

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Charter Review Commission met on Wednesday, September 17, 2025, at 5:30P.M., at the Freeport City Hall, Conference Room, 1201 North Avenue H, Freeport, TX for the purpose of considering the following agenda items:

Charter Review Members: Sam Reyna  
Lila Diehl  
Theodore Baker  
Douglas Domingues  
Ruben Renobato (Not Present)

City Council Liaison: Jarvis Davis, Councilman Ward B  
Interim City Manager: Dan Pennington  
Interim City Attorney: Chris Duncan  
City Secretary: Clarisa Fernandez

Call to Order.

Chairperson Sam Reyna opened the meeting at 5:31 pm.

Consideration and possible action approving Charter Review meeting minutes from August 20, 2025.

A motion was made by Theodore Baker to approve Charter Review meeting minutes from August 20, 2025, seconded by Douglas Domingues with all present and voting "Aye" 4-0. The Charter Review Commission unanimously approved the motion.

Consideration and possible action to approve suggested revisions to Articles 7-8.

Chairperson Sam Reyna raised a question about the ballot language in section 7.06 regarding the requirement to post notices on the political website or in the newspaper. Interim City Attorney Chris Duncan confirmed that state law requires such notices to be posted both on the website and in the newspaper, indicating the need for transparency in how information is disseminated to the public.

The commission further discussed the wording of "development agreement" versus "380 agreement" in the proposed revisions. The discussion revealed that the use of "380 agreement" is well recognized legally and by the public, which prompted concerns on whether the change would cause confusion for voters. Theodore Baker emphasized the importance of using language that reflects the broader possibilities within development agreements, ensuring that the electorate and stakeholders understand that changes are meant to encompass a more extensive range of development scenarios. The Interim City Attorney stated that he removed the reference to "380" and added further explanation to the question. The primary goal is to ensure the charter remains comprehensive and flexible, enhancing the municipality's capability to strategize and execute a broader array of development undertakings in the future.

A motion was made by Douglas Domingues to change the language on 8.02, seconded by Theodore Baker, with all present and voting "Aye" 4-0. The Charter Review Commission unanimously approved the motion.

#### Discuss and review Charter Articles 9-11.

On Section 9.09 the commission discussed what would happen if not all council members were present for a budget vote. Interim City Attorney Chris Duncan explained that the budget must be approved by a majority of all council members (three out of five), regardless of how many are present, and that the charter prohibits abstentions.

On Section 9.10 the commission carefully reviewed this section and debated the prudence of maintaining the current language regarding the timing for final budget adoption. There was thorough discussion revolving around the necessity of having a strict deadline for adoption, and Interim City Attorney Chris Duncan offered insights about the legalities and potential repercussions of missing such deadlines. He said he would look into this and will discuss at the next meeting.

On Section 9.24 the commission recognized that the language currently specifies that tax payments are only payable at the office of the county assessor collector of taxes at Angleton, Texas. Theodore Baker raised a question about the necessity of mentioning Angleton specifically, noting that many residents also pay their taxes in Lake Jackson. It was noted that specifying only the Angleton location might not reflect the broader range of payment options now available to residents. Theodore Baker suggested adjusting the language to state that tax payments can be made at any of the county tax assessor's office locations, thereby reflecting modern practices and increasing accessibility and convenience for residents. This change was seen as a way to better accommodate the various methods residents currently use to pay their taxes and to align the charter language with current operational realities. The consensus was to consider this change in the final review of proposed amendments, especially if the total list of amendments remained manageable.

On Section 10.06 the commission raised significant questions regarding potential conflicts between Section 10.06 of the charter and the city's existing exclusive contract with AmeriWaste for garbage collection. This section, which states that no grant of franchise can be exclusive, prompted a debate on whether trash collection is considered a public utility, and consequently,

whether the exclusivity of the current contract violates this provision of the charter. The commission decided that Interim City Attorney Chris Duncan committed to conducting a comprehensive analysis of the charter provisions, historical context, and the potential need for amending Section 10.06, bringing back findings and options for addressing the waste collection issues at the next meeting.

On Section 11.01 the commission discussed regarding publicity of records, Interim City Attorney Chris Duncan raised concerns that the current language appears to go beyond state open records laws. The language, as it stands, could potentially require the city to disclose information that state law protects, such as the confidentiality of utility billing records or sensitive details in child abuse investigations. Mr. Duncan noted that by state law, certain records must remain confidential; for example, a request to view someone's water bill would be denied due to privacy laws. Similarly, any request to access documents related to sensitive legal matters, such as child sexual assault cases, would be exempt under existing regulations to protect the involved parties. The commission agreed to amend the section to clarify that records should be available "except as restricted by state or federal law," ensuring compliance with overarching state guidelines on confidentiality and privacy.


On Section 11.04 the commission discussed concerning nepotism also prompted substantial discussion about potential repercussions for existing employees if a relative were to gain a seat on the city council. Interim City Attorney Chris Duncan clarified that the constraint on hiring relatives applies only to new appointments occurring after the election of a relative to the council, safeguarding those employees already in place. He further referenced state law provisions that ensure protection for employees who have held their positions for at least six months prior to their relative's election, thereby preventing unjust termination solely based on familial relations with elected officials.

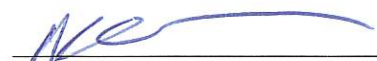
Consideration and possible action to change the date of the next regular meeting.

Due to scheduling conflicts with the originally planned October 15th date, the commission discussed alternative meeting dates. After consideration, they agreed to meet next on November 19, 2025, which is the third Wednesday of November.

Adjourn

A motion was made by Theodore Baker, seconded by Douglas Domingues, with all present voting "Aye", the meeting adjourned at 7:01P.M.

  
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Chairperson Sam Reyna  
Charter Review Committee

  
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Secretary Theodore Baker  
Charter Review Committee