State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, December 1, 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, City Attorney Clarisa Fernandez, City Secretary Toby Cohen, IT Director Maria Lopez, Main Street Coordinator Brian Dybala, Golf Course Director Reginald Harris, Building Official Chris Motley, Fire Chief Laura Cramer, GIS/Property Manager Corey Brinkman, Police Captain	
Visitors:	David McGinty Manning Rollerson Thomas Koole Margaret Bachman Rob Bachman Landis Adams Virginia Tippen	Tom Pearson Kenneth Hayes Con McCleester Diane McCleester Melanie Oldham Kenneth Hall Rob Giesecke

Call to Order:

Call to Order - Jerry Cain, Mayor

Mayor Cain called the regular scheduled meeting of the Freeport City Council to order at 6:00P.M. on December 1, 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.

Thomas Koole stated that he is a lifelong resident of Freeport, Texas. Mr. Koole asked why nothing was being done to address issues raised by residents regarding the intersection of Pecan Street and Fourth Street. He stated that there has been one four-way stop at that intersection, and over the last ten years there have been crashes. He reported that residents along Fourth Street have told him that they have observed numerous accidents there over the years. He personally could only go back so many years in his own review, but he noted that residents described an incident involving a person on a bicycle who was hit at the intersection. He explained that through a FOIA request he learned information regarding the total cost associated with vehicles being towed from accidents. He also expressed concerns about the stop signs that have been installed. He stated that one of the stop signs does not work properly, referencing pictures shown and that another sign on the opposite side is a different type of lighted stop sign that flashes when it wants and just does not work right. Mr. Koole stated that Public Works informed him the stop signs cost over $6,000 and he called this a waste of taxpayer money, emphasizing that taxpayers, the residents of Freeport, pay for these items, not the City itself. He then referenced safety issues at several other locations at Avenue J and Skinner, he said the lighted stop sign is close to falling off the pole and is held by only one bracket, and that it does not work. He stated that the sign at Avenue M and Yellowstone, at a three-way stop, also does not work. He noted that the only lighted stop sign he found working was the one at Avenue O and Yellowstone. He added that the City previously installed lighted stop signs on Avenue H and Velasco Boulevard, but that they stopped working. He also said there were lighted signs on the bridge at Velasco Boulevard that did not work for long. Mr. Koole said he believes there is favoritism within the City, stating that two former mayors have four-way stop signs at the corners where they live, and another individual lives on a street only three blocks long that has speed bumps at every intersection despite there being little traffic there. He declined to name addresses for safety reasons. He stated that residents avoid that area because they fear for their safety due to the number and severity of accidents. He noted that the City ensures that Highway 288 and Velasco Boulevard are well lit and properly painted with white stripes because the Port of Freeport, LNG, and other industries use it. He contrasted this by stating that industries receive tax breaks, while residents pay taxes. Mr. Koole said that Freeport used to be an awesome place to live, and that residents voted City officials into office with the expectation that they would make decisions for the well-being of the community. He emphasized that Fourth and Pecan are very busy roadways seven days a week and urged the City to do something.

Manning Rollerson resides at 118 West Sixth Street. He stated that he came before the Council to raise two concerns, the first being questions regarding the policy of the City's police officers, which he described as a serious matter. Mr. Rollerson referenced a prior appearance before the Council, during which he and Robert Woodard addressed statements made by Mr. Woodard that police officers had knocked his teeth out. He also mentioned the recent death of Mr. Shanks, who was found deceased in his truck on Second Street and was homeless. He further noted another homeless individual who had been found dead in a City park not long ago. He then described an incident from the recent holiday weekend in which he recorded two police officers while they were speaking to homeless individuals. He stated that the officers referred to the homeless individuals as parasites on the City of Freeport, Texas. He described this as unacceptable, stating that such comments are inappropriate and contrary to the duty to serve and protect. Mr. Rollerson drew a comparison to his own military service, explaining that when he took his oath to the Constitution of the United States, it was to defend the nation from enemies both foreign and domestic, and that law enforcement officers likewise swear an oath to protect all people regardless of whether they are rich or poor. He stated that no one should be told they are a parasite simply because they are homeless. Mr. Rollerson then addressed economic issues, specifically referencing $1.26 billion he said was invested into Dow Chemical and other industries in the community over the past 57 years. He asked where the taxpayers' return on that investment was and stated that prior City governments promised such returns. He questioned why Surfside owed the City over $1 million, as discussed in a public meeting, while Freeport's communities continue to lack support. He stated that after 57 years of being taxed by the government of Freeport, there has been no return to the community and that many neighborhoods remain in poor condition. He further stated that the Black community had property taken illegally by the Port, referencing a ruling from the 14th Court that, according to him, found the action unlawful. He asserted that there was no clear path for such action, that the City did not fight for the affected residents, and that the Fifth Circuit Court indicated the City was involved. Mr. Rollerson questioned how residents can trust the City to protect their homes or provide transparency when, in his view, past actions harmed the community. He stated that the situation has to change, emphasizing the need for community investment and housing. He stated that no meaningful progress can occur until housing is brought to Freeport, reminding the Council that promises were made to residents regarding housing development and that past administrations, including votes by former officials had committed to bringing housing into the community as a basis for acquiring certain properties. He stated that he expects to see housing built, and that legal action may need to be considered regarding prior votes and commitments related to housing that have not been fulfilled. He noted that Mr. Wong had previously stated that housing was to be brought in, and that this was written twice in relevant documentation. Mr. Rollerson concluded by stating that the Council must be accountable to its residents and use tax dollars responsibly. He referenced figures of $500 million and $240 million over 57 years and questioned why Freeport remains in its current condition. He urged the Council not to shift responsibility to other levels of government, stating that the City is responsible to now bring our homes.

Melanie Oldham resides at 531 West Brazos. She explained that upon reviewing the materials that afternoon, she found them confusing. She picked up the handouts and stated that it appeared there would be discussion regarding amendments to Ordinance 2022-2672. She noted that both documents referenced Ordinance Number 2025 at the top, but one document contained ten items while the other contained nine. She stated that she may be reading it incorrectly, but that the discrepancy was confusing. Ms. Oldham said it appeared the Council would be discussing amendments to Sections 3 and 9. In comparing the versions, she observed that Section 3 essentially states that any request made by the Mayor or a Councilmember must be submitted with supporting documents and an agenda memo, and that the amended version adds the requirement to include sufficient information for Council to clearly understand the issue to be discussed. She stated that this was the only difference she could see. She then addressed Section 9, explaining that the two versions appeared different. She read from the proposed language stating that if an item is placed on a City Council agenda for action and is defeated by vote or enactment, the item may not be reintroduced for three months unless requested by the Mayor or by another single Councilmember who did not sponsor the original item. She posed an example, asking whetherif Councilmember Matamoros placed a discussion item on the agenda regarding urban renewal and it was discussed thoroughly and voted down then Councilmember Rossow could then request that it be placed on the agenda for the next meeting, and whether Councilmember Davis could likewise do the same. She stated that she hoped to listen to the discussion when the agenda item was reached. Ms. Oldham added that she did not understand how such a provision would operate, because members of the public attend meetings, listen thoroughly, make their comments, and then hear the Council's full discussion before a vote is taken. She questioned why the same item would need to return at the following meeting after a full discussion and vote. She noted that Councilmember Rossow is often the deciding vote on items. She concluded her remarks by stating that she did not fully understand the proposed changes but thanked the Council.

Main Street Coordinator Maria Lopez stated that she was pleased to provide an update on the upcoming Christmas on Main event, which she described as a tree-lighting celebration the City hopes will grow into a yearly Freeport tradition. She introduced herself as the Main Street Coordinator and explained that the celebration had come together through collaboration.Ms. Lopez expressed gratitude to Texas Gulf Bank for sponsoring 100 dozen tamales, and noted that free churros would also be offered during the first two hours of the event. She shared that families would have the opportunity to visit with Santa and enjoy several photo opportunities throughout downtown. She stated that the tree-lighting ceremony would take place at 6:30P.M., and highlighted a significant contribution from the Freeport Economic Development Corporation, which generously funded the Christmas tree that will serve as the centerpiece of the evening. She stated that this contribution reflects the corporation's continued commitment to investing in and revitalizing downtown Freeport. Ms. Lopez explained that the event would feature performances, including local dancers and a choir, and that more than 30 vendors would line historic downtown with food, gifts, crafts, and boutiques. She emphasized that the event is truly a team effort and recognized the volunteers who helped make it possible, including the B-Port Student Council, the Freeport Police Department, and the Main Street Board. She noted the enthusiasm surrounding the event and stated that strong interest had already been seen on social media, with residents expressing excitement for Freeport's holiday festivities. She also mentioned that Christmas on Main would complement a full weekend of activities, including Holiday on the Brazos and Pancakes with Santa, each adding something special to the seasonal celebration. Ms. Lopez emphasized that Christmas on Main is about more than festive activities. She stated that it represents ongoing efforts to bring people together, strengthen community pride, and support the revitalization of Freeport's Historic Downtown. She added that when families gather for the tree lighting, it reinforces the sense of connection that makes Freeport a wonderful place to call home. She concluded by inviting the Mayor and Council to join the event and thanked them for their support. She stated that they look forward to celebrating Christmas on Main with the community.

Proclamations - Presentations and Updates

Upcoming Events -

City Hall will be closed on December 16

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.

City Manager Welcoming, RiverPlace, December 16, 3:00P.M.-7:00P.M.

Interim City Manager Dan Pennington gave updates on upcoming events.

Business

Consideration and possible action approving minutes, November 5, 2025, and November 17, 2025

A motion was made by Councilman Matamoros to approve the minutes as presented, seconded by Councilman Rossow with all present and voting "Aye" 4-1. The Council approved the motion. Councilman Pena voted "Nay".

Consideration and possible action approving Resolution No. 2025-3001 appointing members to the Board of Adjustments.

Building Official Reginald Harris presented the agenda item regarding consideration and possible action on approving a resolution appointing members to the Board of Adjustment. He stated that the item summary reflects that the resolution would formally acknowledge the resignation of John Standridge, whose term was set to expire on May 31, 2027, and would also remove Eric Hayes from his alternate member position due to a conflict with his service on the Planning and Zoning Commission. Mr. Harris reported that the Board of Adjustment recommended the following actions: Appoint Thomas Pearson as a full member to fill the current vacancy. Appoint Con McCleester as an alternate member to replace Eric Hayes. Remove James Gossett, Jr. due to multiple absences affecting the board's ability to meet quorum and function effectively. Appoint Margaret Bachman as a member of the board. He provided background information, stating that board member John Standridge had submitted his resignation prior to the end of his term, and the City Council was being asked to formally accept the resignation and fill the resulting vacancy. He added that alternate member Eric Hayes currently serves on the Planning and Zoning Commission, which creates a conflict requiring his removal from the Board of Adjustment, as outlined in the resolution. Mr. Harris further explained that the Board of Adjustment determined that the removal of James Gossett Jr. was necessary due to excessive absences that impacted quorum reliability and the functionality of the board. He noted that special consideration must be given to appointments because state law requires newly selected Board of Adjustment members to take an oath of office before participating in hearings, as stated in the resolution. He presented staff's recommendation, which was to accept the resignation of board member John Standridge, remove alternate member Eric Hayes, and approve the Board of Adjustment's recommendations to appoint Thomas Pearson as a full member and Con McCleester as an alternate member to fill the unexpired terms ending May 31, 2027. He also noted that the applicants were present at the meeting as required. Mr. Harris concluded by thanking the applicants for their willingness to volunteer and participate, stating that their involvement strengthens the City of Freeport and is greatly appreciated by the Board of Adjustment.

Thomas Pearson, 110 South Front Street, addressed the Council. He stated that he has lived in Freeport for about 80 years and wanted to offer his assistance by serving on some of the City's boards. He explained that his interest particularly relates to zoning matters and addressing old, dilapidated buildings and similar issues within the community. Mr. Pearson noted that he still needed to learn exactly what responsibilities and processes are involved with the Board of Adjustment, but he expressed his appreciation to the Council for their vote and consideration of his appointment.

Margaret Bachman addressed the Council, stating that she resides at 96 Dolphin Lane. She explained that she is currently serving as an alternate on the Board of Adjustment and has done so for some time. She stated that she is seeking to transition from alternate status to a full member position. Ms. Bachman emphasized the importance of the Board of Adjustment's work. She stated that while members may feel strongly about certain matters, they sometimes must vote contrary to their personal feelings in order to do what is best for the City. She noted that this responsibility can at times be difficult, but that her role on the board is to make decisions based on what best serves the City of Freeport rather than personal preference.

Con McCleester addressed the Council, stating that he has been attending City meetings for the past five or six years. He noted that during this time, the Council has consistently asked for volunteers to serve on various boards. He shared that his background is in real estate and that he worked for the Harris County Appraisal District for 27 years before retiring. Mr. McCleester stated that after retiring, he moved to Freeport in 2017 and has lived here since. He said he would like to contribute by serving on a board in order to help the community move forward. He added that he sees many opportunities and positive possibilities for progress within the City.

Landis Adams addressed the Council and thanked them for the opportunity to speak. He stated that he wished to express his interest in serving on the City's Board of Adjustment. As a property owner in Freeport, he explained that he has a direct and vested interest in the community's growth, stability, and long-term success. Mr. Adams stated that he understands firsthand the importance of fair, consistent, and well-reasoned decisions concerning variances, special exceptions, and zoning interpretations. He emphasized that these decisions affect not only individual properties but also the future character and economic potential of the City. He shared that, in addition to his experience as a property owner, he brings more than 20 years of professional experience in areas directly aligned with the mission of the Board of Adjustment. His background includes serving as an Economic Development Director, owning and operating his own business for two decades, and working closely with zoning regulations, land-use planning, and community growth strategies. He stated that these roles required him to interpret City ordinances, evaluate development proposals, and balance the interests of property owners with the broader needs of the community. Mr. Adams noted that his experience has given him a strong appreciation for zoning integrity while also understanding that flexibility is sometimes necessary to encourage responsible development, support local businesses, and resolve unique property challenges. He believes he can contribute to the Board by making balanced, thoughtful decisions that respect both the letter of the law and the unique circumstances of each case. He stated that his commitment to the Council and to the citizens of Freeport is straightforward: he will approach every application with transparency and with deep respect for the responsibility entrusted to the Board. His goal is to help move Freeport forward by protecting property rights, encouraging smart growth, and ensuring that zoning decisions support the City's prosperity. Mr. Adams concluded by thanking the Council for considering his application and stated that he would be honored to serve.

Councilman Matamoros stated that he wished to clarify the residency requirement for serving on the Board of Adjustment. He noted that some boards require members to be residents of the City of Freeport, and he initially believed the Board of Adjustment might fall under that category. City Attorney Chris Duncan responded, explaining that residency is not required for service on the Board of Adjustment. He stated that the City Charter differentiates between the Planning and Zoning Commission whose members must be residents and the Board of Adjustment, which does not carry the same residency requirement. Mr. Duncan further explained that the relevant section of the City Charter simply states that the Board of Adjustment is Council appointed and references the requirements under Section 211.008 of the Texas Local Government Code, which does not impose a residency requirement for board members. He emphasized that while Planning and Zoning Commission members are required to reside within the City, the Board of Adjustment has no such stipulation under state law or the City Charter.

A motion was made by Councilman Matamoros to nominate Mr. Thomas Pearson to fulfill the unexpired term that ends in May 31,2027, seconded by Mayor Cain with all present and voting "Aye" 3-2. The Council approved the motion. Councilman Pena voted "Nay". Councilman Davis voted "Nay".

A motion was made by Councilman Davis to appoint Landis Adams for full-time, seconded by Councilman Rossow with discussion that followed.

Councilman Pena asked for clarification regarding the application process for the Board of Adjustment positions being considered. He stated that his understanding was that the positions had been advertised and that all applicants had submitted their applications within the required timeframe for consideration at that evening's meeting. He asked whether that was correct. Councilman Pena asked whether the posting for the Board of Adjustment vacancies had been properly advertised. He requested clarification regarding the deadline for applications.Building Official Reginald Harris stated that he did not have the specific application deadline date available at that moment. However, he explained that staff adhered to the posting requirements. Councilman Pena asked whether the posting was made through the City's social media channels specifically the City of Freeport's Facebook page and whether it included a stated deadline. Mr. Harris confirmed that the posting was made through that page but reiterated that he did not have the exact deadline available. Councilman Pena then asked who is responsible for managing or updating the City's Facebook page. Mr. Harris explained that while the Facebook page itself is operated through City Hall, his staff prepares the draft of the notice, and it is then routed to the City Secretary and the City's IT personnel for assistance with posting it publicly. Councilman Pena stated that his primary concern was ensuring that all deadlines were met for the application and posting process. He noted that if the postings and deadlines were handled properly, he had no further questions.

Mayor Cain stated that he believed Mr. Adams would be a beneficial addition to the Board of Adjustment. However, he also expressed that Ms. Bachman, who has served as an alternate for a significant amount of time, likewise deserves consideration for a full-time position. He stated that, personally, he feels she has served her time and earned the opportunity to move into a full member role. Councilman Matamoros further agreed that Ms. Bachman has been faithful in her attendance, noting that she has participated in every meeting and has often filled in to ensure the Board had enough members present to establish a quorum.

Councilman Davis sought clarification on whether Ms. Bachman would remain an alternate if she were not appointed as a full member. He confirmed that she is currently an alternate and asked whether the vote before the Council would remove her from that role. Mayor Cain clarified that the action under consideration would not remove her; she would continue serving as an alternate unless appointed to a full position. Councilman Davis stated that he wanted to be certain of that before proceeding. He explained that he was considering the comments made earlier by residents and that the City of Freeport is looking for experienced individuals to serve on its boards. He emphasized that his remarks were not meant to suggest that Ms. Bachman lacked experience, but that Landis Adams appeared to bring substantial background and qualifications relevant to the Board of Adjustment. He stated that the City needs as many experienced people as possible serving on its boards and noted that Ms. Bachman would still retain her position as an alternate. Councilman Davis added that Mr. Adams' experience and strong résumé influenced his decision, and that this was the basis for his selection.

Councilman Pena stated that after listening to all the speakers and reviewing the applicants' backgrounds, he found the two decades of experience and involvement referenced particularly compelling. He noted that Landis Adams has extensive experience and has been actively involved in numerous community events within the City of Freeport, including Fishin' Fiesta and various other City activities. He stated that many of the events in which Mr. Adams participated over the years have been stellar.

Mayor Cain stated the motion before the Council, which was to appoint Mr. Landis Adams to fill Mr. James Gossett position, with a term set to expire in May 2026.

Mayor Cain called the motion to a vote with all present and voting "Aye" 3-2. The Council approved the motion. Mayor Cain voted "Nay". Councilman Matamoros voted "Nay".

A motion was made by Councilman Matamoros to approve Mr. Con McCleester as alternate to replace Eric Hayes, seconded by Councilman Davis with discussion that followed.

Councilman Pena stated that he appreciated Mr. McAllister's experience working with the county in the Appraisal District. He commented that this background would be valuable to the Board of Adjustment and expressed support for his involvement based on that expertise.

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

Mayor Cain provided clarification for the record regarding the appointments to the Board of Adjustment. He stated that Mr. Thomas Pearson would be filling the existing vacancy with a term expiring on May 31, 2027. He further explained that Mr. Landis Adams would be filling the vacancy with a term expiring on May 31, 2026. Additionally, he noted that Mr. Con McAllister would serve as the new alternate member, replacing Eric Hayes.

<u>Consideration and possible action by City Council approving the sale of trust property within the city limits located at Freeport Townsite, Block 70, Lot 7 being known as 4200-0653-000 in the Brazoria County tax records.</u>

GIS/Property Manager Laura Cramer presented the agenda item concerning an offer to purchase trust property located at 407 West Seventh Street. She reported that the Brazoria County Resale Committee met on October 28, 2025, and accepted an offer in the amount of $14,188.33. She explained that this particular case was unusual compared to previous trust property transactions. A calculation error occurred at the Brazoria County Tax Office, resulting in the City's outstanding liens being included within the court costs something that is not typically done. She stated that after consulting with the tax attorney, she was informed that this method would be allowed in this instance. Ms. Cramer explained that, if the Council approved the sale, the City would recover approximately $9,000 in costs. She noted that had the calculation been done correctly originally, the City would not have received those funds. She therefore encouraged the Council to approve the sale so the liens consisting of one demolition lien and three mowing liens could be satisfied, and the property could be returned to the tax roll.

A motion was made by Councilman Pena to approve the sale of trust property within the city limits located at Freeport Townsite, Block 70, Lot 7 being known as 4200-0653-000 in the Brazoria County tax records, seconded by Councilman Davis with all present and voting "Aye" 5-0. The Council unanimously approved the motion.

Consideration and possible action approving the Chief of Police to enter into a MOU with SPCA of Brazoria County.

Police Chief Jennifer Howell explained that the City has maintained a long-standing partnership with the SPCA, primarily involving their support of the City's animal shelter. She stated that in recent years, the partnership has expanded to include participation in community events such as National Night Out, where the SPCA has offered services including free or discounted microchipping and free rabies vaccinations. Chief Howell stated that the City is now exploring a new partnership with the SPCA to implement a Trap-Neuter-Release (TNR) program, designed to address the City's large and growing feral cat population. She explained that while animal control continues efforts to capture cats and transport them to the shelter, an additional strategy is needed to effectively reduce the population over time. Through the TNR program, cats would be trapped, neutered or spayed, and then released helping curb reproduction and stabilize the population. She informed the Council that the proposed memorandum of understanding (MOU) would establish this new program, and that Freeport would be the first city the SPCA partners with for a TNR initiative. Chief Howell emphasized that the program will begin at no cost to the City, and that the SPCA's veterinarian has been coordinating closely with the City's animal control officer to develop an operational plan. Chief Howell stated that the initial rollout period is expected to last six to twelve months, after which the City and SPCA will evaluate the program's success and determine how to proceed moving forward. Chief Howell added that this initiative would be formalized through a Memorandum of Understanding (MOU). She clarified that an MOU referred to as a memorandum of understanding is essentially an agreement between two organizations. In this case, the agreement would be between the Freeport Police Department and the SPCA, outlining their shared responsibilities and cooperative efforts in implementing the TNR program.

A motion was made by Councilman Matamoros to approve the Chief of Police to enter into a MOU with SPCA of Brazoria County, seconded by Councilman Pena with discussion that followed.

Councilman Pena asked Police Chief Jennifer Howell whether the proposed program would apply strictly to cats. Chief Howell confirmed that it would, explaining that the City has an extremely large feral cat population. She noted that since her arrival, feral cats have been a recurring concern raised during citizen comments. Although animal control continues to set traps to capture the animals, the volume remains difficult to manage. She also mentioned that instances where residents adopt or acquire cats without spaying or neutering them contribute to the growing population. Councilman Pena asked how the program would function operationally, specifically inquiring whether SPCA vehicles would be circulating in the community or whether animal control would handle the trapping. Chief Howell stated that the trapping would be handled by animal control, not the SPCA. She explained that traps would be set out the day before the scheduled surgery. Once cats are captured, they will be transported to the SPCA for surgery. She noted that male cats, undergoing neuter procedures, can typically be returned the same day due to shorter recovery times, whereas female cats require more time to recover after spaying. The program will operate in full partnership between animal control and SPCA staff, with both organizations coordinating on scheduled procedure days. Councilman Pena then asked whether the program would include a community outreach component allowing residents to bring in their pets for spay or neuter services. Chief Howell clarified that the program is strictly for feral cats only and does not extend to owned pets. When asked whether residents could bring in a feral cat, she explained that participation applies only to cats captured through the City's trapping efforts, not drop-offs. Councilman Pena inquired whether the department had projected how many cats might be addressed through the program annually or what the expected outcomes might be. Chief

Howell responded that, because this is a new program for Freeport, no projections have been set. The City and SPCA will evaluate the program's effectiveness over the next six to twelve months. Chief Howell further explained that she had participated in similar programs at her previous agency, which partnered with animal welfare organizations and grant-funded initiatives such as an animal birth control clinic and the Heart of Texas Feral Cat Association. Those programs provided spay and neuter services at no cost to cities. She clarified that Freeport's program is not grant-funded at this time; rather, the SPCA veterinarian is volunteering time and resources due to the significant number of cats the City has been handling. When asked whether the City has data on the number of feral cats captured in the past year, Chief Howell explained that she provides monthly totals in the Council's regular reports and compiles an annual total in January. She noted that the current year's annual total will not be available until January of the upcoming year.

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

Consideration and possible action approving the Chief of Police to enter into a MOU with Brazoria County Sheriff's Office and Texas DPS.

Police Chief Jennifer Howell explained that the item involved an updated Memorandum of Understanding (MOU) between the City of Freeport, the Brazoria County Sheriff's Office, and the Texas Department of Public Safety (DPS). She noted that each Councilmember had been provided an updated copy of the MOU at their desks, which she also emailed earlier in the day. She further stated that the City Secretary had arranged for copies to be made available to the public. Chief Howell explained that the updated MOU is a result of House Bill 33, also known as the Uvalde Strong Act, which established new statewide guidelines intended to strengthen preparedness for critical incidents, particularly school shootings. Under the Act, DPS and county sheriff's offices were tasked with taking the lead in coordinating planning, training, and response efforts. She stated that the Brazoria County Sheriff's Office has already begun implementing these requirements in partnership with DPS. The MOU presented to the Council is one developed by DPS and distributed to agencies across Brazoria County. Although DPS has made some modifications to the document, it is intended to be a standardized agreement among participating agencies. Chief Howell explained that the MOU outlines roles and responsibilities related to critical incident response, including joint training, planning, and coordination for scenarios involving school shootings. She emphasized that the MOU is specifically directed toward improving readiness for school-related active shooter events. She noted that the Act requires all necessary modules, planning components, and related materials to be completed and submitted to the State no later than January 1, 2026.

A motion was made by Councilman Pena to approve the Chief of Police to enter into a MOU with Brazoria County Sheriff's Office and Texas DPS, seconded by Councilman Davis with all present and voting "Aye" 5-0. The Council unanimously approved the motion.

Consideration and possible action approving Resolution No. 2025-3002 deeming property surplus and donating to another City.

Police Chief Jennifer Howell provided background regarding the Police Department's 1951 Ford shoebox car, which some may remember seeing at past events. The vehicle was originally obtained during the tenure of Chief Garivey, who used it for City functions such as National Night Out, parades, and public displays. She explained that upon her arrival at the end of 2022, the vehicle had already been involved in an accident and was undergoing repair by a mechanic. Due to the age of the vehicle, however, the mechanic encountered significant difficulty obtaining parts, and repair costs were expected to be high. Given these challenges and after evaluating departmental priorities, the decision was made not to proceed with repairs. The car was retrieved from the mechanic and has been stored at the service center since then. She said that Chief Garivey, who now serves with the City of Kemah, contacted Freeport requesting the vehicle. The City of Kemah is willing to assume all responsibility for repairing the car and intends to update it with Kemah branding to use in their community events.

A motion was made by Councilman Matamoros to deem the vehicle surplus property and donate it to another City as presented, seconded by Councilman Rossow with discussion that followed.

Councilman Pena asked for clarification regarding the prior accident. Police Chief Jennifer Howell responded that the accident occurred before their arrival, and while she did not recall the specific details, the vehicle sustained both body damage and mechanical issues. Councilman Pena then asked whether Kemah intended to take possession of the vehicle in its current condition. Chief Howell said yes. Councilman Pena asked regarding whether the vehicle had any historical significance to the City of Freeport that might warrant retaining it. Chief Howell responded that it did not. The vehicle had been obtained by Chief Garivey, either through personal donation or through someone he arranged to donate it, but it had no direct historical connection to the City. It had been used mainly as a novelty or display vehicle rather than as a historically significant artifact. Chief Howell said given the lack of historical value and considering departmental needs, it was their judgment that repairing or restoring the vehicle was not a priority for Freeport.

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

Consideration and possible action approving Resolution No. 2025-3003 to approve remodeling the Clubhouse Bathrooms.

Interim City Manager Dan Pennington referred to the packet materials, noting that the included photographs of the restrooms at the Freeport Golf Course clubhouse show that the facilities are in poor condition. He stated that the resolution before the Council was to approve the purchase and installation of restroom renovations at the golf course, including the complete refurbishment of both the men's and women's restrooms. He explained that the attached proposals reflected a total cost of approximately $26,000, and that the improvements would modernize the outdated bathrooms, make them more ADA accessible, and enhance the overall experience for both golf course patrons and employees.

Mayor Cain said he wished they could do more out there, but must start somewhere.

A motion was made by Councilman Matamoros to approve Resolution No. 2025-3003 to approve remodeling the Clubhouse Bathrooms as presented, seconded by Councilman Rossow with discussion that followed.

Councilman Pena inquired whether this project had been included in the current year's budget. Interim City Manager Dan Pennington replied that it had not. Councilman Pena asked regarding the bids submitted. Mr. Pennington explained that Bottom Dollar Carpet was not the lowest bidder, costing approximately $1,300 more, but was a local vendor. The lowest bidder was not local and had not previously performed work at the golf course. Mr. Pennington stated that Bottom Dollar Carpet had previously completed work at the facility and that, considering reliability and familiarity, the best value for the City was to use the contractor already known to staff. Councilman Pena then asked about the general rule regarding municipal contracts and whether the City is required to accept the lowest bid. Me. Pennington responded that such a requirement does not apply in all cases. Councilman Pena asked for clarification, then sought input from legal counsel. City Attorney Chris Duncan confirmed that the City is not strictly required to take the lowest bid in this situation.

Mayor Cain called the motion to a vote with all present and voting "Aye" 4-1. The Council approved the motion. Councilman Pena voted "Nay".

Consideration and possible action to approve Resolution No. 2025-3004 to Authorize approval of Individual Project Order (IPO) 2025-03 with Kimley-Horn and Associates, Inc.

Interim City Manager Dan Pennington explained that this project order concerns an engineering evaluation and professional opinion regarding the intersection that Mr. Koole has repeatedly raised concerns about during public comment. He stated that, under the traffic code, such evaluations are required before actions like installing stop signs can occur. Although placing stop signs immediately might seem like an easy solution, the City must follow proper procedures to ensure traffic control decisions are legally defensible and based on professional engineering analysis. He acknowledged that the process can feel tedious or frustrating to residents, but emphasized that this step is necessary and represents the first stage in addressing the issue at the intersection.

A motion was made by Councilman Pena to approve Resolution No. 2025-3004 to Authorize approval of Individual Project Order (IPO) 2025-03 with Kimley-Horn and Associates, Inc., seconded by Councilman Davis with discussion that followed.

Councilman Pena commented that this initiative originated from Mr. Koole's repeated comments at prior City Council meetings. He expressed appreciation that the Council had responded to his concerns and noted that this action is a good example of how residents speaking up can lead to formal steps toward resolving issues. Councilman Pena thanked Mr. Koole for being persistent and consistent in bringing the matter forward.

Councilman Davis acknowledged Mr. Koole's efforts, emphasizing the importance of residents voicing concerns. He additionally thanked staff for promptly initiating the process. He reminded the public that while the engineering study is now underway, the City had already taken an initial step by installing temporary stop signs at the intersection to draw drivers' attention while the formal evaluation is completed.

Mayor Cain noted that the process may not move as quickly as some would hope, but stressed that nothing moves fast in City government because every action must follow legal and procedural requirements.

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

Consideration and possible action approving Resolution No. 2025-3005 to allow assignment of a tax abatement agreement.

City Attorney Chris Duncan provided background regarding the tax abatement agreement associated with the Volkswagen project. He explained that the City and Brazoria County had granted a tax abatement for the project effective June 2024. The project is owned by the Port of Freeport, which in turn has a sub-landlord a company responsible for administering the lease whose lease is then held by Volkswagen. Mr. Duncan informed the Council that the intermediary landlord company had been sold to a different company. Under the terms of the tax abatement agreement originally executed in 2022, though it did not take effect until 2024 upon commencement of the project the City is required to allow assignment of the agreement to a successor entity, provided that Volkswagen continues to operate and remains in compliance with all other terms and conditions of the agreement. He confirmed that Volkswagen is indeed still operating and is in compliance. Mr. Duncan stated that, based on the agreement's language, the City is legally obligated to approve the transfer. He also noted that Brazoria County has already approved the same transfer. For these reasons, he recommended that the Council approve the requested assignment of the tax abatement agreement.

A motion was made by Councilman Matamoros to approve Resolution No. 2025-3005 as presented, seconded by Councilman Davis with discussion that followed.

Councilman Pena asked for clarification regarding the nature of the requested action, stating that it appeared to be strictly a formality and that the City was legally obligated to approve the transfer. He asked City Attorney Chris Duncan to confirm this understanding. Mr. Duncan responded that it is correct. Councilman

Pena then asked whether disallowing the passage of the item would meaningfully change or prevent anything related to the agreement. Mr. Duncan confirmed that it would not.

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

Discuss and take possible action to amend Resolution 2022-2672, Section 9. [Ordinance No. 2025-2742]

Margaret Bachman resides at 96 Dolphin Lane. She stated that, similar to Melanie Oldham, she found some of the paperwork related to the proposed ordinance changes confusing. She noted that the revisions appeared to eliminate the existing three-month restriction on reintroducing an agenda item after it has been defeated. Ms. Bachman expressed concern that allowing an item to be brought back before the three-month period expires would reduce the effectiveness of the Council by prompting repeated debate on the same issue without the benefit of new information. She stated that if an agenda item truly benefits the City of Freeport, she believes that another Councilmember or the Mayor would place it back on the agenda within the appropriate timeframe without needing to remove the restriction. She further stated that eliminating the three-month waiting period could lengthen City Council meetings which she noted have already been entirely too long recently and could reduce the time available to discuss new issues. She concluded by saying that she believes such a change would be a poor use of City time and resources.

Melanie Oldham addressed the Council and stated that after reviewing the 2022 ordinance and the proposed amendments, she found the changes confusing and difficult to understand. She expressed her belief that the amendment was not appropriate. Ms. Oldham explained that, as written, the amendment would allow an agenda item that had already undergone thorough public discussion and Council debate and had been voted down to be placed back on the agenda simply because one Councilmember did not like the outcome. She noted that the proposed language would allow that Councilmember to ask another member to reintroduce the item immediately, effectively undermining the prior decision. She stated that she did not believe this was a good idea and reiterated her concerns about the potential for misuse of the amendment.

Councilman Pena addressed the Council and provided background on why he had requested the discussion regarding amendments to Ordinance No. 2025-2742, which relates to agenda procedures and is reflected in items 3J and 3K. He explained that the original resolution was adopted in 2022 as part of a broader set of procedural rules that, in his view, were intended to stifle transparency and limit discussion. He stated that these rules were created at a time when he was placing numerous items on the agenda that highlighted what he described as issues of malfeasance, corruption, deception, and lack of transparency within the City. Councilman Pena reiterated that the purpose of the original three-month restriction on reintroducing a defeated agenda item was, in his opinion, to prevent him from continuing to bring forward matters of public concern. He stated that the rule is unnecessary, noting that no other city in Brazoria County has a similar provision. He commented that the amendments he proposed were intended to correct what he characterized as a silly rule designed to inhibit open discussion. He also noted that he will not be seeking re-election when his term expires in May 2026, as the City Charter does not allow him to run again. He stated that, before leaving office, he intends to help clean house, both by addressing issues with staff whom he believes have acted improperly and by removing ordinances he considers ridiculous or adopted in bad faith. He referenced prior public discussions on his podcast as context for those concerns. Councilman Pena then discussed the fast-tracking of certain agenda items in the past, stating that some had been approved without thorough discussion a situation he believes the current rules fail to prevent. He said that the three-month waiting period serves only to restrict Councilmembers and delay action that could be urgent or beneficial to the City or specific wards. He stated that future Councilmembers should not have their hands tied by a rule preventing them from reintroducing items in less than three months. He further said that not all Councilmembers have equal time or opportunity to research issues. He noted that, at times, new information comes to light after items are already on the agenda, and a three-month delay in revisiting such matters is unreasonable. He stated that more flexibility allows for common-sense governance and better responsiveness. Councilman Pena said that his intention was simply to conduct house cleaning and restore a common-sense approach to handling agenda items.

A motion was made by Councilman Pena to remove the Section 9 of Resolution 2022-2672, seconded by Councilman Davis with discussion that followed.

Councilman Matamoros stated that he agreed with the comments made by Ms. Melanie Oldham and Ms. Bachman regarding the proposed amendment. He explained that if a matter of sensitive importance to the City were defeated by the Council, and new information later emerged, he felt confident that either another Councilmember or the Mayor would request that the item be placed back on the agenda at that time. He expressed concern that removing the existing three-month restriction could set the City back rather than move it forward.

Councilman Davis stated that he understood the perspective shared by others, but he offered a different viewpoint. He noted that while he was not claiming no other cities have a similar rule, it is uncommon in this region, and very few cities place such restrictions on how soon a defeated agenda item may return for reconsideration. He explained that some matters brought before the Council are sensitive in nature and may require timely action. He shared that he had personally witnessed situations in which important items needed to be revisited sooner, but were prevented from being brought back because of the three-month waiting requirement. He described instances where a Councilmember could have presented new evidence or additional information the following month, but instead was forced to wait delaying progress and responsiveness. Councilman Davis emphasized that if an item is reintroduced and the Council still disagrees with it, the discussion would be brief: one comment, followed by votes of no, and then the meeting would move on. He argued that this would not lengthen meetings in any meaningful way. He also expressed concern that the three-month waiting period can cause important issues to be pushed aside and forgotten. He gave an example of an item being postponed for three months, only to then appear on an agenda long after other items had already accumulated, resulting in delays of six months or more before the item is reconsidered. He stated that such delays can prevent the Council from addressing matters that residents have requested or that individual Councilmembers believe are important. Councilman Davis said he believed the current rule causes unnecessary delays and that the Council is overthinking the issue. In his view, allowing items to return sooner would not burden meetings and would enable the Council to respond more effectively: the item is brought forward, a vote is taken yes or no and then the Council moves on.

Interim City Manager Dan Pennington began by clarifying that they were not arguing the merits of the existing three-month rule itself, but rather referring to issues within the ordinances presented in the packet. He noted that several deadlines contained in the documents appeared to have been pushed forward and could potentially conflict with state law particularly around holidays raising concerns about compliance. An example was given referencing language stating that Councilmembers must submit items by 12:00P.M. on Tuesday, which may not align with legally mandated posting requirements. Mayor Cain clarified that the Council was currently considering Section 9, the provision establishing a three-month waiting period for reintroducing a defeated agenda item. City Attorney Chris Duncan explained that Councilman Pena had proposed two changes one to paragraph 3 and one to paragraph 9 and he provided three versions of the ordinance for consideration: (1) one changing paragraph 3 only, (2) one changing paragraph 9 only, and (3) one changing both. Mr. Duncan acknowledged the concerns raised about the timelines appearing in the older ordinance language, confirming that these issues pre-existed and were not newly introduced. Mr. Pennington explained that the versions of the ordinances before the Council contained outdated or defective wording that would not comply with the requirements of HB 1522 regarding posting deadlines. Mr. Duncan further clarified that the agenda item, as filed, allowed the Council to consider whether to retain or eliminate the three-month waiting period. Even though the printed documents contained erroneous language, the Council could still take action on the policy question and apply changes to the correct ordinance. Councilman Pena responded to Mr. Pennington's comments by stating that, in his view, Mr. Pennington's remarks highlighted that there were numerous problems within the ordinance as a whole. He suggested that the issues being discussed specifically the provision concerning the three-month waiting period were part of a broader need to clean up and update the ordinance. He added that it appeared the Council would need to address multiple timelines and procedural elements within the ordinance in order to correct these issues. Interim City Manager Dan Pennington clarified that this was not what he intended to convey. He stated that the City's current, active ordinance is lawful and valid. He explained that the problems referenced earlier pertained only to the draft versions included in the Council packet, which contained outdated language not aligned with recent state law changes. He reaffirmed that the existing ordinance in effect is compliant and enforceable, and that any amendments approved by the Council would be applied to that legally sound version.

Mayor Cain offered his perspective on the proposed removal of the three-month restriction. He stated that, in his view, the existing three-month waiting period applicable only to the same councilmember who originally sponsored the defeated agenda item was sufficient. He noted that under the current ordinance, any other Councilmember, or even the City Manager, may place the same item back on the agenda at any subsequent meeting. Because of this, he explained, the Council could potentially revisit the same matter at five or six consecutive meetings if different individuals continued reintroducing it. Mayor Cain expressed the opinion that if an item comes before the Council numerous times and repeatedly fails to gain sufficient support, it is unlikely to pass regardless of how many times it is reintroduced. For that reason, he stated that eliminating the three-month restriction was unnecessary and ludicrous. He said Councilman Davis is correct other cities do not have this but this is Freeport. Councilman Pena said that it was a terrible thing to say. He asserted that significant cleanup and reform of City Hall had already taken place, citing changes in City leadership including the arrival of a new City Manager and CFO as evidence of past problems he had raised. He argued that removing Section 9 was part of an ongoing effort to improve transparency and accountability, and stated that the issue was being met with undue resistance despite being, in his view, a simple corrective measure.

Mayor Cain called the motion to a vote with all present and voting "Aye" 3-2. The Council approved the motion. Mayor Cain voted "Nay". Councilman Matamoros voted "Nay".

Discuss and take possible action to amend Resolution 2022-2672, Section 3. [Ordinance No. 2025-2742]

Councilman Pena stated that this requirement mandating Councilmembers to submit supporting documents, memos, research, engineering plans, or other detailed materials when placing an item on the agenda was created during the same period as Section 9, and was, in his view, part of an effort to limit transparency and restrict Councilmembers' ability to bring forward issues. He described the process that existed prior to the adoption of this resolution. At that time, any Councilmember could simply contact the City Manager by phone or email to request a topic be placed on an upcoming agenda whether related to an intersection, a ballfield, a project in their ward, or other matters. The City Manager would then prepare the item without assigning research burdens to the requesting Councilmember. Councilman Pena noted that this cooperative and cohesive relationship had been longstanding. He stated that once he began raising difficult questions in 2022, rules began to change: first limiting the number of agenda items a Councilmember could request, then imposing the three-month restriction for reintroducing a failed item, and finally adding Section 3, which required Councilmembers to provide extensive documentation before an item could even be considered. In his opinion, these rules were silly, unnecessary, and unlike anything in any other Brazoria County city. Councilman Pena argued that requiring elected officials to provide such detailed materials was unreasonable, especially when dealing with large development or sports facility projects for which staff not Council would typically generate detailed plans or schematics. He stated that the purpose of Council meetings is to discuss, explore, and evaluate information together, not to expect individual Councilmembers to produce formal memos and documents.

A motion was made by Councilman Pena to remove Section 3 as well from Ordinance No. 2022-2672, seconded by Councilman Davis with discussion that followed.

Councilman Davis expressed support for removing Section 3. He stated that from his own experience and through conversations with officials from other Cities during regional council gatherings, it is clear that Freeport is not the only City with challenges but many of the procedural hurdles in Freeport are self-imposed and unnecessary. He emphasized that Councilmembers are elected to represent residents, request information, and place items on the agenda, and they should not be required to navigate extra obstacles or complex submission requirements. Councilman Davis stated that many of the restrictive rules were implemented following prior tensions involving agenda procedures, including legal action pursued against Councilman Pena, who was later acquitted. Councilman Davis noted that numerous changes appeared to have been made during that period, and that they have continued to hinder the ability of Councilmembers to perform their duties. He stated that if a Councilmember or a resident asks for a matter to be addressed, the Councilmember should have the authority and ability to place it on the agenda without excessive procedural barriers. While not every item will succeed, he argued that Councilmembers should at least be able to bring matters forward for discussion without being handcuffed by procedural requirements. Councilman Davis concluded by stating reaffirming that Councilmembers were elected to serve and should retain the right to place items on the agenda freely and responsibly.

Mayor Cain addressed the Council and responded to earlier comments, particularly those referencing past legal matters involving Councilman Pena. He stated that the inclusion of Section 3 in the ordinance had nothing to do with Councilman Pena's prior trial. He clarified that the requirement was introduced because, during several consecutive meetings, the Council was presented with agenda items that were incomplete or lacked sufficient detail. He explained that on multiple occasions, an agenda item would appear with a title such as "Discuss and take possible action to amend Resolution 2022-2672," yet the remainder of the listing describing what specifically was to be amended was blank. As a result, when the meetings began, neither the Council nor the public knew the content or purpose of the item. This left the Council unable to determine what they were expected to vote on. Mayor Cain stated that this situation caused repeated delays: agenda items had to be tabled one meeting after another because they were not properly described, and neither Councilmembers nor citizens had enough information to participate meaningfully. He acknowledged that while the City Manager and City staff are responsible for preparing the agenda, at that time, staff tried to contact the requesting Councilmember for clarification and were unable to obtain the needed information. Without receiving answers, staff could not complete the agenda posting, resulting in items being presented in an incomplete state. Mayor Cain emphasized that Section 3 was added to prevent this issue, ensuring that both the public and the Council would have adequate information about an agenda item before arriving at the meeting. He stated that the purpose of the rule was to provide clarity and transparency not to restrict anyone's rights by making sure everyone understood what was being discussed and voted on rather than discovering it only after the meeting had already begun.

Councilman Pena stated that the recollection of the timeline related to his prior jury trial was inaccurate but chose not to revisit those details, instead focusing on the matter before the Council. He emphasized that his effort to remove Section 3 of the ordinance was not about withholding information from the public or from the Council prior to a vote. Rather, he said, the issue was the gamesmanship that has taken place over the past several years regarding how agenda requests were handled. He described a pattern in which City Hall staff would assist certain Councilmembers with preparing agenda items, while others were held rigidly to detailed requirements and deadlines. This inconsistency, he argued, resulted in unequal treatment and hindered the ability of some Councilmembers to bring issues forward. Councilman Pena stated that Section 3 contributes to this problem by imposing unnecessary burdens on Councilmembers, requiring them to produce memos, detailed documentation, or technical information tasks typically handled by administrative staff. He noted that the City already has rules in place for agenda requests, and that City staff should support Councilmembers equally and professionally without subjecting them to arbitrary barriers. He further pointed out the procedural inconsistency created by the new state law requiring agenda requests to be submitted by Thursday, while the ordinance still referenced a Tuesday deadline. He explained that under the current ordinance, a Councilmember would have only two days to prepare the memo and detailed language required for an agenda item. He questioned whether any other City demands such detailed preparation from elected officials, asserting that the answer is absolutely not, as Councilmembers are volunteers, not administrators. Councilman Pena added that the gamesmanship he described began in 2022, and that this cleanup of the ordinance was part of correcting practices that had undermined fairness and transparency. He expressed appreciation for the current Council majority, whom he described as having common sense, as well as for the professionalism of the new staff. He stated that he was particularly excited for the arrival of the incoming City Manager, Dr. Kelly, on December 15th. He noted that although he previously voted against her appointment, his vote was based on procedural concerns not on her qualifications and he was looking forward to her leadership in continuing to clean up City Hall.

Mayor Cain called the motion to a vote with all present and voting "Aye" 2-3. The motion failed. Mayor Cain voted "Nay". Councilman Matamoros voted "Nay". Councilman Rossow voted "Nay".

Discuss and take possible action to designate City Representation for Industrial District Agreement negotiations.

Councilman Pena explained that he placed the item on the agenda because he closely follows how the City of Freeport is financed. He noted that more than one-third of the City's revenue the revenue that pays the City's bills and funds staff comes from industrial tax agreements the City holds with surrounding industries. Given the importance of these agreements, he emphasized the need for transparency and proper representation from the Council in all related meetings. He stated that, similar to the negotiations previously held with the Port, it is essential that elected officials be present to ensure openness and prevent decisions from being made without Council awareness. He expressed concern that, in the past, there had been instances in which negotiations were handled behind closed doors, resulting in backroom deals. He specifically referenced the Port negotiations as an example of processes that lacked adequate public transparency. Councilman Pena informed the Council that discussions regarding industrial district agreements are currently taking place involving the City of Freeport, the City of Clute, the City of Lake Jackson, and possibly other nearby jurisdictions. Because of the significance of these negotiations, he stated that Freeport must have consistent and active representation from its elected officials. He proposed that the City formally require the participation of at least two City Councilmembers, along with the City Manager and the City Attorney, in all industrial district agreement meetings. He stressed that this involvement is necessary to prevent unilateral decisions or surprises and to ensure that Freeport's interests are fully and transparently represented. Councilman Pena stated that he believed the matter warranted formal action and therefore made a motion requiring the attendance of, at minimum, the designated individuals the City Manager, City Attorney, and two Councilmembers at all industrial district agreement negotiations. He reiterated that these agreements are among the most important the City will negotiate, second only, in his view, to the Veolia contract scheduled for discussion in executive session.

A motion was made by Councilman Pena to require the Industrial District Agreement negotiations require the attendance of at least two designated City Councilman, City Manager, and City Attorney, those four officials at minimum, seconded by Councilman Davis with discussion that followed.

Councilman Davis requested clarification regarding the procedure and participants involved in the ongoing industrial district agreement discussions. He stated that the Council should be receiving updates and expressed the view that it may have been preferable to wait until the new City Manager arrived so the process could be discussed with her and aligned with her expectations. Councilman Davis asked who was currently participating in the discussions on behalf of the City of Freeport and whether negotiations had formally begun. Interim City Manager Dan Pennington responded that no negotiations had taken place yet. He explained that the recent meeting was not a negotiation but rather a preliminary gathering of the involved cities Freeport, Lake Jackson, and Clute to meet with the shared appraiser and align on procedural matters. There were no discussions with industrial plants or facilities at this stage. Mayor Cain listed the individuals who represented the City of Freeport at that meeting: Interim City Manager Dan Pennington, Police Chief Jennifer Howell, Mayor Cain, and City Attorney Chris Duncan. Representatives from the other cities included: the City Manager and Mayor of Clute, the City Manager and Mayor of Lake Jackson, and the

Assistant City Manager of Lake Jackson. Councilman Davis reiterated that their concern was simply understanding the process and knowing who was at the table for Freeport. He emphasized that, although negotiations had not yet started, the cities had already begun meeting, and that Councilmembers should receive periodic updates as matters progress. He stated that this is something they would likely address further with the incoming City Manager. He emphasized that industrial district agreements are significant and will require ongoing dialogue and deeper Council involvement once negotiations commence. Mayor Cain confirmed that once negotiations formally begin, the Council will be discussing the matter regularly at Council meetings. He clarified that the only action taken at the joint-city meeting was adoption of a resolution by all three cities stating their intention to begin negotiations and seek a long-term agreement. By law, the maximum term is 15 years. Mr. Pennington explained that the shared resolution served as a statement to the public that the three cities are united and will work collaboratively throughout the negotiation process. When asked whether he had participated in previous negotiations, City Attorney Chris Duncan clarified that this would be his first time negotiating an industrial district agreement, as the prior agreement was executed 15 years ago, predating his tenure with the City.

Mayor Cain called the motion to a vote with all present and voting "Aye" 1-4. The motion failed. Mayor Cain voted "Nay". Councilman Davis voted "Nay". Councilman Matamoros voted "Nay". Councilman Rossow voted "Nay".

Work Session

Councilman Pena Ward A announcements and comments.

Councilman Pena thanked all attendees, including those watching live or who would tune in later. He expressed appreciation to the individuals who volunteered to serve on various boards, acknowledging their interest and commitment, and noting that the Council looks forward to their participation as required by their appointed roles. He then asked why the Planning & Zoning Commission (P&Z) board selection had not appeared on the agenda, noting that vacancies had existed for some time. He requested that the item be placed on the December 15th meeting agenda. He also asked whether the City had received any applications for P&Z. Ron Bachman came forward and stated that the P&Z Commission's last meeting lacked quorum, and therefore members were unable to discuss or make recommendations. He noted that many of the applicants under consideration were the same individuals reviewed earlier in the evening, except Margaret Bachman. Councilman Pena then raised several constituent concerns. First, he followed up on a previous request regarding crosswalk striping near the junior high at Highway 288 and Fourth Street, particularly near the Circle K and the pedestrian route toward Arlans. He noted that residents continue to express concern about the absence of painted crosswalk markings and asked that the issue receive the same urgency as the Fourth & Pecan intersection review. Next, he asked for an update regarding the 25-acre park property off Second Street, where residents had reportedly been using parkland as private storage space. He stated that this issue had been brought to him by citizens and asked for clarification from Code Enforcement. When informed that Police Chief Howell was not present, he said he would follow up through email. Councilman Pena also recognized Ms. Laura Cramer for successfully coordinating with CenterPoint Energy to clean up power lines in the downtown area. He expressed gratitude that City Hall staff were actively responding to Council requests and that improvements were becoming visible throughout the community. He then referenced the upcoming Christmas on Main event and stated that he had been contacted by vendors asking whether they could still participate. He requested clarification from staff. Interim City Manager Dan Pennington indicated that he would follow up with Main Street Coordinator the next day to determine whether additional vendor registrations were still being accepted. Lastly, Councilman Pena addressed the cold weather expected in the coming week, asking whether the City would be providing warming shelters or if the response remained a partnership with the Salvation Army. He requested any available information. Fire Chief Chris Motley confirmed that the City was cooperating with the Salvation Army regarding cold-weather assistance.

Councilman Davis Ward B announcements and comments.

Councilman Davis thanked everyone for attending the meeting and expressed his appreciation to all residents who volunteered to serve on the various City boards. He extended a warm welcome to the newly appointed board members and stated that he was excited to have them involved, wishing them success in their upcoming service. He then addressed several public safety and maintenance concerns reported by residents. He noted that on the main roadway near First Baptist Church after passing the intermediate school there are two streetlights in the median that have been out for a long time. One of the lights, he added, is physically lying in the grass within the median. Because these are TxDOT lights, he requested that staff contact the appropriate TxDOT representatives to resolve the issue, emphasizing that the area is extremely dark and residents have been complaining. Councilman Davis also reported that the lighting at the fishing pier appeared to be malfunctioning. He stated that one of the green lights is out and that the taller white lights at the top of the structure have not been turned on. He stressed that the pier is used nightly by the public and is a very active location, making proper lighting essential for safety and comfort. He asked the City staff to send someone to evaluate and repair the lighting as needed. Councilman Davis stated that he and many others are excited about the next Council meeting, when the new City Manager will officially begin. He remarked that Freeport had been anticipating this leadership transition for some time and expressed confidence in the new City Manager's experience and vision for the City. He said he believes positive change is coming, particularly regarding housing initiatives and other projects that will soon be presented to the public. He concluded by noting that many upcoming efforts will require community support, and that continued investment in the City's youth and future is a priority he looks forward to pursuing.

Councilman Matamoros Ward C announcements and comments.

Councilman Matamoros stated that he had two brief items to address. First, he reported receiving several phone calls earlier in the day regarding a social media post about the Senior Citizens Commission Christmas Party. Callers expressed concern that the event was being catered by an out-of-town vendor, Bayou Boys from Needville, rather than by Freeport restaurants. He noted that local restaurant owners questioned why they were not given the opportunity to provide catering services and asked that staff provide clarification regarding the vendor selection process. Councilman Matamoros then turned to his second item, expressing his appreciation to Interim City Manager Dan Pennington. He thanked Mr. Pennington for his hard work and support, stating that he had been extremely helpful whenever Councilman Matamoros reached out with questions or needed information related to various issues. He noted that Mr. Pennington consistently provided prompt responses and guidance. He concluded by thanking Mr. Pennington for his service to the City during his interim tenure and wished him well in his upcoming retirement, adding a warm hope that his wife would also enjoy this next chapter.

Councilman Rossow Ward D announcements and comments.

Councilman Rossow thanked everyone who attended the meeting as well as those watching remotely. He expressed appreciation for the residents who regularly participate during Council meetings on the first and third Mondays and thanked them for their comments and concerns. He reminded the public about the upcoming Senior Citizens Commission Christmas Party, encouraging senior residents to attend. He stated that he had attended the last several events and described them as festive and well-received. He also expressed enthusiasm for the Christmas season, noting that the City was beginning to look decorated and cheerful. He mentioned that although he was unable to attend the recent Thanksgiving Feast, he had heard overwhelmingly positive feedback about the event. He commended the City and volunteers for feeding so many community members, stating that the success of the event is well-known throughout Brazoria County. Councilman Rossow also reminded the public of the upcoming Martin Luther King Jr. Parade in January, along with related end-of-year activities, including a banquet, church service, and essay program. He encouraged community participation, especially from young people.

Mayor Jerry Cain announcements and comments.

Mayor Cain noted that in Ward B, trash collection days are Monday and Thursday. Because of Thanksgiving, Thursday's collection did not occur, but he observed that trash cans were still left out when he returned home that afternoon. He requested that staff contact AmeriWaste to determine the cause of the delay, stating it had been too long since trash was last collected. Mayor Cain congratulated the City and all involved with Super Feast, noting he could not attend but heard it was a tremendous success. He specifically recognized Mr. McGinty for his extensive involvement and thanked all others who contributed. He then acknowledged the upcoming transition of leadership, noting that the City's new City Manager would begin on December 15, the date of the next Council meeting. This meant that Interim City Manager Dan Pennington would no longer be seated beside him. Mayor Cain thanked Mr. Pennington sincerely for stepping into the interim role during a time of need. He praised his professionalism, honesty, and integrity, and expressed gratitude for his responsiveness, guidance, and steady leadership. He wished him the best in his retirement and emphasized that he is always welcome back in Freeport.

City Manager announcements and comments.

Interim City Manager Dan Pennington thanked the Council for their support and expressing appreciation for the citizens and City Hall staff he worked with. He said he would miss many of the people he had gotten to know and looked forward to returning to Freeport in the future.

Councilman Davis recalled a story shared by a resident. The resident described seeing someone trimming and cleaning the landscape around the Freeport entrance sign. Assuming it was a City employee, he pulled over only to discover it was Interim City Manager Pennington and his wife, performing the work themselves. Councilman Davis stated that this story reflected Mr. Pennington's work ethic and commitment and expressed deep appreciation for everything he had done for the City, especially during challenging periods.

Executive Session

Executive Session regarding a.) Texas Government Code, Section 551.071 (Consultation with Attorney) to discuss and take possible action on Veolia contract.

The Regular Session closed at 8:07P.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 8:58P.M. and the Council went back into Regular Session.

There was no action from the Executive Session.

Adjournment

Adjournment – Jerry Cain, Mayor

A motion was made by Councilman Pena to adjourn the meeting, seconded by Councilman Davis with all present and voting "Aye" 5-0. Mayor Cain adjourned the meeting at 8:58P.M.

Jerry Cain

Jerry Cain, Mayor

CFR

Clarisa Fernandez, City Secretary