-	-	(\$560,754.72)
Total Cost Estimates After Adjustments**	\$2,329,588.33	\$1,432,908.27	\$335,925.34

***These costs are still fluid and are subject to change*



What Funds Have Been Used

- To date, the City of Freeport has spent \$2,329,588.33 in Hurricane Beryl related expenses
- These expenses are being tracked in Fund 12 – Hurricane Beryl and are included in your monthly financial report that I prepare for Council
- As expenses are deemed ineligible, a transfer from the General Fund at year-end will be done to cover the costs
- As reimbursements are received, they will be put back into Fund 12 – Hurricane Beryl to reimburse the fund



Anticipated “Final” Bill

- As of September 2025, the City’s final amount is \$335,925.34
 - Total cost incurred = \$2,329,588.33
 - City responsibility = \$335,925.34 or 14.4%
- This figure will continue to change as FEMA’s CRC works through the various project's final reviews



QUESTIONS?





City Council Agenda Item #[6.A]

Title: Consideration and possible action approving Resolution No. 2025-2984 appointing a member to the Historical Commission and Main Street Advisory Board.

Date: November 3, 2025

From: Maria Lopez, Mainstreet Coordinator

Staff Recommendation: Staff recommends that the City Council appoint one of the two recommended applicants, Michelle Backman or Flora Green, to fill the vacant position on the Freeport Historical Commission & Main Street Advisory Board left by Lucy Martinez, whose term expires May 31, 2027.

Item Summary: This item considers approval of a resolution appointing a qualified individual to fill the unexpired term of Lucy Martinez, who recently resigned from the Freeport Historical Commission & Main Street Advisory Board.

Background Information: Board member Lucy Martinez resigned before the end of her appointed term, which is set to expire on May 31, 2027. The Main Street Advisory Board reviewed the applications submitted for the vacant position and has recommended two qualified applicants, Michelle Backman and Flora Green, for City Council's review and consideration.

Special Considerations: The appointee will serve the remainder of the unexpired term. Upon appointment, the individual will be required to take the Oath of Office as required by law.

Financial Impact: There is no financial impact associated with this appointment.

Board or 3rd Party Recommendation: The Main Street Advisory Board reviewed the submitted applications and recommended Michelle Backman and Flora Green as the candidates to fill the vacancy.

Supporting Documentation:

1. Resolution-Main Street Vacancy 2025 DUNCAN (2)
2. Main Street Applicants

RESOLUTION NO. 2025-2984

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, ACCEPTING THE RESIGNATION OF A BOARD MEMBER AND APPOINTING A QUALIFIED PERSON TO THE FREEPORT HISTORICAL COMMISSION & MAIN STREET ADVISORY BOARD OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, Board Member Lucy Martinez of the Freeport Historical Commission & Main Street Advisory Board of the City of Freeport, Texas (“the City”), has submitted her resignation prior to the expiration of her term;

WHEREAS, the term of appointment for Lucy Martinez was set to expire on May 31, 2027;

WHEREAS, the City Council of the City desires to appoint the below-named qualified person to the Freeport Historical Commission & Main Street Advisory Board to fill the resulting vacancy and complete the unexpired term.

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

SECTION ONE (1): RESIGNATION

The City Council hereby accepts the resignation of Lucy Martinez, effective immediately, and acknowledges that her term was set to expire on May 31, 2027.

SECTION TWO (2): APPOINTMENT

The City Council of the City of Freeport, Texas, hereby nominates, constitutes, and appoints the following qualified person to the Freeport Historical Commission & Main Street Advisory Board to fill the unexpired term ending May 31, 2027, and until a successor for such person shall have been duly appointed and qualified, to-wit:

1. _____ Term Expiration: **05/31/2027**

SECTION THREE (3): DUTIES

The above-named appointee shall perform all duties imposed on members of the Freeport Historical Commission & Main Street Advisory Board of the City by law and by ordinance.

SECTION FOUR (4): OATH OF OFFICE

Before engaging in the performance of the duties of office, the appointee shall take the Oath of Office as required by law.

READ, PASSED, AND ADOPTED this ____ day of _____, 2025.

Attest: _____

Clarisa Fernandez, City Secretary
City of Freeport, Texas

Jerry Cain, Mayor
City of Freeport, Texas

Approved as to Form:

Christopher Duncan, Interim City Attorney
City of Freeport, Texas

Applicants

1. Flora Green
2. Michelle Backman



City Council Agenda Item #[6.B]

Title: Consideration and possible action approving Resolution No. 2025-2985 of Revised Leave Donation (Sick Leave Pool) Policy – Section 8.14.

Date: November 3, 2025

From: Donna Fisher, HR Director

Staff Recommendation: Staff recommends City Council approve the revised Leave Donation (Sick Leave Pool) Policy – Section 8.14 as presented.

Item Summary: Key changes to Section 8.14 include:

1. Eligibility and Definitions
 - Clarifies definitions of “Eligible Employee,” “Immediate Family Member,” and “Life-Threatening Condition.”
 - Reaffirms requirement that employees must be full-time and employed for at least one year to participate.
2. Contribution Rules
 - Minimum donation: 4 hours annually.
 - Maximum donation: 125 hours annually (not to exceed one-half of accrued balance).
 - Employees separating from the City may donate unused sick leave to the pool.
3. Vacation Leave Incentive (NEW REVISION)
 - For every 25 hours of sick leave donated, employees receive 4 hours of vacation leave.
 - Maximum incentive: 25 hours of vacation leave per fiscal year.
 - Awards credited at time of transfer (October 1 or upon approved donation outside enrollment).
4. Withdrawal and Use of Pool Hours
 - Requests must include physician certification and be approved by the Sick Leave Pool Administrator (HR Director, Department Director, and City Manager).
 - Employees may receive no more than 480 hours (12 weeks) in a fiscal year.
 - Pool hours cannot be combined with workers’ compensation.
 - Pool hours do not accrue additional benefits.

Background Information: The City of Freeport maintains a Sick Leave Pool program designed to provide financial relief to employees who experience a life-threatening illness or injury, or whose immediate family member is affected, and who have exhausted all of their personal leave balances. This program helps ensure that employees facing catastrophic health events do not suffer undue financial hardship.



Staff has conducted a review and recommends updates to strengthen participation and clarify eligibility.

Special Considerations: N/A

Financial Impact: The Sick Leave Pool is a cost-neutral program, as it redistributes donated hours from employees. The vacation leave incentive is expected to have minimal impact on overall leave balances, while encouraging greater participation in the pool.

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Leave Donation Policy Resolution (1) (2)
2. 8.14 Leave Donation Policy Revised 08.25.2025 (002) (1) (1)

RESOLUTION NO. 2025-2985

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, APPROVING REVISIONS TO THE CITY OF FREEPORT PERSONNEL POLICY HANDBOOK TO AMEND SECTION 8.14, TITLED “LEAVE DONATION (SICK LEAVE POOL) POLICY”, AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the City of Freeport maintains a Sick Leave Pool to alleviate hardships incurred by employees and their immediate family members in cases of life-threatening illness or injury after exhaustion of accrued leave balances; and

WHEREAS, the City Council finds it in the best interest of the City to encourage employee participation in the Sick Leave Pool and to ensure clear guidelines for eligibility, contributions, withdrawals, and administration; and

WHEREAS, the Human Resources Department has reviewed and recommended revisions to Section 8.14 of the Personnel Policy Handbook to:

- Clarify definitions and eligibility requirements;
- Establish minimum and maximum donation limits;
- Permit departing employees to donate unused sick leave;
- Introduce a vacation leave incentive for employees who contribute hours; and
- Reaffirm procedures for requesting and approving the use of Sick leave Pool hours; and

WHEREAS, the City Council has determined that adoption of the revised policy will promote employee welfare, fairness, and transparency in the administration of benefits.

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

SECTION 1. The revisions to Section 8.14 – Leave Donation (Sick Leave Pool) Policy, as presented and recommended by staff, are hereby approved and adopted.

SECTION 2. The City Manager and Human Resources Director are authorized to implement the revised policy and ensure distribution to all employees.

SECTION 3. This resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2025, by the City Council of the City of Freeport, Texas.

Jerry Cain, Mayor
City of Freeport, Texas

ATTEST:

APPROVED AS TO FORM:

Clarisa Fernandez, City Secretary
City of Freeport

Chris Duncan, Interim City Attorney
City of Freeport

8.14 Leave Donation Policy REVISED 11/03/2025

The City of Freeport maintains a sick leave pool to alleviate hardships incurred by an employee or the employee's immediate family if a life-threatening illness or life-threatening injury forces the employee to exhaust all available sick leave, vacation leave, and compensatory leave. The Sick Leave Pool is intended to lessen financial hardship caused to members by providing a source of additional paid sick leave.

Routine pregnancy/maternity is not considered a life-threatening illness or injury. However, severe pregnancy-related illness or complications afflicting the mother or child may be considered.

Definitions

1. **Eligible Employee** – A regular full-time employee who has been employed by the City for at least one (1) year.
2. **Immediate Family Member** – An employee's spouse, child, or any other relative who resides in the employee's household and is dependent on the employee for care.
3. **Life-threatening** – A disease or condition from which the likelihood of death is probable unless the course of the disease or condition is interrupted. Examples include:
 - Serious or terminal illness such as cancer
 - Serious or life-threatening accidents or injuries
 - Chronic illness or injuries requiring intermittent absences, such as HIV or kidney disease requiring dialysis*Exclusions include:* non-emergency elective surgery; injuries covered by workers' compensation; disabilities from drug/alcohol abuse; and self-inflicted injuries.
4. **Sick Leave Pool** – The accumulated sick leave hours donated by employees for use under this policy.
5. **Sick Leave Pool Administrator** - A committee comprised of the Head of Human Resources (or designee), the affected employee's Department Director, and the City Manager, designated to administer this policy.

Eligibility and Contributions

- Employees must:
 - Be employed by the City for at least one (1) year.
 - Be in good standing with City attendance policies.
 - Donate at least four (4) hours from their personal sick leave bank annually.
- Donation limits:
 - Up to 125 hours per year (not more than one-half of their earned sick leave per year).
 - Departing employees may donate their unused sick leave to the pool (note: sick leave is not paid out upon separation).
- Contributions are voluntary. Donors may not designate recipients.
- Enrollment opportunities:
 - Initial 30 days after adoption of this policy
 - Annually during open enrollment

***Vacation Leave Incentive for Sick Leave Pool Contributions – Rev. 11/03/2025**

To encourage participation in the Sick Leave Pool, employees who donate sick leave will be awarded additional vacation leave:

- For each (25) hours donated – 4 hours of vacation leave awarded.
- Maximum annual award – 25 hours of vacation leave (based on 125 hours donated)
- Awards credited at transfer time (October 1 during open enrollment, or at approved donation outside of enrollment)
- Employees separating from employment are not eligible for the incentive.

Use of Sick Leave Pool Hours

Requests

- Cannot be used with workers' compensation claims.
- Requests to withdraw require:
 - Written request before exhaustion of personal leave
 - Physician's statement of illness/injury, surgery, or disability, with expected duration
- The Sick Leave Pool Administrator considers:
 - Information on the request form
 - Number of pending requests
 - Hours available in the pool
- Restrictions:
 - No more than 1/3 of the pool hours may be awarded to a single request
 - Recipients may receive no more than 480 hours (12 weeks) per fiscal year
 - Pool hours do not accrue sick, vacation, or holiday leave
 - Donated sick time is on an hour-for-hour basis, not dollar value
 - Employees cannot borrow against future sick leave
 - Donations processed October 1 each year (open enrollment)
 - Employees on approved leave cannot donate
 - Recipient's personal leave must be exhausted first
- Employees on extended leave must:
 - Report weekly to HR (or designee) by phone
 - Provide updates after doctor appointments
- Nothing in this policy alters or extends protections under the Family and Medical Leave Act (FMLA)



City Council Agenda Item #[6.C]

Title: Consideration and possible action approving Resolution No. 2025-2986 revising Section 9.18 – Residency Incentive Program in the Personnel Policy Manual.

Date: November 3, 2025

From: Donna Fisher, HR Director

Staff Recommendation:

Staff recommends approval of the revised Residency Incentive Program to provide financial support for employees who choose to make Freeport their home

Item Summary:

1. Home Purchase Incentive

1. Eligibility: Full-time employees who do not currently own and reside in a residential property within the City of Freeport.
2. Amount: Up to \$10,000, disbursed over five (5) years.
3. Conditions:
 1. If two employees jointly purchase a home, only one is eligible.
 2. Incentive is taxable income but not considered regular compensation.
4. Disbursement Schedule:
 1. At closing (with documents provided to HR): \$2,800
 2. Year 1: \$2,400
 3. Year 2: \$2,000
 4. Year 3: \$1,600
 5. Year 4: \$1,200

2. Rental Incentive

1. Eligibility: City employees who do not currently reside in Freeport and who enter into a lease for a single-family or multi-family rental unit in Freeport.
2. Amount: Up to \$4,000, disbursed over five (5) years.
3. Conditions:
 1. Lease must be for a minimum of one (1) year.
 2. Only one employee eligible if lease is shared.
 3. Annual proof of residency required through signed lease documents.
4. Disbursement Schedule:
 1. Upon receipt of signed lease: \$800
 2. Each subsequent year with proof of residency: \$800 (up to \$4,000)

Background Information:



In an effort to encourage City of Freeport employees to reside within the City limits, the City has established a Residency Incentive Program. The purpose of this program is to strengthen community ties, support neighborhood stability, and reinvest in our local economy by providing financial incentives to employees who choose to live in Freeport.

The program was previously adopted; however, revisions have been made to provide clearer guidance on incentive amounts, eligibility, and disbursement schedules.

Special Considerations: N/A

Financial Impact:

The incentive payments will require a budget amendment to approve the expense, since the amounts were increased after the budget. These costs are offset by the anticipated economic and community benefits of having more employee reside in Freeport.

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Resolution Residency Incentive (1) (1)
2. Residency incentive revision (1)

RESOLUTION NO. 2025-2986

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, APPROVING A REVISED RESIDENCY INCENTIVE PROGRAM TO PROVIDE TAXABLE INCENTIVE PAYMENTS TO FULL-TIME EMPLOYEES WHO RESIDE WITHIN THE CITY LIMITS; PROVIDING FOR IMPLEMENTATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Freeport recognizes the value of having employees reside within the community they serve, thereby strengthening local neighborhoods, fostering community pride and reinvesting in the City's economy; and

WHEREAS, the City Council desires to encourage full-time City employees to establish their residence within the City limits providing financial incentives for both home purchases and residential leases; and

WHEREAS, the Residency Incentive Program provides a taxable incentive payment of up to \$10,000 for eligible employees purchasing a home in Freeport and up to \$4,000 for eligible employees leasing a residence in Freeport, with payments disbursed over five (5) years and subject to the conditions outlined in the program; and

WHEREAS, the City Council finds that adoption of this program is in the best interest of the City of Freeport, its employees, and its residents.

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

SECTION 1. Approval of Program. The City Council hereby approves and adopts the revised Residency Incentive Program as presented by staff, providing taxable incentive payments to eligible full-time employees who purchase or lease a residence within the City limits of Freeport.

SECTION 2. Implementation. The City Manager, Human Resources Director, and staff are authorized and directed to take all necessary actions to implement the Residency Incentive Program, including verifying eligibility, processing payments, and maintaining appropriate records.

SECTION 3. Funding. Payments made under the Residency Incentive Program shall be subject to annual budget appropriations and shall be reported as taxable income in compliance with applicable law.

SECTION 4. Effective Date. This Resolution shall take effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2025, by the City Council of the City of Freeport, Texas.

Jerry Cain, Mayor
City of Freeport, Texas

ATTEST:

APPROVED AS TO FORM:

Clarisa Fernandez, City Secretary
City of Freeport

Chris Duncan, Interim City Attorney
City of Freeport

9.18 Residency Incentive Program – Revised 11/03/2025

In an effort to provide an incentive for full-time employees to reside in the City of Freeport, the City offers taxable incentive payments to employees. The incentive payments are not a part of the compensation of any employee who receives the payment.

PURCHASE OF A HOME WITHIN THE CITY OF FREEPORT. The City will provide a taxable incentive payment of up to \$10,000.00 to all full-time employees who do not currently own and reside in a residential property within the City of Freeport. If two employees jointly purchase a home within the City, only one employee is eligible for the incentive. This incentive will be paid out over five (5) years as follows:

- Upon receipt of copy of closing documents by Human Resources: \$2,800.00
- One year after closing: \$2,400.00
- Two years after closing: \$2,000.00
- Three years after closing: \$1,600.00
- Four years after closing \$1,200.00

LEASE OF RENTAL UNIT WITHIN THE CITY OF FREEPORT: For all City employees who do not currently reside within the City of Freeport, the City will provide a taxable incentive payment of up to \$4,000.00 to enter into a lease agreement for a single-family or multi-family rental unit located in the City of Freeport. If two employees jointly enter into a lease agreement, only one employee is eligible for the incentive. The lease must be for a minimum of one (1) year. This incentive will be paid out over five (5) years as follows:

Upon receipt of copy of signed lease agreement by Human Resources: \$800.00

Each year following signature of lease agreement, as long as the employee still provides lease agreements proving residence in the City of Freeport: \$800.00 up to a maximum of \$4,000.00



City Council Agenda Item #[6.D]

Title: Consideration and possible action approving Resolution No. 2025-2987 to amend section 9.07, titled “Overtime/Compensatory Time”, adding Section 9.07 A “Alternative to Overtime: Flextime”.

Date: November 3, 2025

From: Donna Fisher, HR Director

Staff Recommendation: Staff recommends approval.

Item Summary: Key provisions of the policies are:

- Overtime must be pre-approved by supervisors and is compensated either by monetary payment or compensatory time.
- Compensatory time accrues at 1.5 hours for every hour of overtime worked, with a maximum accrual of 120 hours.
- Police and Fire personnel follow FLSA Section 7(k) work periods (80 hours for police and 106 hours for fire in a 14-day cycle).
- Flextime may be used as an alternative to overtime, provided schedule adjustments occur within the same seven-day workweek (or applicable 7(k) period for public safety).

Supervisors must balance operational coverage with employee requests when approving comp

Background Information: The City’s current personnel manual did not adequately address the use of comp time, and did not address the use of flextime. With the growing need to ensure compliance with the Fair Labor Standards Act (FLSA) and to promote consistency in employee scheduling and compensation practices, staff has prepared updated policies for Council adoption.

- Section 9.07 Overtime/Compensatory Time outlines eligibility, approval, accrual, and usage requirements for overtime and compensatory time. It also sets maximum accrual limits and established payout requirements upon separation of employment.
- Section 9.07 A Alternative to Overtime: Flextime provides flexibility for supervisors and employees to manage schedules within the same workweek to avoid unnecessary overtime, while maintaining operational efficiency and service to the public

Both policies were developed to balance compliance obligations, operational needs, and employee work-life balance.

Special Considerations: N/A



Financial Impact: Adopting these policies may help reduce overtime costs by encouraging the use of flextime and proactive comp time management. It also minimizes payout liabilities through structured accrual caps and scheduling flexibility

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Comp Flex Time Resolution D. (1) (1) (1)
2. Overtime Comp Time policy

RESOLUTION NO. 2025-2987

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS,
AMENDING THE CITY OF FREEPORT PERSONNEL POLICY HANDBOOK TO
AMEND SECTION 9.07, TITLED “OVERTIME/COMPENSATORY TIME: AND
SECTION 9.07 A "ALTERNATIVE TO OVERTIME – FLEXTIME”.**

WHEREAS, the City of Freeport recognizes the importance of establishing clear and consistent personnel policies to guide its employees and supervisors in the performance of their duties; and

WHEREAS, the City Council seeks to ensure compliance with the Fair Labor Standards Act (FLSA) and other applicable laws regarding employee work hours, overtime, and compensatory time; and

WHEREAS, the City Council further seeks to provide flexibility in scheduling through a formal flextime policy that balances operational needs with employees’ work-life responsibilities; and

WHEREAS, the Personnel Policy Handbook requires updating to include Section 9.07 “Overtime/Compensatory Time” and Section 9.07 A “Alternative to Overtime: Flextime” to provide clear guidance regarding the accrual, use, and administration of overtime, compensatory time, and flextime;

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

SECTION 1. That the City Council hereby adopts Section 9.07 Overtime/Compensatory Time and Section 9.07 A Alternative to Overtime: Flextime as part of the City of Freeport Personnel Policy Manual.

SECTION 2. That the City Manager and Human Resources Department are directed to implement these policies, ensure compliance with federal and state labor laws, and provide training and guidance to all supervisors and employees regarding the policies.

SECTION 3: That this resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED this _____ day of _____, 2025, by the City Council of the City of Freeport, Texas.

Jerry Cain, Mayor
City of Freeport, Texas

ATTEST:

APPROVED AS TO FORM:

Clarisa Fernandez, City Secretary
City of Freeport

Chris Duncan, Interim City Attorney
City of Freeport

9.07 Overtime/Compensatory Time

1. Employee Categories

- Exempt and Non-Exempt: Defined by the Fair Labor Standards Act (FLSA)
- Non-exempt employees: Subject to overtime/compensatory time rules.

2. Work Beyond Scheduled Hours

- Employees may be required to work outside regular hours without advance notice.
- Refusal is prohibited unless prior relief is requested and approved.
- Employees must request relief as early as possible if personal needs conflict.

3. Overtime Policy

- Compensation: Paid in money or compensatory time .
- Approval: Must be pre-approved by a supervisor before being worked.
- Calculation: Overtime includes education pay, longevity pay, and certification pay in the weighted rate.
- Leave Impact: Vacation, sick, or bereavement leave do not count towards overtime; only actual hours worked apply.

4. Fire/EMS and Police Work Periods

- City follows FLSA Section 7(k) for public safety personnel.
- Fire personnel: Overtime after 106 hours in a 14-day work period.
- Police personnel: Overtime after 80 hours in a 14-day work period.

5. Compensatory Time (Comp Time)

- Eligibility: Full-time, hourly, non-exempt employees only.
- Accrual Rate:
 - 1.5 hours of comp time for every overtime hour worked.
 - Thresholds:
 - 40 hours in 7 days (general employees)
 - 80 hours in 14 days (police)
 - 106 hours in 14 days (firefighters)
- Tracking: Must be recorded in the city's timekeeping system during the pay period earned.
- Approval: Requires pre-approval by supervisor and Department Director.
- Maximum Accrual: 120 hours. Any excess must be paid out or flexed within the same pay period.

6. Use of Comp Time

- Must be requested in advance, like other leave.
- Approval depends on staffing and operational needs.
- Supervisors must approve reasonable requests unless operations are disrupted.
- Employees are encouraged to use comp time within 6 months.
- Supervisors may schedule comp time to balance staffing and minimize payout liabilities.

7. Separation of Employment

- Any unused comp time is paid out at final regular rate of pay.
- Exceptions require written approval from HR and the City Manager.

9.07 A Alternative to Overtime: Flextime

Purpose:

Provide an alternative to overtime through flextime scheduling, balancing operational needs and employee work-life balance.

1. **Eligibility.** Applies to all City employees (hourly and salaried) below the level of Assistant City Manager
2. **Flextime in Lieu of Overtime.**
 - When overtime is needed, schedules may be flexed to substitute equivalent time off during regular hours.
 - Prevents overtime for hourly employees and ensures salaried employees stay within 40 hours.
 - Police/Fire: adjusted per their 7(k) periods.
 - Must occur within the same seven-day workweek may not be banked.
 - Substitution can be scheduled before or after the overtime, with supervisor approval.
3. **Approval Process.**
 - Must have prior supervisor approval. Directors must have City Manager approval.
 - Requests follow the same process as vacation leave.
 - Supervisors must ensure adequate coverage of city operations.
4. **Implementation.**
 - Supervisors should balance operational needs with employee personal needs
 - Flextime may include:
 - Adjusted start/end times
 - Compressed workweeks
 - Other schedule variations
 - Remote work, hybrid work, job-sharing, and comp-time may be considered if operationally feasible.
5. **Responsibilities.**
 - Employees: Maintain productivity and meet performance standards.
 - Supervisors: Monitor attendance, ensure communication, and document flextime arrangements.

Directors using Flex Time are subject to call back.



City Council Agenda Item #[6.E]

Title: Consideration and possible action approving change Order for Lift Station #1 Relocation.

Date: November 3, 2025

From: Rudy Ragle, Public Works Director

Staff Recommendation: Staff, in coordination with the City Engineer (Kimley-Horn), recommends approval of Change Order No. 1 with Texas Dewatering in the amount of \$27,315.95 for the relocation of Lift Station #1.

Item Summary: The City contracted with Texas Dewatering to relocate Lift Station #1. During construction, an unforeseen existing sanitary sewer line was encountered that was not shown on the approved plans. This conflict required a revision to the scope of work. The requested change order provides for the necessary adjustments to complete the project.

Background Information: The original contract for the relocation of Lift Station #1 did not include a contingency line item. As construction progressed, Texas Dewatering identified an unmarked sanitary sewer line in direct conflict with the planned improvements. This condition necessitated a modification to the project scope. The engineer of record, Kimley-Horn, has reviewed the change order and concurs that the additional work is necessary and appropriate.

Special Considerations:

- This change order addresses unforeseen field conditions not identified in design or record drawings.
- Approval will prevent project delays and ensure that the relocation of Lift Station #1 proceeds without further complications.

Financial Impact: The change order increases the project cost by \$27,315.95. A detailed line-item budget supporting this cost is attached. Funds are available in the approved project budget. Fund 25 take from OA Fleming Streets Infrastructure project. Had \$1,401,353.97 left as of 9/30.

Board or 3rd Party Recommendation: Kimley-Horn, the City's consulting engineer, has reviewed and recommends approval of this change order.

Supporting Documentation:

1. copier@freeport.tx.us_20251017_154153



REQUEST FOR INFORMATION #002

FROM: TEXAS DEWATERING LLC

DATE 9/30/2025

PROJECT NAME Freeport Lift Station #1 Relocation
ENGINEER: Kimley Horn
ATTENTION: Stephen Kelly – P.E.
Victoria Baltazar- P.E.
SUBJECT: New 10 Sanitary Sewer at Sta. 9+80

REQUEST FOR INFORMATION TYPE:

- ☐ CONSTRUCTION DRAWINGS
☐ DIFFERING SITE CONDITIONS
☒ CHANGES / MODIFICATIONS
☒ PROJECT SCHEDULE

WE ARE SENDING YOU:

- ☐ HAND DELIVERED
☐ OVERNIGHT DELIVERY
☐ US MAIL
☒ OTHER: [Via Email]

COPIES	SPEC SECTION NUMBER	DRAWING AND DETAILS	DESCRIPTION
1		SHEET C-20	Sanitary Sewer Through Storm Sewer(NOT SHOW NON PLANS)

THE REQUEST FOR INFORMATION ARE TRANSMITTED AS CHECKED BELOW:

- ☐ DRAWING – SPECIFICATION CONFLICT
☐ REQUIRE ADDITIONAL INFORMATION
☒ ENGINEER OF RECORD DIRECTION
☒ POTENTIAL COST IMPACT
☒ POTENTIAL SCHEDULE IMPACT

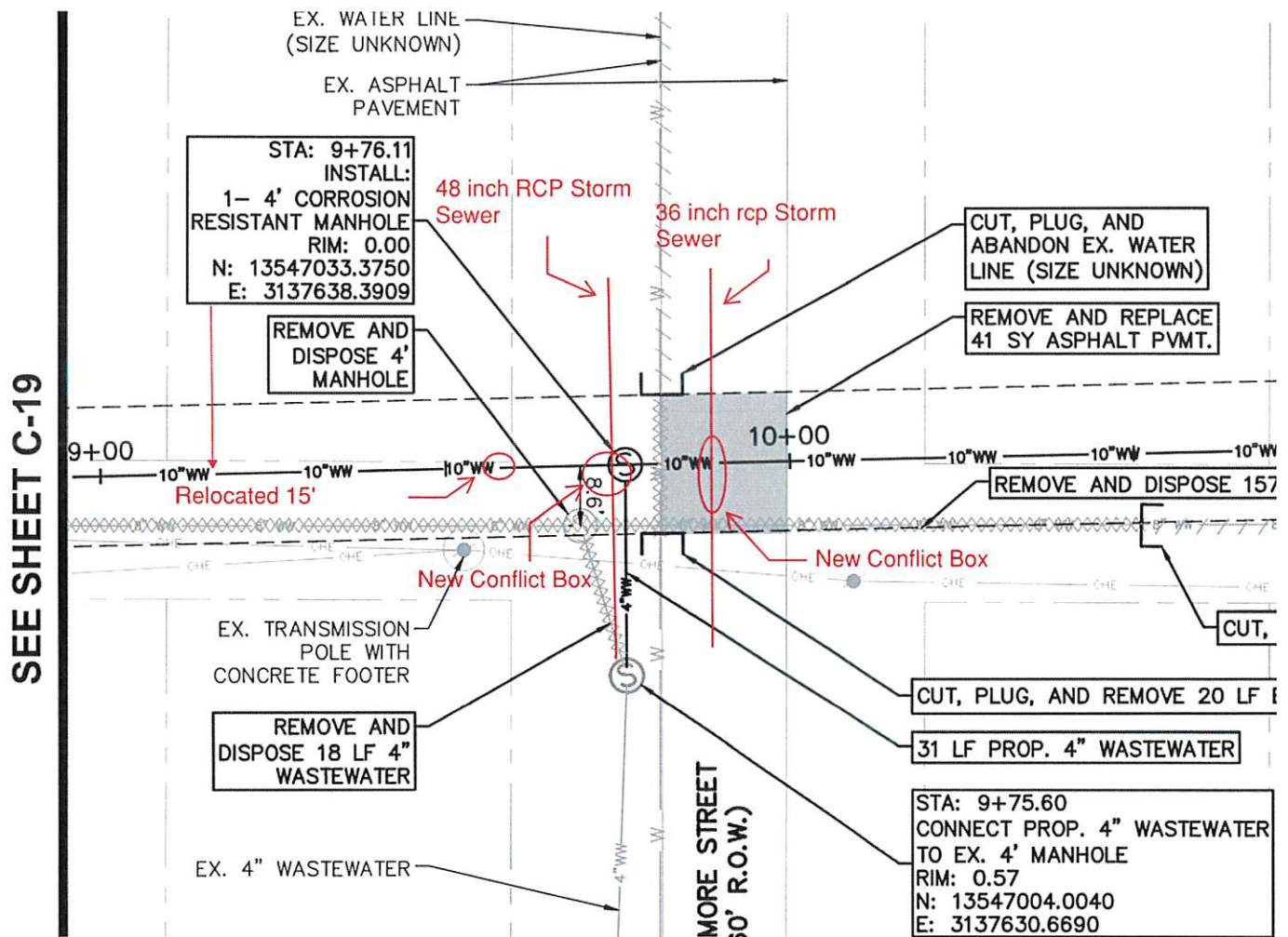
REMARKS

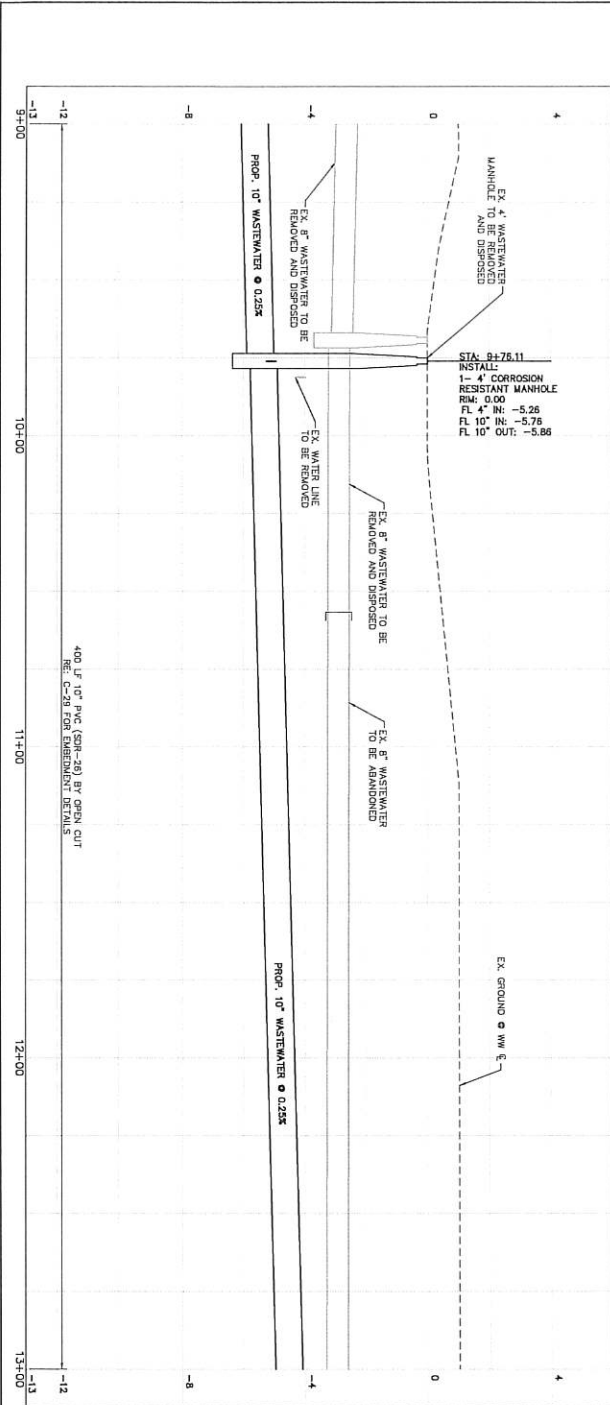
A: 13105 Northwest Freeway, Suite 1116, Houston, TX 77040

P: (979) 246-3016

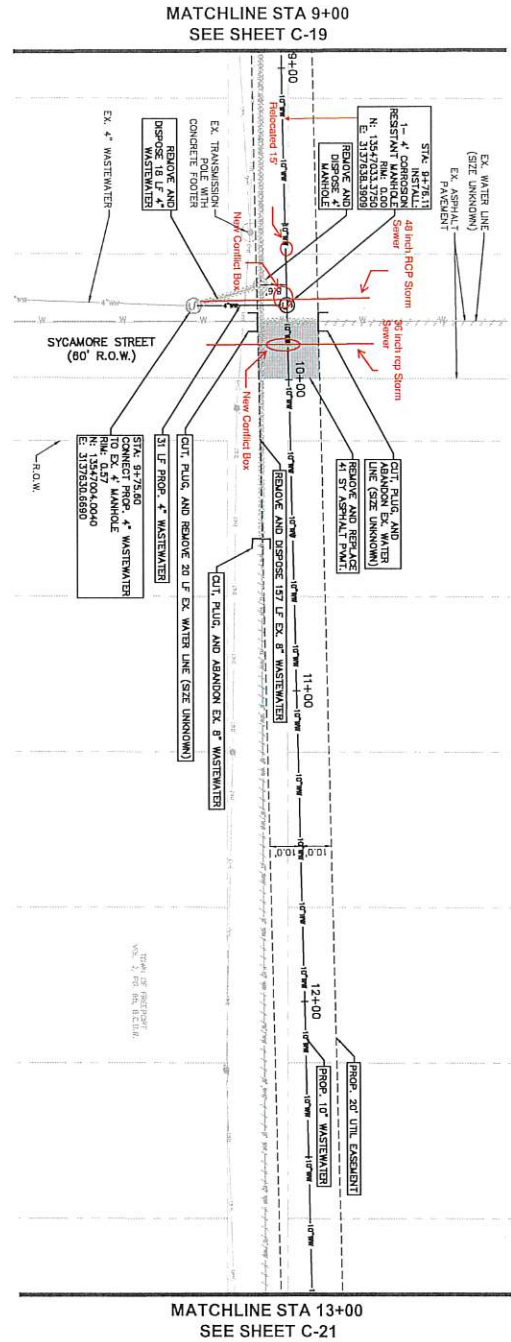
W: texasdewatering.com

RFI #1 Not shown on plans are two storm sewers running perpendicular down Sycamore Street. One is a 48-inch RCP storm sewer, and one is a 36-inch RCP storm sewer. The existing sanitary sewer is going through both in casing. (sheet C-20) The alignment and elevation of the new 10" sanitary sewer is in direct conflict with the existing storm sewers. We propose to install two conflict boxes and 40 LF of 18-inch casing pipe, casing spacers around the 10-inch PVC sanitary sewer and ends seals. Demoing out the existing casing and removing the section of old sanitary pipe, and associated repairs. Please see attached documentation and pricing.





PROP. 10" WASTEWATER

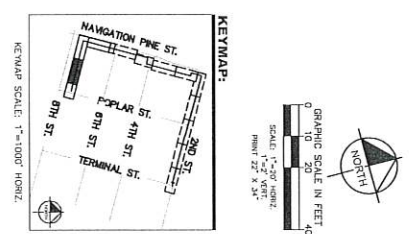


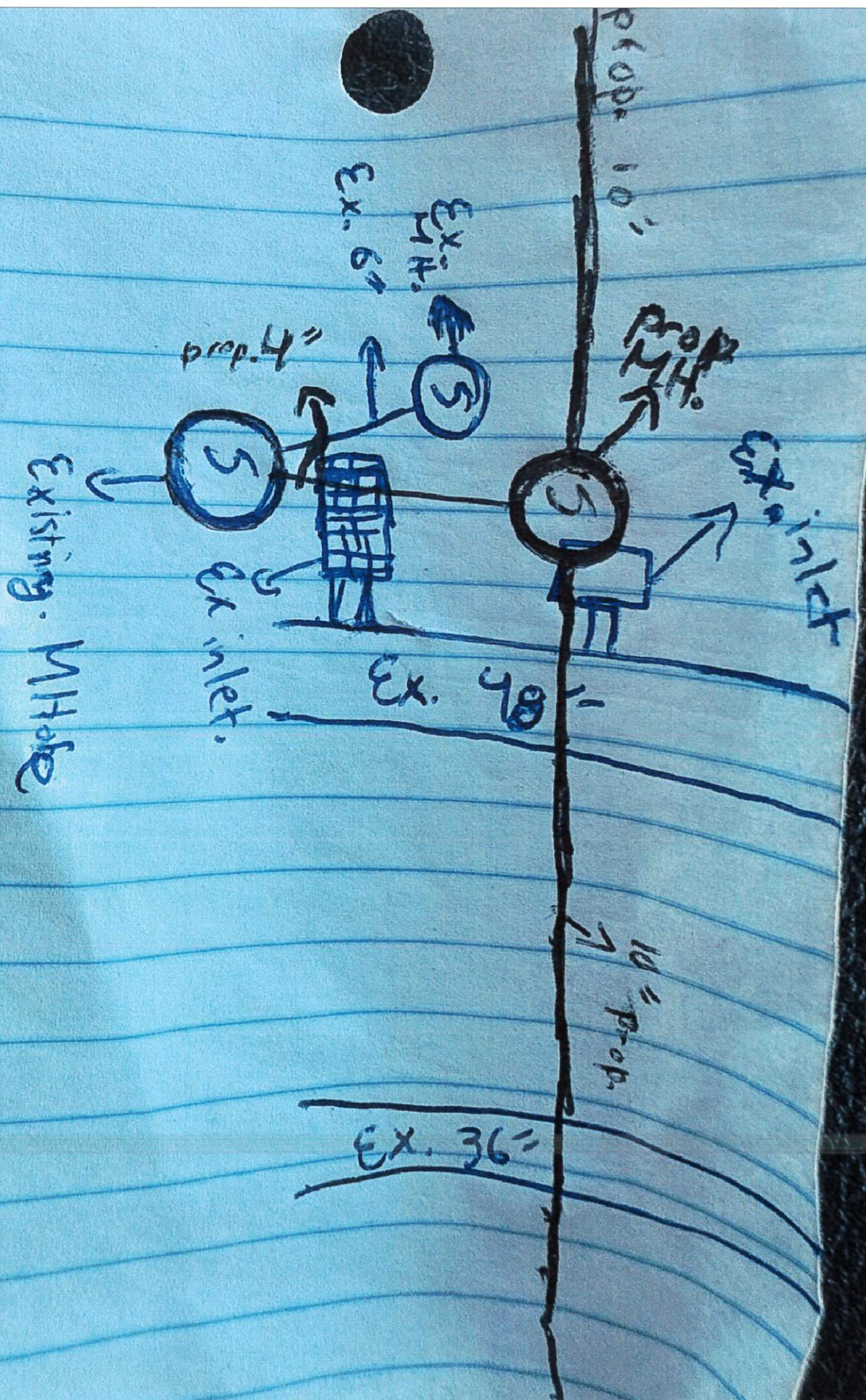
MATCHLINE STA 13+00
SEE SHEET C-21

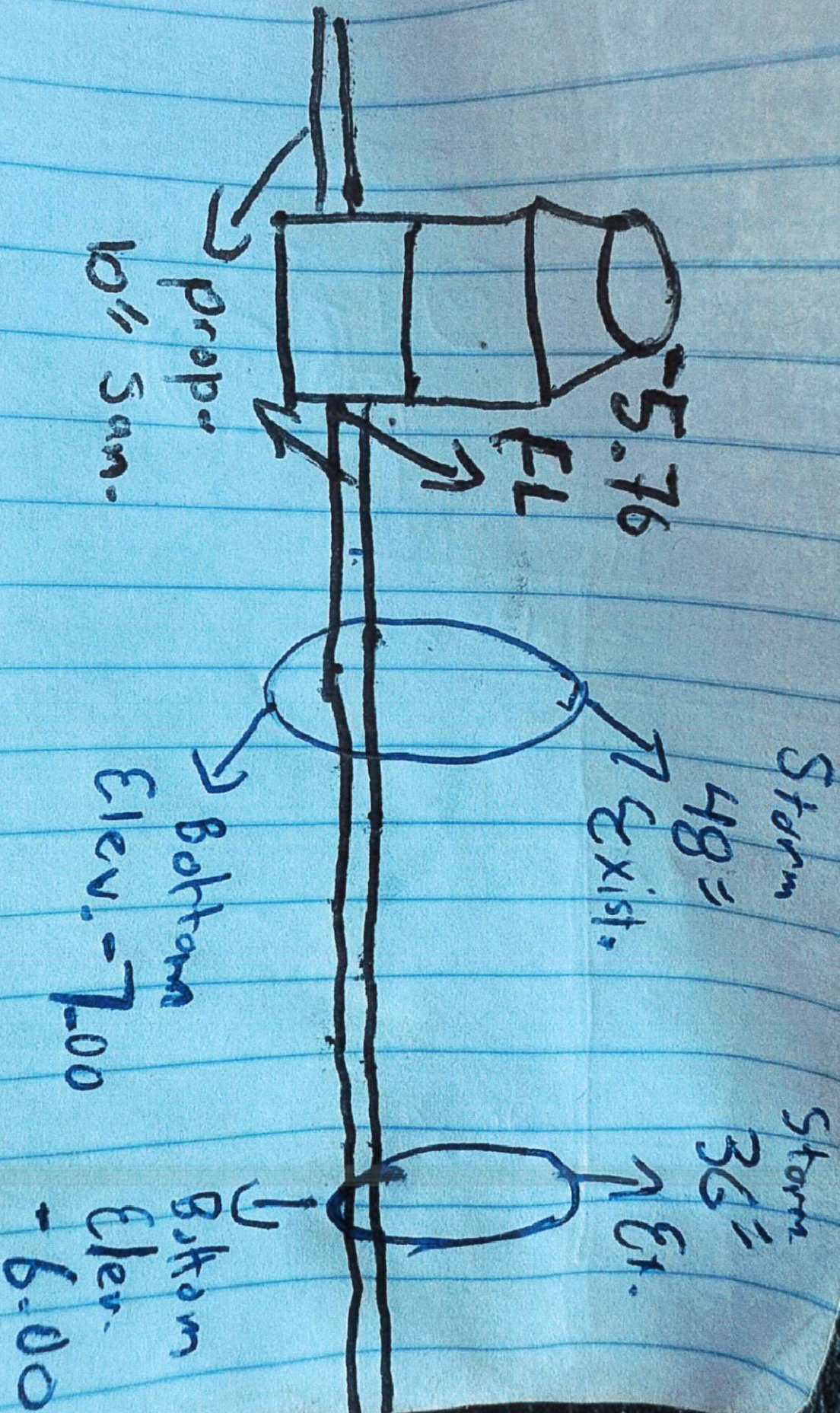
CAUTION!
 EXISTING (UNKNOWN) AND OVERHEAD UTILITIES IN THE AREA CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES ON THE PLAN.

BENCHMARKS
 1. BENCH MARK A: GUT BOX SET ON A CONCRETE INLET LOCATED ON THE NORTHWEST CORNER OF STREET WITH ITS INSET MARKED 4.2 FEET.
 2. BENCH MARK B: GUT BOX SET ON CONCRETE BASE OF A METAL POCKET LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION WITH THE CORNER SET BACK 4.2 FEET FROM THE STREET. ELEV. 4.82 FEET.
 ALL BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM. ALL DISTANCES SHOWN ARE SURFACE DISTANCES AND MAY BE ADJUSTED TO GROUND BY APPLYING THE FOLLOWING SCALE FACTOR: 0.9999999999999999.

- NOTES:**
- CONTRACTOR TO MAINTAIN POSITIVE DRAINAGE AT ALL TIMES DURING CONSTRUCTION AND RESTORE DRAINAGE TO ORIGINAL CONDITIONS AFTER COMPLETION OF WORK. SITE RESTORATION AND REPAIRING SHALL BE CONSIDERED SITE RESPONSIBILITY TO THE CONTRACTOR.
 - THE EXISTENCE AND LOCATIONS OF ALL UNDERGROUND UTILITIES SHALL BE DETERMINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS AND SHALL BE REQUIRED TO TAKE APPROPRIATE PRECAUTIONS TO AVOID DAMAGE TO UTILITIES NOT SHOWN ON THE PLAN. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS AND SHALL BE REQUIRED TO TAKE APPROPRIATE PRECAUTIONS TO AVOID DAMAGE TO UTILITIES NOT SHOWN ON THE PLAN.
 - CONTRACTOR TO VERIFY AND FIELD LOCATE ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION. UNAUTHORIZED WORK IS REMOVED/ADAPTED AT NO SEPARATE PAY.
 - CONTRACTOR TO PROTECT EXISTING UTILITIES AT ALL TIMES BY FOLLOWING PREPARE OWNER'S GUIDELINES FOR MANUAL SHIELDING UTILITIES AS PROVIDED IN THE PROJECT MANUAL.
 - CONTRACTOR TO PROTECT EX. GUY WIRE IF POSSIBLE. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS AND SHALL BE REQUIRED TO TAKE APPROPRIATE PRECAUTIONS TO AVOID DAMAGE TO UTILITIES NOT SHOWN ON THE PLAN. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS AND SHALL BE REQUIRED TO TAKE APPROPRIATE PRECAUTIONS TO AVOID DAMAGE TO UTILITIES NOT SHOWN ON THE PLAN.
 - ALL MANHOLES, POSTS, ETC. ARE DIMENSIONED TO THE CENTER UNLESS OTHERWISE NOTED.











Cost for Item 59

Activity Resource	Desc	Pcs	Quantity Unit	Unit Cost	Labor	Perm Material	Constr Matl/Exp	Equip Ment	Sub-Contract	Total
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BID ITEM = 59

Description = Change Order #2 Unit = LS Takeoff Quan: 1.000 Engr Quan: 1.000

4 PIPE & DRAINAGE Quan: 1.00 LS Hrs/Shift: 10.00 Cal: 611 WC: TX6217

**Unreviewed										
PIPE C	Raul's Crew		30.00	CH	Prod:	0.3333	US	Lab Pcs:	6.00	Eqp Pcs: 3.00
2AGPSS	CEMENT STABILIZED S	1.00	60.00	TN		36.500		2,190		2,190
2UPS20	20" Steel Encase. Pipe	1.00	1.00	LF		2,820.000		2,820		2,820
2US	PRECAST DRAINAGE ST	1.00	1.00	LS		6,475.000		6,475		6,475
3MO	Mortar@108.25%	1.00	2.00	EA		200.000		433		433
3SSSHRG	Shoring@108.25%	1.00	40.00	LF		5.000		217		217
8CP44M	CP44 Padfoot Vi %60	1.00	30.00	HR		60.370			1,334	1,334
8EXHHM320M	Excavator 320 wo Thumb	1.00	30.00	HR		85.878			2,576	2,576
8WL930MM	930M Wheel Loader Mont	1.00	30.00	HR		80.297			2,409	2,409
LG	Laborer, General	1.00	30.00	MH		18.000	662			662
LPL	Laborer, Pipe Layer	2.00	60.00	MH		24.000	1,766			1,766
OP2	Operator, Class 2	2.00	60.00	MH		25.000	1,840			1,840
OP3	Operator, Class 3	1.00	30.00	MH		28.000	1,030			1,030
\$23,753.08	180.0000 MH/LS		180.00	MH	[5171.04]	5,299	11,485	650	6,319	23,753
0.0333 Units/Hr	0.3333 Un/Shift	*	0.0056 Unit/MH			5,299.35	11,485.00	649.50	6,319.23	23,753.08

====> Item Totals: 59 - Change Order #2										
\$23,753.08	180.0000 MH/LS		180.00	MH	[5171.04]	5,299	11,485	650	6,319	23,753
23,753.080	1 LS					5,299.35	11,485.00	649.50	6,319.23	23,753.08

\$23,753.08	*** Report Totals ***	180.00	MH	5,299	11,485	650	6,319	23,753
-------------	-----------------------	--------	----	-------	--------	-----	-------	--------

>>> indicates Non Additive Activity

-----Report Notes:-----

The estimate was prepared with TAKEOFF Quantities.

This report shows TAKEOFF Quantities with the resources.

15% Markup \$3,562.95
Total = \$27,315.95

'Unreviewed' Activities are marked.

Bid Date: 03/27/25 Owner: Engineering Firm:

Estimator-In-Charge: KR

JOB NOTES

Estimate created on: 08/19/2024 by User#: 2 - Emilio Chapa
Source estimate used: L:\HEAVYBID\EST\062524AD

*****Estimate created on: 09/19/2024 by User#: 2 - Emilio Chapa
Source estimate used: L:\HEAVYBID\EST\20240820

*****Estimate created on: 10/11/2024 by User#: 2 - Emilio Chapa
Source estimate used: L:\HEAVYBID\EST\20240923

*****Estimate created on: 11/08/2024 by User#: 2 - Emilio Chapa
Source estimate used: L:\HEAVYBID\EST\20241015

*****Estimate created on: 11/21/2024 by User#: 2 - Emilio Chapa
Source estimate used: L:\HEAVYBID\EST\20241113KR

*****Estimate created on: 12/31/2024 by User#: 3 - Kurt Roedel
Source estimate used: L:\HEAVYBID\EST\20241203KR

*****Estimate created on: 01/30/2025 by User#: 3 - Kurt Roedel



FERGUSON ENTERPRISES, LLC
FERGUSON WATERWORKS #1105
14630 ALMEDA SCHOOL RD
HOUSTON, TX 77047-0000
Phone: 713-675-2211
Fax: 713-676-0803

Deliver To:
From: Bradley Williams
bradley.williams2@ferguson.com
Comments:

16:28:09 SEP 25 2025

Page 1 of 1

FERGUSON WATERWORKS #1105

Price Quotation

Phone: 713-675-2211

Fax: 713-676-0803

Bid No: B557776
Bid Date: 09/25/25
Quoted By: BDW

Cust Phone: 832-895-5044
Terms: NET 10TH PROX

Customer: TEXAS DEWATERING LLC
4691 FM 529
20250327 COF LIFT ST
BELLVILLE, TX 77418

Ship To: TEXAS DEWATERING LLC
4691 FM 529
20250327 COF LIFT ST
BELLVILLE, TX 77418

Cust PO#:

Job Name: 20250327 COF LIFT ST

Item	Description	Quantity	Net Price	UM	Total
DSCP25018	18 X .250 STL CASING PIPE	40	5500.000	C	2200.00
PPECS1018	10X18 PE CASING SPACER	6	68.190	EA	409.14
CESW1018	10X18 WRAP END SEAL	2	104.170	EA	208.34
Net Total:					\$2817.48
Tax:					\$0.00
Freight:					\$0.00
Total:					\$2817.48

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

Due to the uncertain impact of potential tariffs, Ferguson's quotation/proposal has not included any provision or contingency for future tariffs or increase of existing tariffs. Ferguson reserves the right to adjust prices to reflect the impact of any new or increased tariffs that affect our costs at the time of shipment. Ferguson will provide notice of any such adjustments along with documentation supporting the changes.

CONTRACTOR CUSTOMERS: IF YOU HAVE DBE/MBE/WBE/VBE/SDVBE/SBE GOOD FAITH EFFORTS DIVERSITY GOALS/ REQUIREMENTS ON A FEDERAL, STATE, LOCAL GOVERNMENT, PRIVATE SECTOR PROJECT, PLEASE CONTACT YOUR BRANCH SALES REPRESENTATIVE IMMEDIATELY PRIOR TO RECEIVING A QUOTE/ORDER.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>
Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with *NP in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to
complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=2229&on=53062>

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AquaVault

P.O. BOX 325
ORCHARD, TX 77464
979-478-6303 – OFFICE
979-478-6708 – FAX
832-600-5311 – CELL
JMINKS@AQUAVaultLLTD.COM

DATE: 9-17-2025

PROJECT: FREEPORT LIFT STATION CONFLICT MANHOLES

CONTRACTOR: TEXAS DEWATERING

ATTN: KURT

QUOTE #: 91725-1

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	STORM CONFLICT MANHOLES		
1	60"X60" MANHOLE FOR 48" RCP 7' DEPTH	\$ 3,435.00	3,435.00
	PRECAST CONCRETE STORM MANHOLE TWKO,		-
	FLAT TOP WITH 32" OPENING, GRADE RINGS, WITH		-
	CAST IRON RING, COVER AND RISERS TO MATCH TG.		-
			-
			-
1	48"X48" MANHOLE FOR 36" RCP 6' DEPTH	\$ 2,615.00	2,615.00
	PRECAST CONCRETE STORM MANHOLE TWKO,		
	FLAT TOP WITH 32" OPENING, GRADE RINGS, WITH		
	CAST IRON RING, COVER AND RISERS TO MATCH TG.		-
			-
1	DELIVERY	\$ 425.00	425.00
			-
			-
			-
TOTAL			\$ 6,475.00

TERMS NET 30 DAYS

Provisions: This quotation is valid for 30 days

This quote may be subject to owner and engineers approval

Product is delivered F.O.B job site

Customer to unload our trucks

EXCLUDES SALES TAX



City Council Agenda Item #[6.F]

Title: Consideration and possible action approving Resolution No. 2025-2988 approving a Facility Use and Rental Policy.

Date: November 3, 2025

From: Rudy Ragle, Public Works Director

Staff Recommendation: Staff recommends that the City Council approve the proposed Facility Use and Rental Policy. The policy provides a clear, equitable framework for the use of City facilities by Councilmembers, non-profit organizations, governmental entities, City employees, and the general public. It promotes fair access, accountability, and responsible stewardship of City-owned property.

Item Summary: This item proposes the adoption of a standardized policy for renting and using City of Freeport facilities. It outlines defined procedures and fee structures for various groups, including Councilmembers, non-profits, government entities, City employees, and the general public. The policy includes provisions for deposits, refunds, fee reductions, and administrative oversight.

Background Information: Currently, the City does not have a formally adopted policy governing the rental and use of its facilities. This has led to inconsistent practices and confusion regarding eligibility, fees, and responsibilities. The proposed policy addresses these issues by establishing uniform guidelines that ensure fairness, protect City assets, and provide staff with clear procedures to follow.

Special Considerations: Councilmember Privileges

Each Councilmember is entitled to one complimentary use of a City facility per calendar year. Alternatively, a Councilmember may sponsor one free event annually on behalf of a non-profit organization or governmental entity. Unused privileges do not carry over to the following year.

Support for Non-Profit and Governmental Entities

Eligible non-profit organizations and governmental agencies may rent City facilities at a discounted rate. Partial deposit refunds may be issued if the facility is returned in good condition.

City Employees

City employees may rent City facilities at a discounted rate. Partial deposit refunds may be issued if the facility is returned in good condition.

Residents

Freeport residents presenting a current City of Freeport water bill may rent City facilities at a discounted rate.

City-Affiliated Athletic Organizations

City-affiliated athletic organizations must follow all standard non-profit rental policies,



including deposit and fee requirements, for events beyond their required monthly organizational meetings. These organizations may use City facilities free of charge for their required monthly meetings, provided proof of the meeting schedule is submitted annually or monthly.

Financial Impact: Revenue Generation: The policy maintains a revenue stream from public and partially discounted rentals while supporting community access.

Cost Recovery: Deposits (full or partial) and rental fees help recover costs related to facility maintenance, cleaning, and wear-and-tear.

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. RESOLUTION FACILITY RENTAL DISCOUNTS 2025-2026 (1) (2) (2)
2. Facility Rental Policy

RESOLUTION NO. 2025-2988

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT
MODIFYING THE POLICY REGARDING RENTAL OF CITY FACILITIES;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Freeport operates a number of facilities in the city that are available to be rented by members of the public; and

WHEREAS, the city maintains a specific fee schedule for each facility setting forth prices for both rental deposits and rental fees; and

WHEREAS, the city would like to provide special benefits and cost reductions for non-profit organizations, city employees, and council members; and

WHEREAS, the City Council finds that making certain cost reductions referenced above is cost-effective and will not materially diminish the financial position of the city regarding operation of said facilities.

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

Section 1. The City Council hereby finds that the facts set forth in the above preamble are true and correct.

Section 2. The City Council hereby adopts the fee schedule for the rental of city facilities by non-profit organizations, city employees and council members attached to this resolution as Exhibit A and incorporates said exhibit herein for all purposes.

Section 3. The fee schedule contained in Exhibit A shall be effective beginning October 1, 2025.

PASSED AND APPROVED this ____ day of _____, 2025.

Jerry Cain, Mayor
City of Freeport, Texas

ATTEST:

APPROVED AS TO FORM:

Clarisa Fernandez, City Secretary
City of Freeport

Chris Duncan, Interim City Attorney
City of Freeport

City of Freeport Facility Rental Policy

Purpose

To establish consistent guidelines for the use and rental of City of Freeport facilities by Councilmembers, non-profit organizations, governmental entities, and the general public, while ensuring fairness, accountability, and proper care of City property.

Section 1. Councilmember Use

1. Each Councilmember shall be entitled to **one free event per calendar year**, or may instead choose to **sponsor one event annually for a non-profit or other governmental entity**.
 2. “Free” means that **all fees and deposits are waived**.
 3. Councilmembers may not transfer unused free events to future years.
-

Section 2. City Employee Use

1. Each employee is entitled to reserve the facility for one event per calendar year. The employee will be responsible for paying the full deposit amount, but no rental fees will be charged. If the facility is left in good condition and properly maintained, **50% of the deposit will be refunded**.
-

Section 3. Non-Profit and Governmental Entities

1. Non-profit organizations and other governmental entities are eligible to rent City facilities at a **reduced cost**.
 2. Such renters shall:
 - Pay a **deposit** as established in the City’s fee schedule.
 - Pay **50% of all applicable rental fees**.
 3. Upon conclusion of the event:
 - The City will retain **50% of the deposit** and all fees paid.
 - The remaining **50% of the deposit will be refunded** if the facility is left in good condition and properly maintained.
-

Section 4. Residents

1. Freeport residents must pay the full deposit and a reduced rental fee based on the facility.
 2. Discounts apply **only to the rental fee, not the deposit**, and require:
 - A current City of Freeport water bill.
 - A valid photo ID or driver's license showing the same address as the rental contract signer.
 3. Discount amounts:
 - Riverplace: \$100
 - Velasco Community House: \$50
 - Freeport Municipal Park Pavilion: \$50
 4. Discounts must be applied at the time of rental payment, due 30 days before the event.
-

Section 5. General Public and All Other Renters

1. All other renters must pay the **full deposit** and **100% of all applicable fees**.
 2. Refunds of deposits will be made in accordance with standard facility inspection and damage policies.
-

Section 6. Administration

1. The City Manager, or designee, shall administer this policy, including collection of deposits, enforcement of facility rules, and determination of any refund amounts.
 2. A **standard facility use agreement** shall be signed by all renters, including non-profits and governmental entities, prior to use.
 3. Council retains the authority to amend the City fee schedule as necessary to implement this policy.
-

Section 7. Priority of City Events

1. City-sponsored events shall take scheduling priority over all other requests.
 2. City events will be scheduled first, and facility availability for other users will be determined based on the remaining open dates.
 3. The City reserves the right to block out dates for City events before accepting rental requests from Councilmembers, employees, non-profits, governmental entities, or the general public.
-

Section 8. City-Affiliated Athletic Organizations

1. All City-recognized athletic programs, including Baseball, Softball, and other City leagues, that operate as 501(c)(3) non-profit organizations and maintain current liability insurance are eligible to reserve City facilities.
 2. These organizations shall:
 - Follow all standard non-profit rental policies, including deposit and fee requirements, for events beyond required monthly organization meetings.
 - Receive **free facility use for their required monthly organizational meetings**, provided proof of the meeting schedule is submitted annually/monthly.
 3. All reservations are subject to facility availability and the priority of City-sponsored events as outlined in Section 7.
-

Section 9. Effective Date

This policy shall take effect immediately upon adoption by the Freeport City Council and shall apply to all new rental requests thereafter.



City Council Agenda Item #[6.G]

Title: Consideration and possible action approving Resolution No. 2025-2989 amending City Policy 5.22 Cell Phone Usage.

Date: November 3, 2025

From: Chief Jennifer Howell, Police Chief

Staff Recommendation: Staff recommends approving the update to the policy.

Item Summary:

The current policy states "Audio or video recording in violation of a person's privacy is strictly prohibited". The updated policy places the police department at risk for policy violations as staff does utilize phone devices for recording. Due to conflicts that occur from this, the proposed change recommended is: "Audio or video recording in violation of a person's privacy in restroom and/or locker rooms is strictly prohibited". This continues to protect individuals' privacy in areas they expect to be private.

Background Information: An updated policy was passed by council in May 2025.

Special Considerations: None.

Financial Impact: None.

Board or 3rd Party Recommendation: None.

Supporting Documentation:

1. Resolution - Cell Phone Usage (1)

RESOLUTION NO. 2025-2989

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS,
REVISING SECTION 5.22 CELL PHONE USAGE AND APPROVING THIS REVISION
TO THE PERSONNEL POLICY HANDBOOK.**

WHEREAS, the City of Freeport values all employees working to provide services to the citizens; and

WHEREAS, the City of Freeport seeks to revise the Cell Phone Usage policy for the benefit of our employees; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS;**

SECTION 1. CELL PHONE USAGE POLICY. The City Council of the City of Freeport hereby approves and adopts the revision to the Cell Phone Usage Policy attached hereto as Exhibit “A” and approves its addition to the Personnel Policy Handbook.

SECTION 2. PROPER NOTICE AND MEETING. It is hereby found and determined that the meeting at which this resolution was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

Read, passed and adopted the _____ day of _____, 2025.

Jerry Cain, Mayor
City of Freeport, Texas

ATTEST:

APPROVED AS TO FORM:

Clarisa Fernandez, City Secretary
City of Freeport

Chris Duncan, Interim City Attorney
City of Freeport

Exhibit A

5.22 Cell Phone Usage

General Use Guidelines

- All cell phones must be turned off or set to silent or vibrate mode during meetings, conferences and in any situation where incoming calls may be disruptive.
- Employees are expected to exercise discretion when using personal cell phones during working hours.
 - Excessive personal calls interfere with productivity and may distract colleagues.
 - Personal calls should be made during nonwork time when possible.
 - Employees should notify friends and family of the City's cell phone use policy.

Personal Devices

- The City of Freeport is not liable for the loss of personal cell phones brought into the workplace.

City-Issued Cell Phones

- City-issued cell phones may be provided when job responsibilities or operational needs require them.
 - Use of City-issued phones for personal reasons must be kept to a minimum.
- Employees in possession of a City-owned phone are responsible for preventing loss, damage, or theft.
- Upon resignation, termination, or request, the phone must be returned or made available for inspection.

Use While Driving

- Employees whose responsibilities involve driving and who are issued a City phone must:
 - Refrain from using their phone while operating a vehicle
 - Use hands-free technology if communication is absolutely necessary.
 - Safely pull over before placing or accepting calls.
- Employees are encouraged to avoid complex or emotional phone conversations while driving.
- Special care must be taken in cases of traffic, poor weather, or unfamiliar routes.
- **Texting while driving is strictly prohibited.**
- Employees are personally responsible for any traffic violations or liabilities arising from cell phone use while driving.

Privacy and Recording

- Audio or video recording in violation of a persons' privacy in restroom and/or locker rooms is strictly prohibited.
- Any such violation will be treated as a serious offense and subject to disciplinary action

Compliance with Laws

- All employees are required to comply with local, state, and federal laws governing the use of cell phones.

Disciplinary Action

- Employees found to be in violation of this policy may face disciplinary action, up to and including termination of employment.



City Council Agenda Item #[6.H]

Title: Consideration and possible action approving Resolution No. 2025-2990 amending the Grants Management Policy originally adopted on September 15, 2025.

Date: November 3, 2025

From: Ashlee Hurst, Finance Director

Staff Recommendation: Staff recommends approving the Resolution.

Item Summary: General Land Office (GLO) has done an in-depth review of the Grants Management Policy that was adopted by Council on September 15, 2025. Their findings were that a correction be made in 'Section 3. Designation of Labor Standards Officer'. This correction is to replace "the Finance Director" with "the Grant Administrator or Internal". This will bring the full policy into their compliance for grant closeout.

Background Information: N/A

Special Considerations: N/A

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Grant Management Policy Resolution (1)
2. Grants Management Policy

RESOLUTION NO. 2025-2990

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, ADOPTING A GRANTS MANAGEMENT POLICY TO ENSURE COMPLIANCE WITH FEDERAL AND STATE REQUIREMENTS, INCLUDING THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), THE TEXAS GENERAL LAND OFFICE (GLO), AND THE UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS (2 CFR PART 200); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Freeport receives federal and state grant funding to support vital public services, infrastructure improvements, and community development initiatives; and

WHEREAS, The U.S. Department of Housing and Urban Development (HUD), the Texas General Land Office (GLO), and other granting agencies require compliance with labor standards, financial management, procurement, reporting, and audit requirements to safeguard public funds; and

WHEREAS, The City Council finds it in the best interest of the citizens of Freeport to amend the formal **Grants Management Policy** designate responsibilities of the Labor Standards Officer as the Grant Administrator or Internal, and ensure compliance with the Uniform Administrative Requirements under **2 CFR Part 200**; and

WHEREAS, The adoption of this policy strengthens accountability, transparency, and stewardship of public resources while reducing risks of disallowed costs or penalties.

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

Section 1. Adoption of Policy.

The City of Freeport hereby amends the **Grants Management Policy** as attached hereto and incorporated herein as Exhibit “A.”

Section 2. Applicability.

This policy shall apply to all City departments and employees engaged in the administration, financial management, and oversight of federal and state grant funds.

Section 3. Implementation.

The City Manager and Finance Director are authorized and directed to implement the provisions of the Grants Management Policy and to ensure ongoing compliance with HUD, GLO, and federal regulations.

Section 4. Severability.

If any section, subsection, sentence, or phrase of this Resolution or the adopted policy is held to be invalid, such decision shall not affect the validity of the remaining portions.

Section 5. Effective Date.

This Resolution shall take effect immediately upon its passage and approval.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2025.

APPROVED:

Jerry Cain, Mayor, City of Freeport

ATTEST:

APPROVED AS TO FORM:

Clarisa Fernandez, City Secretary

Duncan Law Firm, Interim City Attorney

City of Freeport Grants Management

Section I. - Labor Standards Officer (LSO) Section

Functions of the Labor Standards Officer

Section 1. Purpose

The purpose of this policy is to formally establish and revise the functions, responsibilities, and authority of the Labor Standards Officer (LSO) to ensure compliance with federal labor standards provisions in projects funded in whole or in part with U.S. Department of Housing and Urban Development (HUD) and Texas General Land Office (GLO) funds.

Section 2. Authority

This policy is adopted under the authority of:

- **HUD Handbook 1344.1 Rev-3**, *Federal Labor Standards Compliance in Housing and Community Development Programs*; and
- **GLO Implementation Manual** for *Community Development Block Grant – Disaster Recovery (CDBG-DR)* and related programs.

Section 3. Designation of Labor Standards Officer

The City of Freeport hereby designates a Labor Standards Officer (LSO), the Grant Administrator or Internal, who shall be responsible for administering, monitoring, and enforcing all applicable labor standards requirements on covered projects.

Section 4. Functions and Responsibilities of the LSO

A. Pre-Construction Duties

1. Determine applicability of Davis-Bacon and Related Acts (DBRA) and other federal labor standards.
2. Ensure proper wage determinations are included in all solicitations, contracts, and subcontracts.
3. Provide contractors with required labor standards documentation, including wage determinations, HUD-4010, and contract clauses.
4. Conduct pre-construction conferences to explain labor compliance obligations.

B. Contract Administration

5. Verify inclusion of federal labor standards provisions in contracts and subcontracts.
6. Review contractor eligibility against the federal **System for Award Management (SAM.gov)** and HUD debarment lists.
7. Maintain official labor standards compliance files as required by HUD and GLO.

C. Construction Phase Compliance

8. Collect and review Certified Payroll Reports (CPRs) for accuracy and timeliness.
9. Conduct on-site worker interviews to verify wage classifications and payment compliance.
10. Investigate potential violations and issue corrective actions as necessary.
11. Ensure compliance with overtime and prevailing wage requirements.

D. Enforcement and Resolution

12. Secure restitution for workers in cases of underpayment.
13. Report unresolved violations or suspected falsification to HUD and GLO.
14. Recommend withholding contract payments when necessary to enforce compliance.

E. Reporting and Recordkeeping

15. Submit required reports, including HUD-4710 Semi-Annual Labor Standards Enforcement Reports, to HUD and GLO.
16. Maintain records of wage determinations, CPRs, worker interviews, investigations, and resolutions for a minimum of three (3) years after project closeout.

F. Training and Guidance

17. Provide training and technical assistance to contractors, subcontractors, and staff.
18. Stay current on changes to federal and state labor standards compliance requirements.

Section 5. Compliance

All officers, employees, contractors, and subcontractors engaged in covered projects shall comply with the labor standards requirements of HUD and GLO. The Labor Standards Officer shall have authority to enforce this policy and ensure corrective actions are taken.

Oversight of the Labor Standards Officer

Section 1. Purpose

The purpose of this policy is to establish a framework for oversight of the Labor Standards Officer (LSO), ensuring that the LSO executes duties in compliance with federal and state labor standards requirements under the U.S. Department of Housing and Urban Development (HUD) and Texas General Land Office (GLO).

Section 2. Authority

This policy is adopted under the authority of:

- ***HUD Handbook 1344.1 Rev-3, Federal Labor Standards Compliance in Housing and Community Development Programs; and***
- ***GLO Implementation Manual for Community Development Block Grant – Disaster Recovery (CDBG-DR) and related programs.***

Section 3. Oversight Responsibility

The City of Freeport shall designate the Finance Director as the **Oversight Authority** for the Labor Standards Officer. The Oversight Authority is responsible for monitoring, evaluating, and reporting on the LSO's performance of duties.

Section 4. Oversight Functions

A. Appointment and Delegation

1. Confirm designation of the LSO and ensure proper authority is delegated.
2. Provide written directives outlining the scope of the LSO's responsibilities.

B. Monitoring and Review

3. Conduct periodic reviews of LSO files, including Certified Payroll Reports (CPRs), worker interviews, and contractor eligibility verifications.
4. Ensure proper documentation is maintained in accordance with HUD and GLO standards.
5. Verify that all reports (e.g., HUD-4710 Semi-Annual Labor Standards Enforcement Report) are timely and accurate.

C. Compliance Assurance

6. Review and confirm that wage determinations, HUD-4010, and contract clauses are included in all applicable contracts.
7. Ensure corrective action is taken promptly when violations are identified by the LSO.
8. Escalate unresolved violations or compliance concerns to HUD and GLO as required.

D. Reporting and Accountability

9. Require the LSO to submit regular compliance status reports to the Oversight Authority.
10. Present labor standards compliance updates to the governing body at least semi-annually.
11. Maintain oversight records for a minimum of three (3) years after project closeout.

E. Training and Support

12. Ensure the LSO has access to required training on HUD and GLO labor compliance requirements.
13. Provide ongoing support to strengthen labor standards enforcement capacity.

Section 5. Compliance

The Oversight Authority shall ensure that the LSO, contractors, subcontractors, and all related staff comply with federal and state labor standards. Oversight shall include both preventive monitoring and corrective intervention to safeguard compliance.

Section 6. Effective Date

This policy revision shall take effect immediately upon adoption.

Section II. - Financial Management Section

(In Compliance with 2 CFR Part 200)

The City of Freeport shall establish and maintain a financial management system that provides for effective control, accountability, and transparency over all grant funds. This system shall comply with the requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200).

A. Internal Controls (2 CFR §200.303)

1. The City shall implement internal controls consistent with the **COSO framework** to ensure proper stewardship of grant funds.
 2. Internal controls will be designed to:
 - Provide reasonable assurance of compliance with federal statutes, regulations, and award terms.
 - Safeguard assets against waste, loss, unauthorized use, or misappropriation.
 - Detect and prevent fraud, waste, and abuse.
 - Ensure accurate and reliable financial reporting.
 3. Duties will be segregated so that no single individual has control over authorization, custody, and recordkeeping functions.
-

B. Budgeting and Cost Principles (2 CFR §§200.403–200.405)

4. Grant funds shall be expended only for **allowable, allocable, and reasonable costs**.
 5. Costs must be:
 - **Necessary and reasonable** for proper and efficient grant performance.
 - **Allocable** to the specific federal award, in proportion to benefits received.
 - **Consistently treated** in like circumstances across all City funds.
 - **Adequately documented** with invoices, contracts, payroll, or other supporting evidence.
 6. The Finance Department shall maintain a **grant-specific budget** and compare expenditures against approved budget categories to prevent cost overruns or unauthorized spending.
-

C. Procurement Standards (2 CFR §§200.317–200.327)

7. All procurements funded with grant monies shall follow federal, state, and local requirements, with the most restrictive standard applied.

8. Procurement methods shall include:
 - **Micro-purchases** ($\leq \$10,000$): Awarded without quotes if price is reasonable.
 - **Small purchases** ($\leq \$250,000$): Requires price or rate quotes from at least two qualified sources.
 - **Sealed bids**: Formal process for construction or large projects.
 - **Competitive proposals**: Used when sealed bidding is not appropriate.
 - **Noncompetitive proposals**: Allowed only under limited circumstances (e.g., sole source, emergency).
 9. The City shall verify that all contractors are not suspended or debarred using **SAM.gov**.
 10. Contracts shall include required federal clauses per **Appendix II to Part 200**.
-

D. Financial Reporting (2 CFR §§200.327–200.329)

11. The Finance Department shall maintain accurate, current, and complete disclosure of financial results for each grant program.
 12. Reports will be prepared in accordance with federal agency requirements and submitted timely.
 13. Expenditure reports will reconcile to the City's general ledger, ensuring accuracy and consistency.
 14. Any program income, matching funds, or leveraged resources will be reported separately.
-

E. Cash Management (2 CFR §200.305)

15. The City shall minimize the time between receipt of grant funds and disbursement to vendors.
 16. **Reimbursement method** is preferred; advances will only be requested if specifically authorized.
 17. Advances shall be deposited in interest-bearing accounts unless exempted.
 18. Interest earned on federal advances in excess of **\$500 per year** shall be remitted to the federal government.
 19. All drawdowns shall be supported by actual, documented expenditures.
-

F. Subrecipient Monitoring (2 CFR §200.332)

If the City passes through funds to subrecipients:

20. Written subrecipient agreements shall outline compliance obligations, performance goals, and reporting requirements.
21. The City shall evaluate subrecipient risk of noncompliance and determine appropriate monitoring.

22. Monitoring may include:
- Reviewing financial and performance reports.
 - Performing site visits.
 - Verifying corrective actions on deficiencies.
23. The City shall verify that subrecipients are audited, as required under **2 CFR Subpart F**.
-

G. Recordkeeping and Retention (2 CFR §§200.334–200.337)

24. Financial and programmatic records shall be retained for **at least five years** after the final expenditure report, unless a longer period is required by HUD, GLO, or federal law.
25. Records must include:
- Source documents (invoices, payroll, receipts, contracts, etc.).
 - Procurement and contract documentation.
 - Financial reports and drawdown requests.
 - Subrecipient monitoring documentation.
 - Correspondence with granting agencies.
26. Records will be maintained in both electronic and paper formats, with appropriate security measures.
-

H. Audit Requirements (2 CFR Subpart F)

27. The City shall comply with the **Single Audit Act** if total federal expenditures equal or exceed \$750,000 in a fiscal year.
28. The Finance Department will coordinate the annual audit, ensure submission of required reports to the Federal Audit Clearinghouse, and implement corrective actions on any findings.



City Council Agenda Item #[6.I]

Title: Consideration and possible action approving Resolution No. 2025-2991 appointing a member(s) to the Senior Citizens Commission.

Date: November 3, 2025

From: Dan Pennington, Interim City Manager

Staff Recommendation: Staff recommends that the City Council approving the Resolution.

Item Summary: This resolution formally accepts the resignations of two members of the Senior Citizens Commission, Jane Hawkins and Ona Johnson, whose terms were set to expire May 31, 2027. The resolution also provides for the appointment of one or more qualified individuals to fill these vacancies for the remainder of the terms.

Background Information: Both Jane Hawkins and Ona Johnson resigned from their positions on the Senior Citizens Commission prior to the expiration of their current terms. Their participation and service to the City of Freeport are appreciated. Approval of this resolution will allow the City Council to fill these vacancies and maintain an active and functioning commission to continue serving the needs of senior residents.

Special Considerations: Appointments to the Senior Citizens Commission must be made by the City Council and shall serve for the remainder of the unexpired terms or until a successor is duly appointed and qualified. Appointees will be required to take the Oath of Office before performing any official duties.

Financial Impact: N/A

Board or 3rd Party Recommendation: N/A

Supporting Documentation:

1. Resolution-Senior Citizens Vacancy
2. Senior Citizens Applicants

RESOLUTION NO. 2025-2991

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, ACCEPTING THE RESIGNATIONS OF BOARD MEMBERS AND APPOINTING A QUALIFIED PERSON OR PERSONS TO THE SENIOR CITIZENS COMMISSION OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, Board Members **Jane Hawkins** and **Ona Johnson** of the **Senior Citizens Commission** of the City of Freeport, Texas (“the City”), have submitted their resignations prior to the expiration of their terms; and

WHEREAS, the term of appointment for **Jane Hawkins** was set to expire on **May 31, 2027**; and

WHEREAS, the term of appointment for **Ona Johnson** was set to expire on **May 31, 2027**; and

WHEREAS, the City Council of the City desires to appoint the below-named qualified person(s) to the **Senior Citizens Commission** to fill the resulting vacancies and complete the unexpired terms.

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

SECTION ONE (1): RESIGNATIONS

The City Council hereby accepts the resignations of **Jane Hawkins** and **Ona Johnson**, effective immediately, and acknowledges that their terms were set to expire on **May 31, 2027**.

SECTION TWO (2): APPOINTMENTS

The City Council of the City of Freeport, Texas, hereby nominates, constitutes, and appoints the following qualified person(s) to the **Senior Citizens Commission** to fill the unexpired terms ending **May 31, 2027**, and until a successor or successors for such person(s) shall have been duly appointed and qualified, to-wit:

1. _____ **Term Expiration: 05/31/2027**
2. _____ **Term Expiration: 05/31/2027**

SECTION THREE (3): DUTIES

The above-named appointee(s) shall perform all duties imposed on members of the **Senior Citizens Commission** of the City by law and by ordinance.

SECTION FOUR (4): OATH OF OFFICE

Before engaging in the performance of the duties of office, each appointee shall take the Oath of Office as required by law.

READ, PASSED, AND ADOPTED this ____ day of _____, 2025.

Attest: _____

Clarisa Fernandez, City Secretary
City of Freeport, Texas

Jerry Cain, Mayor
City of Freeport, Texas

Approved as to Form:

Christopher Duncan, Interim City Attorney
City of Freeport, Texas

Applicants

1. Nicole Mireles
2. Brenda Laird



City Council Agenda Item #[6.J]

Title: Consideration and possible action approving Resolution No. 2025-2992 Roadway Mill & Overlay Partnership – 2nd Street Revitalization Project.

Date: November 3, 2025

From: Dan Pennington, Interim City Manager

Staff Recommendation: Staff recommends approving the Freeport Economic Development Corporation (EDC) funded project to partner with Brazoria County on the milling and overlay of approximately two miles of 2nd Street, from SH-288 to downtown.

Item Summary: This project will leverage Brazoria County’s resources and labor to mill and overlay a key entrance corridor into Freeport. By connecting the newly overlaid SH-288 with 2nd Street, the result will be a continuous roadway improvement through the city to the historic downtown area. This corridor improvement will strengthen ongoing revitalization efforts by enhancing access, appearance, and safety—making downtown more attractive to business owners, investors, and visitors. It also focuses on improving a main east-west thoroughfare, an initiative listed in the UTSA study (Comprehensive Downtown Plan).

Background Information:

- Brazoria County has agreed to provide the bulk of resources and workers for the project, including milling equipment, asphalt, and sealant.
- The City of Freeport will need to provide any police officers/flagmen during construction, along with a dumping site for milled material (or approval for the County to haul it to their yard).
- The project is estimated to take 1 – 2 weeks, depending on weather.
- The project area covers approximately 10,000 feet of roadway (about 40 feet wide), estimated at \$442,577 which are primarily materials cost (asphalt, sealant, traffic control and milling machine rental) paid by Freeport, via its EDC.
- Recent investment in SH-288 overlays has improved connectivity to Freeport; extending this investment into 2nd Street supports broader revitalization goals for the downtown district.

Special Considerations:

- The project directly supports the City’s Economic Development strategic priority of revitalizing the historic downtown.



- This project also aligns with the UTSA study as a new overlay corridor would exist from Freeport's main entrance all the way to downtown, thus improving the primary thoroughfare.
- Improved roadway aesthetics will help attract private investment and accelerate TIRZ and EDC initiatives in the area.
- Coordination with the County ensures efficient use of resources and reduces the City's financial burden, with no funds being expended from the General Fund.
- Safety and traffic control during construction will require dedicated staffing and planning.

Financial Impact:

- County will contribute (most labor and equipment, and some materials except as otherwise mentioned).
- EDC contribution: cost share to cover primary material costs and any additional project scope and local responsibilities (\$442,577).
- EDC's investment is expected to yield long-term economic benefits by supporting revitalization and increasing property values and revitalization in downtown Freeport.

Board or 3rd Party Recommendation: Brazoria County Engineering has confirmed willingness to proceed with this partnership. Staff and the EDC recommends approval of this project and participation to maximize the impact of the County's investment.

Supporting Documentation:

1. RESOLUTION ROAD REPAVING 2026 DUNCAN (1)
2. County ILA Letter
3. Email Cost
4. Partnership ILA

RESOLUTION NO. 2025-2992

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH BRAZORIA COUNTY, TEXAS REGARDING ROADWORK PROJECTS IN FISCAL YEAR 2026.

WHEREAS, the Texas Transportation Code, Section 251.012 grants a county's commissioners court the authority to spend county funds to finance street and alley improvements within a municipality, provided the municipality's governing body approves. This law allows for county money to be used for construction, maintenance, or repair of streets and alleys located within a city; and

WHEREAS, the City of Freeport and Brazoria County seek to enter an interlocal agreement pursuant to the Interlocal Cooperation Act, Texas Government Code chapter 791 and the statute referenced above; and

WHEREAS, The Interlocal Cooperation Act, Texas Government Code §791.001 *et seq.*, authorizes the City to enter into an interlocal agreement with the county subject to the conditions and limitations of this Agreement; and

WHEREAS, Brazoria County has indicated that focusing on a single location for this road improvement project is most beneficial to the City, to avoid costs and delays of relocating materials and equipment to several road locations. Accordingly, City Council has set a priority to designate a primary thoroughfare that spans across both Ward A and Ward B for this year; and

WHEREAS, City Council has the specific intent to designate a project that spans across Ward C and Ward D next year, to balance the benefits to all citizens and all Wards; and

WHEREAS, it is in the best interest of the citizens of Freeport, Texas to enter into such agreement with the County providing for safe travel in the City.

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

The Mayor of the City of Freeport, Texas is hereby authorized to execute, on behalf of the City of Freeport, Texas, the proposed Interlocal Agreement with Brazoria County regarding road construction together with "Project Sheet" and the "Road Request Letter", attached to this resolution and reviewed by the Freeport City Council in open session and in accordance with the Texas Open Meetings Act.

READ, PASSED, AND ADOPTED THIS ____ DAY OF NOVEMBER, 2025.

Jerry Cain, Mayor

ATTEST:

Approved as to form:

Clarisa Fernandez, City Clerk,
City of Freeport, Texas

Christopher Duncan, City Attorney
City of Freeport, Texas

☆RECEIVED☆

SEP 08 2025

Matt Hanks, P.E.
COUNTY ENGINEER

Karen McKinnon, P.E.
ASST. COUNTY ENGINEER

(979) 864-1265
OFFICE



Wael Tabara, P.E., CFM
ASST. COUNTY ENGINEER

Barbara X. Martinez, P.E.
STAFF ENGINEER

(979) 864-1270
FAX

BRAZORIA COUNTY ENGINEERING
451 N VELASCO, SUITE 230
ANGLETON, TEXAS 77515

September 5, 2025

City of Freeport
Office of the Mayor
200 W 2nd Street
Freeport, TX 77541

RE: Fiscal Year 2026 Road Project Request

Dear Mayor:

Attached is your FY26 Road Project Request Summary Form. After reviewing the information contained in this letter, please complete and return the enclosed Project Request Summary for Road Construction Overlay Projects **and** Ditch Digging Requests (**maximum of four (4) locations**) for which you are requesting labor and equipment from Brazoria County Road and Bridge for Fiscal Year 2026. Please do not include the roads from your FY 2025 road project request. Please do not alter the form and add additional lines.

Please return your signed and completed Project Request Summary by

November 15, 2025 by emailing to the following:

engineer-interlocals@brazoriacountytexas.gov

**FAILURE TO RETURN YOUR SIGNED PROJECT SHEET BY THE
DEADLINE CAN POTENTIALLY DELAY YOUR PROJECTS**

Ditch Digging Requests must be included in your Project Request Summary **and** must include a map with the requested area highlighted. Drainage design plans are **REQUIRED** and are the responsibility of the city.

City of Freeport
Interlocal Agreement Project Request Summary FY-26

DO NOT ALTER THIS FORM OR ADD ADDITIONAL LINES

	STREET/LOCATION	LIMITS (TO - FROM)	LENGTH (FT)	WIDTH (FT)	WORK DESCRIPTION (Major Street Projects and/or Ditch Digging ONLY)	FOR OFFICE USE ONLY
1						
2						
3						
4						

Note: Must have Mayoral approval

Return to: County Engineer's Office
Engineer-interlocals@brazoriacountytx.gov

Approved By: Mayor

Date

RE: [EXTERNAL] Re: Brazoria Interlocal FY26 Road Project Request Letter

From Tricia Simmons <TriciaS@brazoriacountytx.gov>
Date Tue 9/16/2025 4:48 PM
To Dan Pennington <dan.pennington@freeporttx.gov>
Cc Ashlee Hurst <ahurst@freeporttx.gov>

Good Afternoon:

The County is agreeable to the milling and overlay of a two mile stretch of Second Street with its current 40' width. Following is an estimate based on 10,000 ft. –

Asphalt - 5000 tons	\$410,000.00
Sealant - 2200 gallons	6,577.00
Milling Machine Rental	<u>26,000.00</u> (plus teeth)
	\$442,577.00

The City would be required to supply an officer and flagmen during milling/overlay and a location for dumping milled material. However, the County is willing to accept any milled material to the County yard if the City is agreeable.

If the City can provide exact limits (footage) of the roadway we can provide a more accurate quote for the work.

Regards,

Tricia L. Simmons
Administrative Assistant
Interlocal Coordinator
Brazoria County Engineering
451 N Velasco Suite 230
Angleton TX 77515
979.864.1265

"Of all the waste we generate, plastic bags are perhaps the greatest symbol of our throwaway society. They are used, then forgotten, and they leave a terrible legacy".

– Zac Goldsmith, the British Minister of State for Pacific and the Environment

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

INTERLOCAL AGREEMENT

This agreement is made at Angleton, Brazoria County, Texas between BRAZORIA COUNTY, TEXAS acting through its Commissioners' Court (hereinafter "COUNTY"), and the CITY OF FREEPORT, acting through its Mayor (hereinafter "CITY").

NOW THEREFORE, THE COUNTY AND THE CITY agrees as follows:

1.0 The term of this agreement shall be from October 1, 2025, to September 30, 2026. The AGREEMENT may be renewed annually by the written approval of COUNTY and CITY.

1.1 Pursuant to the Interlocal Cooperation Act, Texas Government Code, Chapter 791 and the Texas Transportation Code, Section 251.012, the COUNTY agrees to provide personnel and equipment at its own expense to assist in the construction, improvement, maintenance and/or repair of a street or alley located within the corporate limits of the CITY OF FREEPORT, subject to the approval of the County Engineer as set forth in Section 1.3, including sub grade preparation, base preparation, asphalt paving, culverts and ditch work, herbicide spraying, painting and striping roads, installation of permanent traffic signs, and other routine road maintenance operations. Any work performed on the City's streets and alleys which are not an integral part of, or a connecting link to, other roads and highways is allowed if such work is determined to be

a benefit to the County by Commissioners' Court. The CITY will provide materials, including fuel used by the equipment for these projects. All such materials shall be paid for by the CITY, and may be purchased through the County's suppliers. The CITY shall reimburse the cost of any work performed or obtained by the COUNTY, which is determined to be beyond the scope of this agreement, to the County.

1.2 The county work authorized by this AGREEMENT may be done:

- (1) By the COUNTY through use of county equipment;
- (2) By an independent contractor with whom the COUNTY has contracted for the provision of certain services and materials, conditioned on the CITY providing a purchase order to such independent contractor for the full amount of such services or materials.

1.3 During the term of this AGREEMENT when COUNTY work is requested, the Mayor of the City shall submit a request in writing to the County Engineer. The County Engineer and the Mayor of the City shall agree in writing as to the location and type of assistance to be provided pursuant to this AGREEMENT. It is expressly understood between the parties that the COUNTY shall have no authority or obligation to provide any service or work on any city street or alley not so agreed to in writing. The County Engineer is authorized to sign an acceptance statement for each project at the appropriate time and authorize the work subject to be completed as the Road and Bridge Department schedules permit.

III.

3.0 Either party may terminate this agreement upon thirty (30) day's written notice to the other party.

3.1 Nothing herein shall be construed to make either party a purchaser or consumer of goods or services from the other.

3.2 Nothing herein shall be construed to create any rights in third parties.

SIGNED AND ENTERED this the _____ day of _____, 2025.

BRAZORIA COUNTY, TEXAS

CITY OF _____

Signed by:

L. M. "Matt" Sebesta, Jr.
By: L.M. "Matt" Sebesta Jr.
Brazoria County Judge

By: Mayor

ATTEST:

CITY SECRETARY

a benefit to the County by Commissioners' Court. The CITY will provide materials, including fuel used by the equipment for these projects. All such materials shall be paid for by the CITY, and may be purchased through the County's suppliers. The CITY shall reimburse the cost of any work performed or obtained by the COUNTY, which is determined to be beyond the scope of this agreement, to the County.

1.2 The county work authorized by this AGREEMENT may be done:

- (1) By the COUNTY through use of county equipment;
- (2) By an independent contractor with whom the COUNTY has contracted for the provision of certain services and materials, conditioned on the CITY providing a purchase order to such independent contractor for the full amount of such services or materials.

1.3 During the term of this AGREEMENT when COUNTY work is requested, the Mayor of the City shall submit a request in writing to the County Engineer. The County Engineer and the Mayor of the City shall agree in writing as to the location and type of assistance to be provided pursuant to this AGREEMENT. It is expressly understood between the parties that the COUNTY shall have no authority or obligation to provide any service or work on any city street or alley not so agreed to in writing. The County Engineer is authorized to sign an acceptance statement for each project at the appropriate time and authorize the work subject to be completed as the Road and Bridge Department schedules permit.

III.

3.0 Either party may terminate this agreement upon thirty (30) day's written notice to the other party.

3.1 Nothing herein shall be construed to make either party a purchaser or consumer of goods or services from the other.

3.2 Nothing herein shall be construed to create any rights in third parties.

SIGNED AND ENTERED this the 18th day of August, 2025.

BRAZORIA COUNTY, TEXAS

CITY OF Freeport

Signed by:
L. M. "Matt" Sebesta, Jr.
By: L.M. "Matt" Sebesta Jr.
Brazoria County Judge

[Signature]
By: Mayor

ATTEST:

[Signature]
CITY SECRETARY



City Council Agenda Item #[6.K]

Title: Consideration and possible action approving Resolution No. 2025-2993 appointing a City Representative and Alternate of the City Council to serve on the HGAC 2026 General Assembly.

Date: November 3, 2025

From: Dan Pennington, Interim City Manager

Staff Recommendation: Staff recommends that the Mayor appoint one elected official as the City's representative and one elected official as an alternate to the Houston-Galveston Area Council (H-GAC) General Assembly for 2026.

Item Summary: H-GAC is requesting the City's annual designations for the General Assembly. Each member city may appoint one elected representative and one elected alternate to participate in the regional decision-making process.

Background Information:

The H-GAC General Assembly provides member governments the opportunity to engage in regional collaboration, share ideas, and influence policies impacting the Houston-Galveston area. Previously Councilman Rossow was appointed as the City's representative and Mayor Cain was appointed as the Alternate.

Special Considerations: N/A

Financial Impact:

Board or 3rd Party Recommendation:

Supporting Documentation:

1. RESOLUTION HGAC Designation 2026

RESOLUTION NO. 2025-2993
CITY OF FREEPORT, TEXAS
DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL
2026 GENERAL ASSEMBLY

BE IT RESOLVED, by the Mayor and City Council of Freeport, Texas that:

be, and is hereby designated as its Representative to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2026.

FURTHER, that the Official Alternate authorized to serve as the voting representative should the hereinabove named representative become ineligible, or should he/she resign, is:

THAT the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named representative and alternate.

READ, PASSED AND ADOPTED, this ____ day of _____, 2025.

APPROVED:

Mayor, City of Freeport, Texas

ATTEST:

City Secretary, City of Freeport, Texas



City Council Agenda Item #[6.L]

Title: Consideration and possible action approval of EDC Funding Project – Water Line Valve Installation Project.

Date: November 3, 2025

From: Dan Pennington, Interim City Manager

Staff Recommendation: Staff recommends that City Council approve the Economic Development Corporation (EDC) funded installation of approximately 26 waterline valves to strengthen the City's water distribution system and improve service particularly to support Freeport's businesses.

Item Summary: As a general rule, EDC expenditures need a strong business nexus. For that reason, EDC approved this round of waterline valves targeted at improving the city's ability to isolate sections in business areas. These areas were identified by Public Works who considered what infrastructure we currently have and what improvements are coming. For example, a separate CDBG grant-funded project will soon provide approximately 20 more valves directed primarily at improving the city's ability to isolate water lines in residential areas. This proposed project will complement that effort. Together, these improvements will reduce service disruptions during repairs and provide greater resilience for businesses and residents alike.

Background Information: Currently, the City's water distribution system lacks an adequate number of strategically located valves. This deficiency makes it necessary to shut down large sections of the water system when a line break occurs, causing broad service disruptions that negatively affect businesses, industries, and residents.

- A grant-funded project is already in progress to install more than 20 valves.
- The proposed project, to be funded with EDC support, would expand that effort by targeting additional critical locations throughout the system.
- The combined projects will modernize and strengthen the City's infrastructure, directly benefiting Freeport's commercial/industrial base, as well as residential areas.

Special Considerations:

- This project aligns with the EDC's mission to promote and support economic development by ensuring reliable utility service for businesses.
- This project also improves water system reliability, reduces downtime, protects against business interruption, and enhances Freeport's attractiveness to new investment.



- Coordination with Public Works and engineering staff will ensure the new valves are installed in locations that maximize system efficiency.

Financial Impact:

- Grant funds are covering the first phase of valve installation (20+ valves).
- The City is requesting EDC funding for a second set of 26 valves.
- Estimated cost of this project is \$209,127 (Pipecore quote) will be paid for by the EDC meaning no General Funds will be spent.

Board or 3rd Party Recommendation: City staff recommends approving the EDC funded project as a critical infrastructure improvement that supports Freeport's economic development objectives.

Supporting Documentation:

1. Valve Map Locations
2. Valve Quotes



- Legend**
- EDC Water Valve Locations
 - Water Lines**
 - 0
 - 1
 - 2
 - 4
 - 6
 - 8
 - 10
 - 12
 - Zoning**
 - C-1
 - C-2
 - C-3



Proposal

Company: City of Freeport

Name: Nick Meeks

Email: Nicholas.meeks@freeporttx.gov

Phone: 979-870-0190

Date: 10/15/2025

Reference:

Scope of Work:

Provide all labor, materials, and equipment necessary to install multiple East Jordan valves at various designated locations.

Work Description:

1. Mobilization and Preparation:

- a. Coordinate access to all work sites.
- b. Conduct pre-installation site inspections.
- c. Identify and mark all utility lines prior to excavation.

2. Valve Installation:

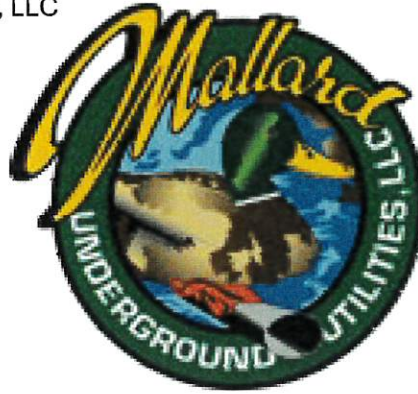
- a. Excavate as required, including the removal of existing concrete or asphalt, to provide safe and efficient access to valve installation points.
- b. Install East Jordan valves per project specifications and manufacturer recommendations.
- c. Ensure all connections are secure and tested for proper operation and leak prevention.

3. Site Restoration:

- a. Backfill and compact excavated areas.
- b. Restore all concrete/asphalt as necessary to the same or better conditions.

Mallard Underground Utilities, LLC
 48 Tall Oaks Drive
 Huffman, TX 77336
 281-840-2814

DATE 9/28/2025



City of Freeport
 Nicholas Meeks

EDC Water Valve Project

Proposal

Description

Valve installation of 26 valves at various locations.

		Rate	Quantity	Total Due
1	Laborer (2)	\$48.00	20	\$960.00
4	Equipment operator	\$64.00	10	\$640.00
7	Foreman	\$75.00	10	\$750.00
13	Service truck	\$1,640.00	1	\$1,640.00
16	Flatbed truck	\$800.00	1	\$800.00
19	Equipment trailer	\$300.00	1	\$300.00
43	Mini Excavator	\$820.00	1	<u>\$820.00</u>
	Daily rate		Subtotal	\$5,910.00
				<u>19.00</u>
	Valve installation			\$112,290.00

Materials

See attached Core & Main proposal				\$60,802.00
Concrete or asphalt at 15 locations	\$4,000.00	15		\$60,000.00

Subtotal	\$233,092.00
15%	<u>\$34,963.80</u>
TOTAL	\$268,055.80

Weld All Services

INVOICE

Joel Lopez
832-294-4820
Lopezarm9@icloud.com

Bill To

Invoice # 001

City of Freeport
9798700190
Nicholas.meeks@freeporttx.gov

Issued 10/14/2025

#	Description	Price, USD	QTY	Amount, USD
1	Valve project I wanted to share a proposal for a critical project involving the excavation and replacement of 26 valves at various locations. We will supply all labor, materials, and equipment needed to complete the job efficiently. Each valve will be replaced with high-quality East Jordan valves, ensuring reliability and durability. The project also includes full restoration of the affected areas, so everything will be returned to its original condition or better. The total price for this complete service is \$310,000. This investment guarantees top-tier components and professional workmanship that will stand the test of time. Let me know if you have any questions or need further details.	\$310,000.00	1	\$310,000.00
Subtotal				\$310,000.00
Total				\$310,000.00



City Council Agenda Item #[6.M]

Title: Consideration and possible action approving Resolution No. 2025-2994 to approve the City Manager Employment Agreement.

Date: November 3, 2025

From: Dan Pennington, Interim City Manager

Staff Recommendation: Staff recommends City Council approve the Employment Agreement with Dr. Danielle M. Kelly to serve as City Manager of the City of Freeport, Texas, effective December 15, 2025.

Item Summary: The Interim City Manager has negotiated an Employment Agreement with Dr. Kelly, establishing terms of service as City Manager. The agreement sets an annual base salary of \$190,000, with provisions for salary adjustment through Council evaluation, a \$9,000 annual car allowance, a \$100 monthly phone allowance, and relocation assistance of up to \$12,000. The agreement also outlines severance terms consistent with state law, including up to 20 weeks of severance pay in the event of termination without cause.

Background Information: Per the City Charter, the City Council has the authority to appoint a City Manager and set terms of employment. Dr. Kelly will assume the position on December 15, 2025. The contract is an indefinite-term agreement subject to the Charter's removal provisions. In addition to compensation, the agreement provides for vacation and sick leave accruals, health insurance benefits, participation in TMRS, and professional development opportunities. Residency within the City of Freeport is required within six months of the start date.

Special Considerations:

- The contract includes severance protection in accordance with new state law (HB 762) limiting severance to no more than 20 weeks without cause.
- The agreement specifies grounds for termination for cause, including misconduct, insubordination, and violation of City policies.
- Annual and six-month performance evaluations are required, with criteria developed jointly by the Council and the City Manager.
- Relocation reimbursement is subject to prorated repayment if the employee resigns within twelve months.
- If approved, the City will post this employment agreement on its Internet website, per TLGC 180.001(d).

Financial Impact: Annual base compensation is \$190,000 plus allowances for vehicle and phone. Relocation expenses may reach up to \$12,000. Benefits such as insurance and retirement



contributions are comparable to other City employees, with the addition of the City covering half of dependent health insurance costs.

Board or 3rd Party Recommendation: This agreement has been reviewed by the Interim City Attorney.

Supporting Documentation:

1. RESOLUTION CM CONTRACT
2. CM Employment Agreement - Dr. Danielle M Kelly Pennington 10232025

RESOLUTION NO. 2025-2994

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT AUTHORIZING THE MAYOR TO EXECUTE A WRITTEN AGREEMENT WITH DANIELLE M. KELLEY TO SERVE AS THE CITY MANAGER FOR THE CITY, FOR AN UNSPECIFIED TERM.

WHEREAS, the Charter of the City of Freeport requires the City to hire and maintain a City Manager to run the day the day operations of the City, among other specified duties; and

WHEREAS, the City is currently operating without a permanent City Manager; and

WHEREAS, the City has followed best practices to identify, screen and interview qualified applicants, including citizen input, the paid consultants, and deliberation by the City Council; and

WHEREAS, after a diligent search and interview process, and conforming with all requirements of the Texas Open Meetings Act, the City Council has selected Danielle M. Kelley to fill the open City Manager position; and

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

Section 1. The City Council hereby finds that the facts set forth in the above preamble are true and correct.

Section 2. The City Council hereby authorizes the Mayor to execute the attached employment agreement with Danielle M. Kelley to be employed as the City Manager, said agreement being attached Exhibit A, which is incorporated as if fully set forth herein.

PASSED AND APPROVED this ____ day of _____, 2025.

Jerry Cain, Mayor
City of Freeport, Texas

ATTEST:

APPROVED AS TO FORM:

Clarisa Fernandez, City Secretary
City of Freeport

Chris Duncan, Interim City Attorney
City of Freeport

EMPLOYMENT AGREEMENT

THIS AGREEMENT is made and entered into by and between the City of Freeport, Texas, a municipal corporation (the "City"), and Danielle M. Kelly (the "Employee"), (each a "Party" or collectively the "Parties") acting by and through their respective authorized representatives.

WITNESSETH:

WHEREAS, City desires to employ the services of Danielle M. Kelly as the City Manager of the City of Freeport, Texas, as provided by City Charter; and

WHEREAS, it is the desire of the City Council to provide certain benefits, establish certain conditions of employment, and to set working conditions of said Employee; and

WHEREAS, Employee desires to accept employment as the City Manager of the City of Freeport, Texas; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other valuable consideration the receipt and sufficiency of which is hereby acknowledged the Parties agree as follows:

Section 1. Duties

- A. City hereby agrees to employ Danielle M. Kelly as the City Manager of the City of Freeport, Texas, to perform the functions and duties specified in the City Charter, applicable state law, and by the City Code of Ordinances, and to perform other legally permissible and proper duties and functions as directed by the City Council from time to time.
- B. Employee agrees to remain in the exclusive employment of the City, and neither to accept other employment nor to become employed by any other employer. The term "employed" shall not be construed to include occasional teaching, writing, consulting or mediation performed on Employee's time off or compensatory time off. Employee's outside activities shall not interfere or conflict with any duties or responsibilities required under this Agreement.

Section 2. Term

- A. Employee shall serve as City Manager commencing on December 15, 2025 for an indefinite term but may be removed at any time in accordance with the provisions of this Agreement and the City Charter.
- B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the City Council to terminate the services of Employee at any time, with or without cause, subject to the terms of the Agreement governing contractual severance or other accrued benefits to which Employee shall be otherwise entitled under this Agreement.

- C. Continue Right to Resign. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employee to resign at any time from employment from the City.
- D. Termination without Cause. The City may, subject to payment of contractual severance pursuant to Section 4 below, terminate this Agreement at any time, without cause, upon thirty (30) days prior written notice to City Manager.
- E. Termination for Cause. Upon an affirmative majority vote of the City Council, the City may terminate Employee at any time, for cause, and upon reasonable written notice to Employee, as set forth herein. In the event of termination for cause, the City Manager shall be entitled to all compensation and all accrued benefits including those granted under Section 9 below, earned through the date of termination. For the purposes of this Agreement, "cause" shall mean and include, but is not limited to, any of the following:
- (a) Any breach of this Agreement or any willful, knowing, or grossly negligent failure to perform any duty or obligation required to be performed by Employee under this Agreement, the City Charter, if applicable, any ordinance of the City and/or the laws of the United States or the State of Texas, or for misappropriation of City assets or violations of the City's Personnel Policies;
 - (b) Conviction, including probation or deferred adjudication, deferred disposition of a felony or misdemeanor involving a crime of moral turpitude, theft, fraud, bribery, forgery, perjury, abuse of public office, illegal drugs or controlled substances, intoxication, sexual offense, assaultive offense, or a crime involving misapplication of public funds, or personal gain of the Employee;
 - (c) Willful, knowing, or intentional falsification of any records kept or maintained for the benefit of the City, or misapplication of city funds; or
 - (d) An order by any court of competent jurisdiction restraining, preventing, or otherwise impairing the ability of the Employee to perform the duties and responsibilities under this Agreement.
 - (e) Conflict of interest, including bringing suit or making claim against the City, or a conflict under the City Ethics Ordinance.
 - (f) Insubordination toward the City Council or any council member including disregarding direction provided by a majority of council.
 - (g) Obscene, disrespectful, threatening, or violent language toward any council member, city official, city employee, or city contractor/vendor.
 - (h) Exceeding authority as set forth under this Agreement, the City Charter, if applicable, any ordinance of the City and/or the laws of the United States or the State of Texas.

- (i) Failure or refusal to timely provide city records to city councilman as required by law and City Ordinance
- F. Residency. The Employee shall during the term of this Agreement reside and maintain residency within the City of Freeport, Texas; provided however the Employee shall have six (6) months following December 15, 2025 to establish such residency.

Section 3. Compensation

- A. Annual Salary. City agrees to pay Employee for services rendered pursuant hereto an annual base salary of One Hundred Ninety Thousand Dollars (\$190,000.00) payable in installments at the same time as other City employees are paid and subject to the same applicable deductions for employee benefit contributions (the "Annual Base Salary").
- B. Increase of Salary. Upon determination that Employee is performing the duties of Employee in a manner acceptable to the City Council, the City may increase the Annual Base Salary and/or other benefits of the Employee in such amounts and to such extent as the City Council may determine is appropriate as a part of the annual performance evaluation process and at any other time the City Council deems appropriate. This Agreement shall be automatically amended to reflect any salary adjustments that are approved by majority vote of council.
- C. Car Allowance. City agrees to pay Employee a car allowance of Nine Thousand Dollars (\$9,000.00) per year payable in equal installments at the same time as other employees of the City are paid for purchasing, leasing, maintaining and operating a motor vehicle in connection with the duties as City Manager. Travel by Employee using her personal vehicle for City related trips greater than 50 miles will be reimbursed at the City's regular mileage rate.
- D. Phone Allowance. City agrees to pay Employee a phone/telecommunication allowance (cell phone) of One hundred Dollars (\$100) per month payable in installments at the same time as other employees of the City are paid for purchasing, leasing, and maintaining a mobile phone in connection with the duties as City Manager.
- E. Relocation Assistance. The Employer agrees to reimburse Employee for reasonable and customary relocation expenses incurred in connection with Employee's move to the Freeport area to assume the position of City Manager. Eligible expenses may include, but are not limited to: moving household goods, transportation of Employee and immediate family, hotel/motel, and related travel expenses. Reimbursement shall not exceed a total of \$12,000, unless otherwise approved in writing by the Freeport City Council. Reimbursement will be made upon submission of itemized receipts and supporting documentation within 60 days of incurring the expense. Employer reserves the right to deny reimbursement for expenses deemed unreasonable, excessive, or not directly related to relocation. If Employee voluntarily resigns employment within twelve months of the start date, City reserves the right to require repayment of a prorated portion of the relocation expenses reimbursed. Repayment will be calculated on a monthly basis.

Section 4. Contractual Severance

- A. Severance Pay. In the event the Employee is involuntarily terminated or terminated without cause by the City Council during the term of this Agreement, and the Employee is willing and able to perform the duties under this Agreement, the City agrees to pay the Employee contractual severance in a lump sum cash payment of compensation, at the rate at the termination of employment, the executive employee would have been paid for 20 weeks, excluding paid time off or accrued vacation leave. By way of example, the current 20-week ("Severance Pay") sum would be $\$190,000/52 \times 20 = \$73,076.92$ ("Severance Pay"). Employee shall not be entitled to any Severance Pay in the event Employee resigns as City Manager or is terminated for cause.
- B. Severance Pay in event of Resignation. In the event the Employee voluntarily resigns her position with the City, the Employee shall provide a minimum of thirty (30) days prior written notice unless the Parties agree otherwise; and the Employee shall not be paid any Severance Pay.
- C. Severance Pay in event of Termination for Cause. If the Employee is terminated for cause, the City shall have no obligation to pay any contractual severance as set forth in this Section.

Section 5. Performance Evaluation

A. The City Council shall provide Employee with an annual performance evaluation and review each year he is employed by City as the City Manager; provided however the City Council shall review and evaluate the performance of the Employee in the sixth (6th) month of employment following December 15, 2025. The review and evaluation shall be prior to the anniversary date of employment and in accordance with specific criteria developed jointly by the City Council and the Employee, and in accordance with the provisions of the Freeport City Code and Personnel Policies. Said criteria may be revised by the City Council, from time to time, with notice of any such revisions provided to Employee. Any discussion of Employee's evaluation or review of Employee shall be conducted only in closed Executive Session, unless otherwise requested by Employee. Employee shall be provided a copy of any written statement or findings of the City Council or any of its members and shall have an adequate opportunity to discuss her evaluations with the City Council, in Executive Session or in Open Session, if Employee so requests. Any written evaluation or statement concerning Employee's performance shall be placed in Employee's personnel file along with any written response by Employee. Each calendar year, as well as any other times requested by the City Council, Employee shall prepare and submit to the City Council a performance appraisal document formatted to facilitate the performance review and evaluation provided for herein. Such document shall accommodate both objective and subjective criteria and shall be based on a combination of responsibilities outlined in City ordinances, policies and/or goals and objectives established by the City Council.

- B. Annually, as well as any other times deemed appropriate by the City Council, the City Council, with input from the Employee, shall define such goals and performance objectives which it determines necessary for the proper operation of the City of Freeport and in the attainment of the City Council's policy objectives and shall further establish a relative priority among those various goals and objectives, said goals and objectives to be reduced to writing. The goals and objectives shall be reasonably attainable within the time limitations and the annual operating and capital budgets and appropriations provided.

Section 6. Hours of Work

It is recognized that Employee must devote a great deal of time outside the normal office hours to conduct business of the City, and to that end Employee will be allowed to take compensatory time off as she shall deem appropriate during said normal office hours, provided such compensatory time does not interfere with the normal conduct of the office of City Manager. Employee must keep written record of all compensatory time off and the work overage to justify said compensatory time. These records must be submitted to the HR department and placed in Employee's file.

Section 7. Expenses

The Employee shall be reimbursed for any out-of-pocket expenses incurred in the conduct of City business, including but not limited to the hosting of business and social meetings involving City business or economic development recruitment.

Section 8. Automobile

Employee's duties will require the use of her personally-owned vehicle for City business. The City has recognized this by providing a car allowance to reimburse Employee for the basic expenses related to the business use of her motor vehicle. Employee shall be responsible for paying for liability, property damage, and comprehensive insurance, and for the purchase/lease, operation, maintenance, repair, and regular replacement of said motor vehicle. If the business use of the Employee's personal vehicle requires travel beyond fifty (50) miles from the city limits of the City of Freeport, the City will reimburse for such travel on a per mile basis according to the City's travel policy.

Section 9. Vacation and Sick Leave

- A. In addition to the benefits provided in this Agreement, all provisions of the City Charter, the Code of Ordinances and Personnel Policies and Rules of the City relating to health care, vacation, sick leave, longevity pay, holidays, retirement system contributions, holidays and other fringe benefits and working conditions (excluding uniform allowance) as they now exist or may be amended, shall also apply to the Employee as they would to other employees of the City, except as otherwise provided herein.

- B. Vacation Leave. Employee shall accrue twenty-one (21) days of vacation leave per year. In recognition of the unique demands of the City Manager's position and the potential difficulty in scheduling extended time away, Employee shall not be subject to any cap or maximum accrual of vacation leave. This ensures Employee is not penalized for deferring time off in order to meet operational needs of the City.
- C. Sick Leave. Employee shall accrue twenty (20) days of sick leave per year.
- D. Health Insurance. The Employee is entitled to the same health care benefits as other City Employees except the City agrees to pay the costs of Employee's health care insurance premium and agrees to pay half (1/2) of the costs of the health insurance premium to cover Employee's family/dependents. Employee is also entitled to exercise continuing coverage after separation similar to all employees under COBRA and other federal and state law.

Section 10. Retirement

City agrees to allow Employee to participate in the Texas Municipal Retirement System in the same manner as that provided generally for other employees of the City.

Section 11. Professional Development

- A. City hereby agrees to budget for and to pay the expenses of Employee for professional development, and official travel, meetings and occasions adequate to continue the professional development of Employee and to adequately pursue necessary official and other functions for City, including but not limited to the annual conference of the International County/City Managers Association, Texas Municipal League (TML), the Texas City Management Association (TCMA), including professional membership dues and subscriptions, and such other national, regional, state or local government groups and committees of which the Employee serves as a member, all subject to City Council review and approval.
- B. The City also agrees to budget and to pay for the travel and subsistence expenses of the Employee for short courses, institutions, and seminars that are necessary for her professional development and for the good of the City, subject to City Council review and approval.

Section 12. Notices

Any notice required or permitted to be delivered hereunder shall be deemed received (i) three (3) days after deposit into the United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the Party at the address set forth below, or (ii) on the day actually received if sent by courier or otherwise hand delivered, at the address set forth below the signature of the Party.

Section 13. Entire Agreement

This Agreement constitutes the sole and only Agreement of the Parties and supersedes any prior understandings or written or oral Agreements between the Parties respecting this subject matter.

Section 14. Successor and Assigns

This Agreement shall be binding on and inure to the benefit of the Parties to it and their respective heirs, executors, administrators, legal representatives, successors, and assigns.

Section 15. Governing Law

This Agreement is governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be in State District Court of Brazoria County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

Section 16. Amendment

This Agreement may be amended by the mutual written Agreement of the Parties.

Section 17. Legal Construction

In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

Section 18. Indemnification

To the extent it may be permitted to do by applicable law, including, but not limited to, Texas Civil Practice & Remedies Code, Chapter 102, City does hereby agree to defend, hold harmless, and indemnify Employee from any and all demands, claims, suits, actions, judgments, expenses and attorneys' fees incurred in any legal proceedings brought against Employee in Employee's individual or official capacity as an employee and as City Manager, providing the incident(s), which is (are) the basis of any such demand, claim, suits, actions, judgments, expenses and attorneys' fees, arose or does arise in the future from an act or omission of Employee, as an employee of the City, acting within the course and scope of Employee's employment with the City; excluding, however, any such demand, claim, suits, actions, judgments, expenses and attorneys' fees for those claims or any causes of action where it is determined that Employee committed official misconduct, or committed a willful or wrongful act or omission, or an act or omission constituting gross negligence, or acted in bad faith; or violation of this agreement, and excluding any costs, fees, expenses or damages that would be recoverable or payable under an insurance contract, held either by City or by Employee. The selection of Employee's legal counsel shall be with the agreement of Employee and City if such legal counsel is not also City's legal counsel. A legal defense may be provided

through insurance coverage, in which case Employee's right to agree to legal counsel provided for her will depend on the terms of the applicable insurance contract. To the extent this Section exceeds the authority provided and limitations imposed by Texas Civil Practice & Remedies Code, Chapter 102, it shall be construed and modified accordingly. The provisions of this Section shall survive the termination, expiration or other end of this Agreement and/or Employee's employment with City.

Section 19. Effective Date

This Agreement shall become effective upon approval by City Council and signature of the Mayor and Employee.

Section 20. Prohibition of Boycott of Israel.

Employee verifies that he does not Boycott Israel and agrees that during the term of this Agreement will not Boycott Israel as that term is defined in Texas Government Code Section 808.001, as amended.

(signature page to follow)

EXECUTED this ____ day of _____, 2025.

By:

Jerry Cain, Mayor
City of Freeport, Texas
200 W. 2nd Street
Freeport, Texas 77541

Attest:

City Secretary

Approved as to Form:

City Attorney _____

EXECUTED this ____ day of _____, 2025.

By: _____
Danielle M. Kelly, Employee



City Council Agenda Item #[6.N]

Title: Consideration and take possible action approving ordinance no. 2025- to amend section 155.1108 (f) (3) revising the 4/5 council vote requirement to a simple majority.

Date: November 3, 2025

From: Councilman Davis

Staff Recommendation:

Item Summary:

Background Information: I don't think any board should have that much power over the council that are elected officials.

Special Considerations:

Financial Impact:

Board or 3rd Party Recommendation:

Supporting Documentation:

1. copier@freeport.tx.us_20251023_112021
2. Public supporting documents

§ 155.1108 ZONING MAP AMENDMENT (REZONING)

- (A) **Generally.** A zoning map amendment, or as it is frequently referred to as a rezoning, is the means by which a property owner, City Council, or Planning Commission can request to the City that their zoning classification be changed to another classification.
- (B) **Application Submission.** The proposed amendment must be submitted at least 30 days prior to the meeting at which approval is sought.
- (C) **Required Submittal Contents.** An application for a zoning map amendment (rezoning) shall include all of the following:
- (1) *Legal Description.* An accurate legal description that extends to the centerline of any abutting rights-of-way;
 - (2) *Map.* A map showing the area included in the proposed zoning map amendment;
 - (3) *Other Information Required.* The application shall include such other information necessary to determine conformance with, and provide for the enforcement of, this Chapter as required by the Administrator including, but not limited to a site plan or other drawings.
- (D) **Decision Criteria.** The Planning Commission and City Council shall consider applicable criteria in Table 154.502-1, *Common Decision Criteria*.
- (E) **Action by Planning Commission.**
- (1) *Recommendation to Approve or Not Approve.* At the conclusion of the joint public hearing, the Planning Commission shall deliberate and determine by majority vote whether to recommend approval or recommend to not approve the adoption of the proposed zoning map amendment.
 - (2) *Written Protest Against Recommendation to Approve.* A written protest against the Planning Commission's recommendation to approve the proposed zoning map amendment can be filed with the City by any one of the following:
 - (a) The owners of 20 percent of the land included in the proposed zoning map amendment;
 - (b) The owners of 20 percent of the land immediately adjacent to the land included in the proposed amendment and extending 200 feet therefrom; or
 - (c) The owners of 20 percent of the land directly opposite the land included in the proposed amendment and 200 feet from the street frontage of such opposite land.
- (F) **Action by the City Council.**
- (1) *Recommendation to Approve, without Protest.* If the Planning Commission recommends approval of the proposed zoning map amendment, the City Council may, by simple majority vote to approve, not approve, or approve with conditions the zoning map amendment.
 - (2) *Recommendation to Approve, with Protest.* If the Planning Commission recommends approval of the proposed zoning map amendment, but a written protest meeting Subsection E(3), above, is filed, the City Council may:
 - (a) Vote to not approve the proposed zoning map amendment with a simple majority of the City Council; or
 - (b) Vote to approve or to approve with conditions the proposed zoning map amendment with a vote of three-fourths of the City Council.
 - (3) *Recommendation to Not Approve.* If the Planning Commission recommends to not approve the Zoning Map Amendment, the City Council may:
 - (a) Vote to not approve the proposed Zoning Map Amendment with a simple majority of the City Council; or
 - (b) Vote to approve or to approve with conditions the proposed zoning map amendment with a vote of three-fourths of the City Council.

Effective on: 1/10/2022

Supporting documents
for the public will be
provided at the Council
meeting on
November 3rd, 2025, at
6:00 p.m.



City Council Agenda Item #[6.O]

Title: Discussion and take possible action to implement the use of gun/metal detection wands for all visitors and officials attending all City Council meetings prior to entering the Council Chambers, including upon any re-entry after leaving the Chambers.

Date: November 3, 2025

From: Councilman Pena

Council member recommendation action: Approve the inclusion of gun/metal detection wand screening for all attendees and officials prior to entering and upon re-entering City Council Chambers.

Item Summary:

Background Information: This request is made in response to repeated verbal attacks and physical threats made by George Matamoros against residents, city contractors, Council Members from Ward B, and the Mayor Pro Tem during and following Council meetings.

Currently, the Police Department utilizes gun/metal detection wands during all Municipal Court sessions. Extending this protocol to City Council meetings — including re-entry screenings — will enhance safety, ensure consistency in security procedures, and protect the well-being of all attendees and officials.

Special Considerations:

Financial Impact: Minimal — equipment and procedures are already in place for Municipal Court use.

Board or 3rd Party Recommendation:

Supporting Documentation:

None

Supporting documents
for the public will be
provided at the Council
meeting on
November 3rd, 2025, at
6:00 p.m.